

Planning Board Minutes
Tuesday, June 28, 2016

Approved *July 5, 2016*

The Carver Planning Board met on June 28, 2016, at the Carver Town Hall, Meeting Room #1, 108 Main Street, Carver, Massachusetts. This meeting was videotaped for cable cast area 58, channel 15.

Chairman Bruce Maki opened the meeting at 7:00 p.m.

PRESENT: Bruce Maki, Chairman; James Hoffman; Kevin Robinson; William Sinclair

ABSENT: Chad Cavicchi

ALSO PRESENT: Marlene McCollem, Director of Planning and Community Development; Christine Champ, Recording Secretary; members of the public

Continued Public Hearing:

Borrego Solar Systems, Inc.-Special Permit-19C Ward Street (Assessor's Map 120-6-0-R)-to allow a ground-mounted solar power generating facility of approximately 2.77 mW in a Residential/Agricultural District. (Zoning Bylaw §§3100, 3580, 5300).

Filed with the Town Clerk: May 2, 2016

Last Meeting: July 19, 2016

Deadline: August 1, 2016

Chairman Maki read the notice into the record. In attendance were Mr. Rich Serkey, Mr. Zach Farkas and Mr. Dean Smith. Mr. Smith handed out some materials. Mr. Serkey read into the record from his material. He said the hearing was opened on June 14 and continued to this meeting, regarding the special permit. He stated he also applied for a variance for Ward Street. Mr. Serkey said there was a site walk on June 11th which was continued to June 23rd. He said he understood that without Mr. Cavicchi there could be no unanimous decision and he said he believed there was no one on the Board that was against this.

Mr. Serkey recapped the frontage with the side line setback as requested. He said he was back to continue the hearing of June 14th. Mr. Serkey said he felt the issues that were left open were that the Board wanted to see the following: A path around the panels; turn-around areas; analysis done of possible glare that would affect the airport; the maintenance plan; and an assurance of proper signage, for safety reasons.

He then turned the microphone over to Mr. Dean Smith for more information. Mr. Smith referred to a new sheet in the pack of papers, an emergency plan (C 2.2). He stated it was provided to the Carver Fire Department. Mr. Smith stated the Fire Department told him by email that they approved. He described it as a Google earth image.

Mr. Smith then spoke about a commissioned glare study. He said it was not required under FAA guidelines but that it was the way their consultant handled it. Mr. Smith noted there was a very short time period in the early morning called "yellow glare". He said it was usually from 7 to 8 in the a.m. from March to October. Mr. Smith said the consultant also did an alternative to see if the glare could be totally eliminated and said they would need to rotate the racks in a 45-degree rotation. He said this would be a severe hit to the productivity of their system. Mr. Smith further stated they would work with the airport to find a situation that is agreeable to both parties.

Mr. Smith stated they had additionally provided a plan but he was not clear what the problem was. He stated if the Board had specifics, he would look for further direction. He spoke to the types of grass planted, the vegetative maintenance, and said they would check on areas that needed attention.

Ms. Smith said they also included a benefits analysis which was requested by the Zoning Board of Appeals. He said it covered the benefits to homeowners and customers. He went over the customers' yearly savings (\$144 per year) and their savings over 20 years (\$2880/household). Mr. Smith noted the second sheet went over the benefits that went to the Town of Carver, using the same rate as negotiated in the contracts. For this project, he said over 20 years the amount would be \$910,000, cumulative. Mr. Smith said there was not much impact to the town services and there was not much traffic. He also felt it was nearly 100 net cash to the town and not many expenditures.

Mr. Smith then supplied the decommissioning cost at 20 years and said they would place a bond against it for the future surety of the system if anything went wrong along the way.

Further, Mr. Smith said his cover letter covered other things that were relatively minor compared to the Board issues. He said it was located at a former cranberry operation and there was not a lot of change to the site. He said there was minor grading and the site was basically left untouched. He continued with a description and said they did not need to do a storm water plan for the project.

Chairman Maki asked for any questions from the Board.

Mr. Sinclair inquired about the Fire Department email okaying the project and Mr. Smith replied that Ms. McCollum had a copy. Mr. Sinclair also asked if the turnaround was okay with the weather service and Mr. Smith said there was no problem bringing heavy vehicles down there, as it was used for cranberry vehicles.

Mr. Sinclair also inquired if it was okay, with the circumference, to get around and Mr. Smith said, yes. Mr. Smith added that there was another change on sheet C 3.0, the materials layout plan. He said they had changed to emergency contact list at sign in. Mr. Sinclair wanted to confirm the Zoning Board of Appeals approval and Mr. Smith confirmed. Mr. Serkey added there was a security fence and one light. Also, that 500 residences in Carver would be able to sign up for a 10% discount. Mr. Sinclair was satisfied with their responses.

Chairman Maki asked if there were any other questions and there were none.

Chairman Maki inquired about the access; that there were no metes and bounds on the plan. Mr. Smith said metes and bounds were on the easement plan, itself, and he added that the measurements were not very accurate in this area. He said they had prepared an easement description and they would be working on it, but there was not enough time to get it to the evening's meeting. Mr. Serkey said the easement would need a plan of record. He wanted the Board to have a Registry-stamped plan.

Mr. Smith added that the bog roads had been in place for many years and they just needed to get the papers signed and in order. Mr. Serkey said this was dealing with a very remote location off of Ward Street and the nearest house was separate (Cobb's). He added this facility was not easily viewable by the homeowners and that there would be a rollback tax due to the Town of Carver.

Chairman Maki asked how they would lay out the system without the dimensions and Mr. Smith said that was

his error. If they were not there, they should have been and he can provide the survey from Northeast Survey.

Chairman Maki inquired about a fence shown around the property and Mr. Smith said there was one and further described the fence. Chairman Maki said he could not see the roads on the plan or the fence. Mr. Smith instructed the Board to look at C 3.0, as he thought the fence was clearly indicated on that sheet. Chairman Maki looked on the plan and Mr. Smith said C 2.0 would show it clearer. Chairman Maki asked if the roads were inside the fence or outside the fence and Mr. Smith replied that they were outside, as most of the road was already existing. Chairman Maki then inquired if there were any additional gates and Mr. Smith said there were not, as it was rather remote. The chairman further inquired if the Fire Department was okay with this to which Mr. Smith responded, yes.

Chairman Maki asked Ms. McCollem if there was an email from the Fire Department and she said there was. He then asked if the Fire Department was okay with just the the access roads to travel and Ms. McCollem said the email was very brief. She said she could confirm with the Chief and have him clearly state for the record. Mr. Smith said he was happy to work with the Fire Department. Chairman Maki felt the Fire Department was so strict on other solar fields so this seemed strange. He wanted clarification from the Fire Department and Ms. McCollem said she would get that. Mr. Smith said he understood. He added there was a relatively low fire hazard with this use and there was only one equipment area with potential. Mr. Smith said in his experience, caring for over 2000 systems, they only had two instances. Chairman Maki was concerned in case of an injury of a worker during construction and Mr. Smith said he was happy to work with them on this. He added there was very little evidence of this and they had a very good safety record.

Mr. Sinclair asked if they could clarify the glare issue. Mr. Smith described the degree as normally 180 degrees south and said 225 would be less impact. He added, it eliminates completely. Mr. Smith said the report just came in late today before he left the office. He then suggested looking at the attachment which Ms. McCollem had. Mr. Smith explained, with yellow glare, there is a small potential for after image. He explained it was the type of glare they were talking about and the consultant could explain more.

Mr. Smith said the tool was developed by Sandia Labs and that the glare would be occurring during 7 and 8 in the morning during a certain period of the year. Mr. Sinclair's concern was that the airport was active in the morning and he was curious about how this would play out. He felt the site in question was somewhat close to South Meadow Village and he wanted to take the time to read the information. Mr. Sinclair was concerned about, if there was any glare or not, and what the airport had to say. Mr. Smith said he had spoken to Mr. Maher at the airport and would provide him a copy. He said this would be one way to address but there could be more and he wants to come to an agreement that is acceptable to the airport.

Mr. Zach Farkas addressed the glare study and said it took into account glare on property. He stated they had talked to the airport about because the glare was not on the airport property. Mr. Farkas said they would be working on this with the airport to find a design strategy to keep all safe and they were happy to include it. Mr. Sinclair thought this was important to keep all safe. Mr. Smith said there was a figure showing how far glare was, 1.5 to 2 miles away. Mr. Sinclair was curious if they could ask how much they plan on using the runway compared to the one they just extended. Mr. Smith said this would be a topic for discussion and it could be limited to one approach. He does not want a problem.

Mr. Hoffman inquired if it was 1.5 to 2 miles and Mr. Smith said yes. Mr. Hoffman then asked if there were residents to the east? Or to the west? Mr. Smith replied that it was 664 feet. Mr. Hoffman was questioning the

glare to the plane, stating they do glare studies for planes in the air. He was more concerned about residents of South Meadow Village. Mr. Smith answered the bigger concern was to the south and there were no residences to the south.

Chairman Maki asked if there were any further questions.

Mr. Robinson had a concern with No. 16, a general note. He wanted to know what it was. Mr. Smith said it was just an indication that trees would continue to grow. Mr. Robinson was just making sure it was a period and not a question mark. Mr. Robinson also asked when the fence would be done, whether at the start or upon completion, and Mr. Smith replied that it would be pretty early in the sequence, at the beginning. He said there would be earth work if necessary and fencing. Mr. Smith said the construction would be three to four months.

Mr. Robinson wondered if, upon completion, as boundaries were marked, they could put up a second gate at that time if the Fire Department felt it helpful. He thought that would be a good condition, adding one more gate if the Fire Department approved. He noted the access road was not shown all around but the grounds were pretty stable for driving after being used for bogs. At that point, he said he was good.

Chairman Maki asked if there were any public questions and there were none.

Mr. Sinclair noted some things were not completed. Chairman Maki wanted to see some things in the plans before any approval. Of concern were property lines, metes and bounds. Also, to make sure the Fire Department was clear about this, with ample access if needed and gates where needed, et cetera. Mr. Sinclair wanted clarification.

There was further discussion regarding keeping the record open versus keeping the hearing open.

Mr. Sinclair asked if there was a time constraint and Mr. Smith said there was. He said this was the last piece they needed to reserve their incentives. Mr. Smith said they would like to close here with some conditions. Mr. Sinclair then proposed July 14 to continue and Mr. Smith said he was concerned.

Ms. McCollem said the Board had to put specific conditions down (i.e. 6-foot gate at certain location). There was further discussion regarding the intersection at the bog roads. Ms. McCollem recommended the same gate as already proposed. Mr. Sinclair wanted the revised plan with metes and bounds for the property. Mr. Smith said he would provide that.

Ms. McCollem said, as everything gets recorded, you can get all of the recorded easements. She added, before the permit, essentially the plan revisions. Ms. McCollem noted the easements had to be recorded. Chairman Maki asked if they had a motion and Ms. McCollem said no. She said she would have to prepare and they would have to come in and sign. Ms. McCollem said the conditions had to be specific and prior to the issuance of a building permit, they had to have everything.

Mr. Sinclair made a motion to continue the public hearing to July 5 at 5:00 p.m. Mr. Hoffman seconded the motion. It was voted unanimously.

A.D. Makepeace Co. - Special Permit & Modification of Definitive Plan Approval - to allow a ground-mounted solar power generating facility of approximately 8.4 mW in a Residential/Agricultural District. (Zoning Bylaw

Filed with the Town Clerk: May 12, 2016

Last Meeting: August 30, 2016

Deadline: September 12, 2016

Chairman Maki read the notice into the record.

Ms. McCollem said she received a letter requesting a continuance to July 26, 2016. She recommended the Board vote on same.

Mr. Sinclair made a motion to continue the hearing to July 26, 2016. Mr. Robinson seconded the motion. It was voted unanimously.

Discussion:

Sign Permit: Acme Shorey Precast at 334 Tremont Street.

There was no representative present regarding this matter. It was stated there was a sign for Cape Cod Redi-Mix, Inc. and the new sign is essentially the same and it would go right next to the existing sign. It is the same size and setup. Mr. Robinson wondered about the applicant. Ms. McCollem said Acme was the applicant. Mr. Sinclair wanted to know why the signs would be side by side and Ms. McCollem was not aware of why. Mr. Sinclair also wondered what is to stop others from side-by-side signs, et cetera. (There are two separate companies.) Mr. Hoffman asked if the planter box had to be reconfigured and the Board members were not sure. Mr. Maki thought they usually had stacked signs.

Ms. McCollem was concerned that the existing sign was "permitted" and she felt they may need to modify. The entrance is to both businesses. Mr. Robinson inquired if the Board had the authority to suggest stacking signs and Ms. McCollem said the Board could recommend. Mr. Sinclair said it wouldn't hurt to make a decision on this and Ms. McCollem recommended it be done in writing. Chairman Maki suggested maybe they should look at the bylaw for future signs. Ms. McCollem suggested there be a condition, a building permit would be required and no lights. She also suggested to stack signs and explore that; maybe single vertically stacked signs with two panels.

Mr. Sinclair made a motion for the suggestion. Mr. Hoffman seconded the motion. It was voted unanimously.

Other Business:

A. Planning Board Member Notes

None.

B. Minutes - June 14, 2016

Mr. Sinclair made a motion to approve the minutes as written. Mr. Hoffman seconded the motion. It was voted unanimously.

C. Correspondence (if any)

Ms. McCollem had an email letter from Friday from Borrego Solar Systems, Inc. She had done research and the Treasurer's office did research regarding a \$30,000 bond that the Town had. Ms. McCollem said it was deposited March of 2013 and she wanted to know what the bond was for. There were numerous suggestions as to what this was for. Ms. McCollem said she could not release until she knew what this was for and Borrego did not know. Mr. Sinclair suggested it could be from the solar project for Purchase Street and maybe it would be in the minutes from then. Ms. McCollem said she would look into that. Mr. Hoffman thought it was part of a pilot they agreed on. Ms. McCollem asked if it was the selectmen's pilot, as she did not think that should be structured as a bond. She said she would look there also. Chairman Maki thought the amount was too low to be for decommissioning.

D. Next meeting dates: July 5, 2016, and July 26, 2016.

Mr. Sinclair made a motion for the next meeting dates of July 5, 2016, and July 26, 2016. Mr. Hoffman seconded the motion. It was voted unanimously.

E. Adjournment

Mr. Sinclair made a motion to adjourn the meeting. Mr. Hoffman seconded the motion. It was voted unanimously to adjourn at 8:34 p.m.

EXHIBITS

- A. Agenda
- B. Minutes of June 14, 2016
- C. Additional Borrego Materials
- D. Acme Shorey Precast Application



TOWN OF CARVER

Permitting Departments

PUBLIC MEETING NOTICE
POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, SECTION 20B

PLANNING BOARD MEETING AGENDA

June 28, 2016

7:00 PM

Carver Town Hall Room #1

Continued Public Hearings:

Borrego Solar Systems, Inc.—Special Permit—19C Ward St. (Assessors Map 120-6-0-R)—to allow a ground mounted solar power generating facility of approx. 2.77 mW in a Residential/Agricultural District. (Zoning Bylaw §§3100, 3580, 5300).

Filed with the Town Clerk: May 2, 2016

Last Meeting: August 30, 2016

Deadline: September 12, 2016

A.D. Makepeace Co.—Special Permit & Modification of Definitive Plan Approval—to allow a ground mounted solar power generating facility of approx. 8.4 mW in a Residential/Agricultural District. ((Zoning Bylaw §§3100, 3580, 5300 and Subdivision Rules & Regulations for Roadway Construction Standards)).

Filed with the Town Clerk: May 12, 2016

Last Meeting: August 30, 2016

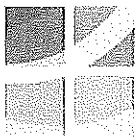
Deadline: September 12, 2016

Discussion:

Sign Permit: Acme Shorey Precast at 334 Tremont Street

Other Business

- A. Planning Board Member Notes
- B. Minutes –June 14, 2016
- C. Correspondence (if any)
- D. Next meeting date: July 26, 2016
- E. Adjournment



BEALS + THOMAS

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June 27, 2016

Mr. Bruce Maki, Chairman
c/o Ms. Marlene McCollem, Director of Planning and Community Development
Carver Planning Board
Carver Town Hall
108 Main Street
Carver, MA 02330

Via: Email: marlene.mccollem@carverma.org

Reference: Request for Continuance: Site Plan Review and Special Permit
Golden Field Solar Energy Project
Off Federal Road
Carver, Massachusetts
Project No. 1833.79

Dear Chairman Maki and Members of the Board:

On behalf of A.D. Makepeace Company (ADM or the Proponent), Beals and Thomas, Inc. (B+T) respectfully requests a continuance of the scheduled June 28, 2016 public hearing regarding the Application for Site Plan Review, Special Permit, and Subdivision Waiver for Golden Field Solar (the Project) located off of Federal Road. The purpose of the continuance request is to allow the project discussion to progress with the Planning Board in its entirety and to allow adequate time for B+T to respond to the review engineer's comments.

Upon review, please confirm acceptance of this request. Thank you for your consideration. We look forward to meeting again with the Planning Board at the next (July 26, 2016) meeting. Should you have any questions or comments, please contact us at 508-366-0560.

Very truly yours,

BEALS AND THOMAS, INC.

Sarah W. Stearns, PWS
Senior Environmental Specialist

CC: James Kane, A.D. Makepeace Company (via Email: JKane@admakepeace.com)
Richard Serkey, Winokur, Serkey & Rosenberg, PC (via Email: rserkey@winokurlaw.com)

SWS/shm/jwh/183379LT004

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BORREGO SOLAR

VIA EMAIL

Date: June 24, 2016

To: Planning Board
Town of Carver
108 Main St.
Carver, MA 02330

To whom it may concern,

Borrego Solar Systems received a Form 1099-INT from Bristol County Savings Bank for a bond account that was opened on March 14, 2013 for thirty thousand dollars. We are looking for additional information about this account, specifically which project this is for and if these funds can be sent back to Borrego.

Thank you for your time in this matter.

Sincerely,



Tom Skraby
VP of Finance
Borrego Solar Systems, Inc.

