

Planning Board
Town of Wales, MA
10/29/19 6:30 PM

Present: Lynn Greene (**Lynn G.**), Diane Piazza (**Diane P.**), Laurie Hornacek (**Laurie H.**), Jason Oney (Jason O.), Danelle LaFlower (Danelle L.), Sarah Ryan (**Sarah R.**)

Guests: Doug Dickinson (12 Sizer Dr.), Rob Ritchie (Nexamp)

Lynn G. opened the meeting at 6:35 PM.

****Agenda Item:** Review revised plans/DEP Partial Release/Order of Conditions for Wales Solar, LLC

Lynn G. passes out the order of conditions that the board has come up with and she invites Rob Ritchie from Nexamp to come up.

Rob Ritchie points out that there was no mention of the battery storage container on the order of conditions that Lynn G. provided. Mr. Ritchie explains that he was under the impression that once Nexamp received a partial release from DEP that Nexamp would receive an initial approval for the battery storage system, which would allow Nexamp to move forward with the cedar fencing this fall. Once Nexamp receives final approval from the DEP then they would move forward with the construction of the storage unit. Mr. Ritchie explains that the fencing was an addition to the application, without approval of the application then they would not be able to move forward with the fencing. Mr. Ritchie explains that Nexamp wanted conditional approval from the Planning Board for everything on the application. Mr. Ritchie agreed with all conditions listed, even to have a condition that states that no work can be done until DEP gives final approval, other than the construction of the fence. Nexamp has been working towards completing the punch list provided by the DEP. Mr. Ritchie reiterates that the application was for the battery storage unit.

Danelle L. reads the letter from the DEP that states, "DEP no longer has jurisdiction to put a hold on the town issuing any approval."

Some board members did not have the same impression as Mr. Ritchie in regards to the order of conditions. Some members thought that they would only approve the fence and that the order of conditions for the application of the battery storage unit would happen after Nexamp completed the punch list provided by the DEP and after they received final approval from DEP.

Laurie H. would like for the board to wait on signing off on these conditions, due to the fact that the recommendations from the Fire Department and Electrical Inspector have not been added to the conditions. **Laurie H.** has concerns about not moving forward until Nexamp has completed the punch list from DEP and receives final approval. *Mr. Ritchie* points out that Nexamp had addressed all the concerns from the third party reviewer, fire department and the electrical inspector. He notes that the system is UL certified (which was a requirement from the Electrical Inspector), that there is a fire suppression system within the unit (which the Fire Chief required) and that the container is an impermeable steel container, so concerns of leaks in case of a failure would be contained.

Danelle L. reads what she believes should be included in the order of conditions.

Mr. Ritchie explains that since the public hearing was closed at the last meeting, that Nexamp was under the impression that whatever was submitted for the decommissioning was what they would be moving forward with.

Jason O. suggests rewording #5 on the order of conditions to say; “No work is to be done on the construction of the battery storage unit until the Planning Board has received that Nexamp is in full compliance with DEP, and all recommendations from commissions, town inspectors are met as well as the Fire Department.

Some board members express that they have concerns that Nexamp will not follow through due to issues in the past. Members have concerns that the construction crews are not being supervised and held accountable that the work is done properly. These members would still like to wait until all the conditions are formally written up, since they were under the impression that they were only accepting plans for the fencing, not the entire application.

Mr. Ritchie had previously explained that the application was for the battery storage system and the fencing was an addition to that in order to resolve concerns of glaring for abutters. *Mr. Ritchie* explains that after the closing of the public hearing at the last meeting, Nexamp felt that they had addressed all concerns from the planning board, fire department and electrical inspector. Nexamp felt that the only thing that was holding up approval on the entire submission was the letter from DEP, and scheduling this meeting was contingent on receiving that letter, which Nexamp provided. Nexamp was under the impression that they would receive approval from the planning board with order of conditions for the battery storage application, which included the construction of the cedar fence happening this fall.

Jason O. improved the wording of #5 on the order of conditions to read; “No work is to be done on the battery storage unit until Nexamp has returned to full compliance with DEP and conditions of all town commissions and inspectors having jurisdiction are met, including the Wales Fire Department.

Mr. Ritchie states that if DEP has more requirements of Nexamp in the future, then Nexamp would need to fulfill them.

Diane P. expresses that she was not comfortable with the way *Mr. Ritchie* explained things in the beginning. She felt as though *Mr. Ritchie* was implying that if the board does not approve the battery storage unit that Nexamp would not be constructing the fence. *Mr. Ritchie* responds by stating that he did not intend to make it sound that way. *Mr. Ritchie* was trying to express that the fencing was an add on to the application, meaning that the entire application would need approval in order for construction on the fence to begin. *Mr. Ritchie* states that he understands the boards concerns about holding the construction company accountable on the work that they do. *Mr. Ritchie* asks that “battery storage unit” be added to the title of the conditions submitted by the board.

Lynn G. makes a motion to approve and accept the order of conditions on the application of the battery storage unit with amendments. All in favor, (5-0), zero opposed.

Lynn G. will re-type the conditions for all the members to sign, sending the approved conditions to all departments and the town’s third party reviewer.

The board discusses that the next meeting will be held on November 18th at the Wales Senior Center.
Laurie H. makes a motion to adjourn the meeting, **Diane P.** seconded that motion. Meeting adjourned at 7:51 P.M.