



## **Minutes of the Meeting of the Board of Selectmen**

Date: January 6, 2020 – Special Meeting  
Time: 6:00 p.m.  
Place: McCourt Social Hall, Memorial Town Hall, Spencer, MA  
Present: Chairman Pepe, Vice Chair Monette, Clerk Berthiaume,  
Members Hicks and Woodbury, and Administrator Gregory

Solar Bylaw Advisory Committee Members Present: Tatyana McAuley,  
Matt Defosse, Margaret Emerson, Paula Orcutt, and Jonathon Viner

Chairman Pepe called the meeting to order at 6:00 p.m. and led the Pledge of Allegiance

### **Announcement**

**Any members that are participating remotely in accordance with Regulation 940, CMR 29.10 of the Open Meeting Law**

None

### **New Business:**

#### **Review & Discuss the Recommendations of the Solar Bylaw Advisory Committee**

Dr. Hicks reported that the SBAC will focus on six recommendations contained in their report originally submitted to the Board in September.

Tatyana McAuley spoke about increasing the current setback distance from fifty-five feet to two hundred feet to ensure safety and mitigate impact on property values. No clearing should be allowed in setback areas to allow for a natural buffer.

Matt Defosse spoke about lowering the current level of allowed sound decibels and requiring sound testing; do not allow battery use as they require 24/7 to heat and cool and will cycle continuously. Noise mitigation is not effective in winter due to loss of tree leaves.

Margaret Emerson discussed visual mitigation through limiting tree cutting to five acres and requiring landscape plantings to address loss of wildlife habitats, and in addition, install bird and bath houses. Does not recommend solar installations on prime agricultural soils or unfragmented open land.

Paula Orcutt addressed decommissioning concerns noting there is currently no formula in place – she recommends requiring developers to put up \$100,000 in cash per megawatt and noted that West Brookfield requires cash up front as these facilities are often sold multiple times; also wants to require a decommissioning plan be submitted by the developer and reviewed every five years.

Dr. Hicks expressed concern about decommissioning and indicated any change in ownership should be approved by the Town. There was discussion on requiring cash over bonds and Mr. Gregory advised that Town Counsel indicated there is no preference for cash over bonds; the Town has no exposure with either method.

Ms. McAuley described concerns surrounding the use of flow batteries and lithium ion batteries. Flow batteries require an extremely large footprint, do not have an end-of-life disposal plan and there is no experience with the use of this new technology; MSD sheets should be required for the use lithium ion batteries as well as flow batteries. The use of storage batteries is not recommended.

Mr. Defosse recommends a cap on the amount solar projects and noted that the Town does not have a plan for solar development.

Administrator Gregory reported that the next step is for the Board to refer any proposed Zoning Bylaw changes to the Planning Board for their review and subsequent public hearing. This item will be on the January 27<sup>th</sup> agenda.

The Board thanked the SBAC members for their service on the Committee.

### **Vote to Dissolve the Solar Bylaw Advisory Committee**

*A motion to dissolve the Solar Bylaw Advisory Committee (Woodbury/Hicks) passed 5/0.*

The meeting was adjourned at 7:26 pm. All were in favor.

Respectfully submitted,

Brenda Savoie  
Executive Assistant

Referenced documents: Report of the SBAC; Town Planner Analysis of the SBAC Report