Members present: Michael Hofler, James Natle, Daniel Beaudette, Louis Faassen, Justin Rostenski and Alice Knittel (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 three continued Public Hearings this evening regarding commercial solar photovoltaic installations.

7:00 pm - J. Natle reopened the continued Public Hearing for a proposed commercial solar photovoltaic installation on Gulf Road, Map 215, Lots 4, 5, 21, 22 and 29, submitted by BWC Scarborough Brook, LLC., 137 Newbury Street, 4th Floor, Boston, MA 02116, 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 into the record. J. Natle informed the audience members of the public hearing process.

Atty. Thomas Reidy representing BWC Scarborough Brook, LLC and W.D. Cowls, Inc., addressed the Board and updated the Board since the August 14, 2018 meeting. They will be asking for a continuance to the October 9, 2018 meeting, but would like to get further input and guidance from the Planning Board and hear from the audience on any questions they have at this evening’s meeting. They are continuing work on the stormwater review and hope to have that completed soon.

At this time the meeting was open to the Board for their input and questions.

The following items were discussed, including MEPA standards, the wildlife habitat analysis to be done, clear cutting, transportation, their business being registered with the Secretary of State and a letter to be submitted stating such, view shed analysis, stormwater review and soil testing to be done. They were asked to give a brief summary of how their business works. Do they usually maintain ownership of projects like this, and if not, what legal ramifications does that result in. The difference between clear cutting vs. deforestation.

The Board brought up a letter submitted by resident, Stephen Garabedian, Ph.D. in Hydrology. The study he referenced is a very good one, and states if assumptions are being made on the calculations, even a small amount off can affect all the data. Copies of all correspondence received to date were given to Atty. Reidy.

7:30 pm - At this time the public hearing was opened to the public for any comments.

Stephen Garabedian – addressed the board. He discussed the report dated 9/14/18 from Meridian Associates. He indicated there are errors within this report. J.Natle responded that we have a peer review done by Tighe & Bond, engineers, who look at all submitted and report back to us. He would like
the Board to check out the equivalent solar project located in Ware/West Brockfield and ask Meridian Associates for a report from them to confirm due diligence and confirm numbers on them. He thanked the board for their time.

Mark Spiro – 53 Two Ponds Rd – His main concerns are regarding the Scarborough Brook, view sheds affected, real estate values and erosion concerns. He also asked about discrepancies in numbers submitted, how many actual panels will be installed, if they have received permission from National Grid for the connection, access roads, final inspections on As-Builit, ownership questions and to consider a higher surety being held. He thanked the Board for their time.

Other concerns voiced from the audience included: property values, climate change, the cultural historical aspect of the site, if they can cut trees before they receive permit approval, herbicides and pesticide issues, third party inspections, overhead power connections, tie-ins to exist 3 phase grid, MEPA standard requirements, forestry plan, Kestrel wildlife study, wintertime view sheds, the extensive slope of the site, the large scale size of this project and the maintenance of the panels.

The Board thanked the audience for their input and indicated all concerns will be addressed by our peer review, Tighe & Bond, and MEPA report.

**MOTION:** L. Faassen to continue the public hearing on the proposed solar photovoltaic installation located at Gulf Road, Map 215, Lots 4, 5, 21, 22 and 29, to October 9, 2018 at 8:00 pm  **SECOND:** M. Hoffer  **No Discussion VOTE:** 5-0-0

J. Natle asked Atty. Reidy if the continuation for the W.D. Cowsls, Inc. preliminary subdivisions (5) for the December meeting will be ready at that time or would they be asking for an additional continuance. Atty Reidy indicated that though R. Levesque did the plans, he believes they will be ready. D. Beaudette indicated if not ready we will deny. He will relay that to them.

**8:00 pm** - J. Natle reopened the continued Public Hearing for a proposed commercial solar photovoltaic installation on Bardwell Street, Map 272, Lot 5, 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 Site plan approval 145-27. J. Natle read the public hearing into the record. J. Natle informed the audience members of the public hearing process.

David Albrecht, PE for Borrego Solar Systems, Inc. was present and updated the Board from the last meeting. He believes all questions from Tighe & Bond have now been addressed and updated the Board from their meeting with the Conservation Commission last night. Tighe & Bond stormwater concerns, grading, culverts, water flow and elevations were addressed. The following was discussed, landscaping, placement of certain racks, the 14’ flagpole on site, minimal tree clearing, snow storage and the emergency sign is now noted on the gate.

**At this time the meeting was open to the Board for their input and questions.**

J. Natle thanked Mr. Albrecht for a job well done. All information has been addressed.

The O&M was briefly discussed indicating any trees that died would be replaced within the first year and that they were using Blue Spruce trees. Mowing was discussed and flagging the property line so curing
construction the 75' buffer can be verified to avoid any accidental encroachment. This will be listed as a condition. Within the O&M it precludes the solar owner from using pesticides or herbicides.

D. Beaudette asked about the status on the agreement with the Town Treasurer on decommissioning. Mr. Albrecht indicated it is being worked out.

M. Hofler thanked the applicant for putting up the flag and briefly discussed the requested waiver on the black fence.

**MOTION:** D. Beaudette to close the public hearing for a proposed commercial solar photovoltaic installation on Bardwell Street, Map 272, Lot 5, submitted by Borrego Solar Systems, Inc., 55 Technology Drive, Suite 102, Lowell, MA 01851, as it pertains to bylaw 145-20-Commercial solar photovoltaic installations and Site plan approval 145-27. **SECOND:** M. Hofler **No Discussion VOTE:** 5-0-0

**MOTION:** D. Beaudette to grant a waiver to Fence bylaw 145-21 (C) as shown on Plan entitled 0 Bardwell Street – Solar Energy System submitted by Borrego Solar to allow a 7' height per the National Electric Code requirements for a solar farm, as authorized under 145-27F(1)(g). **SECOND:** L. Faassen **VOTE:** 5-0-0.

**MOTION:** D. Beaudette to grant a partial waiver to Fence bylaw 145-21 (B) as shown on Plan entitled 0 Bardwell Street. Vinyl coating will not be required along the north and east side. **SECOND:** L. Faassen **Discussion:** The north and east side of the parcel is abutted by the railroad and one side is a commercial site, so no one should be affected in not requiring vinyl coating in those areas. **VOTE:** 4-1-0
J. Natle voted no as he prefers the vinyl coating be consistent throughout the area.

The Board reminded the applicant that final determination from the Conservation Commission must be done along with flagging the property line along Bardwell Street for setback confirmation. Borrego is encouraged to enter into a PILOT with the selectmen and assessors as well. In addition they need to come to terms with the Town treasurer regarding the decommissioning escrow and return to the Board.

**MOTION:** D. Beaudette to approve, subject to the conditions stated above, the proposed solar photovoltaic installation located at Bardwell Street, Map 272, Lot 5, 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 Site plan approval 145-27. **SECOND:** L. Faassen **VOTE:** 5-0-0

The applicant thanked the Board.

9:15 pm - J. Natle reopened the continued 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, Site plan approval 145-27 and Special Permit 145-69 and read the public hearing notice into the record. J. Natle reminded the audience members of the public hearing process.

David Albrecht updated the Board from the August 14, 2018 meeting. He reviewed the plan with the Board. All items of Tighe & Bond’s letter of September 21, 2018 were reviewed and discussed.
D. Beaudette asked if the Assessor’s office had provided an opinion regarding the dual use for the property. D. Albrecht did not know. The Board would like Mr. Roberts, the owner, to report back after Assessors make a decision going forward.

J. Natle opened the public hearing for comment. There was none.

**MOTION:** D. Beaudette to close 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, Site plan approval 145-27 and Special Permit 145-69 **SECOND:** M. Hofler  
**VOTE:** 5-0-0

**MOTION:** D. Beaudette to grant a waiver for fence height per zoning bylaw 145-21(G) as shown on Plan entitled 400 Franklin Street – Solar Energy System submitted by Borrego Solar to allow a 7’ height to meet National Electric Code for a solar farm, as authorized under 145-27F(1)(g). **SECOND:** M. Hcfler  
**No Discussion**  
**VOTE:** 5-0-0

**MOTION:** D. Beaudette to grant the special permit 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, Site plan approval 145-27 and Special Permit 145-69 conditions having been met. **SECOND:** L. Faassen  
**No Discussion**  
**VOTE:** 5-0-0

**MOTION:** D. Beaudette to approve the site plan 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, Site plan approval 145-27 and Special Permit 145-69 subject to the following three conditions: 1-terms will be agreed upon between consultation with Town’s Treasurer regarding the decommissioning escrow and that will be submitted to this Board prior to a building permit being issued. 2- Final determination from Conservation Commission to be submitted. And 3- Borrego is encouraged to enter into a PILOT agreement with the selectmen and assessors. **SECOND:** L. Faassen  
**No Discussion**  
**VOTE:** 5-0-0

The Board thanked D. Albrecht.

D. Albrecht thanked the board and left the meeting at 9:32 pm

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**ANR** – Steven A. and Nuray Ozcelik, #23 and #21 Depot Street, Map 109, Lot 34, submitted by Harold L. Eaton and Associates, Inc., dated September 14, 2018, to reconfigure lot line of Parcel #34 by adding Lot B to it as shown on the Map as Parcel 33 (Assessors will assign lot number later) accompanied by a Form A application dated September 14, 2018. The Board discussed the application.

**MOTION:** L. Faassen to endorse the ANR for Steven A. and Nuray Ozcelik, #23 and #21 Depot Street, Map 109, Lot 34, submitted by Harold L. Eaton and Associates, Inc., dated September 14, 2018, to reconfigure lot line of Parcel #34 by adding Lot B to it as shown on the Map as Parcel 33. **SECOND:** D. Beaudette  
**No Discussion**  
**VOTE:** 5-0-0

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**Minutes of September 11, 2018.** **Motion:** D. Beaudette to accept the minutes of September 11, 2018 as written. **SECOND:** M. Hofler  
**No Discussion**  
**VOTE:** 5-0-0
Bills were endorsed.

Town Planner Report:
- Yesterday the top coat was placed at Hickory Hills in the first section. Mr. Nielsen and their engineer are getting close to working on a sidewalk plan but it still needs to be discussed with residents.
- We have an Accessory Apartment application for new construction scheduled on Oct. 23rd.
- We will be looking at the Solar zoning bylaw for review and amending on the 23rd also.
- We have held off looking at Subdivision regulations because of pending changes to storm water regulations. PVPC have convened a working group to come up with a model. Once that is done we should have something good for us to adapt.
- The DuBois project at the end of So. Gulf Road is waiting to hear about the LAND grant from the state. It is approximately 80 acres to be done in two phases.
- Sunday morning The Mader Town Forest project celebration to honor the family for forest management was held at 10 am on Allen Road between 202 and Rt. 9.
- The Trail project – we have begun the process with Conservation to put some markings in and reapply for the Recreational Trails Program grant. NESFI received their grant for their part of the property. We submitted a good application, but the grant committee perhaps is not familiar with this type of project. We will also be approaching the Community Preservation Committee and will hopefully receive a grant from them. One of the pledges for the MassDevelopment Commonwealth Places matching grant could not happen, but MassDevelopment still met the full match.

Members Reports:
- J. Rosienski – the PVPC will meet on Oct 11, 2018.
- J. Natle – The Community Preservation Committee met last Tuesday. New applications for 2019 will be due by December 14th at 5:00 pm to meet town meeting deadlines. The website will be updated and the application will be available – prior to that you can use what is online now and simply change the date. Also, I was thinking of resigning from the committee due to panning board commitments. If anyone is interested, let me know.

MOTION: L. Faassen to adjourn the meeting at 9:50 pm, SECOND: D. Beaudette VOTE: 5-0-0
Meeting adjourned at 9:50 pm

James Natle
Daniel Beaudette
Michael Hofler
Louis Faassen
Justin Rosienski
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<tr>
<td>Fena Shrewsbury</td>
<td>60 Poole Rd.</td>
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<td>Jan Casswell, Queen</td>
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<td>Gail Otremosse</td>
<td>39 N. Main Street</td>
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<td>David A. Albrecht</td>
<td>Barnegat Solar</td>
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<td>Marion Miller</td>
<td>419 N. Gulf</td>
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<td>Mimi Moran</td>
<td>617 N. Gulf</td>
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<td>Jordan Chaffee</td>
<td>454 Gulf Pk.</td>
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<td>Margie Macquillen</td>
<td>53 Two Ponds Rd.</td>
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<td>76 North St.</td>
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<td>Ken Elwood</td>
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<td>Karen Christman</td>
<td>29 Maplecrest Dr.</td>
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<td>Matt Jackson</td>
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<td>Neil Jackson</td>
<td>30 Mt. View Dr.</td>
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<td>Barbara Carden</td>
<td>463 S. Gulf Rd.</td>
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<tr>
<td>Elizabeth Pots</td>
<td>49 NW 8th St.</td>
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<td>Don Carden</td>
<td>463 S. Gulf Rd.</td>
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SIGN IN SHEET - MEETING OF

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

Linda Franklin 81 Gulf Rd
Marc Frank 34 Koper
Will Hathaway 121 Gulf
Loren Walker 66 Gulf
Adam Sayers 121 Gulf

Beth Adams 77 Monroe St
Tracey Saffee 121 Gulf Rd Belch
Janet Green 104 North St
SIGN IN SHEET - MEETING OF

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

John Sapirsten 529 N. Gulf Rd Belchertown
Susan Lancelle 621 N. Gulf B'town
Elise Barry 363 S. Gulf B'town
Karen Barry 363 S. Gulf B'town
Dale Callahan 621 N Gulf Rd Belchertown
Tammy Byar 837 Federal St.
Jim Tibbitt 413 S. Gulf Rd.
Jack Tallos 16 North St.
Jeanne Bishop 56 North St.
Lindsey Peterson 445 S. Gulf Rd
Heidi Dollard 401 S. Gulf Rd
Lisa French 3C1 Rockrimmon
Sarah Kohler 212 Walden Rd New Salem
Art Cotton 419 S. Gulf
Sara Hannon 498 S. Gulf
Dainis Grabas 90 North St.
Denise Poles 65 Enoch Sanford Rd
Cathy McNeil 510 South Gulf Rd.
Karin Caniholt
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!

Richard Knapp 362 Stebbins
Ira Kingsley 8 Gulf Rd.
Kyle Vincent 8 Gulf Rd
Stephanie Jo Kent 445 S Gulf Rd.
Lorraine Fox 85 Northwest
William Hyde 95 Northwest

Savannah Chris Pepe 236 Gill Rd
Linn Lloyd 425 South Gulf Rd
Lucas Dreeger 606 North Gulf Rd
Julieann
