Members present: Michael Hoffer, James Natle, Daniel Beaudette, Louis Faassen, and Justin Rosienski (alternate voting member)
Staff: Doug Albertson, Town Planner, Lynn Sikes, Minutes

(The public hearings for the commercial solar photovoltaic installations brought a large attendance to this meeting. See sign in sheet attached)

7:00 pm – J. Natle, Chairman, opened the meeting, welcomed everyone and read the agenda into the record. There are two Public Hearings this evening regarding commercial solar photovoltaic installations.

7:00 pm - J. Natle opened the Public Hearing for a proposed commercial solar photovoltaic installation at 400 Franklin Street, Map 272, Lot 68, submitted by Borrego Solar Systems, Inc., 55 Technology Drive, Suite 102, Lowell, MA 01851, as it pertains to bylaw 145-28-Commercial solar photovoltaic installations and special permit bylaw 145-69. J. Natle read the public hearing into the record. J. Natle informed the audience members of the public hearing process.

J. Natle indicated that special permits require a super majority of four votes and the board is short a member, therefore, Justin Rosienski, alternate voting member, is appointed to vote on this application.

Josh Farkes and David Albrecht, PE for Borrego Solar Systems, Inc. were present and addressed the Board. They indicated they would do a brief presentation of the site, respond to Tighe & Bond’s peer review questions and discuss the application with the Board. An aerial map with areas highlighted was shown and discussed. The location of the project is on property owned by Thomas Roberts. It is a 165 acre lot. The owner’s residence is on the property along with a barn. It is a 6.7 kW DC solar system with 18,364 panels. The existing driveway will become the access area for the project. It is a 14’ wide gravel driveway. A new driveway will be installed for the residence. Fencing, 6’ with barbed wire on top, and topography were discussed. They are in meetings with the Conservation Commission. The site is lower than Franklin Street in elevation. There is very little disturbance of the ground here. Less than ½ acre of trees would be taken down. The racking system has a leading edge of 8 feet and the back is 14 feet high to allow crops to be grown under them. The construction time would be approximately 5-7 months.

The stormwater report has now been completed and submitted. At the end of the lease, etc. the removal of all panels would be completed. They propose a $355,000 surety bond posted for decommissioning the site.

Letter from Tighe & Bond dated July 23, 2018 items 1-7 were discussed. The stormwater memo has now been submitted. Swales, culverts, grading, signage, annual site inspection and decommissioning were discussed.
The Board discussed the existing driveway and access to the site along with the mechanical/storage area layout. They would like a memo from Fire Chief that fire apparatus can access this with no difficulty. The Operation and Maintenance plan was discussed and reviewed. After the completion of the permitting process they will discuss with the Town's Assessors the PILOT program.

They submitted new plans late today they believe reflect all items within Tighe & Bond's July 23, 2018, letter have now been addressed. The Board will wait for Tighe & Bond's response. The Board would like clarification of Borrego Solar Systems, Inc. location and name and to have our Assessor's office clarify the dual use for the site.

Removing barbed wire from the top of the fence was discussed along with the decommissioning of the site. Cash vs. surety bond was discussed. The Board prefers cash as there is less risk.

7:55 pm - At this time the public hearing was opened to the public for any comments.

Tom Roberts, owner of the property – the dual use is very important to our family as we want to continue farming. This is why we finally looked into this use for my family. We have been in agricultural all this time. We are happy to be in agricultural farming, but times are hard. I believe this is a good project.

J. Natle asked what the solar panels are made of. Can they lead to a contamination of the site? D. Albrecht indicated they don't leach and are safe for landfills.

Jeanmarie Leone spoke of her concern for the environment. She discussed silica and silicon and how cracks within the panels can freeze and thaw which she believes results in leaching of materials into the ground. She is concerned of the long term effects. She believes we are being rushed by legislative incentives without having enough time to become educated on the matters. She expressed concerns for farm land and water contamination. She requested the Board look at the Operation & Maintenance manual for the site and specifically looks at the toxins. This is a health and safety issue for our town.

The Board indicated they will wait for Tighe & Bond's finalized report along with 61 status confirmation from the Assessor's office. They reminded the Applicant to submit a waiver request on the fence height if need be. The Board will review the O&M and await all other board responses, specifically the Fire Department.

MOTION: M. Hofler to continue the public hearing on the proposed solar photovoltaic installation located at 400 Franklin Street, submitted by Borrego Solar Systems, Inc., Map 272, Lot 68, to August 28th, 2018 at 8:00 pm SECOND: L. Faassen NO DISCUSSION VOTE: 5-0-0

The applicant thanked the Board and left the meeting.

8:17 pm - J. Natle opened the Public Hearing for a proposed commercial solar photovoltaic installation on Gulf Road, Map 215, Lots 4, 5, 21, 22 and 29 submitted by BWC Scarboro Brock, LLC., 147 Newbury Street, Fourth Floor, Boston, MA 02116 as it pertains to bylaw 145-28-Commercial solar photovoltaic installations and special permit bylaw 145-69 and read the public hearing notice into the record. J. Natle reminded the audience members of the public hearing process.

J. Natle appointed Justin Rosienski, alternate voting member, to vote on this application.
J. Natle indicated that though he lives on So. Gulf Road he is neither a direct abutter nor an abutter to an abutter to this proposed project. He did reach out to the State Ethics Committee to confirm he had no conflict of interest and they informed him he does not. He has no financial interest in this matter, nor is he a direct abutter.

Tom Reidy, Atty. with Bacon Wilson, P.C., representing BWC Scarboro Brook, LLC along with Matt Parlon, Project Mgr. with BWC indicated that they hope to get much feedback from this evening’s meeting as they don’t anticipate approval this evening. Christopher Ryan, site engineer for this project addressed the Board.

He presented an overview of the property. He discussed the road for access, existing conditions of the site and the soil testing which has been done. They have met with the Conservation Commission as well and they have received Tighe & Bond’s review and will address each of those.

The first plan sheet showed the access route. It is a 15 foot wide access logging road which has been approved by the fire chief vs a 20 foot wide road. This will result in less disturbance of the opening from what is there now. Streams were shown. Swales were shown and with removal of trees what the resulting difference to soil grade would be.
Plan sheet 2 shown – new stream crossing was discussed and the design of the culvert. Therefore vehicles can cross without disturbing wetlands.
Plan sheet 3 shown – all natural drainage of the site will be maintained. Stormwater drainage was discussed.
The Conservation Commission asked them to do an alternate design. Mr. Ryan replied they have shortened the crossing and now come in at an angle rather than straight. The old log road will simply grow back in.

Tighe & Bond’s letter of August 13, 2018 was briefly discussed and some item numbers touched upon. They will follow up on all these at the next meeting. All items of grading, etc. will be addressed. Erosion and erosion control was also briefly discussed.

L. Faassen indicated the Board has received many letters from residents. One of the main concerns is how this will be detrimental to the area. Putting in solar at the expense of removing trees seems counterproductive. C. Ryan indicated that they believe that though they will be removing trees, they are replacing them with a meadow. All DPA standards will be met. Regarding stormwater impacts downstream we have addressed that. Visual should be minimal as it is in the middle of a wooded area.
Attty. Reidy – we will articulate on those 3 items at the next upcoming meetings.

L. Faassen asked about ownership of the project. W.D. Cowls is the owner of all the parcels and will enter into a 20 year lease with a 5 year renewal.

D. Beaudette asked if the company is registered with the Secretary of State to do business in MA. They indicated they are in the process of doing that. The Board believes that should have been in place prior to submitting an application. The Board has made a note of this. They also requested an estimate of what the site would cost in decommissioning costs and how they planned to cover that. The applicant believes $405,000.00. They would like to pay something immediate and then in incremental payments. The Board prefers cash as there is less risk to the Town.
The Board discussed the viewshed and if it has been adequately addressed. Though Conservation Commission and Tighe & Bond's review will address some items, possibly we need an environmental review. The Board discussed that MEPA is not triggered because there is no state money or state permit involved. What should our heightened scrutiny be? We believe this requires more than just storm water review.

D. Beaudette I would make a recommendation for MEPA-level review. There is a heightened scrutiny we comply above stormwater compliance for a project this large. While MEPA is not triggered, there is an established standard of review to use.

The Applicant indicated that they don't require a state permit so therefore MEPA is not tripped.

J. Natle -- we need to bring this project up to higher standards for review. An environmental review seems to be in order. The applicant indicated though they disagree, if required, they would address it.

M. Hoffer asked about the rack systems design. He indicated the application and plan are inconsistent as to how the racks will be put in the ground -- are they to be screws or driven? The applicant believes these to be interchangeable but they will clarify that. Setbacks were discussed. These are 5 separate parcels. They will be filing an ANR. The concern is the 75 foot setback. In addition, a comprehensive analysis on the viewshed will be required.

The Operational and Maintenance report includes several typos. In many areas "Shore Road" is referenced. This suggests a lot of copying and pasting from other projects as Belchertown does not have a Shore Road. This plan has not been thought through and edited well. Please confirm this is for Gulf Road and not a Shore Road project in another town.

The Board asked the applicants to utilize a credible/robust formula regarding Stormwater standards to deal with future possibilities.

J. Natle -- First, the Town prefers a cash surety as there is less risk to the Town. Second -- the water that goes into Scarborough Brook and the Daigle well includes the Town of Amherst. Third the specific permit 145-69A(1)a, b and c -- these three criteria must be specifically addressed. This is 152 combined acres with 48 acres to be cleared.

At this time the public hearing was opened to the public for any comments.

The main concerns of those present included water runoff, clear cutting, destabilization, watershed and drinking water, wildlife and the wildlife corridor. There is a concern that a nonregistered corporation with the State is submitting applications prior to being registered.

Steve Garabedian, Ph.D., 803 Federal Street -- Scarborough Brook runs along his property. His concerns are with an old stone culvert on his property and the problems with this culvert. It partially collapsed in previous years. He has spent thousands to maintain it. He is a hydrologist and believes the stormwater manuscript is flawed. He reviewed his concerns. He had submitted a letter to the Board previously. Runoff, etc. was discussed. He would like assurance that there will be no additional runoff that will undermine the culvert.
Jack Tulloss, 56 North Street – I agree with the previous comment. The current conditions with weather show us what flooding can do. I disagree their design will cover these conditions.

Mark Spiro – previous Planning Board member. He thanked the planning board and those in attendance for their efforts. He read a letter to the board.

Judith Mann – 104 North Street – has concerns with the watershed and drinking water. Tree roots serve as filtration. I have concerns with the wildlife corridor. These items have not been addressed.

Gary Brougham, Town Administrator – 101 Mill Valley Road – Do they participate in the SMART program? That is for certified businesses in Massachusetts. This is a concern. Perhaps they should return when they have all correct licenses to file this application and it is confirmed they can participate in the program.

Gail Gramarossa – 39 Nc. Main Street – thank you for all the homework and due diligence the Planning Board has done. She noted the differences between the earlier solar proposal vs this proposal. That one seems appropriate but this one does not. The impact from this one has concerns. Please listen to those who have spoken tonight and hear their concerns.

Atty. Reidy indicated Blue Wave will register as a foreign LLC in Massachusetts. The business is located in Boston, but incorporated in Delaware. This entity has not been registered as of yet but will by week’s end. They will get that proof to us so they can continue this process rather than cancelling all up to this point and having to start again. The Board discussed this and agreed it is not really judicious to have them start over. The Board indicated to the Applicant to spell out what happened and what they have done to fix it, and then ratify the application with the correct business information.

The Board briefly discussed what an enhanced environmental review would bring to the table as this project is of such a large magnitude. The Board discussed their authority under bylaw 145-27 E (4) and 145-28(D) in requesting more information for a heightened review. The Board does not believe stormwater information alone is enough information for this project. An Environmental review for this proposal will be required. D. Albertson will find a third party consultant for this and contact Blue Wave, who will need to approve the scope and expense as they will pay the consultant.

MOTION: L. Faassen to continue the public hearing on the solar polar photovoltaic installation located on Gulf Road, Map 215, Lots 4, 5, 21, 22 and 29 submitted by BWC Scarborough Brook, LLC. to September 25, 2018 at 7:00 pm. SECOND: M. Hofler No Discussion VOTE: 5-0-0

ANR – Thomas Soja, George Hannum Road, Map 241, Lot 18, submitted by Durkee, White, Towne and Chapdelaine on July 24, 2018, to create two total lots, for lot identification plan purposes, Lot A and Lot B (Assessors will assign lot number later) accompanied by a Form A application dated July 25, 2018. The Board discussed the application.

MOTION: D. Beaudette to endorse the ANR for Thomas Soja and Genowefa Soja, George Hannum Road, Map 241, Lot 18, submitted by Durkee, White, Towne and Chapdelaine on July 24, 2018, to create two total lots, for lot identification plan purposes, Lot A and Lot B. SECOND: M. Hofler No Discussion VOTE: 5-0-0

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MOTION: M. Hofler to endorse the ANR for Glenn Wilson and Duane Wilson, North Street, Map 205, Lot 115, to create Lot 1, known as 208 North Street, and Lot 2, a non-buildable lot. Second: D. Beaudette. Discussion: M. Hofler the side set back is not noted. By scale it is approximately 65 feet. VOTE: 5-0-0

Minutes of July 24, 2018. Motion: L. Faassen to accept the minutes of July 24, 2018 as written. Second: D. Beaudette. No Discussion. VOTE: 5-0-0

Bills were endorsed.

--Town Planner Report:
- The trail project is regrouping to start the next stage. They hope to begin this fall.
- We set a record for submissions today as we received 8 preliminary subdivisions and 2 new solar projects.

--Members Reports:
- D. Beaudette – I heard through the Palmer Town Planner that they are considering a moratorium on not only solar projects but also subdivision plans. With City government they can move things along quickly if this is decided.
- Regarding the subdivision Concord Way. We should grant no further extension. If he wants to start over again he needs to start at the beginning.

MOTION: M. Hofler to adjourn the meeting at 10:50 pm. Second: D. Beaudette. VOTE: 5-0-0

Meeting adjourned at 10:50 pm
Elizabeth Pols 44 North St B'town 01007
Cynthia Pols 44 North St B'town 01007
Jean Young 44 North St
Claire Baldwin 161 Federal St
Karen A. Chismann 76 North St B'town
Kathleen Stetson 76 North St
Bill P. Barnett 14 Temple Rd
Jean Marie Aime
Cathy Melin Burtm 6 Nathaniel Way
Judith Mann 104 North St
Phyllis McCarthy 39 N Main
Denise Pols 65 French Sanford Rd
Jim Russell
Sheri Tervelt
Lawrence Smith
Adam Blandford
Lee Paddy
445 Sqiff Rd
SIGN IN SHEET - MEETING OF

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

Jim Hunt 33 North St.
Art Caffin 419 S. Gulf Rd
Jim T. 3311 413 S. Gulf Rd
Paul Hernandez 767 Federal Street

Alice Green 159 Boston Ave
Brian Hunt 105 Wren Rd Westford MA

Chris Ryan Meridian Associates Breach MA
Matt Parlin 137 Newbury

Shane Bajnati W.J. Cowles Inc
Jackie Firsty 137 Newbury St. Boston MA
Brian Strachan 19 Goldsmith St. Boston

Kathy Shea 777 Federal St

Chris Hogan 777 Federal St Boston MA
Kathleen Cunne 347 Bardwell St

Anne Carey 239 Barrett St

Jeanne Bishop 56 North St
Jack Tuccio 56 North St

Ivonne Ramirez 449 S. Gulf Rd, Belchertown MA
OFFICE OF
PLANNING BOARD
Town Of Belchertown
P.O. Box 964
Belchertown, Massachusetts 01007

SIGN IN SHEET - MEETING OF

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

Justin DeBlasio  442 S Gulf Rd
SARAH KOHLER  212 Natzke Rd New Salem
SABRINA HAMPTON  496 S Gulf Rd
Lorraine Fox  85 North St
Paul Kaplan  85 North St
Heidi Doolad  401 S Gulf
Tamra Ryan  837 Federal St
Don Carden  463 S Gulf Rd
Suzanne Gubrium  369 S Gulf
Jay Gubrium  369 S Gulf
Vivien Sarna  450 S Gulf
Marita Howard  480 S Gulf
Barbara Carden  463 S Gulf
Neil Brigham  480 S Gulf
Beulah Wilson  215 Tubish St
Gillian Hoag  883 Gulf Rd
Shirlee M Briggs  54 Roslawn St
SIGN IN SHEET - MEETING OF

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

David J. Young
Linda Chalfant
Frank A. Aquilava-Izzo
Tom Boulton Hastings

54 Rockrimmon St.
454 Gulf Rd
454 Gulf Rd
11 Jeffrey Lane