

Planning Board
Town of Wales, MA
Wales Town Offices
40 Sizer Rd. Solar Development Public Hearing
1/7/19; 6:30 p.m.

Present: James Whalen (JW); Danelle LaFlower (DL); Jason Oney (JO); Laurie Hornacek (LH); Ryan Wingerter (RW)

Guests: Douglas Dickinson (DD); Elizabeth Dickinson (ED); Dean Dickinson (DeD); Gary Coma Jr. (GC); Kelly Moccio (KM); Bruce B (BB); Cindy B (CB); Sam Dionne (SD); Kristen Page (KP); Tim Lebron (TL); Gary Brown (GB); Deborah Sheeran (DS); Katie Martin (KM); Peter (P); Jim Yiznitsky (TY); Joe Yiznitsky (JY); Bill Cantell (BC)

JW opened the meeting at 6:32 p.m.

Public Hearing at 6:35 p.m.

(All public comments will be referred to as guest)

JW; described his public hearing procedure. Abutters will be able to ask questions first, then general public.

JW; went through the approved town by-law approved by the AG. The changes do not impact the proposed project. Mass electric code will be used rather than national. JW then went on to describe the proposed language changes that may not be changed.

40 SIZER RD. SOLAR DEVELOPMENT PUBLIC HEARING

SAM DIONNE; TIM LEBRON; KRISTEN PAGE

SD; presented the solar development proposed at 40 Sizer Rd. 19 acres proposed within the fence. 3 clean basins and will be contained into the detention basins. Poles will be relocated and underground electric will be installed. Some area was previously logged. Vegetation will be maintained, blocking the view of the development. Stumps will be removed and seeded. No panels will encroach any wetlands and are outside the wetland buffer zone.

PB; no questions as this time.

JW; Weston and Sampson review:

KP; stated, it was reviewed as if it was going to con-comm as well. Some are just check points. Size of drive, fire chief approval, zoning by-law; substantial natural conditions, fall under the required setbacks, fencing to have 6" gap below including gate, proposed areas of clearing not within the development (clearing within the fence). We are crossing the wetland and will only clear where we have to cross. Everything will be screened.

JW; asked, what is the deal with the screening?

KP; stated, we are not clearing 100% so there would be some trees used as screening. There needs to be enough cleared to keep the sun available. It would be stumped and a fence at the 100 foot setback. There is a certain seed mix required. The field to the tree line will be stumped and seeded.

JW; stated, the town has a large water truck, forest truck, command vehicle, that need to be accommodated for.

KP; stated, the only time an emergency vehicle needs access is for personal injury. There is a turnaround at the end. The existing drive is being turned into the access road. At the bottom past the wetlands, there is another turn around.

JW; stated, we will need to speak with the fire chief.

LH; stated, I believe there will need to be a 20 foot road.

KP; stated, there is details that were submitted with previous plans sent to the PB.

JW; asked, did W&S advise you of the bat population?

KP; stated, no.

JW; stated, they were here before New Years Eve, there was someone who commented on the bat population.

KP; stated, we researched through National Heritage and there were no endangered species.

No other questions from the PB.

ABBUTER COMMENTS

Mr./Mrs. Dickinson; stated, we have consulted with an environmental and wetlands specialist who gave comments. Our specialist encouraged us to encourage you (PB) to get a site review. SUNPIN also did a development in Spencer. Their site plan review raised issues similar to the concerns here. There are no legends on the maps which is a serious concern. You have nothing to indicate ledges, streams, etc. If there are major changes, they need to re-submit.

KP; stated, if there are revisions after Con-Comm, we will re-submit it to the PB.

JW; stated, tonight is just the first hearing and I do not anticipate making a decision until Con-Comm decisions.

Mrs. Dickinson, recited comments from a separate engineering firm pertaining the tree lines, slopes, tree clearing, mulch, hydro-seeding, riprap, best management practice, long term maintenance practice, stump grinding on site, and deep hole test pits witnessed by the town or peer reviewer. The SUNPIN development has numerous issues in Spencer.

KP; stated, test pits are not required via MassDEP due to being clean water. It is not impervious.

Mrs. Dickinson; stated, brooks should be determined if the brook is a perennial brook. There are issues with the flagging, Plan Sheet 3-2 has flagging questions.

KP; stated, flags are shown, not the numbers. This will be changed.

Mrs. Dickinson; stated, sediment control is not sufficient. Solar panels should have multiple gaps to prevent gully erosion. I do not feel comfortable with this and feel the review is not sufficient. Wales is the head source for the Quinaboag watershed. Inspection after an inch of rain, .25" is preferred. There should be an assessment of the road and what is the grade of the road? The fire truck needs to get within all areas of the solar panels. There are fires and if it was on the southern most western side, there is no way a fire truck will get to it.

Guest; stated, if there is a fire on solar fields they let it burn they only contain the surrounding woodlands.

KP; stated, most solar development require one access road which gets access to the inverter pad. This will also have access to the house.

KP; stated, the panels can be mounted on existing slopes and ground screwed into the ledge. Nothing will be installed on anything 30% or greater. Everything is to the east of the house.

Mrs. Dickinson; stated, this will also have access to the house. All acreage calculation should be reviewed. There needs to be an evaluation of topsoil, mid soil, and ledge. The road needs to be paid/evaluated for construction activity and phasing. There should be another site plan review not paid for by the town.

JW; stated, I propose we do a site walk, and it will help the board answer a lot of questions. It would be a posted agenda.

Mrs. Dickinson; stated, once you walk it, you will see the issues.

KP; stated, a lot of it is onsite, if a basin fails the issue would stay on site due to the site being so large. Concerns of flooding or erosion controls would not be a concern. We are not within an area of concern for a cold water fishery. Unless MassDEP or National Heritage changes their mapping we do not fall under their jurisdiction.

Mr. Dickinson; stated, you need to see the natural landscape and witness it in person.

Guest; stated, my concerns are more personal. My property starts at the stone wall and overlooks the first field. I know there is some vegetation but in winter I see through it. Will there be something added to keep me from seeing it. Right now I get a lot of runoff from the area at my back door, will this create more issues?

KP; stated, we are proposing a swale to catch all the water that runs across and there will be a detention basin with an overflow designed for a 100 year storm.

Guest; asked, how much space is between the stone wall and the solar panels?

KP; stated, 100 feet and then to the panels another 20-30 feet. Near Sizer there is a 200 foot setback.

Guest; asked, if something happens to the panels, what is inside of them? How long do they last before they are no longer use full and who takes them down?

SD; stated, there is nothing hazardous and I can bring more info to the next meeting. There is a decommissioning plan after 35 years in which they do not generate enough energy and taken apart including restoring the lot.

JW; stated, there would be a decommissioning bond held by the town if SUNPIN goes out of business. It would be based on all the values given to the board.

Mrs. Dickinson; stated there should be a storm erosion control bond.

Guest; stated, the overall maintenance is monitored for the first year and after that is bi-annually. What happens when the culverts fill?

KP; stated, there is a storm water inspection.

SD; stated, there is someone who does the landscape maintenance.

Guest; stated, there was nothing indicating grass cutting in the plan.

SD; stated, it is included in the O&M proposal and there will be a truck visiting the site monthly.

JW; stated, there will be a remote monitoring communications.

Guest; asked, is it just a chain link fence or slatted?

SD; stated, 7 foot chain link.

GENERAL PUBLIC

Guest; stated, what is going to keep the deer from being killed? It was a 6 foot fence. NORCROSS inspected the fence daily and removed it due to it.

LH; stated, the fence is more of a safety issue.

Guest; stated, there should be a straight pipe across the top.

KP; stated, there are no dog ears.

Guest; stated, as long as the fence does not go above the top bar.

KP; stated, there in no overhang and no metal going above the bar.

Guest; asked, how wide is the road going to be? Will it be a culdesac at the end?

KP; stated, we will be working with the fire chief to accommodate them. 22 foot with a gravel shoulder.

Dean Dickinson; the reason this is such a big deal is due to the environment being so pristine. Wales is a special place and is a high point. The whole town of Wales is a wetland. This stream comes together quickly which feeds Wales Brook. These areas are not just pristine, they are recognized by many environmental groups. These areas are designated as the emerald forest (10 town bi-state focus area) including as all of Holland and Wales. The water comes out of the ground and is pristine, including the wildlife.

KP; stated, there is already a road that is present for previous logging, we are not putting anything into the wetlands. We are after all a solar company trying to help protect these kind of issues.

KP; stated, I believe this is a discussion for the Con-Comm. It is private land and if they want to log it, they can.

JW; at the last town meeting, while amending the solar by-laws, we have received the final approval from the AG. JW recited the AG's approval language as amended, including appeals.

KP; stated, this is designed on the most recent by-law, any tree cut down, 2 times that needs to be preserved. 19 acres are preserving 40 acres of untouched land.

DL; stated, I tried for 2 times, it is actual 1 times. 1:1 ratio.

KP; stated, we have almost 4 times the requirement.

DL; stated, the by-law says something about the length of the contract, it cannot be developed.

Guest; asked, what is the accountability of the road being maintained during construction? There is 4 culverts, and are they covered under the bond to ensure they are inspected before and after construction?

JW; stated, fire, highway, and police have not looked at it.

KP; stated, they will look at it, and we will adhere to their recommendations. We know it is an older road.

Guest; stated, if the basins over fill, we already have high waters, if it is over flowing it will flood our areas.

KP; stated, there are emergency overflows to wetlands from the basins if they overflow. It is in the storm water management plan. We cannot exceed what currently goes there now.

KP; stated, we are not changing the run-off amount. There are 3 large basins being added. The proposed culverts are being sized to accommodate and will provide the calculations for 24" culverts.

JW; stated, Con-Comm has not looked at this yet. Please attend their meeting, they will have a separate consultant for that as well.

Guest; asked, is there a benefit for the town?

JW; stated, yes there would be a revenue agreement negotiated through the Select Board for a pilot agreement.

DL; asked, can we also request from SUNPIN a community solar?

SD; stated, the community solar program is pretty much filled up through National Grid.

Building Inspector; asked, what is the trunk line going to look like?

SD; stated, there is a single phase going to a 3 phase and the poles will be evaluated as needed.

KP; described the lines located on the poles on Sizer drive and access road.

Guest; asked, what was accepted on the other development for a pilot program?

JW; stated, there is nothing yet and we are working with Roy Bishop on it.

Guest; stated, a pilot program is a payment in lieu of taxes.

JW; stated, we have hired a consultant due to being weary of which way would best suit the town.

Guest, stated, the town needs to know what the tax payers will be getting and not getting.

JW; stated, when we have a proposal we will have a public hearing.

Mrs. Dickinson; stated, I am concerned and would like you to consider a second peer review. Especially around erosion mitigation, plantings, seeding, and buffers. There were some abutters not notified on the west side.

KP; stated, it looks like they submitted comments that would be given to the Con-Comm as well. We did send them through the assessor's abutters lists.

Guest; asked, who are the people who are leasing the land to the energy company and is this the right forum to suggest that you need to be a resident of Wales to develop solar?

JW; stated, I will need to look into it.

Mr. Dickinson; stated, there should be more detail on the plans, including the streams, main brook, springs, etc. Be very careful when making your dykes not to disrupt the natural quality and the process of how it comes through.

KP; stated, we have not found any vernal pools and there are none mapped. We will speak with our environmental firm about it.

Mr. Dickinson, stated, with the poles being upgraded, you will need to upgrade the line itself.

KP; stated, we identified what needs to be replaced and upgraded for the price of 1.5 million dollars.

Guest; asked, is Sizer Drive owned in fee by the town of Wales?

Mrs. Dickinson; stated, there may be an old county road through the jetty road and connects to Sizer Drive? It should be explored through the deed process.

DL; stated, we have an official roads list and it is not on it.

Guest; stated, if the road is private then there needs to be a construction easement when the poles are moved.

JW; stated, National Grid is coming to the Select Board meeting tomorrow night 1/8/19 to discuss poles for Bradway Farm. Those hearings would be done after all these meetings including Con-Comm.

Guest; stated, the town may be doing an entire title search for the entire area.

Mr. Dickinson, Sizer Drive is part of the chapter type road and is a town road.

DL; the existing building and deck are to be raised?

KP stated,, we are not doing that, and we have to revise the wetland report.

DL; asked, are trees coming down in the wetland buffer?

KP; stated, that would be a request through the Con-Comm.

JW; asked, do you have a Con-Comm meeting request?

KP; stated, no we want to get through a few meeting with the PB to revise the plans for them.

Building Inspector; asked, is the gate electric or manual?

KP; stated, the gate is right before the turn around, the fence will be around the right side and the gate will meet the trees to prevent cars. The gate is independent from the fence. Vehicle and man gate with a swing.

Guest; asked, are you aware of any discharge permits that go into the wetlands?

KP; asked, who maintains the highway department?

JW; stated, yes his name is Bruce.

KP; stated, I will contact Bruce and work out any concerns that are raised about the culverts.

JW; asked, with the SMART program, you wanted to start the proceedings?

SD; stated, we cannot apply until we receive the permit and conditional approval is given.

JW; asked, when is the deadline?

SD; stated, it is first come first serve.

JW; stated, I would like to see you get through the Con-Comm review in case further questions come up and the revisions can take place.

KP; stated, we can submit the revision and the Notice of Intent. If there is no special permit then there is no reason to go to Con-Comm. It is up to SUNPIN when to submit. We would like to de revisions on all comments including abutters.

A motion to continue the public hearing to February 11, 2019 at the Wales Senior Center at 6:30 p.m. so moved by LH second by JO.

All those in favor, I.

PLANNING BOARD CLERK APPLICATION

JW discussed resume from Laura Foster, Laura Foster is currently the assistant accountant in the treasures office.

JW; stated there is a thought of combining the planning, zoning, and building clerk positions together. I can bring it up at the next Select Board meeting.

Laura Foster to be added to the PB agenda for February 4, 2019.

Motion to adjourn 9:00 p.m. second, all in favor.

