



approved 12/11/18

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, November 27, 2018, Carver Town Hall, Meeting Room #41. This meeting was videotaped for cable cast area 58, channel 15.

Attendees: Bruce Maki, Chairman; Jen Bogart, Member; William Sinclair, Member; Kevin Robinson, Member; Cara Dahill, Alternate Member Kevin Robinson

Also Present: Stephen Cole, Planning Director; Andy Glimes, Fuss and O'Neil

Absent: James Hoffman, Member James Hoffman;

Bruce Maki, Chairman, opened the meeting at 7:02 7:00 PM, followed by the pledge of allegiance.

Sign Permit:

1. Drop Zone, Route 58 and South Meadow Road –

Mr. Cole – I spoke to applicant; he was invited to attend but wasn't able to attend tonight. He is available for our next meeting on December 11, 2018.

2. KAMP Construction, 20 Gate Street –

Paul Rodriguez, KAMP Construction

Mr. Cole – I wanted to make sure of location and dimensions. I visited yesterday and received a revised sign and see no issue. Mr. Rodriguez had already staked out and the sign will be set back about 20'. Mr. Maki – Lighted? It was noted that this will not be a lighted sign. Consumers don't typically come to these business'? Mr. Rodriguez – No, maybe a few times per month. Ms. Bogart – Why such a grandiose sign? Mr. Rodriguez – It is advertising for us and is allowed by the towns by-Laws.

Motion to approve the sign permit as presented, with building permit and no lighting: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Public Hearing:

- On the application of Priolo Plymouth Street Realty Trust, requesting a Special Permit and Site Plan Review pursuant to Sections 2230, 3900 and 5300 of the Carver Zoning by-Laws, located at 0 Plymouth Street, Carver, MA (Assessors Map 18, Lot 8) to allow a 32-unit townhouse development in a Residential Agricultural Area.

7:07 PM - Mr. Sinclair – As I am a direct abutter, I will excuse myself at this time.

Mr. Maki – This is a continuation from our last meeting.

Bob Rego –

As discussed, we have been working with Fuss & O'Neil, reviewing drainage and engineering. There is one issue that remains. The way the project is configured, there is a single access off Plymouth street, 12' wide drive, for fire apparatus. In order to keep to less than 600', we proposed a traffic circle – originally proposed as 2-way. Fuss & O'Neil feels the traffic will be too much so we are going to redesign to a 1 way. We originally received some comments on drainage; which we worked through. We also received some comments on zoning and are working through those with Fuss & O'Neil now. We do meet the 40' set backs. We are proposing to provide a denser screen where we don't have 40' of natural buffer. Mr. Cole – We did receive the revised memo from Fuss & O'Neil at 4:00 this afternoon. The only other issue is making sure that the open space is recorded at the Registry of deeds, which can be conditioned. We should be able to close Public Hearing with conditions to be discussed at our next meeting. Mr. Maki – Any audience members have a question? None heard. Ms. Bogart – Is the updated buffer issue related to the issue of the house that had not responded. Mr. Priolo – This is actually for all 3 houses. We will be using denser cypress style trees. Ms. Bogart – Has the house that is most affected contacted? Mr. Priolo – I did tell him the plan and that he could call with any questions.

Motion to close public hearing for 0 Plymouth Street Ms. Bogart

Second: Mr. Robinson

Approved: Unanimous 3-0-1 (Mr. Sinclair)

Mr. Maki – We will vote on conditions at the next meeting? Mr. Cole – Yes, I will work with Fuss & O'Neil and have that ready on the 11th.

Mr. Sinclair returned to the meeting.

- On the application of DPH Realty Trust, requesting a Special Permit and Site Plan Review and Definitive Subdivision pursuant to sections 2230 and 3900 of the Carver Zoning by-Law for property located on "0 South Meadow Road", on Assessors Map 112, Parcel 1-5 in Carver, MA to construct a 54 unit "pocket neighborhood style" Townhouse Development.

Representing DPH Realty Trust - Sarah Stearns, Beals and Thomas and Ed Anglely, Attorney –

Ed Anglely, Attorney – We will be requesting a continuance but will also need a waiver on 2320 and section 3961. Mr. Anglely indicated on the map which areas he was referencing. Ms. Stearns – Those were two items that were not on our original request list; these came up through revisions and are really just to set up the site for individual wells. Some of the original waiver requests have gone away due to other changes; we will prepare a new updated list. I was able to meet with two members on site. We staked the edges of basins and the center line of the road way. I also took a look at the areas with a couple of abutters. We were able to answer their questions/concerns. Ms. Bogart – What waivers were eliminated? Ms. Stearns – Mostly related to the design of the roadway.

Motion to continue the public hearing for 0 South Meadow Road, to 12/11/18 at 7:00 PM: Mr. Sinclair

Second: Ms. Bogart

Approved: Unanimous (4-0)

- On the application of Borrego Solar Systems, Inc. requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3580 and 5300 of the Carver Zoning bylaw, located at 0 Wareham Street, Carver, MA (assessors map 134 4-2) to allow a large scale ground mounted solar photovoltaic installation (LSGMSPI). The proposed project includes a proposed solar array and energy storage facility adjacent to an existing solar array, in accordance with the solar by-Law in a Residential / Agricultural District.

Representing Borrego Solar Systems - Sarah Stearns, Beals and Thomas and Zach Farkus, Borrego Solar

Mr. Maki read into record a clarification on the public notice in the Carver Reporter.

Mr. Farkus – First project, 276 Federal Road phase II. Second project is 0 Wareham Street. Ms. Stearns – The project was advertised as 0 Wareham Street we've been calling it 0 Hammond Street which doesn't match map and lot. We are now referencing BOTH in everything to avoid confusion. We did have a TRC with Carver Dept. Staff, with very few comments/questions. This is similar to the existing array across the street from this project. This is a 12 ½ megawatt facility; set back quite a bit from the exiting array and follows the by-Laws. It is a wooded site. There are significant dead red pines; which is a considerable fire hazard. The closest abutting resident is about ½ mile away. This is a well sited area for this type of development. The overall area is about 250 acres; this array is about 40 acres. We have spoken with Carver Fire and incorporated their gated access road. We were approved by the Carver Conservation Commission on 11/14/18. Any questions or comments? We have not received comments back from Fuss & O'Neil yet.

Mr. Robinson – There will be road construction by the gas easement? Ms. Stearns – Yes. Ms. Bogart – What about the other section? Is that included in the 40 acres? Ms. Stearns – That is a separate project. Ms. Bogart – This one is 12 ½ megawatts? Ms. Stearns – Yes. Ms. Bogart – This is quite a large area and would displace animals. Ms. Stearns – AD Makepeace has continued to put land into conservation. For every 1 acre,

they designate 2 acres for conservation. I can bring more information to the next meeting. Ms. Bogart – Regarding the energy storage facility – I think it would be irresponsible to approve anything without a by-Law in place. It was expressed by many people that the Use Schedule was step one but then to set up a by-Law to make sure it is done right. We need to do step 1 before we do step 2. Mr. Cole – Jen, what is your understanding of what step 1 is to be? Ms. Bogart – The by-Law; the use regulation table was approved at the last town meeting. An amendment to the article was approved. Those zoning changes always have to be accepted by the Attorney General's office. According to the Town Clerk's Office, these amendments have been accepted by the Attorney General. Design standards are mostly to protect visually; this is screened and set back appropriately. I defer to the board, but I don't think it would be prudent to delay a project this far into the planning. Mr. Maki – I wasn't thinking that the storage facilities would be in the middle of an area like this. Mr. Farkus – They will look and feel like you described. It will be a stand alone building. The shipping containers are being mounted on pads or piers. They are self contained and batteries are on racks inside the building. It also contains fire suppression and heating/cooling. It won't be seen or heard from any residents. Mr. Maki – How high is this? Mr. Cole – A large facility would run about 50'L X 10' wide X 8-10' tall. Ms. Dahill – Will all dead pine be taken out? Even south of that? Ms. Stearns – We are not planning on taking that out as part of this project. Ms. Bogart – I want to get back to the by-Law stuff. Regulations for Facility – Read prior minutes from April 2, 2018. It was known this was coming and would be at transmission lines. Mr. Milanoski said they would only be near transmission lines; this was stated multiple times during Town Meeting. I feel the by-Law should be written first. This does not match what was presented to us before. It was stated at previous meetings that if we wanted them to look like a house, it could. We need a strong by-Law in place before we approve. Not speaking to the merits of this project, or any other project; the town did their part now it is up to us. We need to better define what it would/could look like. The town did the Use Schedule, now it is up to us. Mr. Cole – I applaud the member for her research. I would like to make certain we understand that what Ms. Bogart is referring to is a stand alone facility. This site doesn't need to be near any power lines; this area is isolated. Mr. Cole referred to an aerial shot to show isolation of this project. Mr. Cole - How many abutters? Ms. Stearns – Two (and both owned by applicant). To require design standards for something like this is imprudent. Mr. Farkus – This is an auxiliary storage facility. This is a distribution level facility. It gathers the power on site and shifts the time of day that it is exported to the grid. The problems are with lack of sunshine and the times of the day that we produce the most power is when everyone is at work. The storage facility will hold the power until it is needed later in the day. It really helps integrate the facility into the local utility grid. The SMRT Program is the incentive behind this project. This program opened yesterday. Any project greater than a megawatt will probably require an energy storage facility. Ms. Bogart – At the Town Meeting, there was no mention of a stand alone facility versus another one. Maybe two by-Laws need to be drafted; one for a stand alone and one for something like this project. We owe it to the people to have a by-Law in place. Mr. Maki – I was imagining a unit by the power lines that would be buffered to prevent an eyesore. I thank you, Jen, for all your research. I feel that this is becoming just part of the machinery of the solar panel array. Some in the past have been fenced in. I think this is just part of the solar array. I think it's a little different than a stand-alone facility that would be adjacent to other people property; we do have the by-Laws for that. Ms. Bogart – Yes, this project is in the middle of a large area, but what about the next one? Mr. Maki – As they come along, we do have a say in the process. By the time this issue was to get to Town Meeting in the Spring, what would it do to the project? Mr. Farkus – With the SMRT program, it is a series of blocks and declines every certain number of megawatts. Waiting until the spring would take a spring ready project and push the value out of the project considerably. Mr. Sinclair – This is a great opportunity to get information while developing the by-Law. We have done this with original solar by-Law, prior to the by-Law, we had a project come into Town. This project was approved by this Board with issues in the end. This resulted in the Solar by-Law you see now. Each subsequent project is different with different technology. We had some information on the battery storage last year and were able to get the information out at the town meeting. Technology changes which requires new/changes to by-Laws. This is a new technology for us; I would say that Ms. Bogart is correct, we do need a by-Law but we can grab information to help design that, as we go through this process. Let's design the project. They will give us information and we will all learn from it. Utilize our engineers and the applicant's engineers. We will have a better by-Law in the end. What do we want to see? As we have an application in front of us, we can use all of the resources available to us. Ms. Bogart – I agree; we need to learn. I made notes from the town meeting. The by-Law should have been started the day after the town meeting. We need to do everything cautiously with a by-Law in mind. We need to think long term. Mr. Sinclair – There is only the solar by-Law now that sets some standards; this is a good opportunity to help develop a new by-Law. At the end of the day, each one of us can say if we are happy with it or not. Mr. Cole – It is not my job to advocate but to comment on merit of a job. We should have started after the town meeting; what we have been waiting for is information. We are trying to avoid what happened in Holyoke. We do have an Economic Development Task Force for new and renewable energy. It is tackling the issues not only the difference in standards for solar generation but also with stand alone facilities and battery storage. If we turn a storage facility into a house, we

will have new issues with the Fire Department. We do have a task force working on this issue. We will be prepared for the next Town Meeting. Mr. Maki – We really know very little about these units and how they are developing and changing; we have a lot to learn. I do feel that the location is good for this. It is part of the whole solar array. At the end of the day, each of us will have a vote. Ms. Dahill – What are their life span? Mr. Farkus – That is dependent on care and how you use it. The facilities are meant to discharge once per day or once per week depending on how they are coupled in the system. This is much less than others. It will be part of the preventative maintenance plan. Our estimation for the batteries is 10-15 years; the useful life of the array is about 30 years. Ms. Stearns – Maybe Zach can provide a little more information to the Board on the storage component. In terms of setting the location, solar by-Law – 3580.25.3 talks about inverters and transformers and the infrastructure that goes along with it. I think what Ms. Bogart is referring to is more of a stand alone facility; this is not that. Mr. Farkus – New can be scary and it is important that you are all comfortable and understand this project before moving forward. We have done about 12 of these types of projects; we can provide you with a lot of information. We have done several in Western Mass. We did have a project permitted in Plympton. Mr. Sinclair – Where in Central Mass are some of the facilities? Mr. Farkus – Hubbardston, Gardner, Winchendon, Westminster, Palmer; I will get you a list. Mr. Maki – Pictures would be good to see. Mr. Farkus – We will put together a package for this Board and Fuss & O'Neil. Mr. Robinson – We, have in the past, had a dismantling cost will we need to reconsider amount for battery storage? Mr. Farkus – As part of our decommissioning plan, we will have a section devoted to energy storage. Ms. Bogart – I would like to speak about the task force. We voted in July to form a sub committee to study solar in the next year. That sub committee has done nothing yet. Since then, Mr. Milanoski has formed a task force to discuss similar issues to this. I asked to join that task force and was told I could apply as alternate if I had expertise in the area. I observed the meeting tonight and they were working on revising by-Laws about storage and battery storage. This is something that we were supposed to be working on as a board. I take issue that only one Planning Board Member was allowed on the Board. Mr. Maki – Generally, anything done on a sub committee is presented to and voted on by this Board. Ms. Bogart – Right, we voted on and formed a sub committee that has not yet formed.

Mr. Milanoski – Just to clarify no one has been denied access. A Task Force was formed to look at broad economic development issues relating to solar. Right now, there has been no proposal to write by-Laws regarding storage. We have available positions, but no one has applied for the available positions. We are looking for the Planning Board to help with determining how solar fits into the future of the community. We have a diverse group and have met 4 times. I encourage Planning Board Members to attend or watch on TV. As it relates to Battery Storage There are two different storage facilities. Last week I was at a Data Hotel, which stores information, in a cloud like manner. Most of the 3 story facility was tied up into battery (lithium) back up storage. It's nothing different to what is proposed here. If a data hotel was put into Carver, the Planning Board would look at the building and setbacks, etc., If it was an allowed use, you would approve it. The committee does not have jurisdiction over wiring, etc. That is all regulated with building code, electrical code, etc. To Borrego – Is this the same type of facility at the data hotels? Mr. Farkus – With my limited knowledge of data hotels, it sounds exactly like what we are doing here. Mr. Milanoski – The building use will be permitted by you, but the electrical, etc., will be up to others to permit. I would encourage anyone to participate in the task force. There were some by-Law changes suggested at tonight's task force meeting. These will be brought forward to this Board for a vote. We have two people that are abutters to the original Borrego project that are on the committee; this is a very balanced and diverse group. I would be happy to consider your application, Ms. Bogart. Ms. Bogart – Read from an email received from Mr. Milanoski. Mr. Cole – We do need to refocus on the application at hand. We are not here to discuss, debate or understand what is on the Energy Task Force. Mr. Maki – Any other questions? None heard. Opened to the public – No questions heard. Mr. Maki – I hope to see Borrego address some of the concerns presented tonight. Ms. Stearns – Once we receive the Fuss & O'Neil memo, I will respond to them and distribute to Mr. Cole for distribution to the Board before the next meeting. Mr. Maki – Anyone interested in a site walk? Mr. Sinclair – Borrego had offered a list of facilities that have this type of storage. Can we make a visit to western mass to look? I would like to see it before the next meeting. Mr. Farkus – That can be arranged. I will arrange my schedule at your pleasure. Mr. Sinclair – Please get the information to Mr. Cole and I will adjust my calendar. Mr. Farkus – I am thinking of the Winchendon site.

*Motion to continue the public hearing for Borrego Solar project at 0 Wareham Street (0 Hammond Street)
on December 11, 2018 at 7:00 PM: Mr. Sinclair*

Second: Ms. Bogart
Approved: Unanimous (4-0)

- On the application of Borrego Solar Systems, Inc., requesting a Special Permit and Site Plan Review pursuant to Sections 3100, 3580 and 5300 of the Carver Zoning by-Law located at 276 Federal Road in Carver, MA (Assessors Map 131-2-1 and 131-2-A) to allow a large scale ground mounted solar photovoltaic installation (LSGMSPI). The proposed project includes a proposed solar array and energy storage facility adjacent to an existing solar array, in accordance with the solar by-Law in a Residential / Agricultural District.

Representing Borrego Solar Systems - Sarah Stearns, Beals and Thomas and Zach Farkus, Borrego Solar

Ms. Stearns – This project is just south of the existing array. We had a TRC at the same time as the other project. This is a 7 mega watt facility; phase II of what was done in 2015. AD Makepeace owned land. The southern portion has significant amount of red pines that are dead or dying. We did speak with Jesse Boyle about both of these sites and he did agree that this is an issue. The area for development is about 26 acres. Carver Conservation Commission has approved. The layout was presented on map. We have worked with Carver FD to develop road access. The nearest abutter is actually over 780' away on the Wareham side. We received a memo from Fuss & O'Neil this afternoon but have not had time to go through it. There was some design related questions and questions about what the facility would look like. Mr. Robinson – Has it been considered to put array where the damaged trees are? Is that due to the cranberry bogs. I am concerned that you are taking down heavily wooded area and not the damaged stuff. Mr. Farkus – Our focus was zero impact on abutters and as little ground area as possible. The die off has actually gone further north since that picture. Mr. Robinson – We've had one project, now considering second project, will there be more? Ms. Bogart – What other areas have been identified in Carver? Mr. Farkus – We have identified 4 locations – Ocean Spray, these two and another by CraneBrook facility, for a total of 35 megawatts. Solar being the best and highest use. Mr. Sinclair – Has Makepeace looked at reforesting as there is so much diseased trees? Ms. Stearns – I don't know. Mr. Sinclair – That is something that could be incorporated in a project going forward. If there are dying trees in front of the project, when they die off, the project will then be visible. This would be a buffering issue. Mr. Sinclair – Is there a thought process with tying in the battery storage facility with phase 1? Mr. Farkus – We don't have the ability to go back to a previous project. Mr. Cole – The state has a stated goal of 1000 megawatts by 2030. Energy storage facility are important to balance the grid. Mr. Maki – How much tax revenue / year to the town? Mr. Farkus – if the 4 projects are approved and move forward (35 megawatts in total) – \$600K per year to the town. Mr. Maki – Any additional questions? None heard.

Mr. Robinson – I would want to see what has to be cleared. Mr. Maki – Mr. Cole are you available? Mr. Cole – I am available and will be there.

A site visit has been scheduled for both locations 0 Hammond Street and 276 Federal Road on Thursday, December 6, 2018 at 10:00 AM. Parking at Phase 1 -

Motion to continue the public hearing to 12/11/18 at 7:00 PM for 276 Federal Road: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Other Business:

Planning Board Member Notes:

- Mr. Maki –
- Ms. Bogart – On Social Media – I saw a new business is opening in North Carver – An indoor children's play center. This will be great for the community.
- Mr. Robinson –
- Mr. Sinclair –

Planning Director Notes:

Mr. Cole – If we could leave the packets in order it would be much appreciated by the staff members of the Planning Department.

Minutes – *October 9, 2018 and October 23, 2018 and November 13, 2018*

October 9, 2018

Motion to approve the minutes from October 9, 2018, as amended: Mr. Sinclair

Second: Ms. Bogart

Approved: Unanimous (4-0)

October 23, 2018

The minutes from October 23, 2018 were approved at the November 13, 2018 meeting – no vote needed tonight

November 13, 2018

Planning Board Meeting, November 27, 2018

Discussion:

On page 3 & 4 – Mr. Serkey – Spelled incorrectly as Surkey

On page 7 – Ms. Bogart would like to review her statement on Residents responsibility for landscape barrier. It was agreed that Mr. Cole would review the video.

Motion to table the minutes from November 13, 2018: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Next Meeting date:

The next meeting has been scheduled for December 11February 13, 2018, at 7:00 PM

Adjournment:

Motion made to adjourn at 9:07 8:01 PM: Mr. SinclairSinclair

Second: Mr. Robinson

Approved: Unanimous 4-0)