



Town of Farmington
Planning and Community Development Department
356 Main Street
Farmington, NH 03835

FARMINGTON ZONING BOARD of ADJUSTMENT - AGENDA

Meeting Type: Regular Meeting
Meeting Location: Board of Selectmen's Chambers, Municipal Building, 356 Main Street, Farmington, NH
Meeting Date: Thursday – May 18, 2023
Meeting Time: 7:00PM

1. Pledge of Allegiance
2. Approval of the Prior Minutes
 - April 6, 2023 Meeting Minutes
3. Old Business
 - A. Public Hearing for a Special Exception by Nutes Solar, LLC, Tax Map R17, Lot 68; Tax Map R18, Lot 10; Tax Map R17, Lot 55; Tax Map R17, Lot 57; Tax Map R18, Lot 5; Tax Map R17, Lot 33; and Tax Map R18, Lot 3. A request has been made to allow a utility use not specified by special exception. The proposed use is for a 20-megawatt solar farm, which would include single axis tracker solar arrays mounted on steel posts, access drives, equipment pads, and an ancillary equipment. The properties are located off Chestnut Hill Road in the Rural Residential District.
4. New Business
 - A. Review disclaimer to be added to Notice of Decisions where third-party review is required.
5. Any Other Business Before the Board
6. Adjournment

John Scruton, Chairman
Farmington Zoning Board of Adjustment

Town of Farmington
Zoning Board of Adjustment Meeting Minutes
Thursday, April 6, 2023
356 Main Street-Farmington, NH 03835

Board Members Present:

John David Aylard, Chairman
Joe Pitre, Vice Chairman
Bill Fisher, Clerk/Secretary
Bob Morgan
John Scruton

Others Present:

Jen Czysz, SRPC Executive Director
Kerriann Roman, Drummond Woodsum
Thomas Hildreth, McLane Middleton
Christopher Dunn, KW Realty
Dale Knapp, Walden Renewables
Irene Dupont, Debbie Prue, Sandra &
Steve Brown, Mark & Brigitte Garber,
Traci Cameron, William Hinton, Patricia
Colanto, Eric Pound, Bobbie Glidden,
Daryl Murphy, Lee Murphy, Jaiden
Glidden, Jamie & Kristal Corriveau,
Sarah Mackenzie, Brian Howard,
Caitlyn Robicheau, Jaiden Glidden

BUSINESS BEFRE THE BOARD:

Call to Order:

Chairman Aylard called the meeting to order at 7 p.m.

Pledge of Allegiance:

All present stood for the Pledge of Allegiance.

Review of Minutes:

November 3, 2022- Public Minutes- No errors or omissions

Motion: (Scruton, second Pitre) to approve the minutes as written passed 5-0.

Announcement of New Term Limits:

Chairman Aylard said at their March 20 meeting the Board of Selectmen appointed the following members each to a 3 year term: Joe Pitre and Robert Morgan.

Vote on Officers:

Chairman Aylard called for nominations for Chairman.

Motion: (Fisher, second Aylard) for John Scruton to be the next Chairman;

There were no other nominations for Chairman.

Vote: the motion passed 4-0-1 (Scruton abstained).

Chairman Scruton called for nominations for Vice Chairman.

Motion: (Scruton, second Morgan) to nominate Joe Pitre for Vice Chairman;
There were no other nominations for Vice Chairman.

Vote: the motion passed 5-0.

Chairman Scruton called for nominations for Clerk/Secretary.

Mr. Pitre asked Mr. Scruton to state what the Secretary's function is.

Mr. Fisher said the Secretary is primarily the backup to the Chair and the Vice Chair if they don't show up as they have a Recording Secretary who takes care of all the paperwork.

Mr. Scruton said the ZBA bylaws say that a Clerk/Secretary shall be elected annually and he/she shall maintain a record of all meeting transactions and findings. Duties of the Clerk may be performed by staff pursuant to the RSA and in cases where staff assistance is unavailable the elected member shall fill this role. He said it would be doing the minutes if staff is unavailable.

Motion: (Pitre, second Morgan) to nominate John Aylard for Clerk/Secretary;

There were no other nominations

Vote: the motion passed 4-0-1 (Aylard abstained).

NEW CASES:

Public Hearing for a Variance by Jean E. Crawley Trustee, Tax Map 36, Lot 3. A request has been made for a Variance under Table 2.00 (C) Table of Permitted Uses, Section II Residential, Letter (A) Principal Uses. The applicant is requesting a variance to allow for a single-family detached dwelling in a zone in which residential uses are prohibited. The property is in the Commercial Business District.

Chairman Scruton opened this public hearing and asked the representative for the Jean E. Crawley Trust to make a presentation.

Christopher Dunn of KW Realty came forward and told the board the variance request is to change the current land use from commercial to residential and the facts supporting this request are:

1). The Variance will not be contrary to the public interest:

Applicant Response: There is a dirt road and it is not suitable to commercial use. There is a bridge that must be crossed to access the property with a weight limit. No frontage on Route 11 or ability to advertise (as would be required for a commercial use or business).

2). The spirit of the ordinance is observed:

Applicant Response: There is no road frontage or ability to have signage on Route 11. It is located on a dirt road not suitable to commercial use with a wooden bridge that is not suitable for commercial traffic.

3). Substantial justice is done:

Applicant Response: There is no harm to the abutters as all abutters are residential. The lot as residential would improve the neighbors' property values. There would be no added noise from a potential commercial use.

4). The value of surrounding properties are not diminished:

Applicant Response: Located in a residential neighborhood. Residential is the highest and best use.

5). Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:

Applicant Response: The land is sloping, hilly. The road is dirt and the bridge cannot handle heavy vehicle traffic, dirt road and wooden bridge. (as stated on the Variance application)

Chairman Scruton asked if there were any questions from the board members.

Mr. Pitre asked Mr. Dunn to describe where the property is located on Paulson Road.

Mr. Dunn said it is on the west side of Rt. 11 just up the dirt road maybe 600 ft. from the street and from the land itself it's barely at 1,000 ft. He said it's probably right on the cusp of 500 ft. in from Rt. 11.

Mr. Pitre asked how far away it is from the yellow building there.

Mr. Dunn said he has only measured it by using a trip odometer on a truck and estimated that it is about .2 miles up the road from it.

Chairman Scruton opened the hearing to public comment at 7:09 p.m. and asked if there were any questions from the public on this variance request.

He explained the applicant is requesting a variance to allow a residential use on what is commercial. He recalled that that they went back 1,000 ft. from Rt. 11 making everything commercial. He said this is up a Class V dirt road that becomes a Class VI somewhere in there. He again asked if anyone wished to comment and hearing none closed the public comment portion of the hearing at 7:10 p.m. He then asked for motions from the board regarding the 5 tests for a variance.

Town Attorney Keriann Roman asked if the property is off of the Class VI part of the road.

Mr. Scruton said no you're still on the Class V portion and it's further up that it goes to Class VI.

Mr. Dunn said that is correct.

Chairman Scruton called for a motion on **Criteria #1.**

Motion: (Fisher, second Pitre) that the variance will not be contrary to the public interest;

Discussion: Mr. Fisher said this is property that can't be used for anything else right now and the town has just had warrant articles passed that is making it easier to use commercial property and to allow in the back of commercial property to build residential units so it has no effect on the surrounding property values.

Mr. Pitre asked for the size of the property.

Mr. Dunn said it is about 6 acres.

Mr. Pitre asked if he planned to put any commercial ventures on the property.

Mr. Dunn said no just residential.

Mr. Aylard asked for the amount of frontage it has on this road.

Mr. Dunn said he don't know the exact number off the top of his head but it is in excess of 200 ft. and is probably more in the neighborhood of 400-600 ft.

Mr. Fisher said that's on the dirt road and not on Rt. 11.

Mr. Dunn said that's correct. He said none of the 6 acres touches Rt. 11.

Vote: the motion passed 5-0.

Criteria #2: Motion: (Pitre, second Morgan) that the spirit of the ordinance is observed;

Discussion: Mr. Pitre said we can do multiple uses, residential and commercial uses on commercial property so that gives him a clue that this is possible. He said he may not at this time but he has the ability later on to make this dual purpose.

Vote: the motion passed 5-0.

Criteria #3: Motion: (Pitre, second Aylard) that substantial justice is done;

Discussion: Mr. Pitre said it's a unique piece of property being off the beaten path it's on a dirt road and over a bridge and that's probably the best use of that property at this time.

Vote: the motion passed 5-0.

Criteria #4: Motion: (Aylard, second Pitre) that the value of surrounding properties are not diminished;

Discussion: Mr. Aylard asked if he has any neighbors around him.

Mr. Dunn said up the hill is residential and straight across the street is residential and there may be one other residential piece but he knows of at least two.

Mr. Pitre asked how far that is from his property.

Mr. Dunn said 2 of the abutters are residential.

Mr. Aylard asked how far the trailer is from him.

Mr. Dunn said it's across the street and it's about 50 or 100 ft. away.

Mr. Scruton asked if you still drive all the way thru to Ten Rod Road.

Mr. Dunn said you can drive to the top of it and at the top its private property and the road goes to private.

Mr. Fisher said it doesn't go all the way thru and there's another road off of the other end that comes up where the old Pound Road is and in between Pound Road and Paulson Road there's a private strip of property and a guy who has a home and a chicken ranch.

Mr. Aylard was somewhat hesitant to vote at first and questioned if that was a good reason.

Mr. Scruton said he asked if there was other residential and therefore putting residential next to it would not adversely affect the value of the residential properties.

Mr. Aylard asked if he was going to put up a stick built building or bringing something in.

Mr. Dunn said t would likely be a stick built building

Vote: the motion passed 5-0.

Criteria #5: Motion: (Pitre, second Aylard) that the literal enforcement of the ordinance would result in an unnecessary hardship;

Discussion: Mr. Scruton asked for the reason there is something unique about this property that creates this hardship.

Mr. Pitre said the dirt road, the bridge and it is unique to where it sits and he believes there is ledge there too. He said this sounds like this is the best use of the property and it is unique.

Vote: the motion passed 5-0.

Mr. Scruton asked if there are any conditions that should be placed upon the approval.

Mr. Pitre said no because he has to apply for a permit and has to meet those requirements and asked to move the question.

Motion: (Pitre, second Fisher) to grant the variance as requested passed 5-0.

Public Hearing for a Special Exception by Nutes Solar, LLC, Tax Map R17, Lot 68; Tax Map R18, Lot 10; Tax Map R17, Lot 55; Tax Map R17, Lot 57; Tax Map R18, Lot 5; Tax Map R17, Lot 33 and Tax Map R18, Lot 3. A request has been made to allow a utility use not specified by special exception. The proposed use is for a 20 megawatt solar farm, which would include single axis tracker solar arrays mounted on steel posts, access drives, equipment pads and ancillary equipment. The properties are located off Chestnut Hill Road in the Rural Residential District.

Chairman Scruton said the applicant is requesting a **Special Exception** and there are a number of tax maps and this is on the Milton/Farmington Town line and asked if there is a motion that this be considered a project of regional impact because it's on the Milton line.

Motion: (Pitre. Second Aylard) that this is a project of regional impact because of its location on the Milton line passed 5-0.

Mr. Scruton said this means we need to give notice to Milton so that the people in Milton that are impacted by this can also comment. He said the intent right now is to allow a presentation on the project so everyone here can hear about the project and the discussion on this will be at a continuation of this public hearing towards the middle of May when they can reconvene and have given Milton adequate notice. We couldn't declare this a project of regional impact earlier because it had to come before the board and the board had to take the vote and they can't act outside of a meeting and that is why that motion just occurred he said.

He then invited Nutes Solar, LLC to come forward and make a presentation on their project.

Att. Roman asked him to clarify that they will have an opportunity to speak as well tonight.

Mr. Scruton said they would have an opportunity to speak tonight and they can speak then. He said the meeting will not be re-noticed because this will be a continuation. The abutters won't be getting a new notice and we won't be putting anything in the paper because everyone here will have been notified. There will be notice going to the Town of Milton he said.

Dale Knapp, Head of Development for Walden in New England introduced himself and Att. Tom Hildreth from McLane Middleton who is the primary author of the submission that is before them. He said they are here seeking zoning relief, a Special Exception to allow this project to proceed and the proposed project is a 20 megawatt ground mounted solar facility.

Mr. Knapp said over the past year they have been evaluating the project and they have met with regional planners, municipal staff and they have been in front of the Select Board a few

times to discuss and introduce the project and they proposed a **Payment In Lieu Of Taxes** agreement.

He said they held a public informational meeting last month and all the abutters were noticed and it was fairly well attended and they had some good interaction with neighbors.

Mr. Knapp said Walden is a national developer but they are focused on developing projects here in New England and they have a long track record in NH and ME. He said he lives in ME and they are headquartered in Portsmouth, NH, a couple of their staff live in NH and he has spent his career working on projects in NE.

He said they recognize that this board has seen solar in front of it before so they have based their submission on their prior experience around solar seeking zoning relief so they submitted the justification based on that.

He said this is a ground mounted solar facility proposed on private property that would be built with private capital funded by Walden. He said these projects have short construction windows between 9 to 12 months and they are intending to site the facility so it reduces visibility from abutting properties.

He said they are not noise generators they are not intended to disturb neighbors and within the filing in front of them they will see they have committed to respect setbacks from property lines to allow for vegetation to remain in place to screen visibility of the project.

Mr. Knapp said in terms of tangible benefits for the local community the PILOT they put in front of the Selectmen was a draft and they are working through that with them. He said the total value of that over the 40 year life of the project would be \$3.75 million without requiring any additional services from the municipality. He said the first year of payments to the municipality would be \$185,000.

He said decommissioning is a concern and the project would have to post financial surety to fully decommission the project prior to construction and that is in the commitment they made to the Select Board. He said this is a first step being before the board here and being before them next month and there will be many meetings with the Planning Board and they will have to file permits with NH Dept. of Environmental Services. We are going to do a number of site assessments and surveys with full civil design to support the site plan application and it will take a while to get through that process. We hope to be in construction toward the end of next year he said.

Mr. Fisher asked what setback they would be using.

Mr. Knapp said it would be a minimum of 100 ft.

Mr. Fisher said if he was not mistaken it only requires 50 ft.

Mr. Knapp said that is correct and within this zone they are going beyond what the required setback would be and in addition structures are allowed to be up to a height of 35 ft. these structures are well under 20 ft. so they are compliant with the standards of that zone.

He said this is a preliminary discussion and he didn't want to dig into the details of their very

robust filing but they certainly could if they would like and he would be happy to take questions from the board.

Mr. Scruton said their role is relatively limited as a Zoning Board and as Mr. Knapp indicated he'll be going before other groups and agencies. He said their role is limited to deciding if he meets the following standards: 1). the proposed use is consistent with the character of other permitted uses allowed within the district; 2). no hazard shall be created to the public or adjacent property on account of potential fire explosion or release of toxic materials; 3). no detriment to property values shall be created in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, access ways, odor, smoke, gas, dust or other pollutant, noise, glare, heat, vibration or unsightly outdoor storage of equipment or other materials; 4). no traffic hazard or substantial increase in the level of traffic congestion shall be created; 5). no excessive demand on municipal services including but not limited to water, sewer, waste disposal, Police and Fire protection and schools; 6). no significant increase of storm water runoff onto adjacent property or streets shall be created.

He said those are in our zoning ordinance that is online if you want to look at what those are. He said the questions are designed to fit a lot of different situations obviously they are not going to be sending anybody to school from the solar farm but they have to look at all of those standards as they evaluate this from their standpoint and those are the topics that will be in their forefront as they consider this project. He asked if the board had any questions for the applicant.

Mr. Pitre asked if any jobs would be created and that maintenance was obviously an issue.

Mr. Knapp said there are 2 phases-the construction phase will employ close to 200 people. He said they try to use local civil contractors for the earth work and typically they use local electricians if they are available and sometimes it's challenging because they are going to more competitive markets south of here.

He said during the long term maintenance there is not a tremendous amount of need for labor associated with the facility but they will see as there are more solar projects that move toward operation in New England that a local crew will take on the maintenance responsibilities for a handful of projects so they are staying busy. Short term big boom here locally, long term there are definitely opportunities there locally but it's certainly not 200 jobs he said.

Mr. Pitre asked what the typical maintenance routine is.

Mr. Knapp said its typically a quarterly visit just a pickup truck and they can dispatch a crew and the sites are remotely monitored so that's another part of the operational management of the process and if there's an issue in terms of the project performance they will dispatch a local crew to visit the site. Usually it's just quarterly inspections of if everything is up and running

properly and some limited grounds keeping and they may have to do some mowing and vegetation management which is another service they would seek locally he said.

Mr. Aylard said he caught his ear when he said no higher than 20 ft. and asked if these were not going to be the panels on the ground and were going to be the umbrella type.

Mr. Knapp said no and he brought some images that he thought might be helpful and showed the board and the public photos from 2 of their Maine projects. They're quite close to the ground he said.

Mr. Pitre asked about the location of the access road and if it would have multiple accesses.

Mr. Knapp said they are proposing a single primary construction access road and they have not done a detailed site survey or a full civil design this is a concept plan suitable for this purpose. He said right now the proposed access is off of Chestnut Hill Road and the existing access off of Dodge Cross Road is not suitable for a construction access. That could be an emergency ingress and egress if the need arises but our primary access proposed for all maintenance and equipment delivery is off of Chestnut Hill Road he said.

Chairman Scruton opened the hearing to public comment and questions at 7:32 p.m.

Mr. Fisher said they will be seeing this again when it goes before the Planning Board and tonight they were here for the SE to allow a solar farm to even be put in at this property. He said it is not on the list in the Table of Permitted Uses but there are similar permitted uses within this area that coincide with this so he is just asking for the SE to even put it in.

He said the next phase if it is not granted starts a whole different thing but if it's granted they will come to the Planning Board with their plans on where they will put the roads, the setbacks, how they are going to camouflage this from their houses (plastic fences, trees, bushes?), water runoff, snow storage and a lot of different variables will have to be considered and this will all be at a public hearing before the Planning Board and that's where the exact plans on how they're going to build this and where they put things will be approved and authorized.

He said he knows this because he is also on the Planning Board and he hoped to see each of them again at the Planning Board to hear their input because it is very important that the ZBA and the Planning Board know how they feel about this going in basically in their backyards and they have to find out what Milton has to say about it.

Dodge Cross Rd. resident Irene Dupont said their property values will go down and this has been proven all over the country every time one of these farms is put in. She said the safe distance is over a mile from it and they're talking less than 100 ft. or 100 ft. from our homes and that's way too close. She said they have all kinds of wildlife in that area-bears, deer, rabbits and fox and asked what is going to happen to them.

She said there are fires that have been caused by these things and a lot of fires and they hide them by saying it was an "other" kind of fire instead of letting people that these farms are causing fires. An animal can run into it, a human can run into it, Firefighters have to have special equipment or they can get electrocuted if there is a fire in one of these units and asked

if our Fire Dept. is able to handle this. We really need to look deeply into this before we allow this to come she said.

Mrs. Dupont said they hum and she moved into the country because she wanted peace and quiet and it's not going to be that if these are put in. She said when the construction is being done all this traffic and noise is going to be there and asked if they have to put up with that too. She asked if their property values go down if their property taxes will go lower and if that is going to help the town if they're paying less taxes because their houses aren't worth as much. We really need to think about this and the board needs to do a lot of research and find out exactly what is going on and to check with other areas that have had problems with these farms she said.

Nutes Rd., Milton resident Bill Hinton said he is an abutter and that he moved here a couple of years ago clearly for the peace and quiet. He said this project is huge it's a lot of acreage, there's a lot of wildlife and he can't imagine that they're not going to disturb that situation and encouraged the board to look into the effect of what happens with the wildlife on this particular property. He said they can tone it down to say they are only going to use 120 acres but they are really going to disturb somewhere near 400 acres and he would like to see the board consider it.

Mr. Hinton said he went to the previous meeting and he sees in his case that it allows more access to the back of his property and they are going to gate it but they are not going to fence everything they're only going to fence their investment and that's the panels. This could create an entire different situation than we have in a lot of the abutters around here is access to it with 4-wheelers, hunters, dirt bikers, whatever and you should consider the scope of what this could create he said.

Resident Trisha Colanto said she moved to Farmington in Nov. and she came here to get away from everything and she wanted quiet and peace and have her animals and not have to worry. She said she is really concerned and she doesn't think that this is right for us or for the animals or even for their pets.

She said she heard that a sound is emitted that bothers animals that we may not hear though she didn't know if that was true or not. She said she totally objects to this and she is so close to that it's going to be right there and she came to get away from all of that. I worked hard to get here and now just as I get here you're going to put this huge thing here. I disagree and my biggest concern is the animals, the wildlife and we don't have much of it left and we need to protect that she said.

Little City Rd. resident Debbie Prue said she was reading something that said at 30 ft. away the sound of it is 65 decibels and they're talking 150 ft. She said they said it doesn't go inaudible until 500 ft. and that is quite far away and that means at her house at 150 ft. she will be hearing one of those motors running.

She said she has read a lot about how they only last 25-30 years and asked if we are going to

turn some land into a landfill to bury these things that are filled with lead and so forth. She said those are toxins and whatever is going to happen to those things somebody is going to get hit with them whether it's us or somebody else. Those are toxins that go into the ground that could eventually make people sick and die. At some point people have to be important too. I'm all for things that are making things better, greener unless the end results are no better than the beginning she said.

Milton resident Caitlin Robicheau said her property is "wow right there" and right smack dab in the middle of it is going to be in her backyard. She said she takes her kids out there and that she and her dogs go walking out there and she grew up in the middle of nowhere with all this land that she was so excited to share with her kids and now it's going to be gone.

She said that's so much acreage and half of that would have been at least a little bit better but they're leaving nothing there and like everybody else has said the noise concerns her about the wildlife, her animals and her kids hearing the humming.

She said she has heard that they attract bugs and she definitely doesn't want any more. She asked the board to please look into this as this is huge. She said she could see it a lot smaller maybe half or a quarter but the whole thing is huge and that's going to delete so much and take away so much even if they put fences the wildlife could run into them and what happens after that fires, toxins. She said the solar panel thing is supposed to be green but asked if this was going to benefit us and if they were going to get cheaper electricity because she would love that but it is not going to benefit us in any way.

Oakwood Rd. resident Jaiden Glidden pointed out the location of her property and said everyone here has made remarkable points and she didn't think that there was any need to reiterate them. She said one of her major concerns was Chestnut Hill Rd. and we know the condition of the road and it is not going to withstand the equipment that's brought in. She said it's bad in the middle of the summer on a dry day, when we're talking wet season we're talking potholes and asked who is going to maintain that and pay to repair that.

She said that Chestnut Hill Rd. is a busy road and they probably all travel it once or twice a day. She asked what they would do when there are commercial vehicles taking up that space day in and day out during that development. This is not what this town has ever been about. I've lived here for 21 years and nobody says let's go to Farmington they have a great solar farm and nobody ever will. Being that I'm an abutter with my husband we are completely against the development of this land for this use she said.

Resident Steve Brown said a couple of years ago his grandson got married up in Farmington, Maine and that happens to be the largest solar farm in New England. He said he stayed in the campground up there for a couple of days and all the cars that were in there had Florida and Texas plates and he asked around and it was all people working on the solar farm. He said it is a misconception that it is going to provide local jobs and he has seen it himself.

Dodge Cross Rd. resident Jamie Corriveau said as far as the money aspect of it they are talking

about giving out 40 years worth of \$3.75 million and asked if that gets split between Middleton, Milton and us that about that and if it doesn't that works out to \$93,000 a year to the Town for 40 years. He said his house generates almost \$11,000 in tax revenue for the town and all that acreage right there if you put 10 houses in you make that money a year.

Mr. Corriveau said his other issue was how low the solar panels are and it's easier to work on them because they're lower but nothing travels thru there after that. He said he owns 20 acres and has lived here since 2001 and they clear cut the land behind him and all the animals stopped coming thru the yard. I'd like to see an environmental impact study and I'm sure you've generated one but I didn't see it yet. I don't think the money aspect of it benefits the town enough to make it worth losing all that property he said.

Bobbie Glidden said she owns property and is an abutter off of Elm Street and her biggest concerns are the deforestation and the water runoff. She said this is on a ridge and if you take down trees there's going to be a whole lot of water coming down a sloped area. She said she didn't know a lot about solar fields but this doesn't seem to be the best placement for solar fields due to the water runoff. She said she is a supporter of clean energy but she worries about the herbicides that will be used to control the vegetation.

Brian Howard said he works for Cameron's and they have done a lot of hydro-seeding and planting on some of these solar farms (Franklin, Durham, Enfield and Hinsdale) and all of them have been in a gravel pit or on a municipality landfill or on a ridge or a mountain like the ones that oversee Plymouth. He said every one of them have not been in a residential area. He said there's a lot of impact and they're going to handle the water runoff but asked what Chestnut Hill Rd. is going to handle and who is going to fund that.

He asked about all of the culverts that run down Chestnut Hill Rd. and who is going to fund that and if the Town would have to fund that to make larger culverts and fix the road. He said they are going to do the project and asked who is going to fix the roads. It's going to be on us (pointing to himself and the audience) he said.

Chestnut Hill Rd. resident Sarah Mackenzie said her maiden name is Russell and her family has lived in this town for years and her grandfather 2 doors down from her built the house there with his own hands. She said she is a fan of clean solar energy and has no problem with it but the area it would be in is a residential area and is not something that is meant for this. This is our homes, this is where we live and it certainly could be positioned somewhere else she said. She said that land should be saved for more residential lands, more people, more homes and potentially more farms and there's a lot of stuff that this town would support a lot more. She said the main access is probably going to be right across from her house which she is not a fan of because she has a nice big driveway and she has a lot of cars already that turn in and out of there and she has a feeling that is just going to perpetuate that. There's going to be construction vehicles in and out of my driveway and I'm not a fan of that either. I don't think this is a good position for this project of that size she said.

Chairman Scruton asked if there were any other comments and hearing none asked if there was a motion to continue the public hearing.

Motion: (Pitre, second Morgan) to continue this public hearing to May 18 at 7 p.m. at the Farmington Town Hall;

Discussion: Mr. Fisher said he would like to know if it is feasible and he would like more information from other sources such as a real estate agent for property values possibly in areas where solar farms have gone in. He said he would like to see what the positive or negative impacts have been to property values.

He said he would also like to hear from some representative of the Farmington, Maine Zoning Board or their Planning Board, Town Counsel, Board of Selectmen or whatever they have and see what the impacts have been from their solar farm up there.

Mr. Knapp suggested they contact Sanford, Maine as it is closer to them and the project in Farmington is significantly larger than this by about 4 times. He said he would see if he can get somebody from the Town to come to the next meeting if that would be helpful.

Mr. Fisher said they could take care of that through our Planning Dept. and then asked Ms. Czysz if the Planning Dept. would contact some other experts.

Ms. Czysz suggested they ask the residents as well to see what the impact has been on their lives.

Several audience members commented in agreement with Ms. Czysz's suggestion.

Mr. Scruton said they have a motion to continue and Mr. Fisher has stated some of the information that he would like in addition to what they have heard tonight and he would expect that the company would respond to some of the comments that have been given here tonight as far as addressing their concerns when they resume. He asked if there are other matters of this that need to be discussed tonight before they vote to continue the public hearing.

Att. Roman said it's not a question of whether the board or the Planning Dept. has the authority to contact the residents of other towns and bring them in here they really don't. She said the public can and the applicant can bring in who they want and they should consider if there are any third party experts that they want and they have the same authority as the Planning Board to do that. She said that might be something to discuss now so they don't have to continue it and then continue it again.

Mr. Fisher said that is why he asked for a real estate agent or someone who has dealt with properties around solar farms. He said he didn't know who was available and it is going to take some research but from what he has read he can't contact them because he would be representing the board and he can't do that on his own.

Att. Roman said as far as property values the applicant can and the residents can and asked if there was any other type of expert they would want to hire for the Zoning Board.

Mr. Aylard said he believes this board can ask to show or not show that it increases or decreases the value of the property.

Att. Roman said she presumed that the applicant will want to do that because the board asked for it.

Mr. Knapp said they included a peer reviewed study in their submission to the board that covers all of this information.

Mr. Fisher said he meant no offense but he would like to hear that from a third party expert.

Mr. Knapp said it is a third party expert.

Mr. Fisher said he used a third party expert in his report and if he was a company writing a report he would write it in a positive light and he wouldn't use negative information that's why he would like to hear from a third party for real estate values or detrimental impacts from the solar farm on the community.

Mr. Scruton said he assumed they can request that the Strafford Regional Planning Commission get them information on that.

Att. Roman said they could motion that they want to retain a real estate appraiser or assessor.

Mr. Scruton asked if that would be after the motion to continue.

Att. Roman said she would do it now and they have to decide if the Town would pay for that or the law says if they retain an expert that's reasonable the applicant pays for it.

Mr. Fisher said the Town has retained 2 engineering firms but he didn't know if those firms can do this type of work.

Att. Roman said she didn't think so.

Att. Hildreth said when a board retains an expert like this it is not to do original research for or against the application it is to review the information that is submitted to the record by the applicant or by opposing parties to evaluate not to do independent research to tell a board it's going to have this effect or that effect. He said they have the power to require an applicant to fund that research but it's premature because they haven't looked at what is in the record yet. He said if they look at that information and say we need someone to help us make sense of it then that's where you get them involved not at this stage coming in with the original findings.

Att. Roman said she would agree that they would look at what the applicant submits and then they could hire an appraiser to give an opinion on what the applicant or anybody else submits and they may have it. She said they were just trying to save having to go to the May meeting and then go to a June meeting but they can wait until May and review in more depth what the applicant has submitted and then make that motion in May.

Mr. Fisher said he was just interested in saving time and he didn't want to keep the applicant going into June. He said he thought if they could have somebody review the data that was submitted and give them a report on it at their May meeting...

Att. Hildreth said they already submitted the information to the board and as Mr. Knapp said it wasn't prepared for them and wasn't commissioned by Nutes or the parent company. This was

information that was gathered by a firm that has surveyed other sites in half a dozen states around the country so it's not our work.

Mr. Fisher said he didn't mean to offend anybody but he doesn't know real estate values and he doesn't know what effects things have.

Att. Roman said it would be appropriate to have a third party appraiser review what they submitted and she thought they could do that now but if Att. Hildreth wants to wait that just delays things on their end and she didn't think it matters to the board.

Att. Hildreth said his preference would be that they at least have a chance to address the substantive issues that were raised today and narrow the focus of what the experts might be required to weigh in on.

Mr. Hinton asked if the board can require a wildlife impact study.

Mr. Scruton said he did not know but that is not one of the conditions for a SE so he doubted they could.

Att. Roman said she didn't think they could do that. She said the public can submit whatever they want to the board for them to look at.

Mr. Fisher said he believes that would be part of the Alteration of Terrain Permit that they must get from the state and as part of that NH DES will come out and do a wildlife study and the same thing happened with the solar farm they were going to put in at the Transfer Station. He said they did a study and found a spotted salamander and it changed the plans for that solar farm. It will be looked at but that's at the Planning Board level he said.

Chairman Scruton suggested that at the next meeting everybody presents what information they have. He said if you have a real estate study present it, if you have a wildlife impact you want to present or if you have something else you want to present you can present it.

He said they would also expect them to answer some of the questions that have been raised by the public here and at that point they can decide if they want to hire an expert for review.

Mr. Knapp said the responses they'll compile here are directly related to the subject material contained in the criteria that they are reviewing this submission under and that is not necessarily the wildlife or some of the other issues raised here. He said there will be a very extensive permitting process that will involve the state, NH Fish and Game, NH DES, the storm water dept. and a lot of analysis will go into this site and by no means does this represent the end of the process.

Mr. Scruton said he read at the beginning the criteria that has to be decided regarding a Special Exception and that's all this board is really considering. He said there will be opportunities for input later at the Planning Board and the state permitting but for deciding if they get past this hurdle the issue becomes are they consistent in character with other permitted uses, hazards, potential fire, explosion, detrimental to property values, traffic hazard, municipal service demands and storm runoff. He said those are the area they will be looking at and deciding whether they meet that first hurdle to get to the next step.

Ms. Glidden pointed out the location of her property on the display map and said it was the last house on Oakwood Rd. on the left. She said her road gets washed away all year long from streams coming down through here and it got worse when they started selectively cutting back here (not this applicant) recently and the runoff got really bad. She said Oakwood Rd. is a private road and is not Town maintained so a lot of the private roads there are going to end up having to face the repercussions of what happens during this development. This Town is not paying to repair or maintain those roads and asked what those people are going to do when they can't leave their house or get to their house because of water runoff that has completely washed away their private roads. The Town is not going to come in and fix it, you're not going to come in and fix it (pointing to Mr. Knapp) so who else-we're going to have to she said.

Mr. Scruton said they are gathering information and anything she can give them in support of what she just said would be useful for the next meeting.

An audience member suggested they just say no and not have a next meeting.

Mr. Scruton said they can't because they are not at that point yet and they have to continue to the May meeting and let Milton comment and let everyone have an opportunity to comment and hear everything before they make a decision.

Mr. Corriveau said it sounds like in the packet they supplied to the board for this meeting that information should be in that packet just to get this variance. He said outside of that there is really nothing they can do here today. When the Planning Board meets that's the one where we'll really have to voice our opinions he said.

Mr. Fisher said and at the Conservation Commission meeting when it comes before them for their input. He said if it passes all 5 criteria the SE gets approved and if they don't then it doesn't and that starts the negotiations all over again in different way.

Mr. Scruton said that everything they received from the company is public information.

Mr. Corriveau asked if they have to come here to get it or if it is online.

Mr. Scruton said they will have to contact the Planning Dept. and they will ask the Planning Dept. to put it online.

Mr. Corriveau said Mr. Knapp referenced a Sanford project and asked if that was the Sanford Airport project.

Mr. Knapp said no they are building one on Rushten St. and there's one on New Dam Rd. He said the airport project is worth a look and there are some trackers there and he could send him a map and gave him his business card.

Mr. Fisher said his comments requesting this other stuff he draws back until their next meeting.

Mr. Scruton asked if there were any other comments and hearing none called for the vote on the motion to continue the public hearing to Thursday, May 18 at 7 p.m.

Vote: the motion passed 5-0.

Any Other Business to come before the Board: None

Adjournment:

Motion: (Pitre, second Aylard) to adjourn the meeting passed 5-0 at 8:13 p.m.

Kathleen Magoon
Recording Secretary

John Scruton, Chairman ___

DRAFT

Memo

To: Zoning Board of Adjustment
From: Kyle Pimental, Director of Planning and Community Development
Date: 5/11/2023
Re: May Zoning Board Meeting

Good evening,

Please note the following communication from the Town's Planning and Community Development Department.

1. Pledge of Allegiance
2. Review and Approval of April 6, 2023 Minutes
3. Old Business

A. Public Hearing for a Special Exception by Nutes Solar, LLC

A request has been made to allow a utility use not specified by special exception. The proposed use is for a 20-megawatt solar farm, which would include single axis tracker solar arrays mounted on steel posts, access drives, equipment pads, and an ancillary equipment. The properties are located off Chestnut Hill Road in the Rural Residential District.

a. Noticing Requirements

At the April 6th meeting, the ZBA determined the application as a project of regional impact and set a public hearing for May 18th to allow enough time to properly notice adjacent municipalities and the regional planning commission.

b. Special Exception Description

Special exceptions are very similar to a permit the Planning Board might issue, but when the zoning ordinance requires a special exception for a particular use, only the ZBA can grant it. The criteria for the special exception are set out in the zoning ordinance; if the applicant demonstrates that they are all satisfied, the Board must approve the application.

c. Planning Department Comments

The applicant is seeking a special exception to permit a solar farm across several properties, in which there are existing lease agreements with the owners, in the rural residential district. Prior proposed solar projects, such as the one on the Town landfill, sought special exceptions using the commercial use not specified; however, given the scale of this project, it makes more sense to view this request through a utility lens. The applicant has provided additional materials based on feedback received from the meeting in April, including a sound assessment, visual assessment, and a valuation assessment.

A meeting of the Regional Impact Development Committee was held on May 10th at Strafford Regional Planning Commission's office in which this application was discussed. A memo is attached as part of the Board's packet. Also included are several support letters received and comments from the Fire Chief regarding potential fire concerns.

Once the public hearing is closed, the Board has several choices. It can vote to approve, vote to approve with conditions, deny, or continue to a date certain. Planning Department staff recommend that as part of the motion, the Board provide proper findings of fact when

rendering a decision. If the Board chooses to continue to the case, the date MUST be prior to June 1st as by statute the ZBA has 90 days (the special exception was submitted the first week in March) to begin consideration and approve or disapprove of an application, unless the applicant agrees to an extension. Any date chosen after June 1st needs to be done with the agreement of the applicant.

4. New Business

A. Review disclaimer to be added to Notice of Decisions where third-party review is required.

Farmington's legal counsel recommends that for liability purposes for the Town and our third-party consultants and engineers, on future notices of decision and approval the Zoning Board of Adjustment to include the following disclaimer:

"Nothing in this Notice of Decision, Approval, minutes of the Board, or reports/comments/notes/letters from the Board's third party consultants, including but not limited to DuBois & King, Inc., shall be relied upon by the applicant, including its officers, directors, partners, members, agents, employees, representatives, contractors and subcontractors, that the applicant's proposal/project is: fully compliant with State or Federal law not within the jurisdiction of the Board; logistically feasible at the site; or, free from/devoid of any potential liability from third parties – including but not limited to abutters."

This arose because the engineer consultant selected through the Town RFP process provided a draft Agreement which required negotiations back and forth between them and the Town. It was edited because of the Town's insurance provider review and this language was agreed upon to compromise on liability concerns. If the Board does not want to include this language, or wishes to edit this language, please let staff know so the Planning Department can work with Town Counsel and the consultant for another mutually acceptable solution.

5. Any Other Business Before the Board

6. Adjournment

Upon receipt of this correspondence, if any ZBA member has additional questions or would like to follow up with staff, please contact Kyle Pimental at kpimental@strafford.org.

Respectfully,

-Kyle Pimental, Director of Planning and Community Development

March 1, 2023

Town of Farmington
Zoning Board of Adjustment
356 Main Street
Farmington, NH 03835

Via Overnight Delivery

Re: Application for Special Exception

Dear Ladies and Gentlemen:

PURPOSE/SUBMISSIONS

The purpose of this letter is to deliver the following materials¹, which comprise the application of Nutes Solar, LLC, for a special exception to permit a solar farm as a non-specified utility use across a number of parcels in the rural residential zoning district in the eastern most corner of Farmington, near the municipal boundaries with Milton and Rochester:

1. Letters of Authorization (or equivalent) from property owners;
2. Application for Special Exception, with Attachment 1 showing property owners and property/parcel information;
3. One certified list of abutters (including owners, applicant, and applicant's development team);
4. Three sets of mailing labels for all of the parties included on the list of abutters;
5. Executed Fee Schedule;
6. Filing fee in the amount of \$100 (costs for the legal notice and abutter postage will be submitted promptly upon advice of same);
7. Location maps:
 - a. Aerial Project Location Map;
 - b. Subject parcels superimposed on USGS topographic map;
 - c. Close up excerpt of Farmington zoning map;
8. Concept Plan of proposed solar array layout prepared by Krebs & Lansing Consulting Engineers dated March 1, 2023;
9. PPT Deck Overview of Walden Renewables (photographs of comparable projects completed by applicant and affiliates, and more information can be found at: <http://www.waldenrenewables.com/>);

¹ In addition to one original, six copies of all items (except for items 4 and 6) are provided in accordance with the form's instructions.

10. Solar panel Safety Data Sheet; and
11. Property Value Impact Study.

DESCRIBE PROPOSED OR EXISTING USE FOR THE PROPERTY

As set forth in Attachment 1 to the application form, the project encompasses a number of parcels which, in the aggregate, make up approximately 500 acres. The solar project is expected to be limited less than half that. The parcels are essentially adjacent to each other, and located between the Farmington/Milton town line, and Chestnut Hill Road. As the Google Earth image shows, aside from the residential developments clustered along Chestnut Hill Road and the side streets off Chestnut Hill (i.e., Great Pine, Branson, etc.), the proposed project site involves the largely undeveloped backlands which, today, are primarily wooded. The Google Earth image also shows the existing approximately 100' wide utility right of way running northeasterly and easterly through the project area. The current properties consist of gently sloping woodlots containing a mix of uplands, wetlands, and streams. The properties are currently used for timber harvest, recreation, and hunting by the respective landowners.

The proposed use is for 20 MW solar facility, for which portions of the properties will be cleared and graded to support an array of single access tracker photovoltaic solar panels. The facility will include single axis tracker solar arrays mounted on steel posts, access drives, equipment pads, and ancillary equipment, and will interconnect to the existing Eversource electrical transmission line which runs through the site within the existing utility right of way. The applicant has filed an interconnection request (on May 18, 2021) ISO New England ("ISO-NE" the regional transmission operator) to allow this interconnection and will have an interconnection agreement with ISO-NE and Eversource (the transmission owner) for this purpose expected in Q3 2023. A preliminary solar array layout is provided on the plan prepared by Krebs & Lansing Consulting Engineers dated February 23, 2023².

SPECIAL EXCEPTION NARRATIVE

The following sections provide the narrative responses for the information required by the Special Exception Application form.

1. Explain how the proposed use is consistent with the character of other permitted uses within the district.

There are several uses permitted in the rural residential district that are similar in character (either in whole or in part) to the proposed solar facility. The most closely related uses include:

² Detailed site plans are not required for special exception applications. The details shown on this plan are intended to be an accurate representation of the overall site. But the precise placement of the elements, the location of internal access drives, the location of drainage features, and the like, will not be settled until the additional on-site engineering required in conjunction with the site plan review process to be conducted by the planning board.

(i) essential services, (ii) mineral exploration and extraction, (iii) timber harvesting, (iv) golf courses and (v) commercial agriculture.

Essential services are permitted uses which include facilities such as electrical power transmission and distribution lines, collection and supply systems, poles, wires, conduits, and cables. The proposed solar system will collect energy from the sun, convert it to electricity, and deliver that electricity to the local power grid by way of the interconnection agreement with Eversource and ISO-NE.

The proposed solar facility requires an integrated collection of cleared parcels to support the arrays, similar to the large cleared area for the footprint of a **golf course**. The solar facility is a much lower impact use than a golf course. The solar facility makes almost no noise. It generates virtually no traffic. It will be barely visible to the neighbors on account of the low height of the arrays, the substantial 100' setback arrays to from neighboring residential properties, and the presence of a vegetative buffer within the setback. Moreover, the solar facility will not have a club house, a practice driving range, a parking lot, a charging garage for golf carts, etc.

Commercial agriculture is typically a land use which also requires clearing large areas for development. When managed appropriately, agriculture maintains large areas of open space and provides net benefits to soil health and composition. These attributes are similar functions of a solar development. Land is cleared to support arrays which capture sun and convert it to electricity. Soil health and fertility is improved through years of vegetation management (e.g., mowing or grazing). The vast majority of the site will remain vegetated in a meadow state for the duration of the project's life.

Stages during the construction of the solar facility, such as grading and earth moving are similar to **mineral exploration and extraction**, another use permitted in the rural residential district. However, the grading for the solar facility will be significantly lower impact than the extraction and transport of sand and gravel or other minerals offsite from a new pit. The applicant does not expect to export any fill material from excavation and grading offsite.

In addition to the similarities and consistent characteristics with several permitted uses in the RR district, **public utilities** are permitted by special exception on the zone. Public utilities are defined in the ordinance as: *"A private organization subject to governmental regulation that provides an essential service or commodity, such as water, electricity, transportation, or communication to the public, and which are intended to serve primarily populations outside the Town of Farmington. This term also includes buildings and pumping stations, which are necessary for the furnishing of essential services as defined by this Ordinance, whether local or greater in scope."* The applicant's proposed solar facility is consistent with this definition.

2. Explain how no hazard shall be created to the public or adjacent property on account of potential fire explosion or release of toxic materials.

The components of the proposed solar facility consists of:

- solar modules (single axis trackers affixed to the ground using driven steel posts or screws)
- above and below ground electrical wiring and conduit;
- inverters that convert the direct current (DC) electricity generated by the solar modules into alternating current (AC) electricity for transmission onto the electrical grid;
- transformers that step up the voltage to transmission voltage (34.5 kV);
- concrete pads to support the inverters and transformers; and
- an agricultural style woven wire mesh fence to prevent unauthorized access to the site and ensure public safety.

The solar panels, which are the most significant component of the project equipment, are exactly the same type of panels routinely installed on homes and businesses across New Hampshire. We have included with this application a Safety Data Sheet (SDS) (formerly known as Material Safety Data Sheets (MSDS)) for a typical crystalline solar module (either mono or polycrystalline), the type which will be utilized in the Nutes Solar project. Section 3 of the SDS notes that there are no materials which are hazardous to the environment or health.

The facility will be constructed in accordance with the National Electric Code and all applicable laws. Electrical equipment containing mineral oils, such as transformers, will have secondary containment systems and will be regularly monitored to ensure optimum operational performance – periodically by in-person field inspections, and remotely 24/7/365. Ground mounted solar photovoltaic facilities can be expected to operate safely and quietly for many decades without risk to the health or safety of neighboring properties.

3. Explain how no detriment to property values shall be created in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment or other materials.

The project includes an enhanced set back from public and private roads and residential properties: a minimum of a 100' buffer from any solar arrays to abutting residential property lines, which is four times the required setback for structures in the RR district. The low height of the solar arrays (less than 20' – considerably less than the 35' building height permitted in the district) combined with siting of the project within a forested area with significant vegetative buffers, will limit visibility of the solar array to neighboring properties and roadways. In specific locations closer to residences, strategic landscape plantings will be added during final design to further reduce visibility.

Once completed and operational, the site will be accessed periodically for maintenance of equipment or mowing. Typical site inspections and mowing are carried out 1-2 times per year. The solar arrays and associated electrical equipment will generate minimal noise. The project will not generate smoke, odor, dust, heat, vibration or other pollutants that could be considered harmful or nuisance.

Solar projects make good neighbors. They do not emit objectionable noise, generate traffic, require municipal services, create dust, smoke or odor, and are largely screened from view. The applicant has submitted with the application a Property Value Impact Study prepared by Cohn Reznick finding that existing solar facilities have not had any negative impact on the value of surrounding properties. The following chart summarizes the findings from the report.

#	Name	State	Owner	Acreage	MW	\$ Impact % (+/-) ³	Page
1	DTE's Lapeer Solar	MI	DTE Electric Company	270	48	+0.24 +3.31 ⁴	32-39
2	North Star Solar Farm	MN	Renewable Energy Asset Co.	1,000	100	+1.35	40-48
3	Dominion Indy Solar	IN	PLH, Inc.	134	8.6	+1.47 +2.18 +1.03	49-55
4	Grand Ridge Solar Farm	IL	Invenergy	160	23	+7.46	56-58
5	Innovative Solar	NC	Innovative Solar Systems	414	71	+6.75	59-63
6	Rutherford Farm	NC	Cypress Creek Renewables	489	61	-3.48	64-67
7	Elm City Solar	NC	Duke Energy	354	40	+2.00	68-71
8	Woodland Solar Farm	VA	Dominion Virginia Power	204	19	+2.71	72-75

In every case but one, properties in proximity to existing solar farms did not experience any diminution of value when compared to control groups of comparable properties not in proximity to the farm. In fact, in all cases but one, the properties closer to the solar fared modestly better than properties not influenced by their proximity to a solar farm.

It may also be useful to remember that solar farms are not forever. The applicant does not own the land that will support the facility. The applicant does not have an option to buy the land. The land is all leased for a finite term of years. The expected life of a solar facility is approximately 40 years. At the end of the useful life of the facility it will be decommissioned. Decommissioning includes the removal of all panels, racking, inverters, transformers, fencing, poles, above ground electrical equipment and below ground infrastructure (including wires and foundations) to a depth of 48". All decommissioned equipment and materials are recycled to the

³ Plus (+) means that properties proximate to the solar farm were positively impacted by the presence. Minus (-) means that properties proximate to the solar farm were negatively impacted by the presence.

⁴ More than one number in this column means that multiple groups/clusters of homes were evaluated.

greatest extent practicable, or properly disposed of in accordance with applicable laws. After decommissioning is complete, the site will be stabilized and revegetated with approved seed mixes and made ready for another use.

4. Explain how no traffic hazard or substantial increase in the level of traffic congestion shall be created.

The facility is not manned or staffed. It does not attract customers or visitors. Once operational, field technicians and maintenance personnel will visit the site approximately twice weekly initially (for the first two months) and thereafter approximately once per month. Each visit will consist of one or two standard vehicles (passenger car or pick-up truck) for basic inspection and diagnostics. No traffic hazard or substantial increase in the level of traffic congestion shall be created by the operation of the facility.

The only vehicle activity of note will occur during construction, which is expected to take 9-12 months, depending on factors such as weather, supply chain constraints, and the like.

5. Explain how there will be no excessive demand on municipal services, including but not limited to, water, sewer, waste disposal, police and fire protection and schools.

The project will not rely on municipal services and will not require water, sewer, waste-disposal or other services that would typically be required for a residential subdivision or most any other use permitted in the RR zone. Emergency personnel will have access the site by way of a Knox Box in case of emergencies. However, the site will be maintained and managed to prevent emergencies. In accordance with electric code, the facility will be surrounded by a fence, and accessed through a locked gate to maintain the safety and security of the site.

6. Explain how no significant increase of stormwater runoff onto adjacent property or streets shall be created.

In accordance with NH Department of Environmental Service (NHDES) Alteration of Terrain (AoT) Bureau's regulations, the project will be required to meet rigorous standards for stormwater treatment. The project team will work with the AoT Bureau throughout the design process to develop a site plan that meets these standards, which will ensure that the project will not have an impact to neighboring properties. (See, RSA 485-A:17, NH Code of Administrative Rules Env-Wq 1500, as well as the New Hampshire Stormwater Manual.) By complying with the NHDES AoT stormwater requirements as part of its state permitting efforts, no increase in the rate, or decrease in the quality of stormwater runoff from the site will occur.

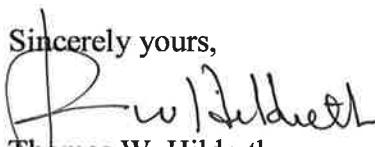
CONCLUSION

We believe that the materials and explanations provided here amply demonstrate that the proposal satisfies the criteria for a special exception for a utility use not specified in the RR zone. In late 2018 and early 2019, this board granted two special exceptions for the same use in the same zoning district. The same facts and the same law should lead to the same conclusion here.

The proposed solar farm is consistent with the character of a number of other permitted uses within the district. The proposed solar farm creates no hazard to the public or adjacent properties on account of potential fire, explosion, or release of toxic materials. No detriment to property values would be created in the vicinity nor will the essential characteristics of the area be changed on account of the scale of buildings or other structures, parking areas, access ways, odor, smoke, gas, dust or other pollutants, noise, glare, heat, vibration, or unsightly storage of outdoor equipment. No traffic hazard or substantial increase in traffic congestion is created by the proposed solar farm. The facility will impose no excessive demand on any municipal services but, rather, will be a substantial benefit to the community. And, finally, because of state level regulatory and design requirements, no increase in storm water runoff onto adjacent properties or streets shall be created.

The Nutes Solar development team looks forward to speaking with you and other interested parties at your meeting on April 6. If you require any additional information or materials in support of this application in advance of that date, please so advise.

Otherwise, thank you for your attention to and assistance with this application.

Sincerely yours,

Thomas W. Hildreth

TWH:
Enclosures

ec: Nutes Solar, LLC
Flycatcher, LLC
Nobis Engineering
Krebs & Lansing

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R17 LOT NO. 068

STREET ADDRESS: 180 Dodge Cross Rd, Farmington, NH 03835

Please print
Property Owner: Aaron Allen

Property Owner: —

The undersigned, registered property owners of the above noted property, do hereby authorize

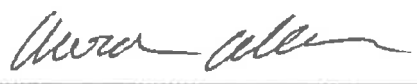
NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

Telephone: 603-833-6934

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.



Authorized Signature

Date: 3/1/2023



Authorized Signature

Date: —

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R18 LOT NO. 10

STREET ADDRESS: 85 GREAT PINE CIRCLE

FARMINGTON, NH 03835

Please print:

Property Owner: JONATHAN CARDINAL

The undersigned, registered property owner of the above noted property, do hereby authorize NUTES SOLAR LLC as my agent and to act on my behalf and take all actions necessary actions for the submission, processing, issuance and acceptance of any and all municipal, state or federal permits that may be necessary in connection with the Nutes Solar project.

We hereby certify the information contained herein is true and accurate to the best of our knowledge.


Authorized Signature _____
Date: 2/14/2023

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R17 LOT NO. 055

STREET ADDRESS: Chestnut Hill Rd, Farmington, NH 03835

Please print
Property Owner: FRANCIS J. CASSIDY

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

210 DOVER POINT RD, DOVER, NH 03820

Telephone: 603-817-6156 (cell)

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.



Authorized Signature

Authorized Signature

Date: FEB 23, 2023

Date: _____

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R17 LOT NO. 057

STREET ADDRESS: Dodge Cross Rd, Farmington, NH 03835

Please print
Property Owner: FRANCIS J. CASSIDY

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

216 DOVER POINT RD, DOVER, NH 03820

Telephone: 603-872-6156

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

Tom Janich
Authorized Signature

Authorized Signature

Date: 02-23-2023

Date: _____

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R18 LOT NO. 005

STREET ADDRESS: 36 Brown Rd, Farmington, NH 03835

Please print
Property Owner: Joseph Gray

Property Owner: Janet Gray

The undersigned, registered property owners of the above noted property, do hereby authorize


NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

Telephone: 603 978 5303

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.


Authorized Signature


Authorized Signature

Date: 1 March 23

Date: 3-1-23

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R17 LOT NO. 033

STREET ADDRESS: Tall Pine Rd, Farmington, NH 03835

Please print
Property Owner: GREATWOODS LLC

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

58 PRISCILLA LANE, AUBURN, NH 03032

Telephone: 603-496-2335

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

By: NICHOLAS C. BRUNET, MANAGER/OWNER



Authorized Signature

Authorized Signature

Date: 2/21/23

Date: _____

AGENT AUTHORIZATION FORM

PROPERTY LEGAL DESCRIPTION:

MAP NO. R18 LOT NO. 003

STREET ADDRESS: 479 Chestnut Hill Rd, Farmington, NH 03835

Please print
Property Owner: John Underhill

Property Owner: _____

The undersigned, registered property owners of the above noted property, do hereby authorize

NUTES SOLAR LLC

to act on my behalf and take all actions necessary for the processing, issuance and acceptance of this permit or certification and any and all standard and special conditions attached.

Property Owner's Address (if different than property above):

301 Bedford Rd, Piermont N.H. 03779

Telephone: 1-603-272-9115

We hereby certify the above information submitted in this application is true and accurate to the best of our knowledge.

John Underhill

Authorized Signature

Authorized Signature

Date: 2/23/23

Date: _____

TOWN OF FARMINGTON
ZONING BOARD OF ADJUSTMENT
356 Main Street, Farmington, NH 03835
603-755-2774

(For Office Use Only)		
Date Rec'd: _____	By: _____	Tax Map/Lot _____
FEES:		
Application: \$ _____		
Public Notice: Actual cost of legal listing \$ _____		
Abutters: _____ x actual cost of postage = \$ _____		
Total Received: \$ _____ Cash <input type="checkbox"/> Check # _____		

SPECIAL EXCEPTION

APPLICANT/PROPERTY OWNER INFORMATION

APPLICANT: NUTES SOLAR, LLC Phone: (207) 631-9134

Address: 155 FLEET STREET, PORTSMOUTH, NH 03801

Email Address: DALE.KNAPP@WALDENRENEWABLES.COM

PROPERTY OWNER (if different from applicant): SEE ATTACHMENT 1

Address: _____ Phone: _____

Email Address: _____

PROPERTY/PARCEL INFORMATION

Address: SEE ATTACHMENT 1

Tax Map # _____ Lot # _____ Zoning District _____

Brief Description of Property: _____

DESCRIBE PROPOSED OR EXISTING USE FOR THE PROPERTY

Please see accompanying letter.

NOTE: This application is not acceptable unless all required statements have been made. Additional information may be supplied on a separate sheet if the space provided is inadequate.

Special Exception General Standards (as set forth in Section 2.00 (D)1 of the Zoning Ordinance)

1: *Explain how the proposed use is consistent with the character of other permitted uses within the district.*

Please see accompanying transmittal letter.

2: *Explain how no hazard shall be created to the public or adjacent property on account of potential fire explosion or release of toxic materials.*

Please see accompanying transmittal letter.

3: *Explain how no detriment to property values shall be created in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale of buildings and other structures, parking areas, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment or other materials.*

Please see accompanying transmittal letter.

4: *Explain how no traffic hazard or substantial increase in the level of traffic congestion shall be created.*

Please see accompanying transmittal letter.

5: *Explain how there will be no excessive demand on municipal services, including but not limited to, water, sewer, waste disposal, police and fire protection and schools.*

Please see accompanying transmittal letter.

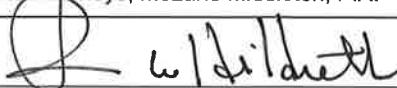
6: *Explain how no significant increase of stormwater runoff onto adjacent property or streets shall be created.*

Please see accompanying transmittal letter.

NUTES SOLAR, LLC
By its Attorneys, McLane Middleton, P.A.

Applicant

By:



(Signature)

Thomas W. Hildreth

Date March 1, 2023



Nutes Solar LLC
 Special Exception Application
 Zoning Board of Adjustments
 Farmington, New Hampshire

Attachment 1

Property Owner				Property/Parcel Information				
Name(s)	Address	Phone Number	Email Address	Address	Tax Map	Lot No.	Zoning District	Description of Property
Aaron L. Allen	180 Dodge Cross Rd Farmington, NH 03835	603-833-6934	aaronjen4216@gmail.com	180 Dodge Cross Rd Farmington, NH 03835	R17	068	RR – Rural Residential	Wooded, residence
Jonathan Cardinal	85 Great Pine Cir Farmington, NH 03835	603-948-6870	jon@ajfoss.com	85 Great Pine Cir Farmington, NH 03835	R18	10	RR – Rural Residential	Wooded, residence
Francis J. Cassidy	216 Dover Point Rd Dover, NH 03820	603-817-6156	carerx@comcast.net	Chestnut Hill Rd Farmington, NH 03835	R17	055	RR – Rural Residential	Wooded, residence
Francis J. Cassidy	216 Dover Point Rd Dover, NH 03820	603-817-6156	carerx@comcast.net	Chestnut Hill Rd Farmington, NH 03835	R17	057	RR – Rural Residential	Wooded, access road
Joseph R. Gray; Janet E. Gray	36 Brown Rd Farmington, NH 03835	603-978-5303	joe.r.gray.6@gmail.com	36 Brown Rd Farmington, NH 03835	R18	005	RR – Rural Residential	Wooded, residence
Greatwoods LLC c/o Nicholas C. Brunet	58 Priscilla Ln Auburn, NH 03032	603-496-2333	nick@greatwoodslc.com	Tall Pine Rd Farmington, NH 03835	R17	033	RR – Rural Residential	Wooded, undeveloped
John H. Underhill	301 Bedford Rd Piermont, NH 03779	603-272-9115	Not available	479 Chestnut Hill Rd Farmington, NH 03835	R18	003	RR – Rural Residential	Wooded, residence

CERTIFIED LIST OF ABUTTERS

RSA 672:3 "Abutter" means any person whose property is located in New Hampshire and adjoins or is directly across the street or stream from the land under consideration by the local land use board. For purposes of receiving testimony only, and not for purposes of notification, the term "abutter" shall include any person who is able to demonstrate that his land will be directly affected by the proposal under consideration. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a condominium or other collective form of ownership, the term abutter means the officers of the collective or association, as defined in RSA 356-B:3, XXIII. For purposes of receipt of notification by a municipality of a local land use board hearing, in the case of an abutting property being under a manufactured housing park form of ownership as defined in RSA 205-A:1, II, the term "abutter" includes the manufactured housing park owner and the tenants who own manufactured housing which adjoins or is directly across the street or stream from the land under consideration by the local land use board.

The following information must be completed by the applicant in order to begin the subdivision/site plan review/lot line adjustment application process. Below, list the verified names and mailing addresses of the applicant, authorized agent(s), engineer, architect, land surveyor, soil scientist, consultant, abutter, holders of conservation easements or restrictions on adjacent lands, municipal/regional planning commissions (if a regional notice is required), associations, etc., not more than five (5) days prior to submission, per RSA 676:4,I(b). Abutters' names and mailing addresses must be verified against the records kept in the Farmington Assessor's Office. Attach additional copies of this form if necessary. Include two (2) sets of mailing labels for each person listed below and an extra set for each owner/applicant/professional listed.

Map/Lot	Name of Property Owner/Professional	Mailing Address
R33-002-000	Stanley J & Bobbie-Jo Glidden	19 Glidden Ln Farmington, NH 03835
R33-003-000	Paula A Kenyon	509 Chestnut Hill Rd Farmington, NH 03835
R18-001-000	Estate of Thomas V Walker Sr	422 Beccarris Dr Rollinsford, NH 03869
R18-002-000	Joseph & Judith Costanzo	491 Chestnut Hill Rd Farmington, NH 03835
R32-005-000	Kris L & Nathan M Adams	508 Chestnut Hill Rd Farmington, NH 03835
R32-004-000	Norman Russell (Trustee) Russell Living Trust	506 Chestnut Hill Rd Farmington, NH 03835
R32-003-000	Lawrence K & Donna J Gorney	500 Chestnut Hill Rd Farmington, NH 03835
R32-002-000	Christian R & Marie E Stickles	490 Chestnut Hill Rd Farmington, NH 03835
R32-001-000	Sarah E & Jacob J Mackenzie	484 Chestnut Hill Rd Farmington, NH 03835
R19-027-000	Norma Morrison	474 Chestnut Hill Rd Farmington, NH 03835
R18-004-000	Erik Fliby & Pamela Dumont	86 Briarcliff Rd Gilford, NH 03249
R18-004-004	Brigitte A & Mark A Garber	39 Brown Rd Farmington, NH 03835
R18-004-005	Brandon M Tufts & Megan Alexis Heon	38 Brown Rd Farmington, NH 03835
R18-010-002	David L & Sharon Brock	141 Great Pine Circle Farmington, NH 03835

Map/Lot	Name of Property Owner/Professional	Mailing Address
R18-010-003	Angela Cheney	131 Great Pine Circle Farmington, NH 03835
R18-010-004	Ronald O & Kristie V Holtz	117 Great Pine Circle Farmington, NH 03835
R18-010-005	Glenn S & Breanne B Varney	115 Great Pine Circle Farmington, NH 03835
R18-010-007	Jonathan Cardinal	85 Great Pine Circle Farmington, NH 03835
R18-011-008	Jonathan Cardinal	85 Great Pine Circle Farmington, NH 03835
R18-011-006	Jason & Stacy Lauze	555 Main St Farmington, NH 03835
R18-012-000	Jonathan Cardinal	85 Great Pine Circle Farmington, NH 03835
R17-013-000	Steven H & Sandra K Brown	80 Branson Rd Farmington, NH 03835
R17-014-000	Gary M & Jolene C Clark	79 Branson Rd Farmington, NH 03835
R17-032-000	Kristafer D & Ashley M Camire	75 Tall Pine Rd Farmington, NH 03835
R17-034-000	George Drost Jr & Gretchen Roussin	73 Tall Pine Rd Farmington, NH 03835
R17-043-000	Jonathan R & Jaiden K Glidden	52 Oakwood Rd Farmington, NH 03835
R17-044-000	Richard C & Christine Hickman	55 Oakwood Rd Farmington, NH 03835
R17-045-000	Lorraine K Dickenson-Carner & Thomas F Carver	45 Oakwood Rd Farmington, NH 03835
R17-046-000	William & Nichole Koster	39 Oakwood Rd Farmington, NH 03835
R17-047-000	Joseph A & Patricia A Szmyt	33 Oakwood Rd Farmington, NH 03835
R17-048-000	Aaron W & Catherine E Anderson	PO Box 434 Farmington, NH 03835
R17-049-000	Benjamin Jamer	15 Oakwood Rd Farmington, NH 03835
R17-054-000	Michael P Keenan	319 Chestnut Hill Rd Farmington, NH 03835
R19-001-001	Kevin F Grondin	PO Box 2040 Rochester, NH 03866
R15-012-000	Richard D Townsend Jr	119 Hall Rd Barrington, NH 03825
R15-011-000	Frank Willard	304 Chestnut Hill Rd Farmington, NH 03835
R15-008-002	Judson J & Paula J Goodwin	PO Box 17 Greenville, ME 04441
R15-008-001	Edward F Shave Jr	292 Chestnut Hill Rd Farmington, NH 03835

Map/Lot	Name of Property Owner/Professional	Mailing Address
R15-008-000	Thomas Huckins Trust & Michelle Huckins Trust C/O Thomas & Michelle Huckins Trust	38 Huckins Ln Farmington, NH 03835
R15-007-001	William H & Traci D Cameron Jr	270 Chestnut Hill Rd Farmington, NH 03835
R17-056-002	Dennis H Fields	277 Chestnut Hill Rd Farmington, NH 03835
R17-056-005	George Seaman & Emily Amazeen	40 Dodge Cross Rd Farmington, NH 03835
R17-056-006	Cynthia M & Paul Prato	42 Dodge Cross Rd Farmington, NH 03835
R17-056-009	Jamie & Kristal Corriveau	74 Dodge Cross Rd Farmington, NH 03835
R17-056-013	Stephen Gallant & Rach Laporte	88 Dodge Cross Rd Farmington, NH 03835
R17-058-000	Darlene Couture-Laquerre	106 Dodge Cross Rd Farmington, NH 03835
R17-058-001	14 LCR LLC	PO Box 397 Dover, NH 03821
R17-059-001	Debbic Pruc	24 Little City Rd Farmington, NH 03835
R17-059-000	Cleon F & Irene E Powers	34 Little City Rd Farmington, NH 03835
R17-060-000	Janice M Doughty c/o Carolyn Purcell	12 Wedgewood Way, Apt 1 Peabody, MA 01960
R17-061-000	Brian K Howard	37 Little City Rd Farmington, NH 03835
R17-062-000	Patricia Colanto	29 Little City Rd Farmington, NH 03835
R17-063-000	Irene H & Robert V Dupont & Linda J Carroll	23 Little City Rd Farmington, NH 03835
R17-064-000	Tanya Pozdziaik & William Mackinnon Jr	PO Box 303 Union, NH 03887
R17-068-001	Aaron L Allen	180 Dodge Cross Rd Farmington, NH 03835
R01-002-000	George H & Josephine Szirbik	PO Box 206 Milton Mills, NH 03852
R17-067-001	The Duquette Company LLC	382 New Boston Rd Bedford, NH 03110
R17-067-002	Matthew & Lacey Beal	156 Dodge Cross Rd Farmington, NH 03835
R17-067-000	Scott M & Therese Healey	168 Dodge Cross Rd Farmington, NH 03835
R16-005-000	Terry L Skinner	177 Dodge Cross Rd Farmington, NH 03835
049-1-1	Christopher D & Cara L Baker	37 Cross Rd Milton, NH 03851
048-001	Aaron L & Marilyn W Allen	180 Dodge Cross Rd Farmington, NH 03835

Map/Lot	Name of Property Owner/Professional	Mailing Address
046-007	Zackery Mickclonis	372 Nutes Rd Milton, NH 03851
046-7-A	John Morton	362 Nutes Rd Milton, NH 03851
046-006	Adam C & Claudia M Govoni	296 Nutes Rd Milton, NH 03851
046-005	Crystal, Scott & Justin West	284 Nutes Rd Milton, NH 03851
046-004	Katherine L Robicheau	282 Nutes Rd Milton, NH 03851
046-003	Sandra J Galarneau	276 Nutes Rd Milton, NH 03851
046-001	David Wayne Jacobs	179 Nutes Rd Milton, NH 03851
044-015	William V & Kathleen E Hinton	156 Nutes Rd Milton, NH 03851
044-014	Scott A & Stamatia K Macdonald	13 Dundee Circle Harwich, MA 02645
044-011	Robert & Sally Riley Revoc Living Trust	96 Nutes Rd Milton, NH 03851
Project Team	Walden Renewables c/o Dale Knapp	155 Fleet Street Portsmouth, NH 03801
Project Team	Flycatcher LLC c/o Katelin Nickerson	106 Lafayette Street Yarmouth, ME 04096
Project Team	Mclanc/Middleton c/o Tom Hildreth	900 Elm Street Manchester, NH
Project Team	Nobis Group c/o Chris Nadeau	18 Chenell Drive Concord, NH 03301
Project Team	Krebs & Lansing c/o Ian Jewkes	164 Main Street, Suite 201 Colchester, Vermont 05446

Name of Person Preparing List Katelin Nickerson, Flycatcher LLC Date Prepared 2/28/2023

Preparer's Signature  Date 2/28/2023

NEW FEE SCHEDULE 2022

TOWN OF FARMINGTON - VALUATION AND FEE SCHEDULE

BUILDING DEPARTMENT

Calculation of Value:

Residential Building Permit	\$70 per square foot
Non-livable structures	\$35 per square foot
Porches & Decks & Sheds	\$20 per square foot
Manufactured Housing/Mobile Homes	Bill of Sale Required
Commercial Structures /Buildings	Based on construction contract (copy required)
In Ground Pool	Based on construction cost

Example: 1200 square feet x \$70 = \$84,000 divided by 1000 = 84 times \$8.00 = \$672

*** Does not include inspections or technician permit fees*

Fees:

Building Permit	\$25 flat fee plus \$8.00 per \$1000 value
Electrical, Plumbing, Gas/Mechanical Permit	\$50 + Inspections @ \$30 each
Propane Tank Set	\$50 + Inspections @ \$30 each
Inspections / Re-inspections	\$30 each occurrence
Above Ground Pool or Hot Tub Permit	\$25 + Inspections @ \$30 each & Electrical Permit Fee
Demolition/Wrecking Permit	\$75 flat fee
Oil Burning Permit	\$50 flat fee

All fees must be paid for BEFORE the permit is issued.

PLANNING BOARD

Application Fees:

Minor Site Review	\$100
Major Site Review	Residential: \$200 base fee plus \$50 per new dwelling unit Commercial: \$200 base fee plus \$0.10 per square foot of new non-residential construction.
Minor Subdivision Review	\$175 base fee plus \$100 per newly created lot
Major Subdivision Review	\$225 base fee plus \$100 per newly created lot
Lot Line Revision	\$150 base fee
Special Use Permit	\$150 base fee
Voluntary Lot Merger	\$20 (Recording Fee)
Earth Removal Permit	\$150 base fee
Scenic Tree Cutting/Trimming	\$150 base fee
Legal Notice Advertising	Actual cost of listing
Abutter Fees	Actual cost of current postage rates per abutter (Including applicant and professionals)

Planner's Fee: A fee of \$85.00 per hour will be incurred by the applicant for any Planning Board application that requires more than a total of eight hours to review and process.

Over



Revised August 23, 2022

NOTE: All plats and/or plans to be recorded at the Registry of Deeds will require the applicant to pay \$29 per page plus the mandatory LCHIP charge of \$25.00. The Town of Farmington will file all plats/plans at the Registry on behalf of the applicant.

Additionally, all other fees for third party review or legal review by the Town Attorney must be paid by the applicant prior to filing of the decision for the application.

In the event that a Compliance Hearing is deemed necessary by the Planning Board, any and all fees resulting from said compliance hearing will be borne by the APPLICANT/DEVELOPER, including any third-party review and all legal fees.

Additional Requirements:

3 sets of Mailing Labels for Abutter Notices on all public hearings.

1 certified Abutters List – Please confirm Abutters address with Assessing Department.

Initial Submittal: 1 complete copy of the application, 1 complete full-size plan set and 1 electronic copy.

Technical Review Committee (if required): 7 complete copies of the application, 7 copies of 11” x 17 plan sets, 1 complete full-size set and 1 electronic copy.

Planning Board: Final Revised plan set should include 8 complete copies of the application, 8 copies of 11” x 17” plan set, 2 complete full-size sets, 1 colorized full-size plan set, and 1 electronic copy.

1 signed copy of this Fee Schedule.

ZONING BOARD OF ADJUSTMENT

Application Fees:

Variance Request	\$100
Special Exception	\$100
Appeal from an Administrative Decision	\$100
Legal notice advertising	Actual cost of listing
Abutter Fees	Actual cost of current postage rates per abutter (Including applicant and professionals)

Additional Requirements:

3 sets of Mailing Labels for Abutter Notices for all public hearings

1 certified Abutters List– Please confirm Abutters address with Assessing Department.

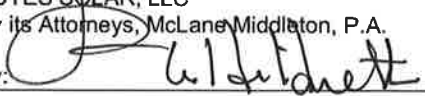
6 complete copies of Application with supporting documentation plus original

1 signed copy of this Fee Schedule

NOTE: All additional copies of plans and application materials currently before the Planning Board or ZBA requested by Town staff and Boards shall be provided at the applicant’s expense.

NUTES SOLAR, LLC

By its Attorneys, McLane Middleton, P.A.

By:  _____

Applicant’s Signature

Thomas W. Hildreth

March 1, 2023 _____

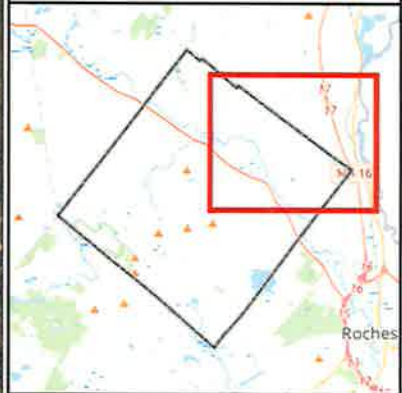
Date

Coordinate System: NAD 1983 StatePlane New Hampshire FIPS 2600 Feet (Feet US)
Map Information:

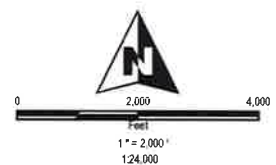
Plot Date: 2/28/2024, 2:08:00 PM by DREW@NWORPBY --LAYOUT: ANI: 8(11x17)
Path: C:\Y:\CAD\DWG\Projects\Walden\Walden_1500_NutSolar_LocationMap_11x17.dwg



LEGEND
PROJECT PARCEL
TOWN BOUNDARY



NOTES:
1 BASEMAP IMAGERY FROM GOOGLE AERIAL BASEMAP SERVICES



PROJECT: WALDEN RENEWABLES DEVELOPMENT
NUTES SOLAR, LLC
FARMINGTON, STRAFFORD COUNTY, NH

TITLE: PROJECT LOCATION - AERIAL IMAGERY

DRAWN BY	D. KENWORTHY	PROJ NO	158-6
CHECKED BY	K. NICKLSON		
DATE	FEBRUARY		
YEAR	2023		

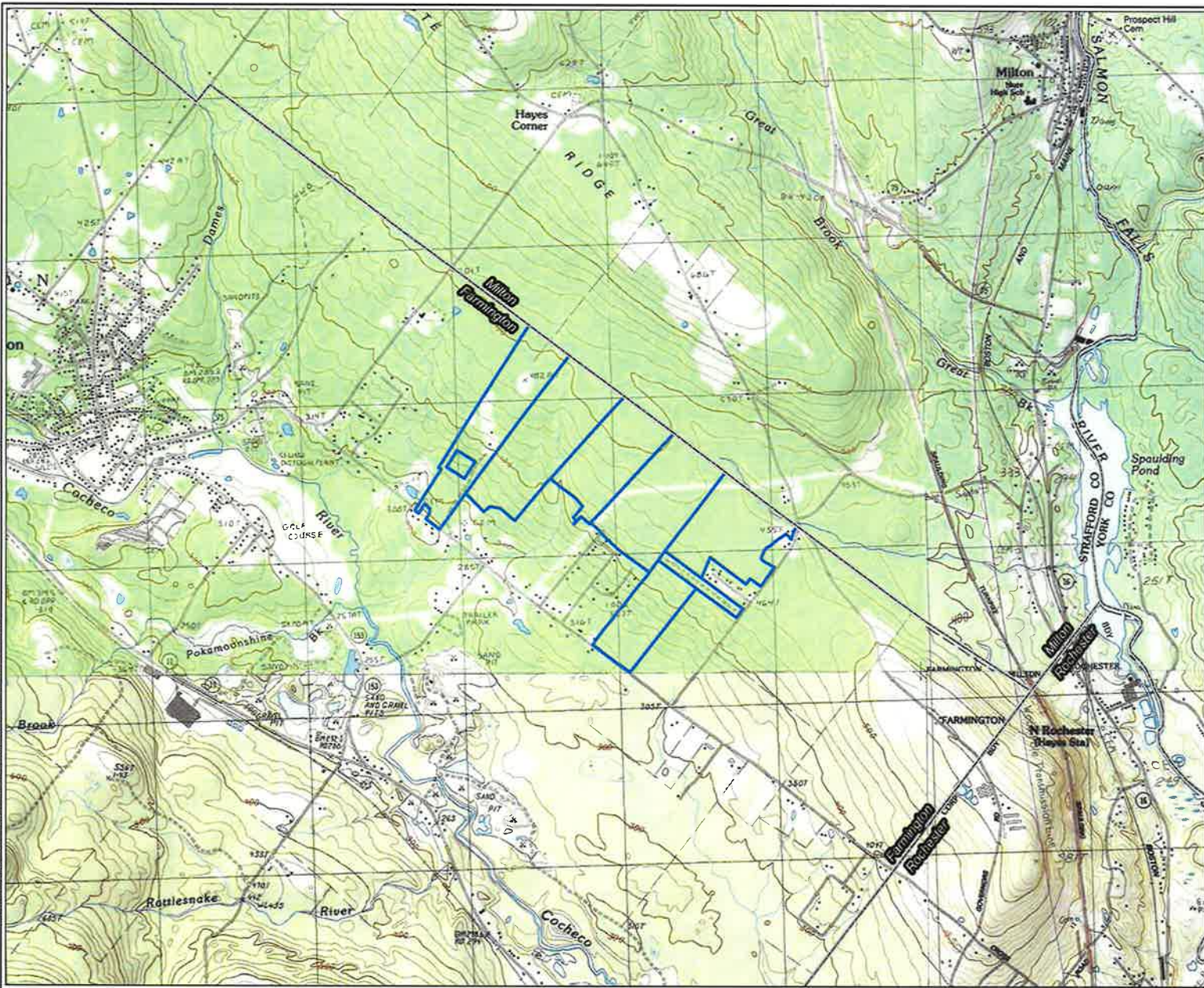
FIGURE 1





File No: Walden_1589_NutSolar_LocationMap_11x17.dwg

Coordinate System: NAD 1983 StatePlane New Hampshire F PS 2830 Feet (Foot US)
Map Rotation:

Plot Date: 7/13/2023, 11:21:18 AM by DREWENWORTHY - LACUT: ANSI 6111 (47")
Path: C:\EUCATCHER\Projects\WaldenSolar_1950_NutSolar_LocationMap_11x17.mxd



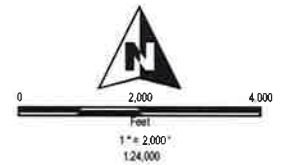
LEGEND



-  PROJECT PARCEL
-  TOWN BOUNDARY



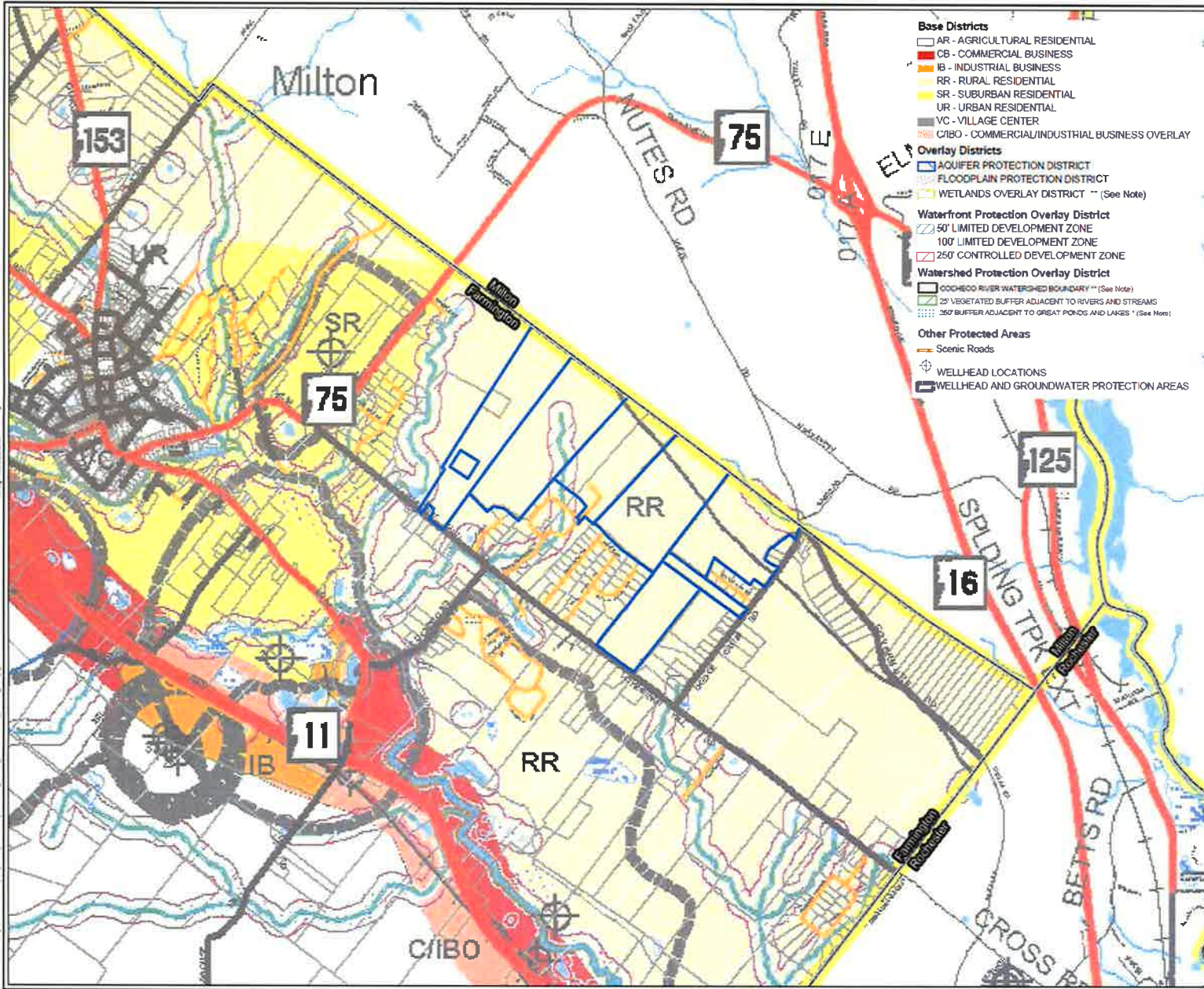
NOTES:

- 1 BASEMAP IMAGERY FROM USGS 7.5' QUADRANGLE SERIES



PROJECT		WALDEN RENEWABLES DEVELOPMENT NUTES SOLAR, LLC	
TITLE		PROJECT LOCATION	
DRAWN BY	D. KEMWORTHY	PROJECT NO.	195-4
CHECKED BY	K. INKARSON	DATE	FEBRUARY 2023
PROJECT		FIGURE 1	
			
FILE NO.		Walden_1950_NutSolar_LocationMap_11x17.mxd	

Coordinate System: NAD 1983 StatePlane New Hampshire FIPS 2600 Feet (Foot US)
 Map File Name: C:\Users\jnickerson\Documents\Projects\Walden\Walden_2023\Farmington_ZoningMap_11x17.mxd
 Plot Date: 2/28/2023, 10:04:26 AM by jnickerson\jnickerson -- (ARCUSER: ANS BEL11 x17)
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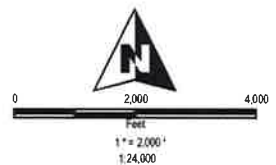
- Base Districts**
- AR - AGRICULTURAL RESIDENTIAL
 - CB - COMMERCIAL BUSINESS
 - IB - INDUSTRIAL BUSINESS
 - RR - RURAL RESIDENTIAL
 - SR - SUBURBAN RESIDENTIAL
 - UR - URBAN RESIDENTIAL
 - VC - VILLAGE CENTER
 - C/IBO - COMMERCIAL/INDUSTRIAL BUSINESS OVERLAY
- Overlay Districts**
- AQUIFER PROTECTION DISTRICT
 - FLOODPLAIN PROTECTION DISTRICT
 - WETLANDS OVERLAY DISTRICT (See Note)
- Waterfront Protection Overlay District**
- 50' LIMITED DEVELOPMENT ZONE
 - 100' LIMITED DEVELOPMENT ZONE
 - 250' CONTROLLED DEVELOPMENT ZONE
- Watershed Protection Overlay District**
- COCHECO RIVER WATERSHED BOUNDARY (See Note)
 - 25' VEGETATED BUFFER ADJACENT TO RIVERS AND STREAMS
 - 350' BUFFER ADJACENT TO GREAT PONDS AND LAKES (See Note)
- Other Protected Areas**
- Scenic Roads
 - WELLHEAD LOCATIONS
 - WELLHEAD AND GROUNDWATER PROTECTION AREAS

LEGEND

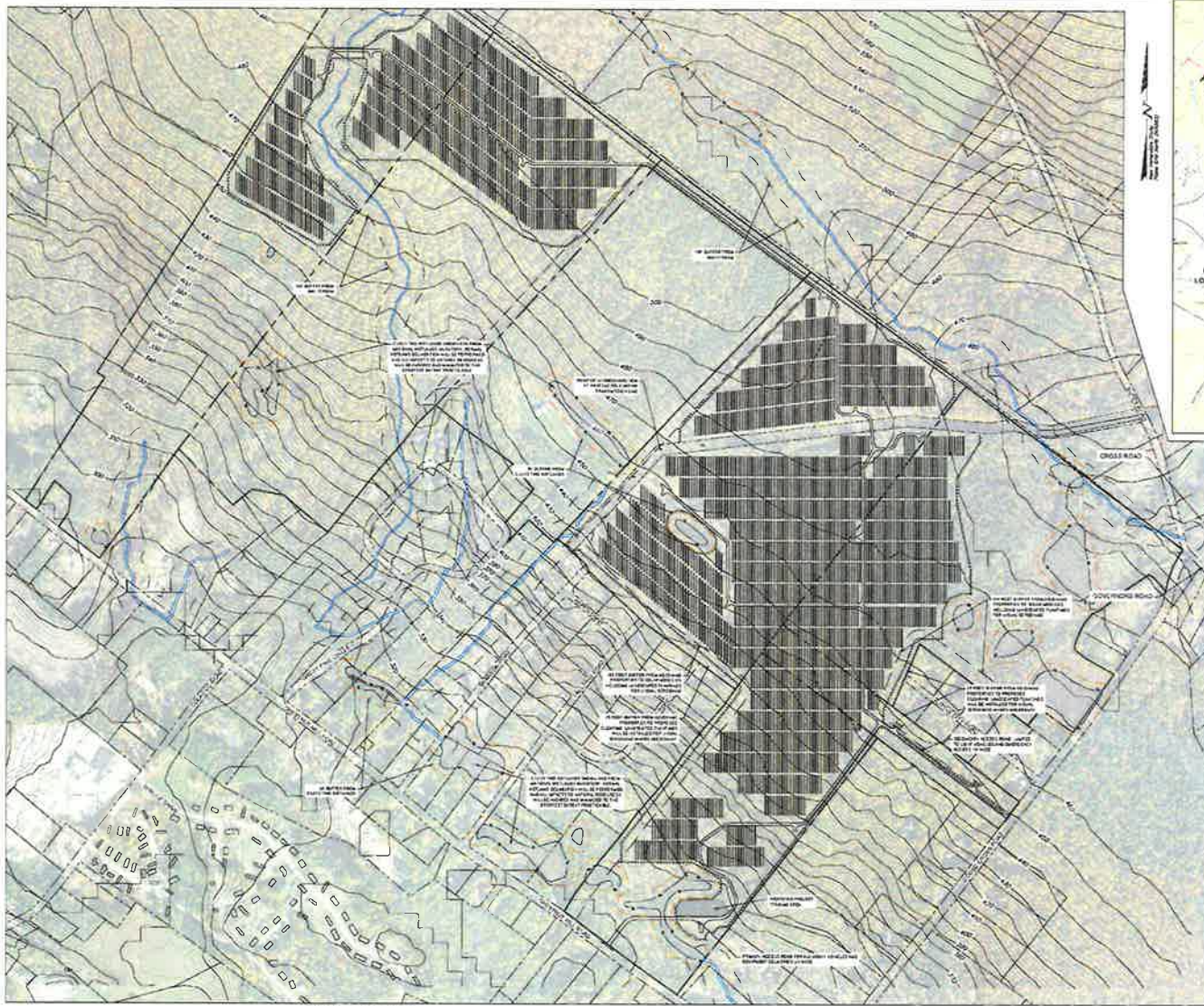
- TOWN BOUNDARY
- PROJECT PARCEL



- NOTES:**
- BASEMAP GEOREFERENCED FROM TOWN OF FARMINGTON ZONING DISTRICTS AND OTHER PROTECTED AREAS MAP PREPARED BY SRPC, 2006.
 - PARCEL DATA FROM NH GRANIT.



PROJECT: WALDEN RENEWABLES DEVELOPMENT NUTES SOLAR, LLC FARMINGTON, STRAFFORD COUNTY, NH	
TITLE: FARMINGTON ZONING MAP	
DESIGNER: D. NICKERSON	PROJECT: 19K25
CHECKED BY: A. NICKERSON	DATE: FEBRUARY 2023
DATE: 2023	FIGURE 2
Flycatcher LAND • SCIENCE • PEOPLE	WALDEN RENEWABLES DEVELOPMENT
FILE NO.: Walden_19K25_Renewables_ZoningMap_11x17.mxd	

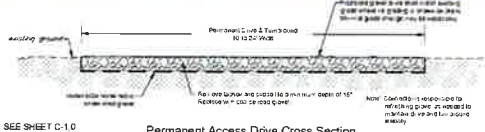


LOCATION MAP
SCALE: 1/4" = 100'

LEGEND

- 15/100 EXISTING POWER POLE / PROPOSED POLE
- APPROXIMATE PROPERTY LINES
- APPROXIMATE PROJECT PERMITS
- APPROXIMATE TOWN LINES
- setbacks FROM SOLAR PANEL MODULES
- EXISTING GRASS CONTOUR LINES (FOOT-CENTER INTERVALS)
- EXISTING GRADE CONTOUR LINES (FOOT INTERVALS)
- APPROXIMATE LOCATION OF TRANSMISSION LINE BASEMENT
- EXISTING OVERHEAD POWER
- EXISTING DITCHES AND FENCES WITH LOCAL TOWN TOWNSHIP
- CLASS TWO WETLAND
- 40' BUFFER FROM CLASS TWO WETLAND
- NEW SOLAR PANELS TWO W/ TRACKS
- 100' BUFFER FROM WETLANDS
- PROPOSED SOLAR PANELS

PROPOSED CAPACITY:
20 MW AC



NOTES:

1. ASPECTS OF PLAN ARE APPROXIMATE AND DERIVED FROM AERIAL PHOTOGRAPHY.
2. THE HORIZONTAL COORDINATE SYSTEMS BASED ON NAD83 AND HAMP-SHIRE STATE PLANNED SURVEY FEET. ELEVATIONS ARE BASED ON THE MIDDLE US SURVEY FEET.
3. EXISTING GROUND CONDITIONS AND UTILITIES (BASED ON DATA FROM THE NEW HAMPSHIRE OFFICE OF GIS).
4. UTILITIES ARE NOT WARRANTED TO BE COMPLETELY ACCURATE. CONFIRM BY LOCAL CONTACT OR CONDUCT FIELD SURVEY AS NECESSARY.
5. THIS IS IN NO WAY A BOUNDARY SURVEY. PROPERTY LINES ARE FROM PARCEL INFORMATION PROVIDED BY THE NEW HAMPSHIRE OFFICE OF GIS.
6. THIS IS AN ALTERNATIVE DESIGN PLAN. FINAL DESIGN WILL BE MODIFIED TO COMPLY WITH ALL REGULATORY AND LOCAL REQUIREMENTS.
7. REGULATORY ENVIRONMENTAL AND REVIEW DATA IS BASED ON INFORMATION COMPILED FROM THE NEW HAMPSHIRE OFFICE OF SITE RESTORATION AND PRESERVATION. FORMAL WETLAND DELINEATION WILL BE PERFORMED AND ALL IMPACTS TO NATURAL RESOURCES WILL BE AVOIDED AND MITIGATED TO THE GREATEST EXTENT PRACTICABLE.

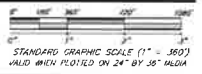
NUTES
SOLAR LLC

Chestnut Hill Road,
Farmington, New Hampshire



ISSUED FOR CLIENT REVIEW
NOT FOR CONSTRUCTION

SOURCE DATA & LEGEND
MAPPING SOURCE: DATA USED FOR PLAN COMPILED
GIS Engineering
9500 and Landing Consulting Engineers, Inc.
150 Main Street, Suite 201
Cochran, Vermont 05455



Proposed Solar
Array

NO.	REVISION/DESCRIPTION	DATE

FIGURE 1 - PROPOSED
SOLAR ARRAY

DATE of Issue: 02/09/2023
Drawn by: EJP
Checked by: JAL
Project No.: 23726
Scale: 1" = 200'
Drawing No.:
Rev. No.:

C-1.0



Walden Renewables Development Company Background Presentation

for

**Town of Farmington
Board of Selectmen**

March 1, 2023

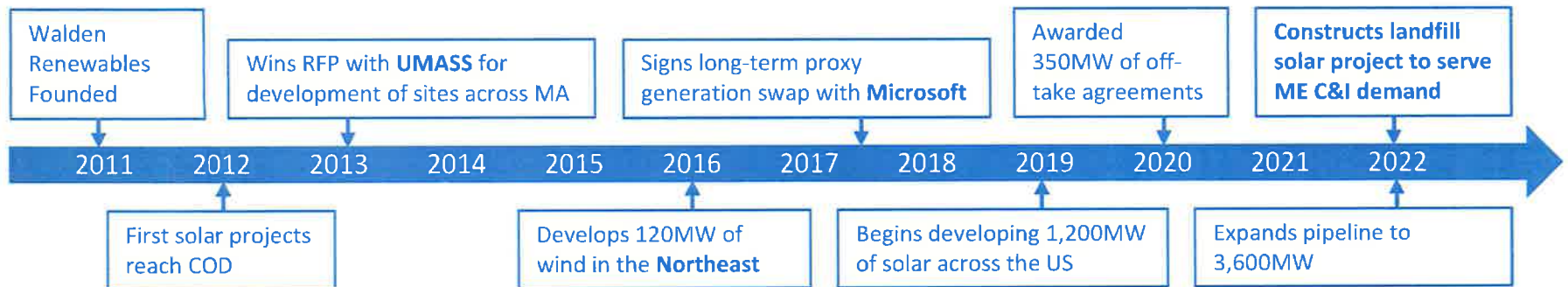


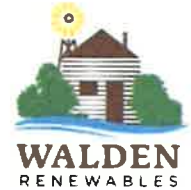
Company Introduction

Walden is a proven, experienced, multi-technology renewable energy developer that has been active in US markets since 2011.

Walden has grown the business from its base in New England. A long history of success in the region helps Walden overcome challenges and deliver high value projects.

Walden projects maximize production and efficiency, thereby delivering the highest value to communities and landowners, while minimizing environmental and visual impacts.





Walden Management Team



Henry Weitzner, CEO and Founder, started Walden Renewables in 2011 to develop renewable energy projects. Henry founded WGE, a sister company to focus on utility scale wind projects in the Northeast backed by RWE. Prior to Walden, Henry was managing director at Barclays Capital where he ran Natural Gas and Power trading, managing a team of over 30 professionals. Henry spearheaded numerous complex financing transactions, from natural gas storage inventory monetization to LNG off-take agreements, numerous PPAs and heat-rate options.



Jack Kenworthy, CDO and Founder, before joining Walden Renewables Jack was founder and CEO of Eolian Renewable Energy, a New England based wind development company. Eolian successfully developed several wind projects in some of the most challenging locations and was named a top 5 startup to watch. Prior to Eolian Jack was founder and CEO of Cape Systems, Ltd., which developed the first commercial biodiesel production facility in the Caribbean, and constructed the first grid-intertied solar PV systems in The Bahamas.



Olga Borovkova, CFO, before joining Walden Renewables, Olga was a director in the Investing and Lending group at Barclays Investment Bank, where she managed a multi-billion-dollar loan portfolio spanning renewables, power/utilities and natural resources. She also served as a voting member of the bank's capital commitment committee. Previously, Olga worked in Barclays' Commodities-Linked Finance group, where she structured numerous transactions such as heat-rate options, volumetric production payments and inventory monetizations.



Ed Cherian, Managing Director guides all aspects of Walden's growth, from greenfield development to permitting, to construction and operation. Prior to Walden, Ed served as VP of Development at Competitive Power Ventures, driving utility-scale development in PJM and ISO-NE. At General Electric Solar, Ed developed through COD over 40 solar projects. Prior to that Ed was the New England Development Director for Iberdrola Renewables (Avangrid), developing multiple utility-scale wind farms, including New Hampshire's first wind farm.

New England Team



Dale Knapp, Head of Development in New England.

Through-out his 20 years of professional experience in natural sciences and permitting, Dale has played a key role in the development and permitting of 17 operational wind projects, over 100 grid scale solar projects, and 15 high voltage transmission lines in New England alone. Dale will soon receive his Doctorate Degree from the University of New England at the end of 2022.

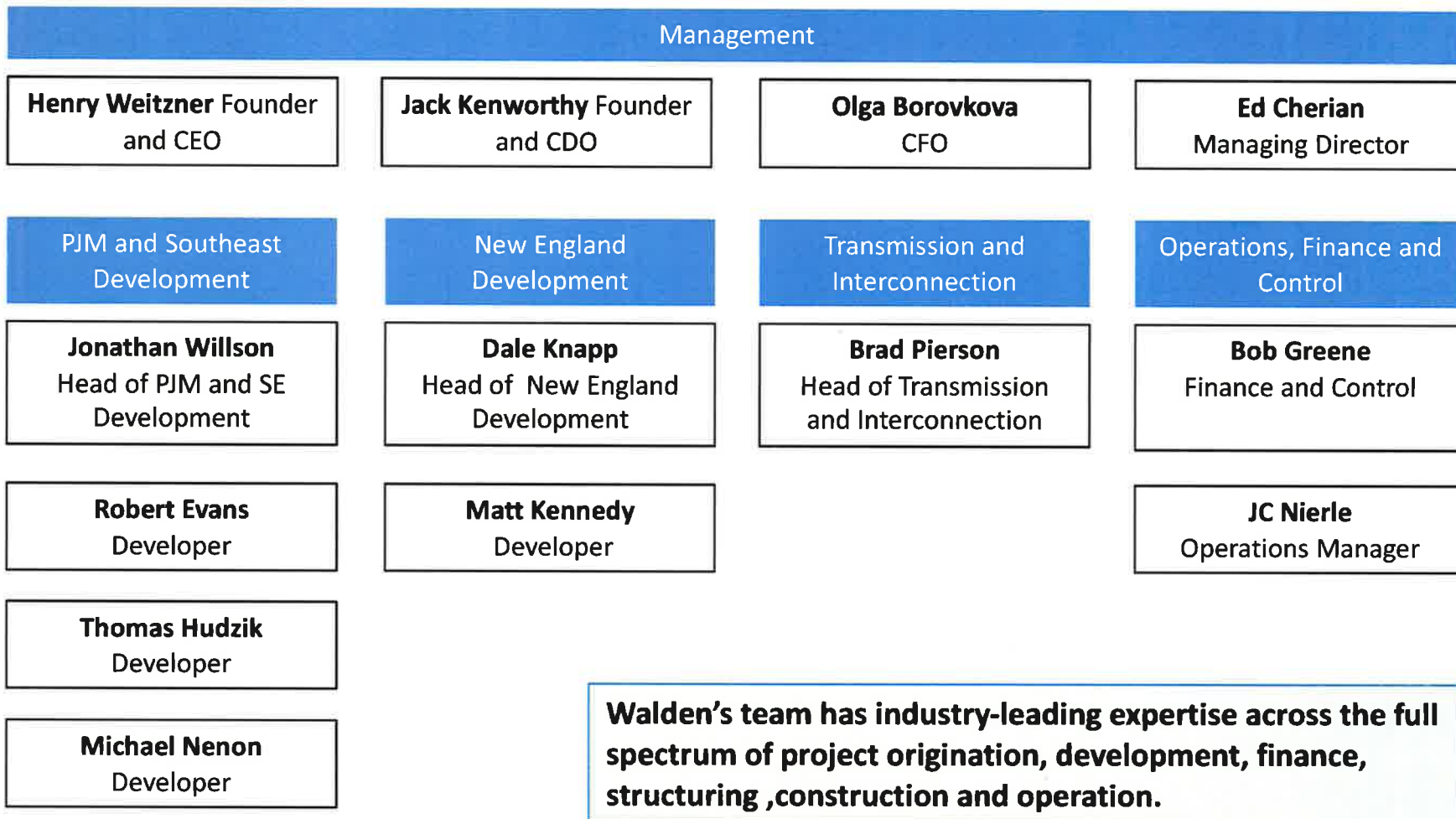


Matt Kennedy, Project Developer.

From his years as an environmental consultant, Matt brings expertise in project siting and permitting. In the past few years, Matt has played a key role in the development and permitting of over 50 utility-scale solar projects across Maine and Massachusetts. He holds a Bachelors Degree in Environmental Studies and Biology from Tufts University.



Walden Team





Walden Value Proposition

Track record of success

Walden has been successfully building, financing and managing renewable energy projects in New England since 2011.

Well capitalized

Walden has solid access to capital and has demonstrated strong and consistent growth.

Established market presence

Walden has deep roots in the New England, with 10 projects currently under development across Maine and New Hampshire.

Positive community impact

Walden projects generate strong tax revenues in the community, create high-paying quality construction jobs in renewable energy, and benefit local landowners and businesses.

EPC and procurement

Walden contracts with best-in-class vendors for all major components and engages highly qualified EPC firms, ensuring timely, safe and efficient project execution.



Walden partners with best-in-class companies

Construction /
Environmental /
Engineering Partners

CIANBRO

 **TRC**

 **Flycatcher**
LANDUSE / SCIENCE / PEOPLE

 **DEPCOM
POWER**

Off-Take and Electricity
Buying Partners

 **Microsoft**

 **PARTNERS
HEALTHCARE**

 **NEW HAMPSHIRE
Electric Co-op**

 **UMASS**

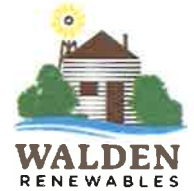
Equipment Partners



SIEMENS

 **CanadianSolar**

 **TrinaSolar**

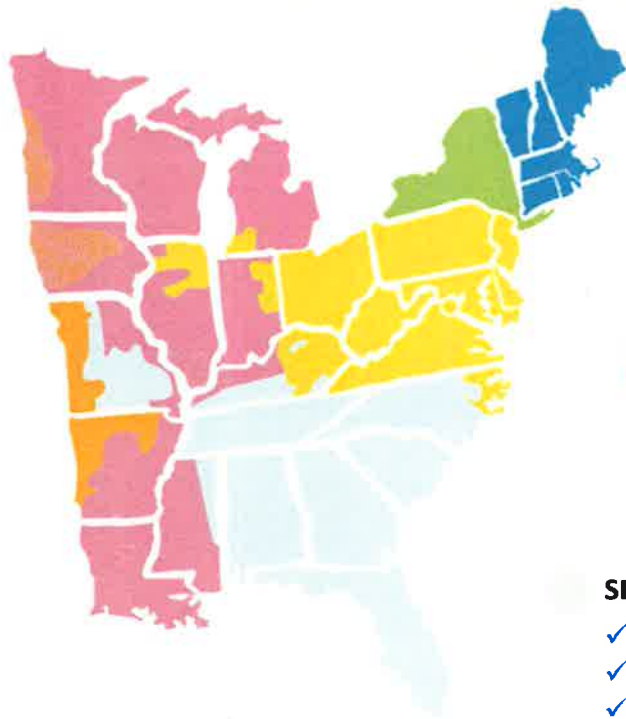


Walden's Projects

Walden has a pipeline of over 3,600 MW across 4 Power Markets

ISO-NE: 10 Projects, 364 MW

- ✓ More modest sized projects given landscape and grid limitations
- ✓ The region has very strong regulatory support for green power and RPS goals.
- ✓ Challenges on the grid and environmental permitting have thinned out the competition, allowing Walden to use its expertise to develop the highest quality projects.



PJM: 10 Projects, 970 MW

- ✓ Region offers the most diversified revenue sources including capacity, RECs, and reactive power.
- ✓ As the largest RTO in the US, there is insatiable demand from C&I customers and outstanding liquidity to source highly credit worthy off-take.
- ✓ Most of Walden's projects are in energy intensive regions that will benefit from recent IRA legislation.

MISO: 4 Projects, 819 MW

- ✓ Large scale projects in a region that is poised to see explosive solar development.
- ✓ Growing demand from large C&I customers for off-take is pushing PPA prices higher.
- ✓ Projects offer multiple revenue sources including capacity and reactive power.

SE: 4 Projects, 1,484 MW

- ✓ Large scale projects in region with strong solar irradiance.
- ✓ Highly credit worthy off-take for long term busbar PPAs.
- ✓ Large, low risk projects creates highly financeable opportunities.

Project Highlight #1: Antrim Wind 28.8 MW Antrim, NH

- Walden shepherded this complex project through a multi-year state level permitting review – to bring the environmental and economic benefits of the project to fruition.
- The electricity from this project was delivered to New Hampshire Electric Coop and Partner Healthcare, the largest operator of hospitals in the New England region.
- In close coordination with the EPC firm and our owner’s engineer, Walden maintained the highest standards of safety controls, including keeping workers safe and protecting the environment through a complex construction process.



- Walden secured broad public support for this project from environmental group such as The Nature Conservancy, New England Forestry Foundation and Sierra Club, as well as the host community.

Project Highlight #2: Big Level Wind 90 MW Potter, PA

- Walden permitted and installed the tallest onshore turbines to date in the US. At 667 feet to tip height, these turbines are essential to maximize the resource value from this moderate wind site.
- Walden overcame challenges in deploying latest generation turbine technology to satisfy regulators and the host communities.
- Walden developed Big Level quickly with enthusiastic support from the host community. The project is operational and generated significant community benefits.



- Walden won a competitive process to sell the output of this project to Microsoft under an innovative Proxy Generation swap that Walden helped make market standard.

Project Highlight #3: Littlefield Solar - ME

- Walden leases the Littlefield site from the Town of Wells. The project reinforced an outdated landfill cap, generating significant environmental, health and financial benefits to the community.
- Off-take for the project is spread over 15 small to large Maine based C&I customers, taking advantage of Maine's tariff rate net metering program.
- Walden managed construction of the project which reached COD in July '22. The EPC firm -- with strong oversight from Walden and our OE -- is meeting the highest standards for safety controls.



Project Highlight #4: Hubbardston Solar - MA

- Walden won a competitive RFP to sell virtual net metering credits to UMASS. This contract was one of the earliest tax equity compliant net metering credit contracts in the market, helping UMASS meet carbon reduction goals and locking in financing for other Walden solar projects.
- This project not only generates attractive tax payments to the community, but also helps fund a scholarship at UMASS.
- As an early project in the Massachusetts SREC regime, this project helped set the standard for best-in-class development.





Select Pipeline Projects

Walden has successfully grown its pipeline to over 3,600 MW across the Eastern US.

	Project Name	State	RTO	MW	Technology	Site Control	IX	Permits	NTP
NTP- ready	Potter	PA	PJM	35	PV	100%	Complete	Complete	Q2 '23
	Ridgeway	PA	PJM	120	PV	100%	Complete	Complete	Q2 '23
	Leeds	ME	ISO-NE	20	PV+BESS	100%	Complete	Complete	Q2 '23
Late-stage	Madison	ME	ISO-NE	20	PV	100%	Complete	Complete	Q2 '23
	Squab	PA	PJM	90	PV	100%	Q1 '23	Pending	Q4 '23
	Walker	PA	PJM	80	PV	100%	Q1 '23	Pending	Q4 '23
	Mousam	ME	ISO-NE	20	PV	90%	Complete	Pending	Q4 '23
	Channel Cat	AL	SOCO	170	PV+BESS	100%	Q2 '23	Pending	Q2 '24
	Needmore	AL	SOCO	420	PV+BESS	100%	Q2 '23	Pending	Q2 '24
	Roxanna	AL	SOCO	245	PV+BESS	100%	Q2 '23	Pending	Q2 '24
	Nutes	NH	ISO-NE	20	PV	90%	Q2 '23	Pending	Q2 '24
	Goose	ME	ISO-NE	40	PV	50%	Complete	Pending	Q2 '24
	Jasper	MS	MISO-S	350	PV+BESS	90%	Q2 '23	Pending	Q3 '24
Mid-stage	Attala	MS	MISO-S	200	PV+BESS	100%	Q2 '23	Pending	Q3 '24
	Gator Point	MS	MISO-S	150	PV	90%	Q2 '24	Pending	Q3 '25
	Iron Mountain	MO	MISO-C	120	PV	100%	Q2 '24	Pending	Q3 '25
	Halo	WV	PJM	210	Wind	75%	Q2 '26	Pending	Q2 '26
	Clarke Run	PA	PJM	100	PV	75%	Q2 '26	Pending	Q2 '26
	Shelocta	PA	PJM	100	PV	75%	Q2 '26	Pending	Q2 '26
	Breezeway	PA	PJM	60	PV	100%	Q2 '26	Pending	Q2 '26
Early-stage	Oyster	ME	ISO-NE	30	PV	75%	Q1 '24	Pending	Q2 '26
	Iron Bridge	PA	PJM	100	Wind	100%	Q2 '26	Pending	Q2 '26
	Seward	PA	PJM	76.5	Wind	75%	Q2 '26	Pending	Q2 '26
	Ketchen	TN	TVA	204	Wind	75%	Q2 '26	Pending	Q2 '26

MSDS REPORT

MATERIAL SAFETY DATA SHEET

SECTION 1- PRODUCT AND COMPANY IDENTIFICATION

PRODUCT NAME: PV Crystal silicon module

Company Identification: Changzhou Trina Solar Energy Co., Ltd.

Address: No.2 Trina Road, Trina PV Park, New District, Changzhou, Jiangsu, P.R.China213031

Postal Code: 213002

Telephone: +86-0519-85482008

Emergency Telephone number : +86-0519-85176110

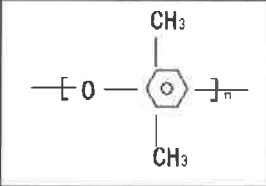
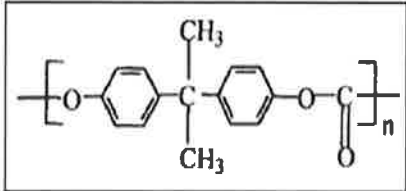
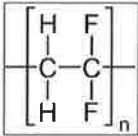
Fax: +86-0519-85187444

Mail address: mail.trinasolar.com

SECTION2- COMPOSITION, INFORMATION ON INGREDIENTS

INGREDIENTS CONTENT:

Material Item	Chemical Name of Composition	Formula & Model
Frame	Aluminum	AL
	Alumina	AL ₂ O ₃
	Manganese	Mn
Cell	Silicon	Si
	Phosphorus	P
	Boron	B
	Silicon nitride	Si ₃ N _x
	Silver	Ag
	Aluminum	AL

Junction-Box	Polyphenylene oxide (PPO)	
	Tin	Sn
	Copper	Cu
	Polyethylene (PE)	$n\text{CH}_2=\text{CH}_2 \rightarrow -[\text{CH}_2-\text{CH}_2]-$
	Polycarbonate (PC)	
Glass	Tin	Sn
	Tempered glass	SiO ₂
Silica Gel	Silicon substrate	(SiO ₂) _m • (H ₂ O) _n
	Silane coupling agent	KH550
Bus bar	Copper	Cu
	Tin	Sn
	Isopropyl alcohol	C ₃ H ₈ O
Back sheet	Polyvinylidene fluoride (PVDF)	
	Polyethylene terephthalate (PET)	-OCH ₂ -CH ₂ OCOC ₆ H ₄ CO-
	Polyethylene (PE)	$n\text{CH}_2=\text{CH}_2 \rightarrow -[\text{CH}_2-\text{CH}_2]-$
Laminate material	EVA	Ethylene vinyl acetate copolymer

SECTION3- HAZARDS IDENTIFICATION

Emergency Overview: warning, non-demolition, not exposed to flame or fire. There is the risk of explosion and burn under fire conditions.

Do not short-circuit, squeezing, burning, or removing the module.

Potential health hazards

Risk Categories: None

Invasive Ways: None

Environmental Hazards: None

Health Hazards: None

Explosion Hazard: Tempered glass has a 1/10000 explosion risk.

The inverter device does not meet the provision, the flaws on system design, the quality problem of the junction box, the hot spot effect will be the reason of spontaneous combustion of this product.

SECTION4- FIRST AID MEASURES

Eye contact: No damage found on eye contact, no special provisions.

Skin contact: No skin contact injury found. It is proposed to wash hands before and after touch back sheet. If molten polymer contacts skin, immediately cool it with cold water, and do not directly peel them from the skin, go to hospital for treatment by burns drugs.

Ingestion: No damage found, no special provisions.

Inhalation: No damage found, no special provisions. If you have overheating or fire hazard, be away from heat. Go to hospital if any discomfort.

SECTION5- FIRE FIGHTING MEASURES

In general: during normal operation, this product is not prone to burning.

Hazardous Combustion Products: CO, HF,

Extinguishing Media: The hydrogen produced under the using of water may be mixed with air to form an explosive mixture if the module is burning. For small fires, carbon dioxide, dry powder or foam extinguishing agent are preferred medium.

But they may not work to the burning module until the combustion module will be completely burned out. LITH-X (powdered graphite) or copper powder extinguisher, sand, dried, pulverized dolomite or soda ash can also be used, and these materials can be used as a smothering agent.

Extinguishing Note: transfer people to a safe area in the upwind air, wear respirators, protective gloves and fire fighting clothing. If large amounts are inhaled, give emergency medical treatment.

SECTION6- ACCIDENTAL RELEASE MEASURES

Emergency treatment: solid normally, NA.

SECTION7- HANDLING AND STORAGE

Handling Precautions:

Outline

- 1, In strict accordance with the requirements of the specification to install modules, and are not free to install, maintain.
- 2, Do not strongly illuminate module artificially(artificial sunlight is unavailable)
- 3, The system DC voltage exceeds 100V, operation must be done by specialized electrician.
- 4, It is potentially dangerous to contact a voltage of 30V or above.
- 5, Junction boxes, cables, brackets, etc should be matched with modules during installation of electrical systems.
- 6, Installation of all accessories must follow safe working practices (other accessories must also comply with the security provisions of operation)
- 7, The installation should be in accordance with local, national and international standards.
- 8, Module installation should be operated by professionals.

Safe handling

- 1, Properly packed before installation of modules.
- 2, Do not directly holding the junction box to handle the modules
- 3, Not drop modules or obstacles fall on it.
- 4, Handle it gently, especially angular point.
- 5, Do not disassemble the modules and move any part of the modules or label after installation.
- 6, Do spray paint or stick other items on the back of the modules.
- 7, Do not drill on the glass and module border.
- 8, Do not place the module without bracket or not an unsafe place
- 9, The module cannot be used after glass is broken.
- 10, To operate with dry tool in the clean environment.

Install security

- 1, Do not allow the children to close during installation.
- 2, Module cannot be installed in high winds.

3, Appropriate Installation methods and safety equipment should be used in the installation site to prevent the falling of modules.

4, Do not touch the wire or connection port when the installation of the modules or the modules are exposed to the sunlight.

5, Do not wear metal jewelry during the installation.

6, Do not disconnect the line or unplug the connection plug when circuit is working.

Fire safety

1, Roof structures and installations that may affect the fire safety of the entire building, unreasonable installation will aggravate to the severity of the fire.

2, The modules should be installed on the fire isolation layer, in order to improve security

3, Module installation on the rooftop and ground should be the same, with insurance device and circuit fuse.

4, Do not install the modules near the storage equipment and place of flammable gas.

Electrical Installation

1, Avoid the risk of electric shock during installation, wiring, module operating.

2, The module of different specifications cannot used in the same array.

3, The open circuit voltage of module is less than the maximum voltage of standard system.

4, All of the modules no matter how much voltage should be grounding.

5, The cable is to be placed where the children and animals cannot touch.

6, Cables and junction boxes may overheat at high current.

7, Make sure junction box and wire can go through the short-circuit current.

8, Make sure the positive and negative polarity of the cable and terminal during connection.

9, Grounding line is provided.

Mechanical Installation

1, Fix the modules with the installation tools and special bracket to support modules

2, Make sure the module can still work carrying a certain load, which is not affected by the impact of the snow load or thermal expansion and contraction

3, Make sure that the modules can still work in the ambient temperature within the variable range of -40 to +80 °C / -40 to 176 °F

4, Off-grid power generation system installed in large areas of snow, require module position lower and bracket narrower

5, Providing install mounting holes for frame modules which can withstand a certain degree of mechanical strength.

6, All four position holes on the module are used for installation.

7, Be well-ventilated behind the module. (5 cm / 2 inch gap)

8, Be away from the other items behind the modules.

Storage:

Use wooden boxes (carton) packaging and store it in a cool, well-ventilated place, be away from heat and fire sources.

SECTION8-EXPOSURE CONTROLS/PERSONAL PROTECTION EQUIPMENT

Engineering Controls: NA

Eye protection: NA

Skin contact: NA under normal conditions, if the module is damaged, please wear appropriate protective gloves.

Clothing: NA under normal conditions, if the module is on fire and burst, please wear appropriate protective clothing.

Respirator: NA under normal conditions

SECTION9- PHYSICAL AND CHEMICAL PROPERTIES

Physical State: Solid

Odor: None

Voltage: different specifications, different voltage

Weight: 19.5 kg

Solubility in water: insoluble in water

SECTION10- STABILITY AND REACTIVITY

Stability: Stable under normal storage and operating conditions.

Conditions to avoid: fire, high temperature, high humidity, salt spray

Substances to be avoided: strong oxidizing agents.

Hazardous decomposition products: fire conditions may produce hazardous decomposition products.

Hazardous Polymerization: No information available.

SECTION11- TOXICOLOGICAL INFORMATION

Acute poisoning: under normal conditions, the product will not cause any abnormal emergency injury

Irritation: None

SECTION12- ECOLOGICAL INFORMATION

Ecological toxicity: the proper use and disposal of the module will not cause harm to the environment. Disposal of waste modules, be away from the water, rain and snow.

SECTION13- DISPOSAL

Disposal: Should refer to national and local laws and regulations before disposal.

SECTION14- TRANSPORT INFORMATION

Dangerous Goods Code: No information

UN Number: information

Packing mark: no information

Packaging category: Z01

Packing method: No information available.

Transportation Note: Package should be complete before transportation, and loading should be safe. To ensure that the container does not leak, not fall, not damaged during transportation. Do not be together with oxidizing agents, alkalis, food chemicals. Goods should be anti-exposure, rain, anti-high temperature during transportation.

SECTION15- REGULATORY INFORMATION

Regulatory Information: Refer to local, domestic, EU / international regulations

SECTION16-OTHER INFORMATION

MSDS Preparation date: November 15, 2012

The information of this MSDS is just based on our current related information, which have been prepared only for the description of the goods health, safety and environmental requirements, to enable all interested parties to better understand and trust this product. This information is only available to you for consideration, study and confirmation. Some description of hazard prevention measures is not unique. Without any implied guarantees, description or expression

to use this information, Changzhou Trina Solar Energy Co., does not assume any liability of this MSDS. So this MSDS cannot guarantee any particular purpose of this product. The users have the responsibility to complete this product security and other aspects of the test in advance, to judge whether it meets your intended use.

May 10, 2023

Town of Farmington
Zoning Board of Adjustment
356 Main Street
Farmington, NH 03835

Via Overnight Delivery

Re: Nutes Solar Project – Supplemental Materials

Dear Zoning Board:

PURPOSE/SUPPLEMENTAL SUBMISSIONS

The purpose of this letter is to deliver one original and six copies of the following materials¹ to supplement the application of Nutes Solar, LLC, for a special exception to permit a solar farm as a non-specified utility use across a number of parcels in the rural residential zoning district in the eastern most corner of Farmington, near the municipal boundaries with Milton and Rochester:

1. Sound Assessment;
2. Visual Assessment:
 - a. Viewshed Analysis;
 - b. Photos of Littlefield Solar Farm in Wells, Maine;
3. Valuation Assessment:
 - a. Expert Opinion; and
 - b. Experience of Comparable Municipalities.

BRIEF DESCRIPTION OF SUPPLEMENTAL MATERIALS

1. Sound Assessment.

The sound assessment was prepared by project engineers, Krebs & Lansing Consulting Engineers, Inc., of Colchester, Vermont, based on specifications provided by the manufacturers of the three elements which produce sound – the tracker motors, inverters, and transformers. The sound assessment is based on the distance between the sound producing elements and nearby residences, with no account for attenuation of any intervening sound absorbing/deflecting materials, such as vegetation. Moreover, the sound assessment does not take into account existing ambient noise which will mask the sound from the project. The sound assessment aggregates the sound from all three of

¹ Larger versions of some of these materials will be available for display at the ZBA meeting on May 18.

the sound producing elements operating at maximum sound pressure levels simultaneously and directing their sound energy in the same direction. Even in this “worst case” scenario, the highest reading at the closest residential receptor is less than 37.5 decibels – a sound level that is somewhere between a whisper and the quiet hum of a refrigerator.

The town of Farmington does not have an ordinance addressing sound pressure levels. In the absence of a municipal regulation, a relevant level is provided by the New Hampshire Site Evaluation Committee (“NHSEC”). The NHSEC limits utility facilities to 45 decibels during the day and 40 at night. The “worst case” 37.5 decibels from the solar farm is considerably quieter than the 45 decibel day time limit of the NHSEC², and will be quieter, still, in the overnight hours when no electricity from solar is being produced.

2. Visual Assessment.

Two sets of material are provided to prove that the facility will be virtually invisible in its setting: a viewshed analysis and photographs from a nearby facility.

2.1 Viewshed Analysis

The viewshed analysis was prepared by Viewshed Landscape Architecture of Yarmouth, Maine (“VLA”). VLA is a recognized leader in visual assessments for utility infrastructure projects with more than 30 years of experience conducting high-quality visual assessments throughout New England and across the United States. VLA has particular experience helping stakeholders understand the limited visual effects of solar projects due to their low-profile on the landscape. VLA’s analysis mapping and visual rendering models are generated with state-of-the-art computer software and representation techniques. VLA’s work has been peer reviewed and submitted as expert witness testimony for various government agencies and other stakeholders.

The viewshed analysis summary for the Nutes solar project in Farmington shows minimal project visibility within a five mile radius of the site. VLA’s analysis summary notes that the surrounding landscape is mainly wooded rolling hills, low-density development, open agricultural fields, and estates. As the report notes: ***“These characteristics as well as the low overall height of the solar facilities and substantial vegetative buffer screening that will be maintained by the Project, are the key factors resulting in this very low amount of the Project visibility.”*** Moreover, the existing vegetation that will remain around the project, and the 100 foot setback buffer that the project proponent is proposing, ***“will substantially screen views from abutting properties.”***

2.2 Photographs.

In order to illustrate the latter point – that the project will be substantially screened from abutting properties – several photographs of an existing solar farm completed in 2022 in Wells, Maine, are provided. The Littlefield solar project was completed by the same firm proposing the Nutes project. The first photograph shows the Littlefield facility from near the gated private access drive, with no vegetative screening. The next several photographs are taken from vantage points approximately 100

² Sound intensity doubles every three decibels, so 37.5 dB is actually 4-5 times quieter than the NHSEC standard.

feet away from the solar facilities, through existing vegetation. These photographs were taken earlier this spring during the leaf-off season of the year. Moreover, the vegetation surrounding the Littlefield solar project is generally more sparse than that surrounding the proposed Nutes solar project. Nevertheless, the photographs clearly make the point that the solar facility is virtually invisible from 100 feet away through the relatively sparse foliage.

3. Valuation Assessment.

Two sets of material are provided to prove that the facility will have no adverse impact on the value of surrounding properties: the written opinion of a qualified expert and the experience of several municipalities in New England hosting similar facilities.

3.1 Expert Opinion.

Brian Underwood, the Principal of B.C. Underwood, LLC, of Rye, New Hampshire, has been providing real estate valuation and consulting services for more than 25 years. Mr. Underwood is a licensed appraiser in the states of New Hampshire and Maine. He was chairman of the New Hampshire Real Estate Appraiser Board from 2008-2012. He holds professional designations from The Counselors of Real Estate and The Royal Institution of Chartered Surveyors. For 13 years, Mr. Underwood served as the Chairman of the Wolfeboro Zoning Board of Adjustment. The seven-page curriculum vitae attached to Mr. Underwood's written opinion lists numerous additional qualifications to undergird his status as an expert.

Mr. Underwood concludes his valuation assessment that the Nutes solar project will have no adverse impact on the values of surrounding properties. His opinion is predicated on the operating characteristics of the solar farm, the lack of any impact on surrounding properties from noise, visibility, traffic, and the like, and the substantial 100' buffer to be maintained between the solar infrastructure and the surrounding property lines.

3.2 Other Municipalities.

To further prove the point that the Nutes solar farm will not have any adverse impact on the value of surrounding properties, evidence of the experience of several municipalities in New England that host comparable facilities is provided. The supplemental filing includes photographs of eight such facilities, as follows:

#	Name	Municipality	Year Completed
1	Milton Landfill Solar Project	Milton, NH	2016
2	University Solar	West Greenwich, RI	2016
3	Vuelta & Old Wardour Solar	East Brookfield & Spencer, MA	2016
4	NHEC	Moultonborough, NH	2017
5	BWC East Brook Solar	Wilbraham & Hampden, MA	2021
6	Littlefield Solar	Wells, ME	2022

The photographs show that these solar farms are in settings similar to that of the proposed Nutes facility – namely, in wooded areas in close proximity to nearby residential neighborhoods. In all of these communities, not a single owner of a nearby property has sought a tax abatement on the basis that the proximity of the solar facility has had any adverse impact on the value of their residential property. As Mr. Underwood notes, the virtually undetectable operating characteristics of a passive solar farm makes them good, quiet, unobtrusive neighbors which have no adverse impact on the values of surrounding properties. That opinion is borne out by these several New England municipalities with solar facilities similar to the proposed Nutes solar farm in Farmington.

4. Local Roads.

A number of folks at the first hearing had questions and concerns about the condition and maintenance of local roads. Nutes representatives met with Town Administrator Ken Dickie, and Town Highway Department Supervisor Edward Brannan at the town office on April 11th to discuss the subject.

The only traffic of note associated with the project will be that associated with the period of construction. Construction hours will be limited to Monday – Friday, 6 AM – 7 PM, and Saturdays from 7 AM – 7 PM. Initial work will include stormwater controls and stabilization, followed by clearing and grading, and then installation of project posts and metal racking. In final stages the solar modules will be installed and electrical wiring completed.

During any dry periods, site contractors will employ dust abatement methods to minimize dust. During wet conditions, the project will manage entrance(s) and exit(s) to minimize dirt and mud leaving the site, consistent with standard best management practices.

Standard flatbed and delivery truck visits to the site will be staggered to avoid congestion. Trucks will be promptly unloaded to minimize idling. Truck traffic will be similar to existing truck traffic in the area. The project will require approximately 200 truckloads to deliver major components and construction equipment to the project site. These deliveries will be spread over the 9-12 month construction window, averaging 0.55 – 0.74 trucks per day through construction, with a peak rate of 7-10 trucks/day. Due to the short duration of the construction period, traffic impacts are expected to be very minimal. NH DOT AADT (Average Annual Daily Traffic) counts in Farmington occur at two locations: NH Rt. 75 at Elm Street, and NH Rt. 75 at Tappan Street. The AADT for these two locations in 2022 are 3408 and 1329 vehicles, respectively. The nearest location to the project site is the count at NH Rte. 75 and Elm Street. Based on these metrics the project would expect to only increase local traffic by 2% or less, for a short duration.

Once construction is complete, the traffic impacts will be negligible. Operations and maintenance personnel will visit the site twice weekly initially (for the first two months) and thereafter approximately once per month. Each visit will involve one or two standard vehicles (passenger car or pick-up truck).

Based on these features, no concerns were raised by Mr. Brannan around the use of local roads during construction or operations. The Road Agent directed the engineers to design the access point apron to municipal standards and suggested the use of Dodge Cross as a temporary access to build

the construction entrance, in order to avoid parking trucks or equipment on Chestnut Hill Road, as it is a high traffic area.

5. Fire Safety.

Solar facilities present a very low risk of fire. The solar panels, which are the most significant component of the project equipment, are exactly the same type of panels routinely installed on schools, homes, and businesses across New Hampshire and the US by the millions.

The facility will be constructed in accordance with the National Electric Code and all applicable laws. Electrical equipment containing mineral oils, such as transformers (which are the same type of transformers as are used to serve electrical load for homes and businesses all across New Hampshire), will have secondary containment systems and will be regularly monitored to ensure optimum operational performance – periodically by in-person field inspections, and remotely 24/7/365. Ground mounted solar photovoltaic facilities can be expected to operate safely and quietly for many decades without risk to the health or safety of neighboring properties.

The site will be maintained and managed to prevent emergencies. In accordance with electric code, the facility will be surrounded by a fence, and accessed through a locked gate to maintain the safety and security of the site. Emergency personnel will have access the site by way of a Knox Box in the unlikely case of emergency and a site tour with fire and other emergency response personnel will be conducted prior to energizing the site.

6. Civil Engineer.

Chris Nadeau of Nobis Engineering is the primary civil engineer for the Nutes project. Mr. Nadeau was also of the civil engineer who helped to permit the previously approved solar farms in Farmington on the closed municipal landfill site. Mr. Nadeau will be repaired to address stormwater management, access and control points, best management practices for vegetation control, and other environmental protection provisions included as part of the alteration of terrain permitting process required by NHDES.

7. Decommissioning.

Solar energy facilities bring pollution free, low-cost renewable power to the wholesale power market, while creating jobs, economic development and revenue to the host community, without creating demands on municipal services. The expected life of the solar facility is approximately 40 years. At the end of its useful life, the facility will be decommissioned. Decommissioning activities will include the removal of all modules, racking, inverters, transformers, fencing, poles, above ground electrical equipment and below ground infrastructure (including wires and foundations) to a depth of 48". All decommissioned equipment and materials will be recycled to the greatest extent practicable, or properly disposed of in accordance with applicable laws. After decommissioning is complete, the site will be stabilized and revegetated with approved seed mixes.

To ensure these decommissioning obligations are fulfilled, prior to commercial operations Nutes Solar will prepare a site-specific decommissioning plan and cost estimate prepared by a professional

engineer licensed in the State of New Hampshire. Nutes will provide the Town of Farmington with a decommissioning bond, irrevocable letter of credit, or other financial surety in an amount equal to the decommissioning cost estimate. The decommissioning plan and cost estimate, and any associated decommissioning financial assurance, will be updated on the fifth anniversary of the commercial operations date and every five years thereafter until decommissioning has been completed. This commitment will ensure that the proposed use continues to remain consistent with the character of the uses allowed by right in this district both during and after the project's useful life.

CONCLUSION

The materials and explanations provided here are intended to address issues raised at the initial public hearing on April 6, and further demonstrate that the proposal satisfies the criteria for a special exception for a utility use not specified in the RR zone.

The proposed solar farm is consistent with the character of a number of other permitted uses within the district. The proposed solar farm creates no hazard to the public or adjacent properties on account of potential fire, explosion, or release of toxic materials. No detriment to property values would be created in the vicinity nor will the essential characteristics of the area be changed on account of the scale of buildings or other structures, parking areas, access ways, odor, smoke, gas, dust or other pollutants, noise, glare, heat, vibration, or unsightly storage of outdoor equipment. No traffic hazard or substantial increase in traffic congestion is created by the proposed solar farm. The facility will impose no excessive demand on any municipal services but, rather, will be a substantial benefit to the community. And, finally, because of state level regulatory and design requirements, no increase in storm water runoff onto adjacent properties or streets shall be created.

The Nutes Solar development team looks forward to speaking with you further about this project at the continued hearing on May 18. If you require any additional information or materials ahead of that date, please be in touch.

Otherwise, thank you for your continuing attention to and assistance with this application.

Sincerely yours,



Thomas W. Hildreth

TWH:

Enclosures

cc: Nutes Solar, LLC
Flycatcher, LLC
Nobis Engineering
Krebs & Lansing

State of New Hampshire

Town of Farmington
Planning and Community Development
Zoning Board of Adjustment

Re: Nutes Solar Project

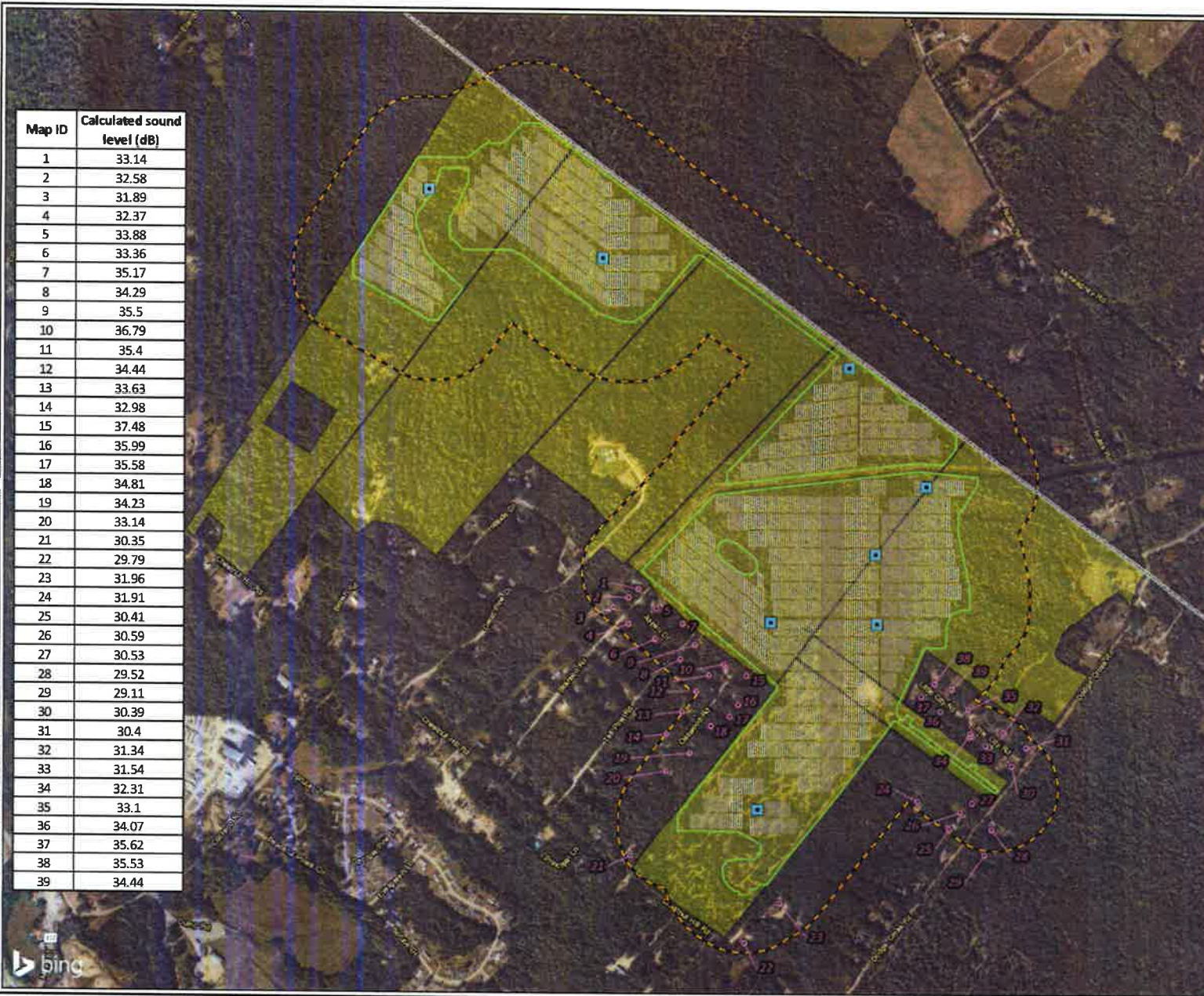
Supplemental Materials (May 10, 2023)

Sound Assessment



Coordinate System: NAD 1983 StatePlane New Hampshire FIPS 2800 Feet (Foot US)
 Map Resolution: 0

Plot Date: 4/16/2023, 15:27:28 PM by DREWENWORTHY -- (AUCUT: ANSI 811'x1'7")
 Path: C:\PROJECTS\Flycatcher\Projects\Walden\Walden_1180_NotesSolar_Acoustic_11x17L.mxd



Map ID	Calculated sound level (dB)
1	33.14
2	32.58
3	31.89
4	32.37
5	33.88
6	33.36
7	35.17
8	34.29
9	35.5
10	36.79
11	35.4
12	34.44
13	33.63
14	32.98
15	37.48
16	35.99
17	35.58
18	34.81
19	34.23
20	33.14
21	30.35
22	29.79
23	31.96
24	31.91
25	30.41
26	30.59
27	30.53
28	29.52
29	29.11
30	30.39
31	30.4
32	31.34
33	31.54
34	32.31
35	33.1
36	34.07
37	35.62
38	35.53
39	34.44

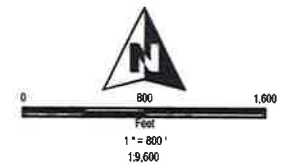
LEGEND

- PROJECT PARCEL
- TOWN BOUNDARY
- INVERTER LOCATION
- RECEPTOR LOCATION
- PROPOSED LIMIT OF CLEARING
- 500-FT PROJECT BUFFER



NOTES:

- 1 BASEMAP IMAGERY FROM BING.
- 2 PARCEL DATA FROM NH GRANT FOR FARMINGTON, BOUNDARIES FOR MILTON WERE TRACED FROM SRPC-HOSTED FEATURE LAYERS.



PROJECT: **WALDEN RENEWABLES DEVELOPMENT
 NOTES SOLAR, LLC
 FARMINGTON, STRAFFORD COUNTY, NH**

TITLE: **ACOUSTIC RECEPTOR LOCATIONS**

DESIGNED BY: D. KENWORTHY	PROJECT NO: 1180-9
CHECKED BY: K. ROCKEYSON	
DATE: APRIL	
YEAR: 2023	

PAGE NO.: Walden_1180_NotesSolar_Acoustic_11x17L.mxd

State of New Hampshire

Town of Farmington
Planing and Community Development
Zoning Board of Adjustment

Re: Nutes Solar Project

Supplemental Materials (May 10, 2023)

Viewshed Analysis



VIEWSHED

Landscape Architecture | GIS | Planning

May 5, 2023

TO: Dale Knapp | Walden Renewables

FR: Steve Thompson | Viewshed

RE: **Viewshed Analysis Summary for Nutes Solar Project, Farmington, NH**

Viewshed was retained by Walden Renewables to complete a computer-based viewshed analysis and mapping of the Proposed Nutes Solar Project (Project) in Farmington, New Hampshire. The following describes our methodologies, analysis, and conclusions.

Methodology

In order to complete the computer-based viewshed analysis, a visual study area was identified. Based on our recent experience assessing the visual impacts of solar projects in New England, a conservative study area within 5-miles of the Project was used to conduct the analysis. The study area not only included areas of Farmington within 5-miles of the Project, but also included portions of Rochester, Milton, Middleton, and New Durham, New Hampshire.

The computer-based viewshed analysis was conducted using ESRI ArcGIS Pro software. The analysis relies on a Digital Terrain Model (DTM) to represent topography (i.e., bare earth conditions), as well as a Digital Surface Model (DSM) to represent vegetation and structures in the landscape. For the 5-mile study area, the DTM and DSM used to represent the landscape were derived from LiDAR point cloud data, which was taken from The National Map produced by the U.S. Geological Survey (USGS)¹. The point cloud data was processed to create 3-foot square resolution surface raster models.

Based on data provided by Walden Renewables, max Project solar panel height was set to 18 feet for all array areas. For purposes of the viewshed analysis, a viewer height of 5 feet above the terrain was assigned to represent the eye level of a typical viewer. Project components are counted as 'visible' if the computer determines that a single point on the component would be seen from eye level and not blocked by topography, vegetation, or buildings. In this case, the viewshed analysis shows where any portion of the Project would be visible within 5-miles from a viewer height of 5 feet above ground, whether it be from roads, opens spaces, or elevated viewpoints.

¹ The National Map produced by the U.S. Geological Survey is available at: <https://viewer.nationalmap.gov/basic/>

Analysis

The results of the viewshed analysis showed very minimal Project visibility within 5-miles. The landscape within the study area consists mostly of wooded rolling hills, low density development, and open agricultural fields and estates. These landscape characteristics as well as the low overall height of the solar facilities and substantial vegetative buffer screening that will be maintained by the Project, are the key factors resulting in this very low amount of Project visibility.

Limited potential visibility from roadways within Farmington were identified on Hometown Road (3.5 miles away), and Goslin Way (4.6 miles away). In both cases, visibility from the road is limited to small areas of the roadway, offering narrow views of the Project, if noticeable at all. Nutes Road in Milton was also identified as having potential Project views (0.5 to 1 mile away). Due to existing vegetation along the road and in the midground, Project views will likely be heavily filtered from this location.

The remaining identified areas where potential Project visibility exists are almost exclusively located on private land. Most private lands with potential visibility are located beyond 3-miles from the Project, where Project components would likely appear minimally visible or negligible in the landscape. Due to existing vegetation that will remain around the Project, views of Project components will be partially or fully screened from abutting private properties.

Conclusion

Computer-based viewshed analysis is a reliable and effective tool for establishing a baseline of potential Project visibility within a defined study area. This analysis shows that the magnitude of Project visibility is highly limited and is unlikely to create an unreasonable adverse impact to the scenic character of the surrounding area, including the immediate Project neighborhood. This conclusion is primarily the following findings:

- The rolling terrain, vegetation, and other characteristics of the landscape within 5-miles of the Project act to screen Project views from the surrounding area. The buffer vegetation to remain surrounding the site will substantially screen views from abutting properties.
- Based on the viewshed analysis, there is limited opportunity for Project views from the surrounding area.

NUTES SOLAR PROJECT

Farmington, New Hampshire



PROJECT VIEWSHED MAP

Potential Visibility Of Project
Using Digital Surface Model (DSM)

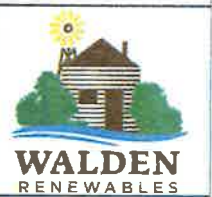
- LEGEND
- Nutes Solar Project Area
 - 5 Mile Study Area
 - Potential Visibility

ANALYSIS NOTES

This map shows potential areas of visibility of any portion of the Nutes Solar Project within five miles. The analysis takes on the screening effects of both topography and surface data (accounting for vegetation and structures such as buildings).

The analysis is based on a Digital Surface Model (DSM) processed at 3 ft resolution from first return LIDAR data acquired from the USGS National Map. The viewer height is set at 5 ft above ground level elevation. The panel height is set at 18 feet above ground level elevation.

The viewshed represents where a viewer may see any portion of the development within five miles. Potential development visibility needs to be confirmed with field investigations and other visualization techniques.



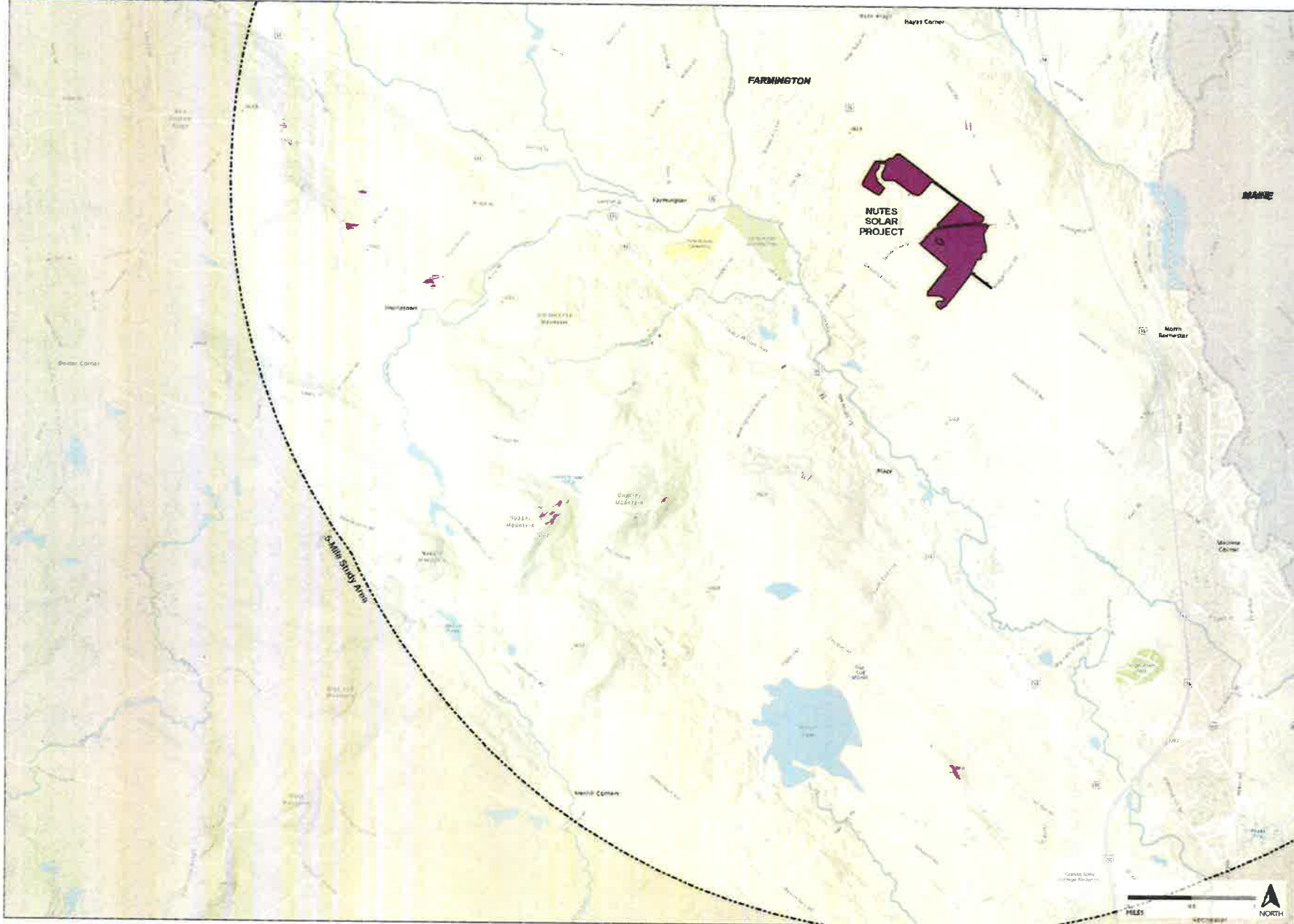
WALDEN
RENEWABLES

VIEWSHED

1 May 2023

NUTES SOLAR PROJECT

Farmington, New Hampshire



PROJECT VIEWSHED MAP

Potential Visibility Of Project Using Digital Surface Model (DSM)

LEGEND

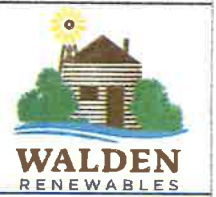
- Nutes Solar Project Area
- 5 Mile Study Area
- Potential Visibility

ANALYSIS NOTES

This map shows potential areas of visibility of any portion of the Nutes Solar Project within five miles. The analysis relies on the screening effects of both topography and surface uses (accounting for vegetation and structures such as buildings).

The analysis is based on a Digital Surface Model (DSM) processed at a 2.5 resolution from first return LiDAR data acquired from the USGS National Map. The viewer height is set at 5 ft above ground level elevation. The mask height is set at 10 feet above ground level elevation.

The Viewshed represents where a viewer may see any portion of the development within five miles. Potential development visibility needs to be confirmed with field investigations and other visualization techniques.



VIEWSHED

10/12/2018

State of New Hampshire

Town of Farmington
Planning and Community Development
Zoning Board of Adjustment

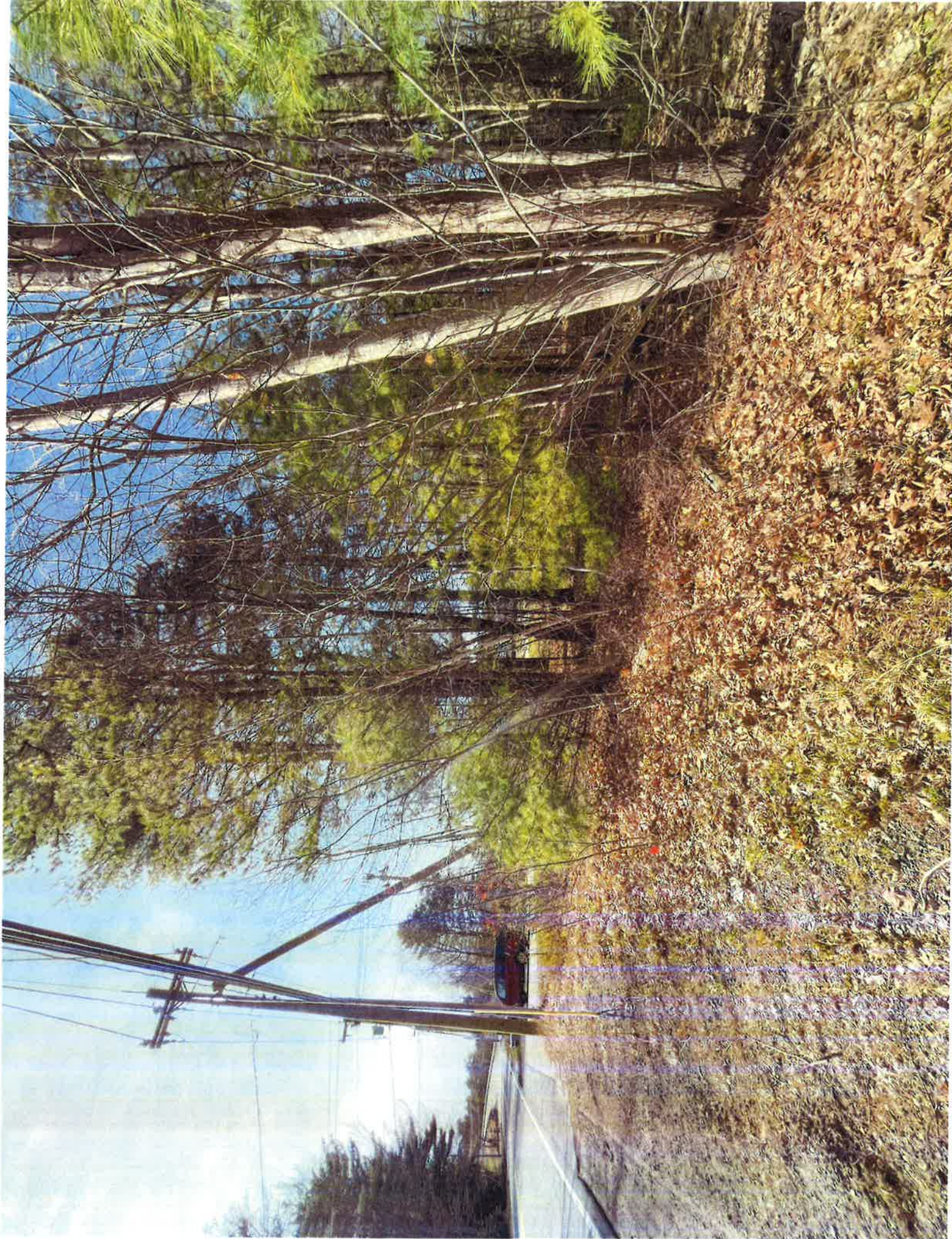
Re: Nutes Solar Project

Supplemental Materials (May 10, 2023)

Littlefield Solar
(5 photos)













State of New Hampshire

Town of Farmington
Planning and Community Development
Zoning Board of Adjustment

Re: Nutes Solar Project

Supplemental Materials (May 10, 2023)

BC Underwood
Opinion



4 May 2023

Thomas W. Hildreth, Esquire
McLane Middleton
900 Elm Street
Manchester, New Hampshire 03101

Re: Opinion: Nutes Solar Farm Project
Application for Special Exception

Map R17, Lots 33, 55, 57, 68
Map R18, Lots 3, 5, 10
Farmington, New Hampshire

Dear Mr. Hildreth:

At your request, I have undertaken the due diligence described below to complete this consulting assignment to provide an opinion as to whether the proposed solar farm project will impact the surrounding property values. It is my opinion that the proposed solar facility will have no adverse impact on the values of surrounding properties. The bases for my opinion is set forth below.

Qualifications

I am qualified to render an opinion related to this matter for the following reasons: (1) I served as Chairman of the Wolfeboro Zoning Board of Adjustment for 13 years. In that capacity, I gained extensive experience hearing cases where potential impact on surrounding property values was a component; (2) I have appraised and/or consulted on numerous projects and properties in Strafford County and New Hampshire; and (3) I have been retained as an expert witness in numerous contested matters and testified in state and federal courts related to property valuation issues. I hold professional designations from the Counselors of Real Estate and the Royal Institution of Chartered Surveyors. My curriculum vitae is attached to this opinion letter that further summarizes my credentials.

Due Diligence

To complete this assignment, the following was undertaken:

- Review of the Application for Special Exception for the above referenced project, including the overview concept plan.
- Review of the relevant portions of the Farmington Zoning Ordinance.
- Inspection of the subject property and the surrounding neighborhood.
- Review of the viewshed analysis and sound assessment commissioned by the applicant.
- Information from the Moultonborough assessor related to a solar farm project.
- Review of other materials, information, and literature deemed necessary to prepare this opinion.

The Project

The proposed use is for construction of a 20MW solar farm on approximately 150 acres of land. The site includes several individual parcels with frontage on several local roads. There is an existing approximately 100 foot wide utility right of way running northeasterly and easterly through the project area. Access to the solar facility is proposed from Chestnut Hill Road, a two lane, asphalt paved town road that provides northwest to southeast access from Farmington to North Rochester. The solar panels will be less than 20 feet high and a minimum of 100 feet from abutting residential property boundaries. There are mature trees along most of the boundary lines.

Abutting properties will experience no substantive change in view of the subject parcels. While there may be filtered views of the solar panels from 100 feet or more, it would be through existing vegetation or other vegetative buffers that may be planted as part of the project. The solar panels and related electrical equipment operate at sound levels at or below the level of a household refrigerator. Furthermore, the sources of sound would be more than 100 feet from any residential boundary line. Upon completion, there would be no increase in traffic or noise from the solar farm.

Analysis

From an appraisal perspective, the highest and best use of a property must be considered in order to determine its market value. There are four components to the highest and best use; they are: Physically Possible, Legally Permissible, Financially Feasible, and Maximally Productive. When a parcel of land or improved property cannot be put to its highest and best use, the market value of the property is adversely impacted. In the case of the immediate residential neighborhood, the highest and best use of the surrounding land are the existing residential neighborhoods. If the proposed project is approved, the highest and best use of the surrounding land will not change. Once construction is completed, the surrounding neighborhoods will be unaffected by the presence of the solar farm. The solar farm will not be readily visible. The solar farm will not be audible. The solar farm will produce only negligible traffic. The solar panels are under 20' high and the facility does not include any other buildings or structures out of scale with the setting. The solar project does not include any objectionable parking areas, access ways, odor, smoke, gas, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment or other materials. Since there are no adverse or noxious attributes from the presence of operation of the solar farm, the solar farm will have no impact on the surrounding property. Therefore, there is no indication from a highest and best use analysis that there would be any alternative highest and best use or diminution in value.

Given the siting of the Nutes proposed solar farm, the solar farm's operating characteristics will make it virtually undetectable by its abutters and surrounding neighborhood. The passive nature of solar farms make them quiet, unobtrusive neighbors which have no adverse impact on the values of surrounding properties. This opinion is further supported by the Town of Moultonborough, where the local assessor confirms that no applications for tax abatements have been filed by anyone in that town based on the 2017 completion of a solar farm by New Hampshire Electric Coop.

A review of Farmington sales data from January 1, 2022, to present indicate very strong residential market conditions. There has been a total of 124 sales with a median 7 days on market. The median list price of the 124 sales was \$299,900 and the median sale price was \$310,750 or 3.6% over the asking price. Currently, there is one active residential listing in Farmington with an asking price of \$269,900. Under the hypothetical condition that the

proposed project has some adverse impact on surrounding property values, given the very strong market conditions, market participants would most likely overlook the adverse factors given the limited inventory, short marketing periods, and sale prices in excess of the asking price. In my opinion, the proposed solar farm will not create adverse factors in the marketplace.

It is not uncommon for a property owner to claim that their property's value will decrease because of a proposed project. Over the course of my 30+ year career, I have been asked many times by abutters opposing a project to opine that a proposed use will adversely impact their property values. In most cases, as in this case as well, the market data along with researching the actions of both buyers and sellers in the marketplace result in undisputable evidence that, in fact, there is no diminution in value. It is easy to claim an impact; however, the supporting evidence and market data indicate otherwise.

The neighborhood's highest and best use does not change, nor would its marketing time increase as evidenced by the data and the existing conditions in the neighborhood and Farmington in general. Therefore, there is no market evidence that the proposed solar farm project will diminish surrounding property values.

Respectfully submitted,
B.C. UNDERWOOD LLC

A handwritten signature in black ink that reads "B.C. Underwood". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

Brian C. Underwood, CRE, FRICS

QUALIFICATIONS OF THE FIRM

bc underwood llc
real estate counseling & appraisal

B.C. Underwood LLC specializes in the appraisal and consulting of complex real estate. The following is a representative list of assignments, geographical areas covered, and clients served.

ASSIGNMENT TYPES

Airport Land & Buildings	Marinas
Apartment Buildings & Complexes	Market & Feasibility Studies
Appraisal Review	Mediation
Athletic Clubs & Facilities	Medical Buildings / Facilities
Automobile Dealerships	Mill Buildings
Bank Buildings	Mineral Rights
Bed & Breakfasts	Mobile Home Parks
Business Valuation	Multi-Family Residential Properties
Campgrounds	Office Buildings & Parks
Commercial Land & Buildings	Parking Lots
Condominium Buildings	Partial Interests / Partition Actions
Conservation Easements	Planned Residential Developments
Convenience Store Chains	Private Schools
Continuing Care Retirement Communities	Quarries
Diminution in Value Projects	Railroad Tourist Attractions
Easements & Rights of Way	Restaurants
Eminent Domain	Retail Petroleum Properties
Environmentally Contaminated Property	Self-Storage Facilities
Equestrian Properties	Senior Living Facilities
Estates & Luxury Residential Property	Service Garages
Fast Food Restaurants	Sports & Entertainment Facilities
Forest Land	Spring Water Plants
Group Homes	Shopping Malls
Going Concerns	Single Family Homes
Golf Courses	Strip Centers
Higher Education Institutions	Taverns & Inns
Hospitals	Tax Abatement
Industrial Land & Buildings	Time Share Projects
Impact on Property Value Studies	USPAP & Appraisal Methodology
Litigation Strategy & Support	Utility Corridors
Lumber Yards	Waterfront Property

GEOGRAPHICAL AREAS

Connecticut: New Haven

Maine: Androscoggin, Cumberland, Franklin, York

Massachusetts: Barnstable, Bristol, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk, Worcester

Georgia: Fulton

France: Bourgogne, Île de France,

New Hampshire: Belknap, Carroll, Cheshire, Coös, Grafton, Hillsborough, Merrimack, Rockingham, Strafford, Sullivan

New York: Kings

Pennsylvania: Cumberland, Juniata

Rhode Island: Providence

Vermont: Rutland, Windham, Windsor

REPRESENTATIVE LIST OF CLIENTS

AMRESKO Commercial Finance
Arent Fox, PLLC
BCM Environmental & Land Law PLLC
Bald Peak Land Company
Bank of America
Bank of America Private Clients Group
Bank of New Hampshire
Bangor Savings Bank
Beech River Mill, Inc.
Brewster Academy
Carlisle Capital
Casella Waste Systems, Inc.
Chase Bank
Citizens Bank
Cleveland, Waters & Bass, P.A.
Cooper, Cargill, Chant Attorneys at Law
Cornerstone Energy Services, Inc.
Create
Danville, Town of
Dartmouth College
Dartmouth Hitchcock Medical Center
Devine, Millimet & Branch, P.A.
Eversource
Farm Credit East
Federal Deposit Insurance Corporation
Fletcher Tilton, P.C.
Franklin, City of
GSSG Solar
Gallagher, Callahan, & Gartrell, P.C.
General Services Administration
Godbout Law, PLLC
Gov. Wentworth Regional School District
Green Mountain Furniture, Inc.
Grinnell & Bureau Attorneys at Law
Hinckley Allen LLP
Holland & Knight LLP
Huggins Hospital
J.P. Noonan, Inc.
Key Bank
Lakes Region Conservation Trust
Lakeview Management, Inc.
Mallet Company
Marriott, J. Willard Jr.; Chairman, Marriott International
Martin, Lord, & Osman, P.A.
Latici Law Office, P.A.
Liberty Utilities
Lyme Properties
McLane Middleton, P.A.
Mobil Oil Corporation
Monziona Law Offices
Mount Washington Observatory
Mutual Oil Company
New Hampshire Charitable Foundation
New Hampshire Motor Speedway
North Conway Country Club
Northern Pass Transmission LLC
Northway Bank
Orr & Reno
Pace Academy
Pastori Krans Attorneys at Law
Perkins Thompson Attorneys & Counselors
Phillips Exeter Academy
Pierce Atwood LLP
Pike Industries, Inc.
Pleasant View Gardens
Portsmouth, City of
PriceWaterhouseCoopers
RHP Properties
Ricci Lumber
Rochester Toyota
Rye, Town of
Salvation Army
Seward & Kissel LLP
Sheehan Phinney, P.A.
Sulloway & Hollis, PLLC
Sullivan & Gregg Attorneys at Law
TD Bank
Taylor Community
Tuscan Brands
U.S. Trust Company
University System of New Hampshire
Upton & Hatfield LLP
Vermont Academy
Walker & Varney Attorneys at Law
Webster Land Corporation
Wescott Law P.A.
Wolfeboro, Town of

**BRIAN C. UNDERWOOD, CRE, FRICS
CURRICULUM VITAE**

PROFESSIONAL DESIGNATIONS

Awarded the CRE designation, Counselor of Real Estate; The Counselors of Real Estate

Awarded the FRICS designation, Fellow, Royal Institution of Chartered Surveyors

PROFESSIONAL PUBLIC APPOINTMENTS

New Hampshire Real Estate Appraiser Board, Chairman (2008-2012)

PROFESSIONAL EXPERIENCE

B.C. Underwood LLC, Rye Beach, New Hampshire: Principal of a real estate appraisal & counseling firm founded in 1998 specializing in complex property types, litigation support, and mediation.

Atlantic Valuation Consultants, Inc., Meredith, New Hampshire: President of an east coast real estate and business valuation firm specializing in market / feasibility studies, and litigation support.

Conwood Group, New Cumberland, Pennsylvania: Managing General Partner of a real estate investment company that owned and operated coin laundries.

LICENSEE

Certified General Real Estate Appraiser, State of Maine
License Number: CG4821 (expires December 31, 2023)

Certified General Real Estate Appraiser, State of New Hampshire
License Number: NHCG-394 (expires November 30, 2023)

PROFESSIONAL EDUCATION

Harvard Business School

- *Valuation*; Cambridge, Massachusetts; 1999

American Society of Appraisers Seminars

- *The Expert Witness*; Manchester, New Hampshire; 1996

Appraisal Foundation

- *Appraisal Investigator Training Level I*; Alexandria, Virginia; 2009
- *Appraisal Investigator Training Level II*; Scottsdale, Arizona; 2010

Appraisal Institute Courses

- 400: *Uniform Standards of Professional Appraisal Practice (USPAP) Update Course*; 2022-23
- 410: *Standards of Professional Practice, Part A (Uniform Standards of Professional Appraisal Practice)*; Portland, Maine; 1997
- 420: *Standards of Professional Practice, Part B*; Hershey, Pennsylvania; 1993
- 110: *Appraisal Principals*; Hershey, Pennsylvania; 1993

- 120: *Appraisal Procedures*; Hershey, Pennsylvania; 1993
- 310: *Basic Income Capitalization*; Tallahassee, Florida; 1993
- 320: *General Applications*; Boston, Massachusetts; 1995
- 510: *Advanced Income Capitalization*; Tallahassee, Florida; 1993
- 540: *Report Writing & Valuation Analysis*; Tallahassee, Florida; 1995

Appraisal Institute Seminars

- *Valuation Issues & the Tax Abatement Process*; 2022
- *Current Residential & Commercial Valuation Concerns*; 2022
- *Implications for Appraisers for Conservation Easement Appraisals*; 2022
- *Artificial Intelligence, AVMs, & Blockchain: Implications for Valuation*; 2021
- *Forestland Valuation*; 2021
- *Appraiser Essentials*; 2021
- *Appraising Residential & Commercial Properties during a Pandemic*; 2020
- *Market Trends in New Hampshire Real Estate*; 2020
- *Eminent Domain and Condemnation*; 2017
- *Data Verification Methods*; 2015
- *Thinking Outside the Form*; 2015
- *Subdivision Valuation*; Manchester, New Hampshire; 2005
- *Automated Valuation Models*; Baltimore, Maryland; 1997
- *Mock Trial*; Boston, Massachusetts; 1995
- *Appraisal Practices for Litigation*; Boston, Massachusetts; 1995
- *GIS Seminar*; Boston, Massachusetts; 1995
- *Due Diligence for Contaminated Properties*; Boston, Massachusetts; 1995
- *Environmental Risk and the Real Estate Appraisal Process*; Rockport, Maine; 1994

The Counselors of Real Estate Seminars

- *Global Economic Forces: The Deficit, the Dollar and Interest Rates*; Chicago, Illinois; 2005
- *Real Estate Capital Markets*; Chicago, Illinois; 2005
- *Big Thinkers on The Big Picture: Commercial Real Estate Markets*; Chicago, Illinois; 2005
- *Hedging: Protecting Your Assets in a Rising Interest Rate Environment*; Chicago, Illinois; 2005
- *Market Watch: A Real World View on Market Prospects*; San Francisco, California; 2007
- *Institutional Investment: When Residential Real Estate Brings the Highest Yields*; San Francisco, California; 2007
- *Banks, Banking Rules, Fed Policy, and Real Estate*; San Francisco; 2013
- *Outlook for the Economic Real Estate Market*; San Francisco; 2013
- *Real Estate Analytics, Investments and Beyond*; San Francisco; 2013
- *Reaching for Yield - The High Risk of Investments*; San Francisco; 2013
- *Money Never Sleeps*; San Francisco; 2013
- *Sustainability: Energy and Land Use*; San Francisco; 2013
- *A Vision for Boston*; Boston; 2014
- *Real Estate Outlook*; Boston; 2014
- *Emerging Trends in Real Estate*; Boston; 2014
- *Making Infrastructure Happen: Public-Private Partnerships*; Montreal; 2017
- *Retail Industry - In Crisis?*; Montreal; 2017
- *Trends in Tourism & Hospitality*; Montreal; 2017
- *Laying the Groundwork of Large Scale Development*; Montreal; 2017
- *The Global Economy & Real Estate Trends: Is Capital Following Growth?*; Montreal; 2017
- *The New City: The American Urban Scene*; Chicago; 2019
- *The Global Economy & Real Estate Trends*; Chicago; 2019
- *Technology: How Data is Being Leveraged*; Chicago; 2019
- *Opportunity Zones: Challenges and Opportunities*; Chicago; 2019

- *2019-2020 Top Ten Issues Affecting Real Estate*; Chicago; 2019
- *Aging in Place: Innovation in Design & Programming*; Chicago; 2019
- *University of Chicago's Influence on the South Side*; Chicago; 2019
- *Housing, Leasing, Finance, Valuation, Property Technology, Legal, & Taxes Series*; 2021
- *Leverage Urban Development and Increase Inclusion & Diversity*; Boston; 2022
- *Economic Point and Counterpoint*; Boston; 2022
- *Life Science Industry*; Boston; 2022
- *Resilience, Adaptation, Mitigation, and Preparedness*; Boston; 2022
- *The Future Shape of Our Workplace: Office Uprising vs. Employee Uprising*; Boston; 2022
- *European Real Estate Dialogue & Debate*; Boston; 2022

Massachusetts Board of Real Estate Appraisers Seminars

- *Teamwork in Eminent Domain*; Boston, Massachusetts; 1997

McKissock Learning

- *Introduction to Legal Descriptions*; November 2017
- *Fundamentals of Appraising Luxury Homes*; November 2019
- *Expert Witness Testimony for Appraisers*; November 2019

New Hampshire Association of Industrial Agents Seminars

- *Redeveloping Contaminated Sites*; Center Harbor, New Hampshire; 1994

New Hampshire Attorney General's Office

- *Wynn Arnold Administrative Law Workshop*; Concord, New Hampshire; 2009

New Hampshire Bar Association Seminars

- *Managing, Buying, & Selling Contaminated Properties*; Concord, New Hampshire; 1994

New Hampshire Superior Court, Office of Mediation & Arbitration

- *NH Superior Court Rule 170 Civil Mediation Training*; Concord, New Hampshire; 2010

ARTICLES PUBLISHED

How to Lower Real Estate Taxes, Coin Launderer & Cleaner; February 1996

Tax Abatements for Environmentally Contaminated Real Estate, New England Service Station & Automotive Repair Association; January 1995

SEMINARS PRESENTED

New Hampshire Tax Abatement Process, [presented together with Jack B. Middleton, Esquire & Jennifer L. Parent, Esquire; McLane Middleton]; Rochester, New Hampshire; 2014

New Hampshire Tax Abatement Process, [presented together with Jack B. Middleton, Esquire & Jennifer L. Parent, Esquire; McLane Middleton]; Concord, New Hampshire; 2013

Real Estate Appraisal Issues, New Hampshire Chapter, Appraisal Institute; Concord, New Hampshire; 2010 & 2011

Appraising Environmentally Contaminated Real Estate, New Hampshire Bar Association; Concord, New Hampshire; 1999

Real Estate Tax Abatement & Eminent Domain, [presented together with Jack B. Middleton, Esquire & Arthur G. Greene, Esquire; McLane Middleton]; North Conway, New Hampshire; 1999

Real Estate Tax Abatement Process, [presented together with Jack B. Middleton, Esquire; McLane Middleton]; Hanover, Portsmouth, and Manchester, New Hampshire; 1996

Real Estate Tax Abatement Process, [presented together with Jack B. Middleton, Esquire; McLane Middleton]; Manchester, New Hampshire; 1995

Tax Abatement for Environmentally Contaminated Real Estate, Independent Oil Marketers Association of New England; Westborough, Massachusetts; 1995

Tax Abatement Issues for Campground Owners, New Hampshire Campground Owners' Association; Laconia, New Hampshire; 1995

LITIGATION EXPERIENCE

admitted as expert witness

- New Hampshire Superior Court
- New Hampshire Board of Tax and Land Appeals
- New Hampshire Circuit Court, Family Division
- New York Family Court
- Massachusetts Appellate Tax Board
- United States Bankruptcy Court
- Vermont Family Court

EXPERT WITNESS HISTORY

testimony at deposition, hearing, or trial

Trustees of Dartmouth College v. Town of Hanover
Town of Hanover Planning Board / New Hampshire Supreme Court

150 Greenleaf Realty Trust v. City of Portsmouth
Rockingham County Superior Court, New Hampshire

Gilman Family Trust v. Town of New London
Merrimack County Superior Court, New Hampshire

In Re: Carlucci
U.S. Bankruptcy Court, District of New Hampshire

Campbell v. Campbell
New York Family Court, New York

Cutter Family Partnership v. Town of Rollinsford
Rockingham County Superior Court, New Hampshire

Southern Spectrum LLC v. Town of Wolfeboro
Carroll County Superior Court, New Hampshire

Bridge v. Town of Sunapee
Sullivan County Superior Court, New Hampshire

Kraeger v. Town of Sunapee
Sullivan County Superior Court, New Hampshire

Ruedig v. Town of Sunapee
Sullivan County Superior Court, New Hampshire

Wolters v. Wolters
10th Circuit Court, Family Division, New Hampshire

Public Service of New Hampshire v. Town of Richmond
New Hampshire Board of Tax & Land Appeals

PROFESSIONAL & PUBLIC AFFILIATIONS

- New Hampshire Real Estate Appraiser Board by appointment of Governor Lynch
Chairman (2008-2012)
- The Counselors of Real Estate: Member
Real Estate Issues Editorial Board (2005-2007)
CRE Consulting Corps Steering Committee (2005 -2007)
- Mount Washington Observatory
Past Vice President & Treasurer
- Town of Wolfeboro Zoning Board of Adjustment
Chairman (1995-2008)
- First Congregational Church, Wolfeboro, New Hampshire
Moderator (2008-2010)

CONTACT INFORMATION

Brian C. Underwood, CRE, FRICS
B.C. Underwood LLC
Post Office Box 88
Rye Beach, New Hampshire 03871

12 rue du Moulin Foulot
21190 Meursault, France

603.387.1340
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+33 7.89.22.53.20

State of New Hampshire

Town of Farmington
Planning and Community Development
Zoning Board of Adjustment

Re: Nutes Solar Project

Supplemental Materials (May 10, 2023)

Comparable Facilities
(6 photos)

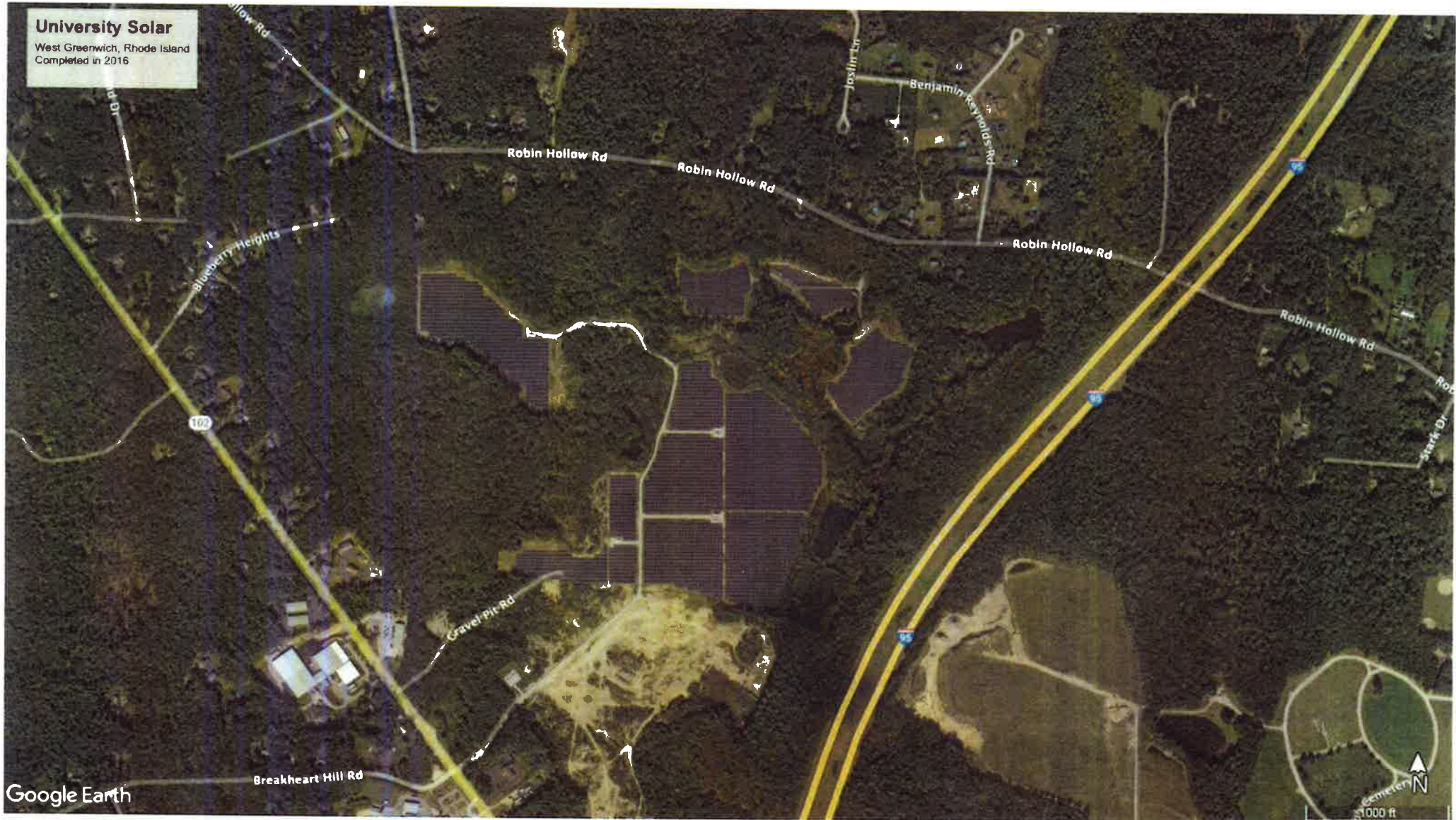




Milton Landfill Solar Project
Milton, New Hampshire
Completed in 2016

University Solar

West Greenwich, Rhode Island
Completed in 2016



Google Earth

1000 ft

Vuelta Solar & Old Wardour Solar

East Brookfield & Spencer, Massachusetts
Completed in 2018



Moultonborough Solar

Moultonborough, NH
Completed in 2017



Google Earth

1000 ft



BWC East Brook LLC Solar
Wethersfield & Hamden, MA
Completed in 2021



Google Earth



Littlefield Solar Project
Wells, Maine
Completed in 2022

May 11, 2023

John Scruton, Chair
Zoning Board of Adjustment
356 Main St.
Farmington, NH

Re: Development of Regional Impact – Farmington Zoning Board Special Exception by Nutes Solar, LLC, Tax Map R17, Lot 68; Tax Map R18, Lot 10; Tax Map R17, Lot 55; Tax Map R17, Lot 57; Tax Map R18, Lot 5; Tax Map R17, Lot 33; and Tax Map R18, Lot 3.

Dear Members of the Farmington Zoning Board:

Please accept this testimony on behalf of the Strafford Regional Planning Commission (SRPC) in response to your April 6, 2023 declaration that potential for regional impact exists with the aforementioned application. Per NH RSA 36:55, a Development of Regional Impact means any proposal before a local land use board which in the determination of such local land use board could reasonably be expected to impact on a neighboring municipality or the region. SRPC received formal notice from the Town of Farmington of said *Development of Regional Impact* on April 6, 2023. We understand that a notice was also sent to the Town of Milton.

DISCLOSURES: SRPC provides contract planning services to the Farmington Planning Board. Those services are currently provided by Kyle Pimental, Principal Regional Planner and Jennifer Czysz, Executive Director. While Ms. Czysz assisted with the compilation of meeting minutes and application materials, neither she nor Mr. Pimental contributed to the analysis of this review. This memorandum was prepared by Lisa Murphy, Senior Regional Planner.

Developments of Regional Impact that are referred to SRPC are considered by SRPC’s Regional Impact Committee, a volunteer board consisting of SRPC Commissioners. The Committee met on May 10, 2023, to review the proposal and provide comments.

Transportation, Access, and Parking

Comments: The proposed use is not a significant traffic generator. The only concern from the Committee is the site access during construction. The proposed use will have an accessway where the site work and construction vehicles leave the site and enter a public roadway. A tracking apron should be installed and should be sufficient to ensure that no material from tires is tracked into the public road causing a traffic hazard. The apron should be maintained throughout the duration of construction. Any dirt tracked into the road should be cleaned up daily to ensure the safety of all road users.

Conflicts with Policies, Plans, and Programs – Noise

Comments: Noise was a concern by several of the residents that spoke at the Zoning Board meeting on April 6, 2023. The information submitted with the current application before the Zoning Board does not



provide adequate information to be able to make a determination on noise impacts. Additional information/studies should be submitted to the Planning Board during the Site Plan review if an application is submitted.

Hazardous Materials or Substances

Comments: It is unclear if there will be any hazard to the public from this proposal. The Board should feel comfortable requesting reports and studies that provide assistance in determining if there is a hazardous impact and how far it extends, and ways to resolve the potential hazard.

Ecology and Resources

Comments: The Committee discussed the importance of stormwater management after the trees have been removed. Maintaining stormwater runoff on the property before it enters the roadways or neighboring properties should be required during all stages of construction and post construction. Detailed information about stormwater management should be submitted to the Planning Board if a site plan application is submitted.

Hazards – Public Health and Safety

Comments: The information submitted with the current application before the Zoning Board does not provide this information since this is a special exception application for the use only. Information about health concerns, such as emissions from the site, should be submitted to the Planning Board if a site plan application is submitted.

Facilities

Comments: The proposed use is for a solar farm which does not appear to be a use that will have any impact on school enrollment, police and fire departments, or any other town facility/services. Therefore, the Committee determined that the proposed use will not require new or expanded facilities or services from Farmington or Milton. Other land uses that are suitable for this site, such as a subdivision, would have a significantly greater impact to town services.

Scenic and Visual Character

Comments: The proposed height of the panels and equipment is 20' which is approximately 15' lower most homes. The Committee did not feel that this land use should not have a negative impact on viewsheds. Comments were raised at the Zoning Board meeting that several of the residents were concerned about the potential for a negative impact to property values. The Committee members discussed this and determined that additional information should be presented during the Site Plan review by the Farmington Planning Board if an application is submitted.

Housing and Population Growth

Comments: The proposal is not one that will cause a need for additional housing or create an increase in population. It is unlikely that the proposed use will require an extension of the road or other public utilities.

During the review of the proposal, the Committee also discussed the positive impacts to the region that this type of project creates, including the benefits that it brings with creating green energy. This is a goal that is consistent with the *Local Solutions for the Strafford Region* (Regional Development Plan).

We hope that these comments will be useful to you in your review of this project. All materials should be used for informational purposes only. The scope of SRPC's review is intended to focus on the regional impacts of this application and does not duplicate the Farmington Zoning Board's review for consistency with Town ordinances and regulations. Similarly, references to land use policies in Farmington are not the result of a comprehensive regulatory review, and SRPC defers to the Town to provide more comprehensive feedback regarding consistency of the proposed development with their regulations and with the character of their community. Please do not hesitate to contact Lisa Murphy at lmurphy@strafford.org or 603-994-3500 if you have any questions.

Sincerely,

Lisa J. Murphy, Senior Regional Planner
Strafford Regional Planning Commission

SUBJECT: Nutes Solar LLC Special Exception Application

**To: Megan Taylor-Fetter
Strafford Regional Planning Commission**

**John Scruton, Chair
Farm. Zoning Bd. of Adjustment**

**Venue: SRPC Regional Impact Committee Meeting
May 10, 2023 1-2:30 PM**

Good Day

May 8, 2023

Please accept this letter to be entered in the written testimony of your meeting, in my absence. My family is upset that our name is associated with the Nutes Solar LLC planned development off the Chestnut Hills Road in Farmington. We know that it is too late to change the name, but feel that this is a blatant attempt by Dale Knapp and Walden Renewables to benefit from the long history of our family in the community.

I want to stress two things:

- 1. We were not asked at any time to lend our name to this project.**
- 2. We deny any involvement in this project.**

**Jonathan & Anne Nute
19 Governors Road
Milton, NH 03851
Nutea@comcast.net**

May 5th, 2023

RE: Walden Renewables Farmington NH Solar Project


Dear Farmington Zoning Board:

I wanted to voice my support for the Walden Renewables Farmington NH Solar Project. I am an advocate of alternative energies , especially in NH where utilities costs are some of the highest in USA.

My property is located next to this project at 463 Chestnut Hill Rd which I have owned since 2013. I think this will also bring some economic benefits to our town! Who doesn't need that these days! I hear the project will generate long term power to over a thousand homes with no toxic emissions like our current coal and nuke systems.

Thanks you for listening, and I hope this project can go forward

Svend Filby
463 Chestnut Hill Road
Farmington NH
603-996-1060



May1st 2023

Katie Carleton
20 Wheelwright Dr.
Lee, NH 03861

RE: Letter of Support for Nutes Solar Project

Dear Chairman Scruton, Vice Chairman Pitre, and Members of the ZBA,

I am pleased to submit this letter in support of Walden Renewables' proposed Nutes Solar Project, and I am in favor of approving the Special Exception Application currently before the Zoning Board of Adjustment to allow for this beneficial use of our property. This type of low impact and environmentally friendly project should be allowed to move ahead through review by the planning board.

Our family has owned this land and paid the taxes on it since 1986. We've worked to be good stewards of the land, including a sustainable harvest of timber a few years ago. The revenues from the solar lease will help allow us to keep this land in the family for the foreseeable future.

We strongly support the regional transition to clean and affordable renewable resources to meet our needs for electricity. My understanding is that this project can help do just that, while providing payments to the town, while staying quiet and out of sight. The project is being proposed in an area that has seen previous timber harvesting and this is just another appropriate use of our property.

I believe that we should retain the right to allow this project to proceed on land that we own in the town of Farmington. A responsibly sited project isn't going to have any detrimental impacts and the town stands to gain some substantial income because of this project moving forward. Please approve the Special Exception for the Nutes Solar Project.

Sincerely,



Katie Carleton

Jen Czysz

From: jreinert farmingtonfd.net <jreinert@farmingtonfd.net>
Sent: Friday, April 7, 2023 9:25 AM
To: Jen Czysz
Cc: Tabby Scott; Kyle Pimental
Subject: Re: Nute Solar Special Exception

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning,

I hope all is well, I can attend the meeting if needed just let me know so I can make sure that I place it in my calendar, in regards to the questions/concerns presented by the Zoning Board please see below:

B. There is always the potential for fire and with fire comes the release of toxic smoke, however typically these types of projects have a very low potential for fire.

C. I have no concerns regarding any impact on property values from smoke/gas release from the project itself. If there were to be a fire emergency involving the solar array this would have a release of smoke/toxic materials, at this time I am unsure as to what impact this would have, if any, in the immediate area and downwind of the site.

E. Once implemented I would not assume there would be any direct impact on the demand for fire protection, the only demand on the fire department would only be if there was an emergency on site, this would be no different than any other property within the community.

If you have any other questions or concerns please let me know, thank you in advance.

James D. Reinert
Chief of Department
Farmington Fire & Rescue

From: Jen Czysz <jczysz@strafford.org>
Sent: Thursday, April 6, 2023 9:56 PM
To: jreinert farmingtonfd.net <jreinert@farmingtonfd.net>
Cc: Tabby Scott <tscott@farmington.nh.us>; Kyle Pimental <kpimental@strafford.org>
Subject: Nute Solar Special Exception

Good Evening Chief,

As part of the Zoning Board's review of the Nute Solar Special Exception request, they are tasked with determining whether the proposal meets the following standards, among others:

- b. No hazard shall be created to the public or adjacent property on account of **potential fire** explosion or release of toxic materials.
- c. No detriment to property values shall be created in the vicinity or change in the essential characteristics of any area including residential neighborhoods or business and industrial districts on account of the location or scale

of buildings and other Structures, parking areas, access ways, odor, **smoke, gas**, dust, or other pollutant, noise, glare, heat, vibration, or unsightly outdoor storage of equipment or other materials.

- e. No excessive **demand on municipal services**, including but not limited to, water, sewer, waste disposal, police **and fire protection** and schools.

Would you be able to review the attached submittal and provide comments in writing or at the hearing? The hearing has been continued to May 18, 2023, 7 PM.

Thank you,

Jen

JENNIFER CZYSZ, AICP

Executive Director

STRAFFORD
Regional Planning Commission



jczysz@strafford.org
603-994-3500 ext 100
150 Wakefield St., STE 12
Rochester, NH 03867

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