**Planning Board**

**Town of Wales, MA**

**Wales Town Offices**

**11/13/17; 7:00 p.m.**

Present: James Whalen; Keith Hood; Danelle LaFlower; Bill Matchett; Jason Oney; Amy Sacco; Ryan Wingerter

Guests: Laurie Hornacek; Susan Anderson

Bill opened the meeting at 7:02 p.m.

**Solar By-law**

James discussed the status of the solar by-law; not yet in effect. The Planning Board was to have a second public hearing when changing a by-law. The board should have had a second meeting/hearing, but only one was held. The board was not aware of that process.

James discussed enacting option Chapter 299. With this, the by-law will be published in the Southbridge Evening News and Stonebridge Press, wait for 21 days to pass and then the updated by-law will be submitted to the Attorney General for approval. If it goes as planned the by-law should be confirmed by 12/7/17.

James noted that the Wales Town Meeting in May of 2018 will have to have an addendum for discussion.

**Solar application**

In reviewing the solar application with Bradway Farms, the board discussed/inquired about how many acres the project is – unable to find the details in the application itself. James to reach out to Chris from Nexamp for that information and an updated map.

Board reviewed other sections of the application.

Project narrative: Discussed the seven foot fencing; meet National Electric code?

Bill said anything over a six foot fence requires a special permit.

Danelle stated concerns with the fence and wildlife.

James discussed the sediment basins noted in the application – sounds like it’s the plan to handle storm water.

Danelle noted she thought they are temporary basins for during instillation only.

James stated that the drainage report will need to be reviewed.

Laurie asked how far down the basins go and will wells be affected?

Danelle stated that those sections of the application need to be reviewed. James to follow up with those questions.

James discussed the lease agreement and decommissioning questions – stating there is a document in the application that answers those concerns. The board reviewed (page 4; decommissioning plan with attached outline). Document states that the tenant and/or landlord need to provide evidence of a decommissioning plan. Board noted concern that the lease seems to show a difference between what the town requires and what will be shown to the landlord.

Laurie voiced concerns regarding possible default on the lease.

James confirmed that Wales, LLC is not a Mass company as formerly thought, but rather a company out of Delaware – see discussion from the Planning Board meeting in October, 2017.

The board raised concerns about taking the land out of Chapter Land; James said the land owner has known about this required change since 11/30/16 and it’s on the Selectman’s agenda for 11/14/17.

Bill stated that there is no need to review the application any further until the above issue is settled and the land is taken out of Chapter Land.

James noted that the onus is on the landlord and not on Nexamp. He noted it was a very comprehensive application.

Danelle stated that the plan shows to decommission after 20 years; what if that doesn’t happen?

James stated that contract terms will be 20/25 years, with options for tenants to take extensions.

Bill stated that the landlord needs to be notified that is land needs to come out of chapter land before any other steps can happen.

James suggested holding off further discussion from the board until the land comes out of chapter land.

Keith made a motion to table the discussion on the solar application until after the next Selectman’s meeting. James 2nd; all in favor.

Board discussed a timeframe of paying back the taxes when taking land out of chapter land…. 5, 1 0, 15 years?

Laurie asked if anything has happened with the land owner not yet moving to chapter land? James stated not yet and that he was going to be talking to the town lawyer tomorrow.

**Solar Check List**

James noted revision made since last meeting – addition of Highway Department in the list of departments to be copied on the application. James moved to accept the revision. Keith 2nd; all in favor.

**Site Plan Review Fees**

The board reviewed other town’s schedule of fees (Brimfield and Spencer) and discussed fee option for Wales.

Bill wants to set up a fee plan for the solar applications that will start coming in.

Keith discussed the copy of Brimfield’s fees – noting he liked the template they use.

Bill suggested that Wales sets fees for solar projects only; separate from town fees and other projects.

James discussed a $1,000 fee on top of the basic Planning Board fees.

Ryan suggested setting a few and a site plan review fee that would be set by the reviewer for peer review.

Danelle confirmed that the peer review is part of the application process.

Bill suggested that the board should think about it more before making a decision.

James stated it should get on the Selectman’s agenda for December or after the first of the year.

James reviewed the Town of Spencer’s fees.

Keith stated he would like the board to review a written proposal first.

Bill stated it should be based on the size of the project.

James suggested a set fee of $1,000; but then noted some projects are small and some are much larger.

James moved to table the discussion till the December Planning Board meeting; Jason 2nd; all in favor.

James to put together a spreadsheet of several towns for review with options that the Wales board discussed.

Mail reviewed.

The board received a map from Mass Fish and Wildlife; reviewed and discussed.

James made a motion to approve the minutes from 10/16/17 as amended; Keith 2nd; all in favor.

James moved to adjourn the meeting; Keith 2nd; all in favor.

Meeting adjourned at 8:20 p.m.