



approved
9/26/17

Town of Carver, Office of Planning and Community Development

Planning Board Meeting Minutes, September 12, 2017, Carver Town Hall, Meeting Room #1. This meeting was videotaped for cable cast area 58, channel 15.

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

Also Present: Jack Hunter, Interim Planning Director

Absent: Chad Cavicchi

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

Discussion:

Minor Modification – Crossroads Church, 307 Tremont Street – Placement of mobile office trailer

Mr. Hunter – I do not see the reverend here. Can we come back to this? Representative for Crossroads Church was not in attendance. Discussion postponed.

Public Hearings:

- Corvette Mike N.E., 74 North Main Street, (Assessor's Map 18-12-3R).

Request for a Special Permit to exceed the signage dimensional requirement allowed in the Green Business Park District, per the Carver Zoning Bylaw Sections 3570 and 5300.

Mr., Sinclair – just a note this is not in the Green Business Park. I filed with the town clerk notifying them that I am not in conflict with this as I am not the owner of the home I live in.

Peter Allegrini and Mike are looking for more signage. We are having an issue with truckers missing it and looking for a little more exposure. These are tasteful signs going on the front of the building and overhang. Mr. Maki – are there limits to size? Mr. Hunter – Yes which is the reason for the special permit. They are not looking for much. Mr. Allegrini presented the plan to the board. Mr. Robinson – is the present sign the biggest you can go? Mr. Allegrini – Yes it is. Mr. Sinclair – Will they be lit by gooseneck lighting? No. Mr. Sinclair –

you have done a wonderful job on the property, it looks great. We welcome you here. Mr. Allegrini – Even in the coming year there will be more landscaping improvements on it. My business is right next door and we have benefited from him being here as well. Mr. Maki – any further comments? None the signs look very nice. I have no problem with this. Anyone in the audience with questions or comments? None.

Motion to close the public hearing: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Motion to approve Corvette Mike's – 2 building signs on side and 1 front peak sign as per application, special sign permit with building permit: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

- Clean Energy Collective, off Fuller Street, (Assessor's Map 50-1 & 10B).

Request for a Special Permit and Site Plan Review to allow a ground mounted solar power generating facility of approximately 2 mW in a Residential/Agricultural District per the Carver Zoning Bylaw Sections 3100, 3580 and 5300.

Revised narratives and plans were distributed to the board. Mr. Hunter – these are being handed out due to technical review meeting

Griffin Beaudoin, P.E. Atlantic Design Engineering, Representing Clean Energy Collective. They are Colorado based with 34 solar projects through 11 states and 58 under construction. They will be doing a leasing agreement for a ground mounted solar facility parcel 1 and 10 b on map 50. 9200 solar panels – 2.4 mW of electricity. Conservation determined that these are upland bogs; these will all be within the bogs. 200' setback requirement we are at 201'. Access road will be used as is. The utility connection will be overhead. Solar bylaw requires underground but we have put in a waiver request to avoid issues on the wetlands. There is sufficient foliage etc. to screen from all residents. We had a technical review meeting with Building Inspector, Fire Department, Review Engineer, Fuss & O'Neil and Mr. Hunter. Fire Department has signed off on this project as well. We have provided gravel ramps and widened area to allow fire trucks to turn around. Mr. Hunter – Conservation has not yet voted on it as they are awaiting the planning boards input. Essentially most of the discussion was with the FD re: access of 360 degrees within the panels and numerous gates (12 in total). F&O is a little more detailed – they have determined via email that this has complied with all concerns. The town staff is concerned, it meets bylaw and meets concerns and safety from F&O. Mr. Maki – Abutters were

notified. Are there any questions or comments? None heard. Board members would like to take a minute to review these plans. The fire department is happy with these plans? Mr. Hunter - yes, everyone is happy with this plan. The board clarified location and residents with Mr. Beaudoin. Mr. Maki – These will not be used for cranberries any more? Mr. Beaudoin – No they will not. Mr. Maki – there is road frontage for this lot? Yes, 183' of road frontage. Mr. Maki – any lighting? No lighting has been proposed. Mr. Sinclair – the bog is currently being used? Mr. Beaudoin Yes – Mr. Sinclair – so they will be abandoning the bog? Yes. The access inside the fence line? How do we get FD access?? The fence line and solar panels are close. Mr. Beaudoin they are about 12'. The fire department said if they needed to access this area, they would use ATV vehicle. This was discussed in length with the FD at the review. They went over every possible concern. Mr. Sinclair – the other bogs will still be harvested? Mr. Beaudoin – Yes to the best of my knowledge; they are another property owner. Mr. Sinclair – I would like to take a site walk. Mr. Robinson – one of the abutting cranberry growers are here. In order to access this, you don't need to go through other property? Mr. Beaudoin - correct. We will run the utility polls adjacent to the access road. Mr. Hunter – due to a previous solar project, the FD purchased an ATV for these access issues. Mr. Maki – I did notice additional attendees. anyone from the audience re: this hearing? None Mr. Sinclair – are the ramps mentioned in the maintenance plan? Mr. B - I am not sure? Mr. Sinclair What happens after you finished with the project? Mr. B - They stay in place. Mr. Sinclair – I will need you to add these to the maintenance plan. Mr. Robinson – This is such a large scale project; they should have some light? Mr. Sinclair - What are hours of operations? Mr. Beaudoin 7-4 or 7-5; they will not work on them at night? Mr. Hunter – Please give us that in writing. Mr. Sinclair - Historically, this town has had issue with theft on solar panels. You should have a plan in place to make someone aware of illegal access. Mr. Maki – We have a decommissioning plan. Mr. Hunter – yes, we started working on it today. I will recommend that you not vote on that at this time as we still need to talk to F&O. As far as security (stealing panels), that would be up to the property owner. Mr. Sinclair – This is a new solar array project and the safety of our citizens is important to me and some type of security should be looked at. Mr. Maki – in other projects, neighbors have requested to not have lights on the project. We should schedule a site visit and continue this to the next meeting. The site visit has been scheduled for Tuesday, September 19th at 5:30 PM.

Mr. Maki – Could you mark the corners out and a couple of points marked out so we can visualize the array?
Mr. Beaudoin – Yes we should be able to, I will confirm with owners. Mr. Beaudoin should email Mr. Hunter with confirmation that they wont be picking and the address.

Motion to schedule a site visit for 9/19 at 5:30: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous

Motion to continue Public hearing to next meeting at 7:00 PM: Mr. Sinclair

Second: Mr. Robinson

- Borrego Solar Systems Inc.

Request for a Special Permit to allow a ground mounted solar power generating facility of approximately 2mW in Residential/Agricultural District per the Carver Zoning Bylaw Sections 5300 and 3580. A tract of land on Ward Street, comprised of all or portions of Lot 120-6 O R, Lot 120-6 1R, Lot 116-10, lot 116-8 and Lot 115-10

Richard Serkey, with Mr. Smith and Mr. Farkus - On 6/23 the Zoning Board granted a special variance. Following a review from F&O and favorable report from airport this board granted special variance. This board filed 7/29/16 a request for appeal. Since that time Borrego has acquired enough land to eliminate the issue with frontage. A revised plan was submitted to you. Tonight we have a further revised plan that eliminates the need for setback variance. If the planning Board grants request tonight, Borrego will waive all right to exercise variances issued prior, therefore eliminating the need for appeal.

Mr. Farkus – Presented the solar array plan board to the members of the Planning Board. To meet the requirements for the setback, Mr. Smith and I and the engineering group have worked to make the setback now a 200' setback. Instead of using the existing berm we will knock it down and chip existing stumps. Additionally, we are using higher watt module; we are using a 375-watt module. We have pulled things tighter to allow for more rows. It has kept the original project size; we will be just under 2.8 mW; we will lose a little in kW hours due to shade as panels are a little closer together.

Mr. Sinclair – I commend everyone who has been involved in this project. You have met all requirement of existing bylaws. Mr. Robinson – I agree with Will and respect the work that went into this. Mr. Maki – I am very pleased that you were able to meet all of these bylaws. This is a much better project now.

Mr. Maki – Any comments from the audience / abutter? The audience requested to see the plan board. Mr. Farkus presented the board to the members of the audience.

Mr. John Ferrari, 15 Ward Street – We were just trying to locate based on where we live. We now have a better understanding.

Mr. Serkey – We wanted to submit an ANR plan tonight, can we do that? You agreed to withhold judgment on whether to charge a new filing fee for this? Mr. Hunter – At the last meeting we received the check but did not deposit it. Mr. Sinclair – I recommend that we waive the filing fee. They paid for the original filing fee, have now met the bylaw and have kept close to the original plan.

Motion to waive the filing fee: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Mr. Maki – Do we have a decommissioning plan yet? Mr. Hunter – Did Fuss and O'Neil comment on that? Yes, they did review the project. Mr. Hunter – When you get to a decision, you can replicate the decision for decommissioning from the original decision. Mr. Maki – Has the fire department received the updated plan? Not yet but it is very similar to what they okayed originally; I am happy to revisit it with them. Mr. Maki – I think that is a good idea to keep them informed. Mr. Hoffman – I think we had an issue with the number of gates. Yes, we did add another gate. Mr. Farkus – One of our biggest motivators is to move forward with construction as soon as possible to avoid winter construction. Mr. Maki - Any additional comments from the audience?

Sylvia, 18 Ward St – Are there going to be plans in the future for expansion? The ones facing the street are of concern. Mr. Farkus – No, those bogs do not belong to Mr. Pontiff. Those are wetland bogs and not ones we would pursue.

A note on the ANR – The Planning Board issuing the ANR is based on the road being approved only for industrial use or agricultural use road as a solar farm and not for other or residential uses without board approval. Mr. Farkus – Can you add agricultural?

Motion to close the public hearing: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Motion to approve Special Permit Borrego solar system for the revised with existing conditions including the recommendations from counsel and any additional comments from our Fire Department for: Mr. Sinclair

Second: Mr. Hoffman

Approved: Unanimous (4-0)

Amended Motion: to include information provided by counsel: Mr. Sinclair

Second: Mr. Hoffman

Approved: (4-0)

Mr. Sinclair – What happens to our existing legal issue? Counsel: We could go into executive session to discuss

Other Business:

A. Planning Board Member Notes: None

B. Planning Director Notes:

- a. Prelim Subdivision - submitted yesterday and does not require a public hearing. This will be on the agenda from the 26th.
- b. I was reminded by Building Commissioner about Angela Chins project. He revoked permit for lack of movement but has reissued as they are back to working the project.

C. Minutes – August 22, 2017 and Executive Session Minutes from August 22, 2017

Discussion – Name is incorrect for Edaville representative. Should read as Jon Delli Priscoli

Motion to approve the minutes of August 22, 2017, as amended: Mr. Sinclair

Second: Mr. Robinson

Approved: Unanimous (4-0)

Review of Executive Session Minutes from 8/22/17 will be Tabled until next meeting

D. Correspondence: None

E. Next Meeting date: The next meeting has been scheduled for Tuesday, September 26, 2017, at 7:00 PM.

Executive Session:

Motion to move to go into Executive Session to discuss strategy with respect to litigation and that the Chair declare that an open meeting may have a detrimental effect on the litigating position of the body and,

Move to go into Executive Session to comply with or act under the authority of the Attorney client privilege and

Move to go into Executive Session to consult with legal counsel and obtain legal advice pursuant to the Attorney client privilege.

Motion heard: Mr. Sinclair

Second: Mr. Hoffman

Roll call performed. All Board members voted in the affirmative to enter into Executive Session: Approved (4-0)

Meeting will adjourn in Executive Session