

Hanson Planning Board
Minutes of the Public Meeting of
October 15, 2018 at 7:00 PM
Hanson Town Hall, Meeting Room A

Call to Order

The meeting was called to order by Chairman Ellis at 7:01 PM. Attendance was as follows:

Present: Don Ellis, Chairman
Joe Campbell, Vice-Chairman
Joe Gamache, Member
John Kemmett, Member
Stephen Regan, Member
Deb Pettey, Interim Town Planner

Guests: Rich Niles, Amec Foster Wheeler
Hugh McLaughlin, BradyMac
Bob and Marian Scott, 119 Holmes Street
Ken Duty, 257 County Road
Dan and Heidi Herlihy, 19 Holmes Street
Nancy Bowes, 167 Holmes Street
Kelly O'Donnell, 247 Holmes Street
Joe Bongazzone, 96 County Road
David Beauvais, 149 Holmes Street

Mr. Campbell made a motion to pass over approval of the minutes until after the public hearing. The motion was seconded by Mr. Gamache and approved 5-0-0.

Public Hearings

7:00 PM Public Hearing for the petition of County Road Partners, LLC, Owner/Applicant for Site Plan Review under Section 6, Subsection N. Large-Scale Ground-Mounted Solar Photovoltaic Installations of the Town of Hanson Zoning By Law Land Use Regulations to allow construction of a Large Scale Ground-Mounted Solar Photovoltaic Installation at County Road, Map 74, Lots 7 and 8 and located in a Residence AA/Agriculture-Recreation Zoning District

Ms. Pettey said that she has the abutters' notices and certified lists and has verified that all abutters were notified of this hearing.

Mr. Ellis stated that the public hearing is being recorded.

Mr. Niles began a presentation for the proposed solar farm on County Road, explaining that the project was originally submitted to the ZBA, but has now been submitted to the planning board in a different layout as a site plan application. Mr. Niles said that the proposed property will be situated on two parcels and will be accessed from County Road. He said the project capacity has been reduced from 1,700 KW to 1,100 KW.

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Mr. Niles presented a detailed drawing of the proposed solar farm depicting, for example, the layout of the panels, access road, storm water features, transformer and proximity to abutting homes. He said the property will be surrounded by 8 ft. chain link fencing.

Mr. Niles reviewed the site preparation process and the installation of the post supports, racking systems, underground conduits and transformer pad. He said that this project will be done through the Community Solar Program, which affords Hanson residents priority to buy in to this energy, with abutters receiving a 10% discount.

Mr. Niles drew attention to the project narrative, which outlines line-by-line, their conformance with the Hanson Zoning By-Laws.

Ms. Pettey stated that this application was forwarded to conservation, the fire department, board of health and ZBA for review. She said that she received a response from conservation and read their memo dated 10/9/2018 in to the record, in which they noted that the applicant must file a Notice of Intent as a portion of the proposed work is in the jurisdiction of the Wetlands Protection Act and Hanson Wetlands Protection By-Law. Mr. Niles said they have met with the fire department for guidance on road width and turning radius.

Mr. Ellis asked why the entry gate is situated a distance the main road. Mr. Niles said the primary reason is to allow emergency vehicles adequate space to be off the road when they reach the gate. He said the road on the approach to the gate is 15 ft. wide.

Ms. Pettey said that upon receipt of the application, she forwarded same to Engineering Partners ("EP") and Site Design Engineering ("SDE") for quotes to do the Site Plan Review. She said that EP quoted \$5,800 and SDE quoted \$3,325 and it will be the board's decision which firm to hire.

Ms. Pettey explained that this is a "By Right" site—there is no permit issued and the board will accept or deny the site plan. She said the board cannot grant any waivers or variances and they can only hold the applicant responsible for what is in the by-law. Ms. Pettey added that the board will not make a decision on the application tonight because there has not been an engineering review.

Mr. Gamache asked that the planner be sent a copy of the inspection report that is to be prepared per Storm Water Pollution Protection guidelines—every seven days and after every rain event.

Mr. Campbell expressed that a safety bar should go across the 10-inch outflow pipe for safety purposes. Mr. Niles made the points that the pipe is situated within the eight-foot fence and a safety bar could cause the pipe to clog frequently, becoming a maintenance issue. He added that a safety bar is not in the regulations.

Mr. Campbell asked if the gate is lighted. Mr. Niles stated that it is not, but it is a security gate and lighting at the facility would be an issue to abutters.

In response to Mr. Campbell, Mr. Niles said that the farm is proposed for a twenty-year duration. He said that it would be decommissioned after that time unless the owner comes before the board for an

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extension. Mr. Niles said that a bond is issued to the town in the event that the owner fails to decommission in a timely manner, to cover the cost of decommission.

Mr. Campbell asked about protocol for removing broken or damaged panels from the site. He cited that a broken panel could potentially expose toxic material. Mr. Niles said that if a panel breaks, it is quickly removed from the site and suggested that concerns of that nature be added to conditions of approval.

Mr. Campbell commented on potential irradiance from the panels and the visual impact of this project on abutters. In response to question from Mr. Ellis about reflection, Mr. Niles said there is little or no glare, pointing out that these types of panels are installed along highways.

Mr. Gamache asked about the estimated tax revenue the town will receive. Mr. Niles said it would depend on the type of state program this project falls under. He said the Community Solar Program would not generate revenue for the town but rather provides discounts to the community for the purchase of power. He said he will verify that information. Ms. Pettey said there would be revenue in that the panels would be taxed as personal property and suggested that there could be other revenue.

Mr. Niles explained to Hanson resident, Ken Duty, that the trees taken down on the property will only be those within the "TC" [tree cuts] markings on the drawing. Mr. Duty asked where on County Road the entrance road will be situated and expressed concerns about increased water to the abutting area. Mr. Niles said that the property is not marked as yet but the entrance will be approximately ¼ mile down from Holmes Street. He said the tree removal on the property is the factor that will contribute to increased stormwater runoff. Mr. Niles continued that they are required to follow regulations to mitigate any runoff so that there is no change from pre-construction conditions to post-construction conditions. He said they have designed an infiltration berm and a basin in order to comply.

Hanson resident, Dan Herlihy, remarked that the soils in this area do not drain well, which could prevent an infiltration basin from working properly. Mr. Niles said the purpose is to keep the water onsite and the infiltration system has been designed to accommodate the infiltration rate of soil in the area. He said that the initial design was created from local soil maps and will be confirmed later from test pit data.

Hanson resident, Bob Scott, asked if the panels need to be washed from time to time. Mr. Niles said that they are not washed nor is snow removed from them. He said these factors do not impact the panels' power production.

Hanson resident, Marian Scott, asked for an explanation of the phrase "without prejudice" in reference to the original drawing submitted to the ZBA. Ms. Pettey said that it means that the project was not denied for any reason and the developers have the right to bring it back before the ZBA if they so choose. She said if that were to happen, the abutters would be notified.

Mr. Niles responded to Ms. Scott's question about evergreen plantings by saying that this design application does not require any variance and does not disturb anything in the 100 ft. setback area. Mr. Campbell clarified that the design was changed significantly from what was originally submitted to the ZBA.

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Ms. Scott asked if the detention pond will affect nearby wells. Mr. Niles replied that the pond is required to be above the water table as to avoid direct exposure with ground water.

Ms. Scott asked about liability if there is a drowning in the detention pond, noting that the pond is not fenced in. Mr. Ellis said the owner would be liable if found negligent and didn't expect that the town would have any liability since it does not own the property. Mr. Campbell added that the entire property is to be enclosed with an eight-foot fence, but Mr. Niles acknowledged that the detention pond will lie outside of the fence. Mr. Kemmett noted that detention ponds are common throughout town, without incident to date, and they typically empty within about seventy-two hours.

Mr. Regan asked about maintenance of the detention pond. Mr. Niles said that inspection and maintenance typically occur about once a year, drawing attention to the Operation and Maintenance Plan ("OML") outlined in the application. Mr. Regan then asked if the town is notified when the maintenance occurs. Mr. Niles said that notification procedures could be added as a condition of approval, with Ms. Pettey remarking that it is not part of the submitted OML.

In response to Hanson resident, Nancy Bowers, Mr. Niles said that the section of the developer's property behind the Holmes Street properties will be not be developed. He said that area was originally going to have a set of solar arrays in the first version of the design. Mr. Niles further responded that the project will take approximately 3-5 months to build and that construction noise levels will primarily be from driving the posts, which is a pretty quick process.

Ms. Bowers asked about steps that are taken to prevent teenagers from using the property for parties. Mr. Niles said it hasn't been much of a problem in other facilities, but noted the eight-foot fence all around and warning signs that it is an electric facility.

Ms. Pettey said that those who are interested in a copy of the plan should email or call her.

Ms. Scott commented that when the original proposal was presented, the developers stated that they needed to cut to the property line in order for the project to be economically feasible. Now that it has been scaled back, she asked what has changed. Mr. Niles stated that the decision for the redesign was largely due to the fact that the first design was not well received and this new plan would have less impact to abutters.

Hanson resident, Joe Bongazzone, asked about shielding his view of the panels as his property is the closest abutter to the project. He said he would have a view on two sides of his lot. After some discussion, Mr. Niles said that they will work with Mr. Bongazzone to figure out what vegetation they can plant to obstruct his view as much as possible.

Mr. Campbell asked that it be put in the daily installation and maintenance plan that construction crews not park their vehicles on County Road during construction.

Mr. Kemmett made a motion to hire Site Design Engineering as the review engineer for this project. The motion was seconded by Mr. Campbell and approved, 5-0-0. Ms. Pettey disclosed that Mr. Mulloy at SDE said that they worked with this project's developer five years ago, but have no ties to the company.

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Hanson resident, David Beauvais, asked about plans to improve storm water drainage along Holmes Street. Mr. Ellis explained that it would be the jurisdiction of the highway department.

Mr. Gamache made a motion to continue the public hearing to Oct. 29 at 7PM, which was seconded by Mr. Regan. The motion was approved 5-0-0.

Minutes

Mr. Gamache made a motion to approve the minutes from Sept. 24, which was seconded by Mr. Campbell. Ms. Pettey acknowledged to Mr. Campbell that the letter was sent to Mr. Shute regarding Brookside Estates. The motion was approved, 3-0-2 (abstained by Mr. Kemmett and Mr. Regan).

Ms. Pettey said she will add Brookside Estates to the agenda for the next meeting's discussion.

Discussion

Ms. Pettey said she has not had time to create the Rules and Regulations for Site Plan Review as yet and will have to postpone that discussion.

Old Business/New Business

Members signed invoices.

Adjournment

Mr. Gamache made a motion to adjourn, seconded by Mr. Regan, which was approved 5-0-0. The meeting was adjourned at 9:38 PM.

Respectfully submitted,

Shirley Schindler, Minutes Clerk
Hanson Planning Board