

Planning Board
Town of Wales, MA
Wales Town Offices
4/22/19; 7:00 p.m.

Present: James Whalen (**JW**); Danelle LaFlower (**DL**); Jason Oney (**JO**); Laurie Hornacek (**LH**); Lynn Greene (**LG**); Sarah Ryan (**SR**)

Guests: Bruce & Cindi Boucher(**BB**), Ted & Yolanda Wysocki (**TW**), Andrew Bakinowski (**AB**) (Peer Reviewer – Weston & Sampson), Peter Johnson (**PJ**), Doug and Liz Dickinson (**LD**) , Dean Dickinson (**DD**), Laura Foster(**LF**), Gary Brown, Bill Cantell, Steve O’Connel (**SO**) & Sam Dionne (**SD**) (AES).

JW opened the meeting at 7:05 p.m.

(**LD**)-submits an open meeting complaint about 2-11-19 minutes not being posted online.

(**LF**): After she reviewed the minutes for 3-11-19 she noticed that her statement of “I did not believe that I would see solar arrays from my property” was omitted and James's response was also not noted. **LF** clarified that James's response was "I thought so too". **LF** also inquired about the images that were submitted to the Planning Board at the 3-11-19 meeting, it was not noted in those minutes that she submitted these images of her property. (Side Note; since this meeting it was recorded in 3-11-19 minutes that Laura submitted those images and they are attached to the hard copy of those minutes). **LF** also wanted it noted that she believes these hearings and meetings are recorded.

DL makes grammar and typing error corrections to the 3/11/19 minutes.

JW made a motion to approve and accept 3-11-19 minutes with corrections that were made. **LH** seconded that motion, all in favor.

(**LD**)- Reiterates her request for the 2-11-19 minutes be posted to the website to be viewed by the public.

JW: 4/12/19 site visit notes were given to **SR**. Motion to accept 4/12/19 minutes with corrections made. **LH** seconded that motion, all in favor.

JW: States that the town Attorney has a scheduled session that will take place at 8PM, at that time we will move to executive session.

(Continued hearing of Sizer Rd Development)

JW suggests making an additional meeting for the Planning Board to discuss Pioneer Valley MasterPlan program at the town hall. James invited Mr. Bakinowski to present his information/findings.

(**AB**) presents his information/findings on soil analysis and storm water reports. (Attached is a copy of these items)

(AB): contours adjusted restoration-**AB** addressed **(SO)** asked where the loam would be coming from that will be used for the loaming and seeding of 13 acres.

(SO): They would be using the existing loam on the property.

(AB): Explains his concerns with the staging area, the off sight impacts due to run off that's going to get exasperated once everything is clear.

(SO): Explained that they are in the process of providing revisions on how to deal with staging area.

(AB): Concerns of acidic soil rotting the steel in 30 years. **AB** suggests that additional sampling be conducted to get baseline of current soil conditions. (Field pH meter and surface tests 6 inches down).

JW: Asks if this would be an alternative to test kits that were previously spoken about? Response: **AB:** Yes.

(LD): Have you identified where the Brimfield soil is, where the ledges are in the soil? Paxton soil vs. Brimfield soil. Response: **(AB)** We have not, we have looked at soil maps and bedrock maps and drone photography. "We don't know where the break is between the soil types."

(LD): Points out that in all the reviews it was requested that a soil scientist do a soil survey.

JW: Expressed that he shares the same concern of the need of a soil scientist and that if the Conservation Committee does not address this tomorrow he asked that the Planning Board be notified.

(DD): Concerned about the erosion impact to the waterway. It is a critical area of the cold water fisheries with the acidic soil endangers wildlife. Response: **(AB)** We would have to look at the naturally occurring conditions, take pH measurements all the way down and see if there was any impact. Getting data would be the place to start.

JW: Makes a note to follow up with conservation committee.

(DD): If there is a failure of the detention basin you will likely have a massive intrusion downstream, with the acidic material that will affect the wells and environment. Response: **(AB)** Again collecting data on the basin and where the water perc's will help.

(SO) addresses the room: Soil testing that they are committed to do in the proposed storm water basin area- this is done to determine seasonal high groundwater elevation and determine soil classification. This will confirm our conservation assumption or we need to improve it. In addition to classifying the soils which will help us determine recharge rate, it will also help determine seasonal high groundwater elevation.

JW: When Kristen (from AES) was at the site visit it was proposed that it would be a standing pot. Response: **(SO)** No it drains within 72 hrs.

LH: If it doesn't drain can it be pumped? Response: **(AB):** explains that a draw down pipe will drain water if it does not in 72 hours.

(SO): Suggests that soil testing would be beneficial to both parties. **JW-** requested that the Planning Board be informed when such testing takes place.

(SO): Explains revision to storm water basin

- they will form a construction staging area
- determine racking system of the solar panels
- confirm soil condition after soil testing
- erosion control: needs to have revisions that comply with MA DEP standards.

(SO) explains that the Planning Board will receive a copy of these plans once revisions are made, he also adds that they will provide detail for settlement traps. **(SO)** addresses the dwelling on the west side of proposed access road: they would add culvert pipe under driveway, reassuring that drainage swale can carry that water continuously through the swale. **(SO)** will be making revisions to the driveway so it is not too steep for that existing house and they will make corrections to the report/plans so the information is consistent.

LH: What material will the driveway consist of? Response: **(SO)** The driveway for the site will be gravel, a dense graded crushed stone which will compact.

JW: expresses concerns about the location of the brook and how everything slopes, he is also concerned about the detention basin and flooding of the brook running down to rt. 19.

Response: **SO** states that he believes this construction is achievable and that these plans were constructed by professional engineers, reviewed by a professional firm that did raise issues that are easily addressable.

LH: Reaffirms that most people have expressed concern over the slope.

(SD): shows a PowerPoint of ASE previous job sites/storm water basins and box culverts.

DL: Inquires about how many test kits will be conducted and soil tested? Response: **SO:** 2-3 kits in detention basin only and they would seek guidance from sub-contractor; doing whatever is necessary to get representative sample of potential acidic conditions.

JO: Addressing **(AB)** Andy are you comfortable that this project can be built? Response: **AB:** Explains that this is achievable but that he is not downplaying the control that needs to happen on this project, but if the slope is properly engineered it will work.

LH: On the original plans there were 3 detention basins, LH wanted to know why wouldn't another one be added to the other array? Response: **SO** Revisions were made after the overall size of the project was reduced. There will be erosion on the 2nd field but it will be contained, erosion controls will be put in place. (Fencing, compost sacks, diversion swells, temporary sediment basins etc.)

(PJ): Asks who is liable if this project is unsuccessful. Response: **SO** states that his company, the applicants, and the contractors.

LG: Expresses her concern of the water basins especially where the wetland is crossing over, asking what will catch the run off. **LH:** Asks if this is where the box covert will be? Response: **SO:** explains that there will be a box culvert and things such as sand bags, trenches, dewatering basins, a temporary pipe or a pump that will move water to the other side can be utilized to catch the runoff.

DL: What will happen when the site is stabilized? Where will the run off go? Response: **SO:** a permanent stormwater basin. **SO:** points to the picture of the topography of the land explaining how water will run west to east, carried through a grass swale (channel) where it intersects with another swale (inlet) is where it will be piped into storm water basin.

JW: Opens comments and questions to the abutters.

(DD): Explains his concern for the rapid increase in rainfall over the years. Submitting documentation that shows that the Lamphier Brook is classified as cold water fishery right up until the source point. Response: **SO:** explains that the first step is looking at the USGS and that the burden is on the applicant to prove if it is intermittent or a perennial brook, the 2nd Stream Stats that were run showed that it has less contributing area that would trigger the perennial.

(DD): states that it is based on drainage water shed.

(LD): States that it is a designated cold water fishery and it has a SARIS number making it a critical area that has not been addressed to date. (**LD** asked that her documentation be entered into the minutes) Response: **SO** explains that cold water fisheries can be easily addressed from a stormwater standpoint.

(DD): Wanted to voice his concerns on the acidity in the soil while encouraging a soil scientist to be used. The width and condition of the road is another concern of **DD**. Measurements of Sizer Drive range from 14ft-18ft in width. Response: **JW** will be following up with the fire chief.

(DD): Expresses concern over electrical poles being replaced all along the road.

JW: Asks **SO** if they would be doing the three phase line? Response: **SO:** Correct.

(DD): Feels as though several items were overlooked with calculations.

(LD): Implied that **DD** had submitted comments that an engineer made with mathematical calculations. **LD** addressed **SO** advising him that she would be submitting this paperwork to Sunpin.

(DD) & (PJ) have concerns over County Road and where it intersects with Walker Road.

(JW): Asks if there was a specific history behind County road since it was mentioned that it was an old logging road at the site visit. Response: **(BB)** Explains that their deceased Aunt stated that it was a logging road and never meant to re-open. Their Aunt was concerned over traffic. **(DL):** Town rd. lists shows however long Sizer Dr is- is town road. Reopening this road would be a process and they would need to start at the beginning. **(JW):** Explains to **(PJ)** that this is something that needs to be looked into. **DL** explained we have an official town's road list and once we look at the official length then we can go from there.

(JW): Asks if any abutters have additional questions.

(LD): Addresses ASE, asking where the soil for the detention basin at the bottom will come from? Response: **(SO)** Most of it would come off site given the specification for material. **SO** also confirms that the soil used would be tested.

(LD): Submits documentation to Planning Board to be added to the minutes: which point out storm water and other concerns about the site. She then explains the DEP notice of intent comments:

specifically failure to comply with stormwater standards specifically about how you deal with erosion in the critical areas.

(JW): Reiterates that whatever conservation does not address that the planning board will follow up.

(LD): Points out how deficient the process has been, inaccurate calculations, failure to engage soil analysis and testing to address specific areas. Response: **(JW)** Anxious to see what conservation suggests. Discussion over what conservation jurisdiction is.

(LD): Disagrees with Weston & Sampson's statement that the Planning Board has discretion. She states that it is in the by-law requirements. She continues to explain the DEP comments notice of intent: failure to address tree shading, stumps, buffer zone, endangered bat species and the hooking up to the grid. She then advised the Town of Wales to ask for a cash bond, as decommissioning happens they release more funds. She asked that the Planning Board put a rule in: to adopt the following, to vote that anyone is required to submit the copies of amendments or original plans at least 2 weeks in advance. Response: **(JW)** Asks **SR** to add this to the next agenda. He then asks if any other abutters have questions or comment.

(LF): Wanted to see the proposed checklist that had been approved at a previous meeting. She asked if it is a standardized request that you do stormwater testing and erosion testing. Response: **(JW)** advised her that it would be part of a site plan review by-law and that he would produce copy of the checklist.

(LF): Expressed her concern over previous issue of overflow and runoff damaging her shed.

(TW): Has concerns over flooding that has happened previously, referenced wetland protection act due to flooding issues with other solar project.

(PJ): Addresses **SD:** asking him if he had gotten feedback about the hazmat issue that he inquired about previously. Response: **SD:** Sent Kathy list of materials, how they are handled and recycled/reused and that the panels are water tight. **PJ** specifically wanted to know about the switches and transformers. Response: **(AB)** 2 years ago they went to completely dry transformers-no liquid at all.

JW: Motion to continue this hearing on May 13th. **DL:** Explained that we should not continue the hearing until we receive provisions. **LH:** confirmed that the Planning Board would still meet on the 13th at the town hall.

JW: Made a motion to continue this hearing on June 3rd at 7 PM at the Senior Center. **LG** made a motion, **LH** seconded that motion, all in favor.

Roll call was completed at 8:50 PM and the Planning Board moved to executive session under MA General Law c.30A Section 21 A reason #3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares. Minutes will be released when the topic is closed.