



Planning Board – Town of Spencer

Minutes

Planning Board Special Meeting

Tuesday, February 06, 2018 at 7:00 PM

McCourt Social Hall, 157 Main Street Spencer, MA 01562
Memorial Town Hall

Planning Board Members Present: Chair Robert Ceppi, Jonathan Viner, Shirley Shiver, and Maria Reed and Jeff Butensky

Planning Board Members Absent: None

Staff Present: Paul Dell'Aquila, Town Planner and Monica Santerre-Gervais, ODIS Clerk

Staff Absent: None

1. Mr. Ceppi opened the meeting at 7:04 pm

2. Public Hearing – Public Hearing: Major Site Plan Review/ Stormwater Permit Continuation – Applicant: Joseph Bartzis, Sunpin Massachusetts Opus Centrum, LLC; Owner: Joseph and Susan Foley, Location: North Brookfield Road; Spencer Assessor's Map R39/14. The applicant is requesting a Major Site Plan Review under Section 7.4 of the Spencer Zoning Bylaw to install a solar farm. The property is located within the Rural Residential zoning district.

John Henry from Beta Group and Jamie Boyd from Sunpin Solar were present for the meeting. Updated plans with revisions, updated peer review, and updated stormwater management report were submitted. Mr. Henry explained the stormwater management revisions and the added infiltration basin that was recommended by third party reviewer, Lenard Engineering. The infiltration basin would be 4 feet deep and would collect stormwater runoff. Mr. Henry discussed the peer review questions by Lenard Engineering.

Comment/Question # 7

LEI's November 27th Comment: Section 4.A.12 – Test pits should be excavated for all basins and swales to determine the estimated seasonal high groundwater elevation, soil descriptions, permeability of the soil and depth to refusal.

BETA's Response: Comments noted, and the Site Plans and Stormwater Management Report have been revised accordingly (see attached). Specifically, revisions to the basin design include the following:

- The berm has been raised to elevation 747';*
- An emergency spillway with granite weir has been added;*
- The outlet pipe and associated rip-rap apron have been revised to prevent potential erosion;*
- Rip-rap has been added to basin inlet; and*
- A note for grass seed mixture has been added to the basin detail on Sheet 13.*

Mr. Henry referred the changes on sheet 10 on the revised plan and mentioned the stumps will be left and everything will be able to re-vegetate. Mr. Dell'Aquila asked about the distance to the edge of clearing to the property line for Paul's Drive and Mr. Henry said 50 feet and they will plant arborvitae. Mr.

Dell'Aquila asked about plantings at the southern portion and possibly connecting the row of arborvitae for extra screening and Mr. Henry felt that wouldn't be effective. Mr. Ceppi brought up elevation points and possible points of the array that will be visible. Mr. Henry said there would be a small portion of the array that would be visible but then it starts to go downhill. There were many discussions in regards to the elevations and visibility of the solar arrays. Mr. Dell'Aquila still raised concerns about the southern portion of the site and Mr. Henry said the vegetation will re-grow after 3-5 years.

Mr. Viner asked about the extent of the temporary grading. Mr. Henry explained that there would be 4 temporary erosion control basins and they will be done in phases, the grading would be restored to its original grade because they don't want to change the topography because they want everything to return to its natural state. Mr. Viner suggested putting the extra grading material to make a berm on the southern portion to raise the plantings for screening and the applicants said it was a possibility. Mr. Henry discussed the SWPPP (Stormwater Pollution Prevention Plan) and the Construction Bond to the town 60 days before construction.

Mr. Ceppi opened the hearing to the public at 7:36 pm.

Raoul Chalifoux, 6 Olde Main Street, is an abutter to the solar array and would like survey markers put where his property ends. Mr. Chalifoux and Mr. Henry agreed the stone walls separating the property would stay.

Mike Engel, 13 Paul's Drive, said although the solar array will be at 820 feet in elevation and he will see the solar farm. Mr. Henry said that there will be 50 feet of trees and will probably still see tree tops, however, there will be some site of the panels. He does not want the solar farm to go in and is concerned about his property value. Sue Foley, 16 North Brookfield Road, said the property value questions were discussed at a previous meeting. Ms. Reed said she was the one who reached out to appraisers and they said that any property can sell and has not seen a dip in property value because of solar farms.

Matt Blanchard, 5 Paul's Drive, discussed how the plantings for screening, arborvitae, will be eaten by the deer and asks to discuss other options that are native this location. Also, questioned how the berm that Mr. Viner suggested would work. Mr. Viner said the berm would be placed behind the plantings. Mr. Henry said that he doesn't mind changing the species of plantings because he doesn't want the deer to eat the screening either.

Matt Defosse, 7 Paul's Drive, handed out narratives to the Planning Board and set up a presentation. Mr. Defosse asked the applicant where the tax break of \$530,000.00 came from and Mr. Henry said he doesn't know how that is calculated. Mr. Ceppi said the Planning Board is not concerned about the return the town gets because of the solar array and it gets worked out after with the Assessor. Mr. Defosse continued by stating his concerns about the basin that is now located at the southeast corner of the project and feels like the basin will fail and feels the water will runoff into his property. Mr. Defosse expressed that there were more comments from the third party reviewer that asked about stockpiling the stumps and soil that were not discussed and there were more stone walls than Mr. Henry has addressed. Mr. Henry said with the current response to Lenard Engineering the only thing outstanding was the basin. Mr. Defosse asked what the berms would be made out of and Mr. Henry said earth. Mr. Defosse said the berm would block the fire and emergency access road and Mr. Henry said the Fire Chief, Bob Parsons, did not need the access road to be all around the array. Mr. Defosse explained that he felt the stormwater plan will fail and will hurt the aquifers, route 31, and surrounding residential wells/ town wells. Mr. Henry responded and told Mr. Defosse that two licensed engineers are reviewing the stormwater to ensure it will not fail. Also, Mr. Defosse said that when he was at the conservation meeting Margaret Washburn said no arborvitae. Mr. Dell'Aquila said that he will speak with Ms. Washburn and get a list of approved plantings to provide to the applicant. Mr. Butensky said there are different types of arborvitae that can

be planted that would not attract deer. Furthermore, Mr. Defosse discussed the traffic waiver and his concerns the traffic will cause traffic concerns. Mr. Viner said that once the solar arrays are set up there won't be traffic concerns and staging will be addressed to avoid any issues. Mr. Defosse closed with his ongoing concerns for fertilizer, porta potties, mitigation concerns, and screening since the solar arrays will be in his back yard.

Ms. Foley stood up and said that the land has been for sale for 10 years and she has the right to sell her land. Additionally, she said none of her neighbors asked to buy the land and she is selling the land and the solar company is the one who want to purchase the land and it is her right.

Sheila Smith, 7 Paul's Drive, asked if it was 50 feet from her property and Mr. Henry said yes.

Mr. Dell'Aquila said there are some small items to review and they will need to give Lenard Engineering a chance to review the new plans, stormwater management plan, and peer review responses. There are draft conditions and the applicant has no objections of the conditions. There was discussion in regards to adding the berm and now that may change the stormwater design. Ms. Shiver requested a landscaping plan for the next meeting for the Planning Board to review. Mr. Henry asked if the landscaping plan would just be for the south side of the property and Mr. Ceppi said that they should be consistent for the whole site.

Joseph Foley, 16 North Brookfield Road, said that 10 percolation tests were done and the soil is fine.

MOTION: Ms. Shiver motioned to continue February 20, 2018

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 5-0

3. Town Planner Report/ General Board Discussion

- **Dustin Doray- finalized conditions and needs signatures**

Mr. Viner did not agree with the 50% surety release because nothing should be released until the project is complete.

MOTION: Mr. Ceppi motioned to close the meeting at 8:30 pm

SECOND: Ms. Shiver

DISCUSSION: None

VOTE: 5-0

Submitted by: Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: 2/20/2018

List of Documents used on February 06, 2018

Items sent to Planning Board prior to Meeting by email:

- Agenda
- Memo emailed from Paul Dell'Aquila to Planning Board Dated 2/06/18

- Updated draft conditions for Doray Trucking
- Draft conditions for North Brookfield Solar
- North Brookfield Solar Peer Review dated 1/17/2018, updated plans dated 1/16/2018, and updated stormwater management plan dated 1/16/2018.

Items submitted at the Meeting:

1. North Brookfield Solar Peer Review dated 2/6/2018, updated plans dated 2/5/2018, and updated stormwater management plan dated 2/5/2018.