



Minutes of the Meeting of the Board of Selectmen

Date: December 9, 2019 – Business 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

SBAC Members: Tatyana McAuley, Matt Defosse, Paula Orcutt,
Jonathon Viner, Nancy Tame

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

Town Planner Paul Dell'Aquila was present to provide an analysis on the report of the Solar Bylaw Advisory Committee (SBAC). The SBAC Committee submitted their report to the Board in September.

Mr. Dell'Aquila reviewed and addressed sixty recommendations contained in the SBAC report noting some are minor housekeeping items and some may become bylaw recommendations. It would be up to the Select Board to make any bylaw recommendations to the Planning Board, after which time, public hearings will be held by the Planning Board and a vote will take place at Town Meeting. Discussion on some SBAC recommendations include:

1. SBAC: remove "photovoltaic" from the name of solar facilities since new technologies will be developed. Mr. Dell'Aquila: this is not necessary and is not being done with other bylaws. Ms. Berthiaume: the name can be changed if it becomes necessary. Tatyana McAuley: the SBAC wanted to address it now and not wait until it's too late.
2. SBAC: limit the size of solar development allowed on parcels to no more than ten acres, with no more than five acres of panels and tree cutting. Mr. Dell'Aquila: having a standard apply to all lots is not good practice and should be considered on a case by case basis within the Zoning Bylaws. Paula Orcutt: disagrees and has visited other communities that have these restrictions in place. Dr. Hicks: there should a limit. Mr. Dell'Aquila: the current bylaw does not allow more than 50% of a site to be

developed. Ms. Berthiaume: this restriction would limit the rights of property owners with large parcels to utilize their own property.

3. SBAC: define the project area on any land allocated for solar. Mr. Dell'Aquila: the standards are clear in the bylaw. Ms. Orcutt: the project area is not clear in terms of whether it applies to the area only inside the fence. Mr. Monette: all jobs have a limited work area and the required plans must indicate the work area.
4. SBAC: add a definition for canopy solar installations. Mr. Dell'Aquila: there is nothing in the bylaw to preclude a solar canopy facility. Jonathon Viner: adding it may encourage developers to utilize that type of project.
5. SBAC: no solar on prime agricultural soil. Mr. Dell'Aquila: other types of development are allowed on prime soil throughout the State; cannot single out solar use. It is less disruptive than a lot of other development. Matt Defosse: the Town's Open Space Plan encourages the use of prime soil for agriculture. Ms. Berthiaume: the Town should not prevent property owners with prime farmland from developing a solar facility on their property.
6. SBAC: no solar on land with a slope greater than fifteen-degrees. Mr. Dell'Aquila: sites are not uniform with regard to slopes and a waiver option allows the Planning Board to address on a case-by-case basis. Matt Defosse: areas with fifteen-degree slopes are more fragile. Mr. Dell'Aquila: waivers offer flexibility for better site design. An increase in stormwater is not allowed under any circumstances.
7. SBAC: cap the number of solar installations to twenty-five. Mr. Dell'Aquila: does not recommend a cap. Dr. Hicks: concerned there are too many and a cap is needed, though he is unsure what the amount should be.

Additional discussion will take place on January 6th at 6 pm.

Vote to Dissolve the Solar Bylaw Advisory Committee

This item will be moved to a future meeting.

Review & Act on the Request of National Grid for the Approval of a License Agreement to Install an Overhead Electric Equipment System at Dewey / 17 West Main Street, to provide power to 13 and 17 West Main Street

Administrator Gregory reported that a License Agreement for National Grid/Mass Electric and Verizon to install equipment to facilitate a connection on a pole located on the Fire Station parcel. The agreement is the first step in the process for an easement and if Approved by the Board, Town Meeting will be asked to vote to grant an easement.

A motion to the approve the request of National Grid for the Approval of a License Agreement to Install an Overhead Electric Equipment System at Dewey / 17 West Main

Street, to provide power to 13 and 17 West Main Street (Hicks/Berthiaume) passed 5/0

The meeting was adjourned at 7:05 pm. All were in favor.

Respectfully submitted,

Brenda Savoie
Executive Assistant

Referenced documents: Report of the SBAC; Town Planner Analysis of the SBAC Report;
N. Grid Approval of License Agreement