

Montague Planning Board

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January 24, 2017 7:00 PM

Town Hall – Second Floor Meeting Room

One Avenue A

Turners Falls, MA 01376

MEETING MINUTES

Members Present: Ron Sicard – Chair, Fred Bowman, George Cooke and Bruce Young (7:25 pm)

Members Absent: Bob Obear

Staff Present: Walter Ramsey, AICP- Town Planner

Ron Sicard opened the meeting at 7:00 PM.

Approval of Minutes: *December 27, 2016 minutes were not ready for review. No vote taken.*

Public Hearing: Special Permit/Site Plan Review #2017-01: Boston Edison Company d/b/a Eversource Energy- Off Millers Falls and Lake Pleasant Road

Ron Sicard opened the hearing and read the legal notice

Those present for applicant announced themselves: Edgar Allejandro (Eversource Community Relations), Amy Voisine-Shea (Eversource Project Representative), Stephen Wiehe (Weston+Samspon Engineers)

Ron Sicard: The applicant seeks especial permit and site plan approval under Montague Zoning Bylaws Section 5.2.6(c) and 8.2(f) to permit the construction of a solar energy facility exceeding 3 acres in the Industrial Zoning District. The property is located off Millers Falls and Lake Pleasant Roads and is identified as parcels 24-0-23, 24-0-24, 24-0-25, and 28-0-01.

Stephen Wiehe: The project is located off Millers Falls and Lake Pleasant Roads. It includes 51.4 acres and 4 parcels and will have 24.89 acres of clearing and when the project is completed will occupy 22.7 acres surrounded by a chain link fence. The site development will include clearing of the parcel and the development of a utility scale photovoltaic system on the site. The PV system will be a ground mount system on a pile driven racking system. The intent of the design is to cause minimal disturbance and reduce the need to create impervious areas. The PV panels and racking system will be raised off the ground 3 to 4 feet to promote growth of the existing grass ground cover and allow for maintenance. The design life is 25 years with the possibility of extending it for two 10 year terms. There are some strong renewable energy goals for the State of Massachusetts hence the reasoning for the project presented. Project is planned for construction in May 2017

Design Considerations included:

- 200 foot setback from Millers Falls and Lake Pleasant Road, no wetlands impacts, panel angle adjustment to account for solar glare impact to users of Turners Falls Airport. demonstration that Massachusetts Historic procedures are being followed, dust control measures, stormwater management measures using silt fences and straw bales, Evidence that applicant has taken

necessary steps with Natural Heritage and Endangered Species Program (NHESP) to obtain a Conservation Permit

Fred Bowman: *What is the total cost of the project?* Amy Voisine-Shea responded by saying this size project runs in the 10 million dollar range.

Ron Sicard: Did the *Federal Aviation Administration (FAA)* give strict guidelines for the adjustment and placement of the solar panels because of proximity to the *Tunners Falls Airport*? Steve replied: placement was determined by a 7460-1 obstruction analysis and the solar hazard program which meets the FAA guidelines for Airport properties. The positioning of the solar panels does sacrifice energy to accommodate these issues. This was filed at the state and federal level. We expect a response of a negative determination with no hazards to air traffic.

George Cooke: *Approximately how far off Lake Pleasant Road are the panels?* Amy responded that they are approximately 600 feet back from the road.

Amy Voisine-Shea asked the board: *Are there working hour restrictions relating to construction in the Town of Montague?* Walter Ramsey will review the Town's general bylaws and follow up with Amy. Construction hours are not a particular concern for this site because there are very few immediate neighbors.

Walter Ramsey commented on pre-application meetings with Town officials. Walter along with the Police, Fire, Building met with Eversource in Fall 2016 to discuss the location and any public safety issues that might arise. The original proposal had the arrays placed at 30 feet off Millers Falls Road right of way and included the placement of a 1,000 foot long berm parallel to the roadway. After discussions, it was decided to move the arrays further back and keep the natural forested buffer in place. The Fire Department didn't express any specific concerns and they received and reviewed copies of the entire packet including shut down procedures which will be part of the conditions for this project. The Water Department has an easement running through a portion of the property and they simply want Eversource to acknowledge and respect that easement.

Bruce Young entered the meeting at 7:25 and Stephen Wiehe provided a brief summary of the discussion.

Ron Sicard opened the Public Comment period:

Jeanne Golrick (inhabitant): *Is the only entrance and exit going to be off Lake Pleasant Road?* Ron Sicard answered in the affirmative. Only one access point is proposed via an existing access point. No new access or curb cuts to be created.

Jeanne Golrick: *Is the recent cutting on the Montague Plains connected to this solar project?* Walter Ramsey responded that there is no nexus between state habitat management cutting on the nearby Montague Plains Wildlife Management Area and this solar project on utility-owned land.

Jeanne Golrick: *Since this is happening in Montague will the residents receive any kind of benefits from Eversource on this project?* Ron Sicard said the town will realize taxes revenue from the project. Amy added that the cost to pay for the solar program is on all Eversource ratepayers. However, to have Eversource do the project it will cost 18 cents/KW verse 50 cents/KW for a normal developer. The goal is to get the lowest cost for green energy for the Eversource customer.

Jeanne Golrick *asked as an Eversource customer if will she see any benefits?* Amy replied the only direct benefit is that the green energy supplied with be at a cheaper rate for their customers.

Bruce Young *asked about a fire buffer.* Amy responded by saying there is a 20 foot buffer right up to the fence line and then a 15 foot gravel road to help buffer if a fire were to occur.

Sam Lovejoy *commented that the fire issues surrounding solar arrays maybe related to the solar panels but might also be caused by brush fires as well. Are there some arrangements or a plan for fire if that happens?* Amy responded that there will be a lock box with a key so emergency personnel will have access to the arrays. The access road inside the solar arrays is designed to accommodate fire trucks if they are needed to access for a fire.

Sam Lovejoy (resident) *asked about the wind noise levels surrounding the solar arrays.* Steve replied that the solar project will not come close to exceeding the State regulated 10 decibel level. With a transformer you will hear the hum in the daytime from it but that is about it and it will then automatically shut its self off as needed by the demands of the array.

Sam Lovejoy *commented about the archeological lab and the timing of the solar array project in May and if the project would be impacted by the Public Archeological Lab (PAL) results, and if they are cooperating with the Native Americans. In addition Sam asked if they will have the right to allow the tribal folks to enter into the property and have consultation with the Native Americans during the project?* Steve responded by saying he has had discussions and open communications with PAL about the project and the offer has been made for them to be present while construction is going on. One tribe has expressed interest in being present during the construction process.

Peter Golrick (Airport Commissioner) *commented that UMASS has archeological resources and have worked with the tribes and are familiar with the territory. Another person to coordinate and have conversations with would be the Airport Manager, Mickey Longo. Peter said the airport manager could help identify grasses listed for the project in terms of the terrain and the ability to get it to grow for ground cover.*

Motion by George Cooke to close the public hearing for Special Permit/Site Plan Review #2017-01. Seconded by Fred Bowman Motion passed unanimously.

Walter Ramsey asked if the board wants the Town to have a bond for \$325,000 for decommissioning in 20 years. This would be in the event this site is abandoned the Town would then have the funds to decommission. Amy responded that they have not been required to do bonds and are such a well known corporation that they rarely are required to obtain these. The utility is long-term player in the community. Steven Wiehe added that the materials value would be an asset in the future. The Board agreed to waive the need for decommissioning surety for this project.

Walter reviewed his recommended conditions.

1. The 200' wide wooded buffer strip located between the facility and Millers Falls Road/ Lake Pleasant Road shall remain undisturbed in order to maintain natural screening from the public from Millers Falls Road.
2. Prior to construction the applicant will obtain appropriate approvals from Federal Aviation Administration/ Mass DOT Aeronautics and a Conservation and Management Permit from the Mass Endangered Species Program.
3. Site Plan, electrical schematics, and written shut down procedures shall be submitted to the Turners Falls Fire Department by the owner prior to commissioning the installation.
4. The owner shall provide to the Planning Board, Turners Falls Fire Chief, and Police Chief the contact information for the responsible person for inquiries throughout the life of the facility.

5. Herbicides may not be used to control vegetation at the solar electric installation.
6. There shall be no exterior storage of equipment or service vehicles on the site after completion of construction.
7. When the facility has reached the end of its useful life the owner shall notify the Board by certified mail of the proposed date of shut down and removal. Decommissioning shall consist of: Physical removal of all panels, structures, equipment, security barriers and transmission lines from the site; Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; Stabilization and re-vegetation of the site and erosion prevention measures.
8. Any proposed changes from approved final plans shall be submitted to the Board and approved if consistent with the application and the findings and conditions stated in this approval. Significant changes in the site plan shall be reviewed by the Board, which may allow the changes without further hearings if they are determined to be within the project scope and consistent with findings and conditions. The Board reserves the right to hold further public hearings on changes to the site plan that are determined to be outside of the project scope. Approval shall not be unreasonably withheld.

Motion by George Cooke to grant a special permit and issue site plan approval to Boston Edison Company d/b/a Eversource Energy for the construction of a 22.7 acre solar photovoltaic energy facility off Millers Fall Road in the Industrial Zoning District under Montague Zoning Bylaws Section 5.2.6(c) and 8.2(f)., subject to the above mentioned conditions. Seconded by Bruce Young Roll call vote: Cooke- AYE, Bowman- AYE, Young- AYE, Sicard-AYE

Motion passed unanimously

7:30 PM Zoning Workshop: To consider addition of new sections or amendments to Montague's Zoning Bylaws including: allowing flag lots, planned unit developments, open space development, use tables, and an increase in the amount of industrially zoned land

The Town Meeting deadlines are coming close for submitting any changes. So, it is up to the Board if they want to present things piecemeal or wait till next year and present the entire packet of changes for 2018.

Bruce Young suggested that the public hearings be on separate topics over the course of the year and George Cooke thought that the flag lot bylaw is going to be adopted and would be used for sure.

Peggy Sloan made changes to the flag lot section the biggest change being that it will be by special permit. There were also changes to the modification or waiver to be included with the exception of the minimum lot size required and the minimum frontage width of 40 feet.

George Cooke suggested a change as it is confusing how it reads with the front lots he feels that it needs to be clarified that the front lot remains from the flag lots being created.

George Cooke wanted clarification on vehicular egress/access that vehicular access needs to be across the frontage of the access strip for an approved flag lot. Access to a lot would have to be over that strip.

Jeanne Golrick – asked if the planned unit development intended for specific Historic Industrial District? Walter Ramsey responded that planned unit development is for the Industrial Districts which includes: The Industrial Park, Sandy Lane Landfill Area and others.

Jeanne Golrick - commented that she understood from previous information that was given, that it was for, and included within the Residential Districts. Walter Ramsey responded that Planned Unit Development can be a mixed use of residential and industrial but not purely residential.

Jeanne Golrick – *So, are you proposing this or adopting this for the Historic Industrial District and what else does it include?* George Cooke responded that it would include: General Business, Historic Industrial, and Industrial Districts.

Peter Golrick – *It seems that allowing any type of residential use into an industrial district creates disharmony. There are some concerns with the Airport Industrial Park if you allow residential in there, will that drive complaints regarding noise issues? In general Peter added to please be considerate of where residential is placed and the impact of Industrial zoning on such a placement.*

Walter Ramsey responded that the intention is not to put residential in those areas but to have the option. Bruce Young - commented that an example of an Industrial zone that works well is the Eastworks building in Easthampton, MA. He also gave the example of the Northampton Industrial Park in Northampton, MA where he feels it does not work as well. These are examples of two very different and separate environments but both are located in an Industrial zone. Walter Ramsey added that the mix of uses would only be allowed in the underlying zoning districts.

Bruce Young - *commented should they just do an entire meeting on zone changes and use tables.* Walter responded that might be a good idea and to invite David Jensen into the discussion.

Jeanne Golrick –*suggested having the zone changes and use table meetings recorded on MCTV and the documents posted as well for public review and comments.*

Peter Golrick – *commented that a comprehensive redo is a more professional approach to the project.*

Bruce Young – brought up if you present the zone changes in its entirety you might risk it being shot down all at once rather than doing a section at a time for a vote.

Ron Sicard thanked Walter Ramsey and Anne Stuart for their continued work on behalf of the Planning Board.

Motion by Fred Bowman at 8:31 PM to adjourn the meeting. Seconded by Bruce Young. **Motion passed unanimously.**

Next scheduled meeting: February 28, 2017

Approved by: _____ Date: _____