



TOWN OF WARE

Planning & Community Development

126 Main Street, Ware, Massachusetts 01082

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Planning Board

Meeting Minutes from

Wednesday, July 31, 2019

Select Board Room, Town Hall

Planning Board Members Present:

Rick Starodoj (Chairman), Joe Knight, Fred Urban and Jennifer Muche (Alternate)

Planning Board Members Absent:

Josh Kusnierz and Edward Murphy

Staff Present:

Rebekah DeCoursey, Director of Planning & Community Development and Nicole Croteau, Assistant to the Director

Applicants in Attendance:

Calisto Bertin, Bertin Engineering, Colin Derhammer, Melnk Solar Development, TJ Recupero, Recupero Law, John Soper

Public in Attendance:

Christina Higney, Jodi Chartier, Claudia Kadra, Jim Kadra, Megan Sinclair, Crystal Norton, Jason Norton, Cynthia LaBombard, Bernie Wilson, Nancy Acherman, Others as signed in

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

7:00 Public Hearing. Ware Palmer Road Solar, 313 Palmer Road. The applicant is requesting an extension of time to commence the project due to delays at the state level. The project had a condition of being completed in one year. The applicant is requesting a twenty-four-month extension to commence the project. No other changes are being proposed.

Chairman Starodoj read the legal notice.

Chairman appointed J. Muche as an alternate.

C. Higney asked Chairman what the issue was for the applicant not being able to start construction.

Chairman explained the delay for construction is due to the state level and not the applicant choice.

C Higney asked if there was any construction started at this time.

Chairman replied no.

C. Higney asked if the applicant can ask for another extension after this twenty-four extension.

Chairman stated yes.

F. Urban made the motion to approve the twenty-four-month extension. J. Knight seconded.

Roll Call:	R. Starodoj	Yes
	F. Urban	Yes
	J. Knight	Yes
	J. Muche	Yes

2/3 majority vote needed, All in Favor, Approved for the twenty-four-month extension.

7:05 Public Hearing (continuation) The application of 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.

Chairman opened the public hearing for continuation.

C. Bertin stated the dam is probably 100+ years old, in good shape but needs to be strengthened, it is not state regulated and things can be done as long as it is not raised. Therefore, the dam will widen and will extend two 32-inch pipes through the dam. The new access road will be through the existing residential driveway. Continuing on C. Bertin stated as the access road continues to the second crossing, this crossing will be upgraded per MassDEP Standards. The wetland encroachment(s) have been reduced and the road is now wide enough for the fire trucks to pass as requested. The main access coming through Howard Road has been eliminated. Aerial lights will be installed at the gate of Flat Brook and at the concrete pad area. These lights will not be "tripped" by wildlife. Red Cedars have been extended across the front and at the second field. Test pits have been completed for infiltration trenches. Depth to groundwater was between 4-feet 6-inches to 6-feet 6-inches. There may possibly be additional trenches to accommodate the high groundwater. The drainage design to the east of the dam has a low point and overflows. The construction sequence includes removing the existing pavement in this section and install grass pavers. This is an existing issue and the applicant is correcting this issue.

Chairman stated he is 100% happier that the main access road is not Howard Road and improving the conditions of the dam crossing is a huge improvement. Expressed concerns to the Engineer if the applicant has contacted the Fire Department regarding the battery storage unit area.

R. DeCoursey stated that the proper procedure is that the Fire Department is required to see the battery storage plans prior to issuing the Building Permit.

C. Bertin stated that the steepest part of the site is 9.3% right before the second crossing.

Chairman wanted to verify if the trees on the southwest corner would block the view from the nearby houses.

R. DeCoursey asked how tall are the panels from the ground.

C. Dehammer stated when the panels lay flat the height is approximately 5-feet tall.

R. DeCoursey asked if the panels moving/tilting make noise.

C. Dehammer replied no. The panels move very slowly.

J. Mucche asked that prior plans show 20% slopes and how has this changed.

C. Bertin stated that the steepest part is 4 to 1.

J. Mucche asked if the size of the footprint reduce.

C. Bertin 12 ½ acres within the fence area.

General Fence discussion:

J. Mucche asked if there is a "gap" in the fence. C. Bertin stated this gap is standard in the fence detail. C. Dehammer stated there could be a pipe for animals approximately 6 to 10-inches. This is currently the standard for Melink sites and the insurance companies favor this over the fence gap. The Board feels the gap would be a better approach for this site because a wood turtle was documented in the area since the last public hearing meeting.

General Existing Cellar Hole discussion:

J. Mucche stated there was an existing cellar hole on the site and appeared to be within the proposed trench area. The Engineer stated he was unaware of this and did not see on site. C. Kadra stated she has coordinates of the

cellar hole and were sent to the Surveyor. (42° 16' 24" N / 72° 16' 4" W). Discussion was made about the infiltration trenches being constructed in this area and the Engineer stated the trenches can be installed anywhere, so they can be moved if they conflict with a cellar hole or stone wall.

Abutters Statements:

M. Sinclair read a statement entitled, "Solar Panels and Glare" and submitted a packet to the Board. Expressed concerns over the panels tilting and the glare. General discussion was generated about the reflection of the sun and how the tilting of the panels would operate. The tilting of the panels could be stopped to a certain degree if the glare was to become an issue. Chairman expressed that the third party review agent may have "recommended" a glare analysis but doesn't mean it "needs" to be done. Technology has advanced and therefore, the panels have become less to possibly even non-glaring. Colin pointed out there are airports with solar arrays that must clear FFA Standards for the safety of planes.

C. Norton read a statement entitled, "Property Values Decreases" and submitted a packet to the Board. Expressed concerns over the decrease of property values and asked if the town would be granting tax abatements due to decreased value and if Melink would be giving energy credits to all abutters. The simple answer is no to both. R. DeCoursey stated there has been no hard evidence that solar arrays affect property values. Discussion was made about bonds, insurances, decommissioning fees and surety bonds and selling the property. Chairman stated that the conditions would state that the new owners would have to meet with Town Officials. Before construction, an amount will also be set for a decommissioning bond.

C. Norton read a statement entitled, "North Brookfield Municipal Project" and submitted a packet to the Board. The statement was prepared by J. Norton and asked if the Board would investigate why the Town of North Brookfield severed ties with Melink Solar.

J. Kadra read a statement dated July 31, 2019 and submitted a packet to the Board. J. Kadra concerns were over the deforestation of the property and water discharge from the site. Land usage changes over the course of years and water discharge works itself out. C. LaBombard stated she spoke with MassDEP and Flat Brook is already at risk of flooding and if nothing is done then this could become a bigger issue. Can the applicant help decrease the risk of flooding by adding additional storm drains? Chairman stated the MassDEP discourages this. An abutter stated the Meeting House needs to be protected at all cost.

M. Piche stated he grew up in the woods of this area and expressed his concerns over the cost of the bridge being replaced. The citizens of Ware have already paid once for the bridge replacement and sure doesn't want to pay again. Chairman stated this is why the Town has bonds in case of scenarios like this.

C. Kadra read a statement entitled, "Issues / Solar Facilities Plans for 45 Greenwich Plains Road, Ware, MA" and submitted a packet to the Board. The packet included information relating to the plans and statements which reflected inconsistency between the plans, the applications and statements at meetings. C. Bertin stated that the plans supersede the applications, the plans are what developers refer to and not the documents. J. Chartier stated that if the applicant/engineer are sloppy at the simply paperwork then what reassurance do the abutters have in constructing the site to these plans. B. Wilson asked if this is the best use of the site.

N. Acherman wanted to know if research has been done and the effect solar arrays have on pacemakers. Chairman replied that no studies have been done to his knowledge.

General Battery Discussion:

Abutters expressed concerns over the battery storage unit on site and affects such as: fires, lighting strikes, battery leaks/contamination, explosions and acts of nature (microburst, hurricanes, tornados). R. DeCoursey stated that the storage area for such batteries will have a fire suppression system installed. C. Bertin stated that such batteries are currently installed at shopping areas and are just unseen from the public eye and the proposed battery site is not within the flood plain so should not be an issue. Chairman stated there are codes and regulations to abide by for such uses.

Chairman read a draft of conditions for Melink Solar dated July 26, 2019 and made minor clerical revisions. The plans state a chain link fence and the conditions call for an earth tone fence and C. Dehammer expressed how costly a colored fence of such magnitude would be. Chairman considered have the access gate and a section to the right being vinyl out of respect for the neighbor's eyesight and the remaining be a standard chain link. J. Muche expressed concerns over having hydraulic fluid being changed on site. Chairman expressed interest in having the decision recorded with a reduced set of plans on record.

Motion:

Continue Melink Solar application to August 21, 2019 at 7:05pm.
F. Urban made motion to continue, J. Knight second. All in Favor.

Administration:

Meeting Minutes – Reviewed minutes from July 17, 2019.
J. Knight made a motion to approve the minutes as presented, F. Urban second. All in Favor.

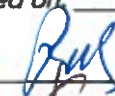




Adjourn:

Motion by F. Urban to adjourn at 9:59 p.m., second J. Knight. Unanimous.

Next meeting is August 7, 2019 at 7:00 pm.

Minutes from July 31, 2019
Respectfully submitted by,

Nicole Croteau
Assistant to the Director

	<i>Minutes Approved on:</i> 8/21/19
Starodoj	
Kusnierz	
Urban	
Murphy	
Knight	
Muche	