

Belchertown Planning Board
Minutes – Thursday – February 14, 2019*

*rescheduled from Tuesday, February 12, 2019 due to weather



Members present: James Natle, Michael Hofler, Daniel Beaudette, Justin Rosienski and Alice Knittel
(alternate voting member)

Absent: Louis Faassen

Staff: Doug Albertson, Town Planner and Lynn Sikes, Minutes

Audience Present: Douglas Delisle, Keri Delisle, Keith Ferenz, Cindy Fuller, Bianca Schliemann, MaryKay and Bill Reynolds, Ben Hayns, Angela Gaspar, Joe Bielin, Adam Christie and Ernie Mello representing ZPT, Elizabeth Pols, Ken Elstein, Karen Chrisman and Chris Ryan, Project Mgr. of Meridian Associates

7:00 pm –J. Natle, Chairman, opened the meeting, welcomed everyone and read the agenda into the record. There are two Public Hearings for commercial photovoltaic Solar Installations and a continued Public Hearing for a New Day Care facility.

Minutes of January 22, 2019. MOTION: M.Hofler to accept the minutes of January 22, 2019 as written.
Second: D.Beaudette **No Discussion VOTE:** 3-0-1 (J.Rosienski was absent for that meeting.)

Bills were endorsed.

7:05 pm - J.Natle, Chairman, opened the Public Hearing for a proposed commercial solar photovoltaic installation at 260 Ware Road, Map 245, Lot 62, submitted by ZPT Energy Solutions II, LLC, 6 Park Avenue, Suite 100, Worcester, MA 01605, as it pertains to bylaw 145-28-Commercial solar photovoltaic installations, Site plan approval 145-27 and Special Permit 145-69. J.Natle read the public hearing notice into the record. The public hearing is now open.

J.Natle indicated that a board member is absent, so he will appoint Alice Knittel, alternate voting member, to vote on this permit as it requires a super majority vote.

D.Beaudette indicated he is legal counsel for the Belchertown Land trust and though he reviewed the title for this property it was a long time ago. He has no interest in this project. No contract was ever entered into so he will continue to hear this application.

The site is on the south side of Ware Road (Route 9) between Segur Lane and Meadow Pond Road. The site is presently forested. The project would clear approximately 22 acres of forest. The area is zoned Ag-A, Primary Agricultural, and Aquifer Protection Overlay. This requires a special permit due to the size of the system (over 3 mW) and the area to be deforested (over 2 acres).

Ernie Mello representing ZPT Energy is present. Chris Ryan, representing Meridian Associates, Inc. will be in attendance but is running a few minutes late. He has all materials to view. We respectfully ask to hold off for 5 minutes until he gets in and will explain our company in more detail while we wait.

E.Mello discussed ZPT Energy (Zero Point Energy Development) is a company based out of Worcester. It was incorporated in 2011. They are more a development company vs. construction company. Long term this project would likely be sold to a third party. Pro Tech is the construction company which would build the project.

C.Ryan with Meridian Associates and representing ZPT apologized for being late and presented plans and reviewed these with the Board. Conservation has met with them. He reviewed all with the Board. The Conservation Commission continued their decision from their meeting of 2/11/19 until 2/25/19 to allow for alternative analysis to stay out of the 100 foot wetland buffer, to add at least 6 inches of loam where it is not currently, to add topo maps of abutting properties, and to verify each phase of the project is 5 acres or less.

The layout of the site was shown and discussed. Soil and stormwater along with access to the site was shown. The aquifer area was shown on the plan and wetlands and buffer zones were discussed. Erosion control was discussed along with the timing of the project. Discussion ensued regarding each phase's timing along with seeding and germination.

The house on the property will remain. Tree clearing, slope of the property, stormwater and soil disturbance was discussed.

D.Beaudette indicated he had checked with the tax collector making sure no outstanding taxes were due and also checked with the State to verify that the company is in good standing, which it is.

Discussion continued regarding setbacks, detention basins, fencing, signage, the panels being used, approximately how many panels would be on site and a view shed analysis being done. It was discussed that the abutting subdivision, Willow Lane, has a wetland area and wildlife corridor that was set up when that subdivision went in. It must be shown that this project will not mitigate it.

The applicant was reminded to submit a narrative specific to bylaw 145-69, a,b and c.

8:27 pm the meeting was opened to the public.

Questions from the public were regarding screening and setbacks. E.Mello indicated there is approximately 50 feet of no disturbance at all. On the map he indicated the area that would not be touched at all. They did not think additional screening would be needed, but they will review that and if it needs to be added they will return to the Board with that information.

Lucinda Fuller, Segur Lane indicated she owns the swamp land abutting this project. She is not convinced that stormwater would dry up within 72 hours and not affect her property. That is a concern along with the grubbing that she does not believe would hold back stormwater. She believes it is a vernal pool and is concerned for the wildlife. She is concerned what this will do to the value of her home.

J.Natle indicated that within the O&M it must be indicated there will be no herbicides/pesticides used.

MOTION: M.Hofler to continue the public hearing on the proposed solar photovoltaic installation located at 260 Ware Road, Map 245, Lot 62, submitted by ZPT Energy Solutions II, LLC. to March 26, 2019, at 7:05 pm. **SECOND: D.Beaudette** **Discussion:** D.Beaudette indicated to the applicant to make sure they address the wildlife corridor and how the wildlife would migrate through the site between the neighboring subdivisions and Quabbin. **VOTE: 5-0-0**

9:00: pm - J.Natle, Chairman, opened the Public Hearing for a proposed commercial solar photovoltaic installation at 95 Railroad Street, Map 28, Lot 35 and Map 278, Lot 48, submitted by ZPT Energy Solutions II, LLC, 6 Park Avenue, Suite 100, Worcester, MA 01605, as it pertains to bylaw 145-28-Commercial solar photovoltaic installations, Site plan approval 145-27 and Special Permit 145-69. J.Natle read the public hearing notice into the record. The public hearing is now open.

D.Beaudette indicated that he is legal counsel for the Belchertown Land trust and they own abutting property; therefore he will recuse himself from this application.

J.Natle indicated he will appoint Alice Knittel, alternate voting member, to vote on this permit as it requires a super majority vote. Continuation of meetings on this application was discussed and how voting would take place at those future meetings.

The site is east of the railroad off Railroad Street, along the Swift River. It is mostly a field, though there will be some tree clearing. The zone is Ag-A, Primary Agricultural, and partly in the Flood Plain overlay zone. This requires a special permit from the Board because the parcel does not have street frontage. The railroad cuts it off from the Street.

Adam Christie, representing ZPT Energy Solutions along with Doug and Keri Delisle, homeowners of the property, are present. This is a joint venture with ZPT and ProTech Energy Solutions. A.Christie briefly described the two companies.

He reviewed the maps and the plans with the Board. He summarized the status of this application. They have feedback from DPW and Conservation Commission meetings. A negative determination from ConCom was given. Originally this was for a site plan application only, but due to frontage issues we have applied for a special permit as well.

Rights from the railroad were discussed. Genesee and Wyoming, who owns the railroad rights, has a fee of approximately \$20,000 for their application. We will wait for Planning Board approval before submission of that application due to the financial aspect.

Evidence of the railroad's permission to cross its property should be included within their application. Setbacks required are 75' on each side due to the railroad property. The array was designed originally within that setback along the railroad property. The applicant will redesign this so now everything will be outside all buffer zones. This will be formally submitted to Planning Board. No grade change, no major disruption, no drainage issue, concrete pad will be depicted and Tighe & Bond is currently reviewing. The interconnection point on Railroad Street was discussed.

Fencing and vegetation was discussed. Abutters were sent pictures and no one has come forward with concerns. There are no view shed issues nor any wetlands. Signage was discussed. The O&M will indicate no herbicides/pesticides to be used. An easement for access was discussed and will be in place. They are awaiting Tighe & Bond's review letter and will return with all updated materials.

The meeting was opened to the public. No Comments.

MOTION: M.Hofler to continue the public hearing on the proposed solar photovoltaic installation located at 95 Railroad Street, Map 281 Lot 35 and Map 278 Lot 48, submitted by ZPT Energy Solutions II, LLC. to March 12, 2019, at 7:30 pm. **SECOND: J.Rosienski No Discussion VOTE: 4-0-0**

D. Beaudette recused himself from the following public hearing as he has worked with a company which has had associations with one of the following applicants. D. Beaudette left the meeting.

9:25 pm - J. Natle, Chairman, reopened the continued Public Hearing for new construction of a Day Care facility, Front Street, Map 243, Lot 178 submitted by Belchertown Day School, 432 State Street, Belchertown, MA, as it pertains to Site plan approval 145-27.

The site is on the former state school campus. It is in the new Business Neighborhood Center Zone. The site location is at the end of Front Street next to the Assisted Living facility, Christopher Heights. The parcel is 67,000 square feet and the plan shows a one-story building of 8,400 square feet.

The Berkshire Design Group, Inc. has submitted a letter respectfully requesting a continuance since final review from Tighe & Bond has not been received. Their letter was read.

MOTION: M. Hofler to continue the public hearing for new construction of a Day Care facility, Front Street, Map 243, Lot 178 submitted by Belchertown Day School, 432 State Street, Belchertown, MA, as it pertains to Site plan approval 145-27 to February 26, 2019 at 7:10 pm. **SECOND:** J. Rosiensi
VOTE: 3-0-0

9:36 pm - J. Natle, Chairman, reopened the continued Public Hearing specific to amend, all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations. The public hearing is now reopened.

A draft to date from all input including submissions from the public has been compiled by our town Planner, Doug Albertson which will be reviewed tonight. This needs to be complete for submitting warrant articles by February 20, 2019.

Slopes of projects were discussed in detail. Being too stringent on this was discussed. Mitigation Measures was also discussed at length.

D.Albertson indicated that we want something that can get passed. We can't be too restrictive. Try to improve on what we have that is still workable.

Property lines and different configurations along with joint ownership were discussed also.

A final version from tonight's discussion, will be compiled by D.Albertson to be sent to Town Counsel, and to be included in the Warrant for the Annual Town Meeting.

MOTION: J.Natle to close the public hearing to amend all or in part, the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations. **SECOND:** J.Rosiensi **VOTE: 4-0-0**

MOTION: M.Hofler to recommend to town meeting to adopt the new definition to the zoning bylaw, 145-28, Commercial Solar Photovoltaic Installations. **SECOND:** D.Beaudette **VOTE: 4-0-0**

Town Planner Report:

- There will be two openings on our Board for Town election – A five year term and a three year term. J.Natle will not be seeking reelection and J.Rosiensi's appointment is to the election, then his seat will be open for a three-year term.
 - ArcPoint Brewing is continuing conversations to secure financing to open at Carriage Grove.
 - Carriage Way is the name of the new road that will blend into lower Jackson Street. The work is scheduled to be complete by June, 2019.
 - Mass Development has engaged Andrew of TK design lab to look at signage for Carriage Way.
 - An application should be forthcoming to use the former Atkins building at 401 Mill Valley Road for marijuana cultivation. They held a community outreach meeting on Tuesday, February 12th.
 - The Selectmen has asked me to coordinate and be the town's municipal representative for a state program to help individuals get a better price on residential solar systems by having a single vendor who has the ability to reduce prices due to volume sales. I will be working with Jim Barry who is the state's representative for the program here. This will involve recruiting citizens who would form a committee to do the work.
 - The Mass Trails application was submitted last week.
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Members Reports:

J.Rosiensi – The PVPC meeting will be held on February 21. There will also be a citizen collaborative training on March 6th. I plan on attending those.

M.Hofler – regarding the marijuana cultivation going on at Mill Valley Road, I attended the Community Outreach meeting they held. This is cultivation only. No extraction or other operations.

J.Natle – The Community Preservation Committee meets next Tuesday, February 19th and they would like D.Albertson to attend to discuss the trail project.

- Also, I will not be seeking reelection. Therefore there are two openings on this Board.

MOTION: M.Hofler to adjourn at 10:50 pm. **SECOND:** D.Beaudette **VOTE:** 4-0-0

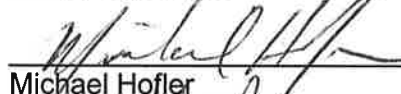
Meeting adjourned at 10:50 pm




James Natle



Daniel Beaudette



Michael Hofler



Justin Rosiensi



OFFICE OF
PLANNING BOARD

Town Of Belchertown

P.O. Box 964

Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

Thursday February 14, 2019

PLEASE ENTER YOUR NAME, TITLE AND ADDRESS ----
THANK YOU!

Douglas DeLisle 95 Railroad St Belchertown

Keri DeLisle 95 Railroad St Belchertown

Kerth Ferenz 260 Ware Rd Belchertown

Cindy Fuller 53 Segur Lane Belchertown

Bianca Schliemann 39 Segur Lane Belchertown

Mary Kay & Bill Reynolds 17 Jason's Way Belchertown

Ben Hayns 230 Ware Road

Angelita Gaspar 47 Segur Lane

JOE BIEU 40 WILLOW LN

Adam Christie (ZPT) 95 Fairroad St.

Ernie Mello ZPT

Frank Pfb 49 North

Bernad F. Suntheman 59 Segur

Ken Eisten 76 North St

Karen Chrisman 76 North St