PLANNING BOARD MEETING MINUTES, WEDNESDAY, March 20, 2019

The North Brookfield Planning Board held their meeting on Wednesday, March 20, 2019 at 7 PM at the Senior Center. Chair King called the meeting to order with members Michelle Petraitis, Jason Spangenberg, John Tripp, John Turner and alternate Jeff Smith in attendance. Amy Yanover, Clerk took notes.

Chair King opened the meeting and called it to order. John Tripp made a motion to approve the minutes of March 7, 2019. John Turner seconded the motion. Motion unanimously approved by all members.

Thomas Reidy on behalf of Ralph Tomasian, Eleanor Varsen Vanetzian and Thomas Tomasian, Jr   submitted a Form A application for approval with $75 fee, check #4153, for Slab City Road, North Brookfield. Michelle made a motion to approve, John Tripp seconded and motion was unanimously approved. (R-66 District). Parcel was 14.8 acres with 2.56 acres in North Brookfield, residual area in Brookfield. Had 1038.12 feet frontage, all in North Brookfield.

John Murphy plot plan; the existing driveway location and easement needs to be added. Plan was not signed.

The Board reviewed the current Planning Board Policies and Procedures document. Chair King proposed the Board start charging a site plan solar application fee of $2.00 per $1000 of construction value with a minimum of $200. The Board has been waiving this fee. Michelle made a motion to add the fee to the Policies and Procedures as item #5. John Tripp seconded the motion. Voted unanimously.

The mail included budget info, an invoice from JH Engineering for the peer review of 55 West Brookfield Road. It was noted the peer review is scheduled for Saturday, March 23, 2019, at 8:00 AM.

John Turner made a motion to recess the meeting and convene solar hearing at 7:15. Michelle seconded the motion. Motion unanimously voted by all members.

At 7:15, the solar application of Jordan Energy & Food Enterprises, LLC on behalf of Rodney Carlson for land on 55 West Brookfield Road was discussed. Bill Jordan introduced himself. Stuart Clark of Green Seal Environmental reviewed the plans. He stated the project was outside the two hundred foot riverfront area and the wetland buffer zone. He noted the wood turtle zone was of special concern. Clark stated the walkthrough with the planning board was today and addressed several concerns including inadequate vegetation screening. He stated there would be a gravel access road, two switch gears, 109 panels per string inverter switching to AC. They propose an eight-foot high berm around the array along the south, east and north sides with trees on top. There will be fencing on the west side as there are no residential abutters. There will be total of 6770 panels at 25 degrees.

Chair King asked for questions or comments from the public. Susan Lyons asked if the soil content was determined. Clark stated the soil was Merrimack soil which is sandy gravel and excellent for post mounted panels. Gary Bush stated he lives two properties down and he was concerned about the potential for electricity causing a grassfire during construction. Clark stated they must do pole tests to get a building permit. Michelle stated the grass under panels is to be maintained in a non-chemical way. Matt Defosse asked what factors come into play when the Board decides on a solar project and does the Board review the decommissioning bond. Chair King stated that solar companies are supposed to notify the Board annually about the status of project surety. G. Bush was concerned about the past fire on the Carlson property, north of the proposed array and its cleanup. He also believes that salamanders are a concern in addition to the wood turtles.  He states that solar puts out an electromagnetic field and it will displace the turtles and the long term health issue for people is unknown. R. Carlson stated that the solar project is eight hundred feet from his house and on land that has little value. He doesn’t want to see houses, so solar is his future income.

Bill Jordan stated they were addressing the wood turtles with the Conservation Commission. He stated the benefits of solar panels using sand and silicone being the cleanest form of energy. Jordan stated his company was relationship based and wanted to be a good neighbor.

Mr. Defosse asked about fencing. Chair King stated it was 7’ tall and 6” from the ground and required for public safety. Chair King asked the Board for comments from their site walk. Michelle stated she was concerned about waste and some debris not being environmentally sound. G. Bush stated he was concerned about devaluation of property. Michelle stated she has not seen it.  Chair King stated he spoke to a buyer of a four acre property across from a solar farm who did not feel the property value was diminished. Ruth Ann Smith stated she was concerned about electricity being constant near water. Bill Jordan stated there is a quick shut off on all sides of both converters. John Tripp stated the panels would still produce electricity. Susan Lyons asked if there was a flood and water rose to the height of the panels, would there be a problem? Jordan stated the situation would not create a fire.  Susan asked if they would be amenable to not selling or leasing their project. Heather Twiss, Green Seal Engineering stated they were not a ‘solar peddler’ and she could vouch for Jordan. Susan asked how many projects they had done. Jordan stated over 56 customers, however they have retained ownership of less than half the number.

Stuart stated they use EPC firms to build their project which includes licensed electricians and helpers who must be certified to do solar. Mr. Defosse asked if stored energy in panels are a risk during a shut off. Stuart said no, National Grid does a witness test before power is turned back on.  Jordan stated they work on cost per watt and they do not make decisions on projects based on government incentives. He stated they have sold well over fifty percent of their projects.

Mr. Boucher asked if Jordan has to help clean the site. They will assist with cleaning the portion that involves their lease area. Chair King asked if the berms and landscape architect berms/screening are in the plans. Stuart said they will be in the revised plans.  Berms will be eight feet high and ten feet wide at the top outside the fenced area. There will be no detention basins given the slopes.  He stated they are responsible for the debris at the end of the property in the leased area. Chair King stated Carlson is responsible for the debris in the area not leased to Jordan or no permit will be issued. He stated that during construction there must be site access to the Planning Board, Conservation Committee and Building Inspector.

Harold Burnett, abutter stated he had no problem with this proposal via phone call prior to meeting.

Michelle made a motion to recess the hearing for continuance until April 24, 2019, and reconvene the regular meeting. John Turner seconded the motion. Motion unanimously voted by all the members. At 8:20 PM John Tripp made a motion to reconvene the regular meeting. Michelle seconded the motion. Motion unanimously voted by all the members.

Chair King stated the recreational marijuana and hemp cultivation bylaw will be printed with the town warrant, so separate copies will not be needed for town meeting. The 14 pages will have to be read out loud at the May 10, 2019, town meeting.  He stated he attended the East Quabbin Land Trust discussion with John Tripp, John Turner and Jeff Smith on March 14, 2019. There was discussion regarding decommissioning bonds and cash requirements for solar projects. Members discussed dollar amount per megawatt AC for solar projects. Amounts of $50,000, $75,000 and $100,000 were discussed.

John Turner made a motion to add item #6 to the Policy and Procedures document to require a financial surety of seventy-five thousand dollars cash payment as surety per megawatt AC to be used solely for decommissioning. John Tripp seconded the motion. No vote was made.

John Tripp made a friendly amendment motion to increase the cash payment for decommissioning to be one hundred thousand dollars. Michelle seconded the motion. Amendment motion unanimously approved by all the members. The vote for requiring $100,000 cash payment per megawatt AC was then unanimously voted by Board.

Voted at this meeting to incorporate the following in Policies and Procedures:

5) A site plan review filing fee of $2.00 per $1000 of construction value, as reported by the applicant and approved by the Board, with a minimum of $200, is required at the time of submission of application. (Zoning Bylaw Section VI.G.5. Reasonable Fees)

6) The Board requires financial surety of $100,000 cash per approved megawatt AC payable to the Town of North Brookfield prior to obtaining a building permit. Any fraction of a megawatt shall be accounted for. Said money shall be held by the Town Treasurer pursuant to MGL. c. *44,* Section 53 1/2 to cover cost of decommissioning the solar array infrastructure and site landscape remediation. (Zoning Bylaw Section VI.F.5.d. Financial Surety)

Chair King noted the next meeting will be 4/24/19. At 8:55 PM Jason made a motion to adjourn the meeting. John Turner seconded. Motion unanimously voted.

Meeting adjourned at 8:55 PM.  Minutes are 3 pages.

Amy Yanover, Planning Board Clerk

Attendance – March 20, 2019 meeting of the North Brookfield Planning Board

Susan Lyons

Gloria Turner, 25 Ryan Road, North Brookfield, MA

Ruth Ann Smith

Gary Bush

Rodney Carlson

Tom Reidy

Matt Defosse

Roger Boucher

Stuart Clark

Bill Jordan

Austin Behrmann

Heather Twiss

Frank Chaffee