



Planning Board – Town of Spencer

Minutes

Planning Board Meeting

Tuesday, May 29, 2018 at 7:00 PM

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

Planning Board Members Present: Jonathan Viner, Shirley Shiver, and Maria Reed

Planning Board Members Absent: Chair Robert Ceppi and Jeff Butensky

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

Staff Absent: None

1. Mr. Viner was acting chair and opened the meeting at 7:30 pm

Ms. Shiver noted that Mr. Ceppi and Mr. Butensky were absent.

**2. Public Hearing Continuation – Continued Special Permit/ Major Site Plan Review/
Stormwater Permit – Applicant: ForeFront Power, LLC; Owner: Laura Hopkins, Location: 36
Cranberry Meadow Road; Spencer Assessor's Map R12/4. The applicant is requesting a Special
Permit under Section 4.8.9 of the Spencer Zoning Bylaw to install a 2.2 megawatt solar farm
and Site Plan Review under Section 7.4 of the Spencer Zoning Bylaw. The property is located
within the Rural Residential zoning district**

Ed Switzer, Forefront Power LLC, was present for the meeting. Mr. Dell'Aquila explained now a 1.29 MW solar project and that his has been an ongoing process for almost a year. However, the applicant received approval for the easement they needed and the applicant received final sign off from the Conservation Commission. Unfortunately, there wasn't quorum last meeting and now there isn't quorum for this meeting.

Ms. Shiver asked about the Certificate of Decision draft and landscaping, referenced plan C202, and that the applicant should note the quantities and sizes of species of plants on the plan. Mr. Switzer said there is a squiggly line that represents the extent of existing tree cover. Ms. Shiver asked if the species were approved with Conservation and Mr. Switzer said they worked with Margaret Washburn on the species. Ms. Shiver mentioned number 26 on the Certificate of Decision and completed landscaping approval by the Planning Board or agent and wanted to know if that sentence needed to be changed. Mr. Dell'Aquila said they are draft conditions and can change, in regards to the vegetation landscaping, Mr. Dell'Aquila said all the conditions need to be signed off by him in order to receive Certificate of Compliance for the project, and the language may be redundant. Ms. Shiver wants to know if the landscaping plan language needs to be more specific and Mr. Dell'Aquila said it doesn't need to have the plan page number on the Certificate of Decision. Ms. Shiver referenced condition 36 related to surety and landscaping, wanted to know if there should be landscaping that the town can use the surety in order to fix landscaping issues is there Operation and Maintenance or do we ask for more surety for landscaping. Mr. Dell'Aquila said there was an Operation and Maintenance (O&M) agreement submitted. Mr. Viner said #8 and #9 briefly reference additional landscape. Mr. Dell'Aquila

said the referenced condition was in regards to decommissioning. Mr. Viner asked about a Construction Bond and Ms. Shiver mentioned that under subdivisions the applicant would need surety for landscaping. Mr. Dell'Aquila asked what specifics need to be added in the conditions that would suffice the Planning Board. Ms. Shiver said that she wants the property owners to benefit and if and when the solar array is sold that the landscape has to be maintained either through a condition of the Certificate of Decision or through an O&M Agreement. Mr. Dell'Aquila said under existing circumstances he and Ms. Washburn visit the sites monthly and if the applicant is not following through they will be fined and a cease and desist order will be issued. Mr. Dell'Aquila will amend condition number 36 to reference the O&M plan.

Mr. Viner opened the hearing to the public at 7:48pm

Matt Defosse, 7 Paul's Drive, asked about vegetation complaints and who handles the complaints. Mr. Dell'Aquila answered that during construction of the solar farm a third party, Building Inspector, Margaret Washburn, or he will handle the complaints. Town staff meets monthly and the Certificate of Decision is recorded with conditions and the applicant/contractor would need to comply with those conditions.

Mark Connor, Worcester, MA, asked about the array being on a slope in relation to the property on 5 Martin Road. Mr. Switzer compared the old viewpoint with the new viewpoint and trees will stay no clearing on the slope, no grading or touching the slope. Mr. Switzer said grading will be required. Mr. Defosse asked about the slope at the end of the array at the Northern edge. Mr. Switzer said the topography varies and they will even out the slope and will not be over 15%. Mr. Dell'Aquila said a waiver would need to be given, and the Planning Board members were ok with issuing that waiver to improve the stormwater situation.

Mr. Viner asked if the area will be seeded under the panels and Mr. Switzer said they will hydro seed to grow and then it will stabilize the root base. Ms. Shiver asked what the installation mechanism was and Mr. Switzer answered terrascrow (screw in).

Matt Costa, 5 Martin Road, said he would like to see more trees in the buffer area near his property. Mr. Switzer said they would be planting adult trees and evergreens that will be 8-10 feet and the panels are only 8 feet. Also, Mr. Switzer said they can't plant the trees too close or they won't mature. Mr. Dell'Aquila asked if they are keeping the existing trees on the northern portion of the site. Mr. Switzer said yes they were not clearing in the northern portion so it would improve screening. Mr. Costa asked if there would be any vehicles outside of the fence and Mr. Switzer said no and offered a green screening on the fence. Additionally, Mr. Costa and Mr. Connor would like more screening and Mr. Switzer mentioned that the third party reviewers make sure the screening is done properly.

The Planning Board and applicant reviewed phasing plan and decommissioning data.

MOTION: Ms. Shiver motioned to continue the public hearing to June 19, 2018

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 3-0

MOTION: Ms. Shiver motioned to adjourn the meeting at 8:11pm

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 3-0

Submitted by: Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: 6/19/2018

List of Documents used on May 29, 2018

Items sent to Planning Board prior to Meeting by email/ print outs:

- Agenda
- Memo emailed from Paul Dell'Aquila to Planning Board Dated 5/8/2018
- Updated plans and Addendum package for Cranberry Meadow Solar and continued document from ForeFront

Items submitted at the Meeting:

None