



TOWN OF WARE

Planning & Community Development

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Planning Board

Meeting Minutes from

Wednesday, August 21, 2019

Select Board Room, Town Hall

Planning Board Members Present:

Rick Starodoj (Chairman), Fred Urban, Edward Murphy, Joe Knight, Josh Kusnierz and Jennifer Mucho (Alternate)

Staff Present:

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

Public in Attendance:

Claudia Kadra, Jim Kadra, John Majocka, David Skoczylas, Phil Hamel, Laurie Whitney, Alan Whitney, Phillip Warbasse, Julie Bullock, Wanda Mysona, Terry Smith

Pledge of Allegiance:

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

Administration:

- Meeting Minutes
 - Approve minutes from July 31 and August 7, 2019. F. Urban made a motion to approve the minutes as presented. J. Knight second. All in Favor.
- Review Application Fees
 - R. DeCoursey asked the Board the if adjusting the permit filing fee on certain permits would be favorable.
 - General discussion was made about where these permit fees were deposited, how is this money spent and what does the Board and/or town do with these fees.
 - Chairman felt the fees should not be increased
 - J. Kusnierz sees both point of views from the applicant and the Department
 - J. Knight asked for a comparison of surrounding towns and to revisit the topic.

(E. Murphy arrived at 7:08 pm)

7:05 Public Hearing (continued from July 31, 2019) 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.

J. Kusnierz recused himself. Chairman appointed J. Mucho as an alternate member.

Chairman opened the public hearing for continuation.

Chairman stated the applicant has requested in writing the public hearing to be continued until September 18, 2019 at 7:05 pm. No discussion.

Motion:

E. Murphy made a motion to continue Melink Solar application to September 18, 2019 at 7:05 pm as requested. F Urban to second. All in Favor.

J. Kusnierz rejoined the Board.

Old Business:

Administration:

- Solar Energy Facilities

R. DeCoursey reviewed other towns in order to combined wording in order to create the draft bylaws presented today. She had 3 questions for the Board:

1. What would the Board like to see for setback requirements? The current bylaw is 100-feet.
2. How does the Board feel about 50% open space requirement? (50% of lot would be required open space)
3. Should solar be allowed within the Rural Residential zone or not? Although, thru state guidelines, this seems to be an unreasonable regulation.

General Topics Discussed (not in any order):

- Scenic Road Bylaw
 - Possibly create a Scenic Road Bylaw (Town roads only, cannot include State roads)
 - If created, possibility eliminate or limit certain areas within Town for construction of arrays
 - Have different setbacks and other development requirements within the area
- Limitations
 - Possibly limit the number arrays, kilowatt, megawatt, or acres to megawatt
 - Currently it is typical that 1 acre of solar produces approximately 2.5 MW of electricity
 - Having a cap was favorable among the Board, although concerns were discussed about the opportunity for income for the town would then be limited
 - J. Muche stated wind turbines are more efficient than solar arrays
- National Grid
 - At a recent seminar, solar array developments such as 40-60-MW rather than 10-MW or less were favorable by National Grid
- Grass Seed Mixture
 - J. Kusnierz like to have an approve seed mixture after construction such as native species to the area. Spoke about: Joe Pye Weed, Jewel Weed, Goldenrod, Milk Weed
 - Continue to propose to regulate that no herbicides and pesticides be used on site
 - Will the seed mixture be approved for animals such as sheep to graze upon?
- Definition of Agrivoltaics
 - R. DeCoursey doesn't want farm owners to be limited. Therefore, higher panels which could raise animals and produce crops under would be favorable. This is currently monitored through a UMASS program relating to the SMART Program. The land would be able to stay within the category of Chapter 61A Land Use
 - Chairman expressed concerns if the panels are higher, would they be more visible?
 - R. DeCoursey replied it would depend on the agricultural use under the panels

- Farms can currently have solar panels, although it is limited to 125% of electricity needed
- Canopy and roof top arrays are more favorable and regulated by State Building Code(s) – they do not need Special Permit or Site Plan Review approval
- Chairman would like to adopt and clearly define boundary line within the Historic District, if not done already
- Base Water Line for Abutting Wells
 - Chairman feels this should be an “as needed” rather than a requirement
 - Annually or any additional testing would and/or could be costly to Company and/or Homeowner
 - If Homeowner has any concern, then it should be the Homeowners responsibility to obtain a baseline water test at their own expense
- Access Road
 - Require an 8 to 10-foot-wide gravel roadway around and within the arrays in order for fire/ATV/trucks/jeep/small utility vehicle be able to access for routine maintenance and/or emergencies.
 - This access road would follow the interior fence line and be designed per our standard regulations currently
- Batteries
 - If batteries will be stored onsite within containers or such, then possibly require cisterns, small man made pond or other mean of water source to be used for fire protection
 - If water is not the proper way to contain a battery fire, then have a separate area for such chemical material to be stored
- Annual Reports
 - If subdivisions need site inspections, then solar arrays should have an annual inspection as well.
 - Inspections by Board, third party or Town Employee.
 - The Bylaw calls for an Annual Report to be submitted within 45 days after the first of the calendar year.
- Stormwater Design
 - Terry Smith stated a 100-YR storm is not typical for designing a stormwater drainage analysis report. Usually it is based on 5, 10, 25-year storms.
 - Chairman stated Agawam required two – 100-year storm drainage design
 - The Bylaw states any water recharge needs to stay on site. Proposed to add “as reasonably possible”

No further discussion regarding proposed Bylaws.

R. DeCoursey stated there are three new proposed solar array farms being submitted within the month. And expressed to the Applicant that decisions will not be reached in October, but they can start the application process. The Applicant is aware and still plans on submitting the plans and applications. Chairman stated their emergency and urgency is not ours.

Board cancel the September 4th meeting. Next meeting is September 18, 2019 at 7:00 pm.

Adjourn:

J. Kusnierz made a motion to adjourn, J. Knight second, no discussion, all in favor.

Adjourned at 9:00 pm.

Minutes from August 21, 2019

Respectfully submitted by,

Nicole Croteau

Assistant to the Director

Minutes Approved on:	9/10/19
Starodaj	RS
Kusnierz	
Urban	[Signature]
Murphy	
Knight	
Muche	[Signature]