



TOWN OF WARE

Planning & Community Development

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Planning Board

Meeting Minutes from
Thursday, June 13, 2019
Great Hall, Town Hall

Planning Board members present:

Rick Starodoj (Chair), Fred Urban, Joe Knight, Edward Murphy, Jennifer Muche (Alternate), Josh Kusnierz recused himself at 7:15pm.

Also present:

Town Representatives: Rebekah DeCoursey, Director of Planning & Community Development and Nicole Croteau, Assistant to the Director
Applicant(s): Jeremy Chapman, Melink Solar; Calisto Bertin, Engineer; TJ Recutro, Attorney
Public: Ryan O'Hara, Deborah Morisseau, John Majocka, Jodi Chartier, Cynthia LaBombard, Kathy Galford, Claudia Kadra.

Chairman R. Starodoj called the meeting to order at 7:00 pm and the Board said the Pledge of Allegiance.

ANR Plan – Jurczyk – Combing two lots on Old Gilbertville Road.

J. Kusnierz made a motion to approve the ANR plan as is; E. Murphy second. Approved 3-0-1 (J. Muche)

Ms. DeCoursey endorsed the plan on behalf of the Board.

Approval of Minutes – Reviewed minutes from June 5, 2019 – postponed until next meeting.

Discussion – Wildflower Subdivision punch list with Mr. Beltrandi. Earlier this year, a letter was issued to Berkshire Bank regarding items that would need to be addressed by the bank and/or developer before Wildflower and Blair Circle will be accepted as public ways. Mr. Beltrandi and Berkshire Bank representative, Ryan O'Hara, met with the Board to discuss some of the items on the list required for road acceptance.

- Mr. Beltrandi asked if the Board would consider waiving the sidewalk on Briar Circle. There will be a lot of grading needed to put it in, and it's only a short sidewalk. The Board would like to see the sidewalk installed and connect with the school, as was the original plan.
- Streetlight installation is in the process with National Grid
- Boundary pins of the lots were completed in 2014 and paid invoices will be sent to the PCD Department for verification.
- Drainage on Subdivision Lot 20. Mr. O'Hara spoke that this lot was sold as a tax taking by the Town. Unfortunately, it was supposed to be preserved as open space. However, it seems as though the company that purchased it bought several tax title properties in bulk and did not realize the lot was not developable. All rights and drainage protections related with this lot will remain in place even with this ownership change.
- There seem to be concerns of water drainage leaving the subdivision and onto Gould Road. A clarification on this will obtain a report from the Engineer. It is unclear where the water is coming from.
- Mr. Beltrandi also asked if the Board would be lenient issue of ponding of water on one of the private lots that will be impacted by installing the sidewalk. It will be possible to get the sidewalk up to grade, but the Board is very concern with ponding leading to water runoff over the sidewalk in the winter and ice forming. The Board felt the drainage should be addressed with a culvert on the private property that connects to the catch basin in the street.

7:15 PM – Public Hearing Melink Solar Development for a Special Permit (SP-2019-04) and Site Plan Review (SPR-2019-03) for a large ground-mounted solar energy facility. The property is located at 45 Greenwich Plains Road.

J. Kusnierz recused himself from the Public Hearing. J. Muche was appointed as an alternate member.

R. Starodoj read the legal notice. R. Starodoj opened the public hearing at 7:28pm when J. Knight arrived.

J. Chapman from Melink presented a brief slide show on the project development.

Calisto Bertin from Bertin Engineering discussed the overview of project. The site is about 88 acres and previously the land was used for cattle fields with a brook, pond, dam and open fields. Of out this, 56 acres are wooded. The property has been previously and used an existing cart path. The proposed project is to construct a 3.4 MW solar array. The applicant has heard the concerns with stormwater runoff and to address it, every 5th row of arrays will have an infiltration system, which will help with water runoff once site is constructed. There will be a 7-foot chain

link fence around the arrays with access gates for emergency/maintenance use. The area within the fence is roughly 30 acres. There will be little to no tree clearing on the north side of the site abutting the array. To the south there will be selective tree cutting directly around the arrays and will be "hand-picked" and they will replant trees if needed. The original plan submitted in March 2019 missed some wetland delineation and that has since been completed. The Wetland Consultant originally thought that the existing stonewall on site was the property line so they stopped at that point. The completed wetland delineation has been reflected on the most recent set of plans (Revision 2, dated 3/22/2019). The east side of the array will be approximately 250-feet from the property line and should be plenty of buffer from any abutter.

7:44pm F. Urban arrived.

The proposed driveway access will have four wetland crossings and still needs approval from the Conservation Commission. The Applicant is proposing access on the existing path because least amount of disturbance impact. C. Bertin stated there are about 30 acres of wetland on site and only disturbing approx. 250 sq ft and will be using a 1:1 replication. The drainage area of the larger array will increase the water runoff but the site will be designed with infiltration trenches every 5th array row to decrease the water runoff. C. Bertin stated that test pits will need to be done for the infiltration trenches. The trenches will compensate for the increase in stormwater runoff. There will be National Grid and safety signs posted as needed. Wildlife will have no problem to "walk around" the fenced area. The distance from the nearest array to Howard Road is approximately 650-feet. There is 100-foot grade change from the arrays down to Greenwich Plains Road. There will be no lights besides LED lights used for lighting. C. Bertin stated at the Fire Department raised concerns over the slope on the access road getting into the lower fields is closer to 20% and how will the tanker truck have access. Stated the Applicant will be happy to accommodate the FD recommendations. C. Bertin asked the Board if there are any questions.

R. Starodoj opened the question to the Board members.

R. Starodoj asked to verify the type of system the arrays will be (mounted or tracking).

J. Chapman replied the arrays will be a tracking system.

C. Bertin explained how the tracking system works by tilting.

R. Starodoj asked for specifications of the panels and the tracking system.

R. Starodoj asked what type of construction equipment will be used for construction.

J. Chapman stated a few pieces of heavy equipment and the staging area for construction.

R. Starodoj had concerns about tractor trailers using Howard Road and how would the trucks leave the site. Would they back out?

C. Bertin explained they would use the north entrance to Howard Road, enter, and turn around within the construction site (at hammerhead turn-around) and drive out. Construction workers would park off of Greenwich Plains Road and at the Soper property. The construction company estimates 20 people maximum for construction.

R. Starodoj asked for clarification of roadway width – 12-feet wide?

C. Bertin stated the access road is designed to be 14-feet wide.

R. Starodoj stated he had concerns to have cars on a 14-foot wide road, there is little room for passing cars/trucks. Overall how is Howard Road realistic to be the main entrance?

C. Bertin stated the Applicant wanted to use the current access road on the site. And he feels the dam that could be crossed with access from Greenwich Plains Road could not handle large trucks.

R. Starodoj stated the access over the dam is paved and seems like much easier access and reduced impact to the environment. Light traffic would be ok and it may be a better investment to repair the dam versus building the access road. The applicant stated they are looking into this option.

R. DeCoursey stated the going over the dam would be ideal for many reasons. The dam or road will need to accommodate the fire truck, 50-ton at least. Wetland crossing will need to comply with the Fire Department 20-foot width roadway, 10% slope, and 50-ton weight limit.

J. Muche asked if the western side is seen by neighbors and will they see the glare?

C. Bertin explained that the trees are thick on the north, east and west and should block the view of the panels. South side is mainly pasture. The elevation may be 100-foot higher but about 1,000-feet away. They can plant trees if needed to block view.

R. Starodoj asked if there will be pesticides used.

J. Chapman replied no.

There was discussion of the access road and the best approach. Greenwich Plains Road access would have the least impact on the environment and roadways. The current plan does not propose access up Walker or Doane Road, but rather going up Pleasant and Crescent because the roads are wider. Abutters on Pleasant and Crescent will most likely have issues with this. This issue will need to be discussed further.

B. Wilson asked had three questions:

1. Will the arrays will be visibly in fall/winter with no leaves on the trees?
2. Construction needs has a lot of materials and the triaxle trucks will abuse the Town roads, who will fix the road?
3. How will the infiltration system work during the winter months when the ground and gravel infiltration trenches are frozen?

C. Bertin stated the ground may be frozen but the infiltration system is gravel and sand and will work in the cold months. He stated that the array will not be visible from the east, north, or south. It will be visible from the west – Greenwich Plains Road.

J. Majocka had a handout and read the letter to the Board. The statement stated some concerns regarding the driveway being obstructed, deteriorated, property owner and emergency access at the end of Howard Road.

C. Bertin stated Mr. Majocka had legal rights to cross the road.

J. Chartier asked for clarification of road traffic/emergency access way with tractor trucks backing up for Mr. Majocka.

C. Bertin stated that the staging for construction is on site only not on the road. There may be times a truck is stopped on the road, but the driver would always be with the vehicle.

C. LaBombard had a handout and read the letter to the Board. She stated history of the Ware Center Meeting House and the significance it has to the Town. She asked if the wetlands were delineated near the meeting house and possibly flooding activity and if any flooding study was completed.

C. Bertin stated that wetlands were only delineated on the property where the project is proposed.

C. LaBombard asked for the applicant to discuss the measures taken to mitigate the increase of water runoff from the tree removal that could affect Flat Brook water levels and flooding that would impact the meeting house and cemetery.

C. Bertin stated they are installing trenches every 5th row, 5-foot deep and 10-foot wide to percolate the recharge water into the ground which will reduce the runoff.

C. LaBombard stated that if the Town loses the meeting house, it will be horrible. She stated she would like to present with installing trenches.

K. Galford represented the Ware Historical Commission. She presented the Board with a handout. She stated that project was brought to the attention of the Ware Historical Commission through the voices of concerned citizens. Stated that Melink Solar plan states in the Special Permit Application that the Local Historical Commission and the Massachusetts Historical Commission will be notified when historical or archaeological areas of significance are involved as early as possible. To date, there has been notification received from Melink or the Owner. There are concerns about preserving the stonewalls, foundations and cellar holes. The stone foundation on Howard Road is the only part of the Madora Howard homestead, of whom the road is named after. Madora is buried in the Ware Cemetery and her quilts are on display at Old Sturbridge Village. The plans have proposed alterations to the site going through the foundations off Greenwich Plains Road. This is historical area; do you plan on removing or replacing cellar holes? Melink stated they would work with the Historical Commission.

R. DeCoursey stated the Historical Commission is not on the list of parties to notify when new application comes into the Planning & Community Development Department.

C. Bertin stated the Historical Commission gave a memo so it was assumed they reviewed the plans. C. Bertin stated he will make adjustments to the plans and not touch the stonewall, foundations or cellar holes. The arrays should be able to be installed around those areas of concern.

C. Kadra represented Shea's Tree Farm and presented the Board with a letter. She gave the history of her abutting property becoming a tree farm (#160 per American Tree Farm System) and concern was regarding Chapter 61A land. Per personal research, C. Kadra stated that John Soper's property at 45 Greenwich Plains Road is currently listed as being in Chapter 61A and has noted that the proper procedures to withdrawal/convert land from Chapter 61A have been submitted. C. Kadra read Chapter 61A, Section 14. C. Kadra stated that the Town of Ware has the "Right of First Refusal" prior to construction taking place and the current application procedure is "putting the cart before the horse." Stated this is a waste of time and effort because this project may never move forward until proper procedure is completed.

R. Starodoj stated he will evaluate the process.

J. Chartier had a handout and read the letter to the Board. J. Chartier asked if, "Melink Solar plan to fragment this project. Per page 17 of Bertin Engineering's report, it appears to have Phase 2 with future solar arrays planned over wetlands." J. Chartier stated for the answer to be in writing and submitted to the meeting minutes as well to Conservation, Building Inspector, Zoning and Selectmen.

The applicant stated that it is not a phased project, the plan is as presented tonight. R. DeCoursey stated that there was an email received in the month previous that answered this question.

R. Starodoj asked if the Board had any additional questions for Applicant/Engineer and suggested to continue the meeting.

R. DeCoursey suggested to after July 10th Conservation Commission meeting date.

R. Starodoj scheduled the meeting for July 31st at 7:05pm and stated to Engineer/Applicant that if the plans are changed to please submit them 2-weeks prior for the Board to review.

Motion - J. Knight made a motion to continue the Public Hearing for Melink Solar Development to July 31st at 7:05 pm. F. Urban second, Favor 4-0.

Adjourn - Motion by J. Knight to adjourn at 9:15 p.m., second F. Urban. Unanimous.

Minutes from June 13, 2019

Respectfully submitted by Nicole Croteau

Minutes Approved on:	<u>7/17/19</u>
Starodaj	<u>RNS</u>
Kusnierz	<u></u>
Urban	<u>[Signature]</u>
Murphy	<u>[Signature]</u>
Knight	<u></u>
Muche	<u></u>