

**TOWN OF DEERFIELD
ZONING BOARD OF APPEALS
November 19, 2015
MINUTES**

Meeting convened at 7:00PM in Room 107, Municipal Offices, 8 Conway St, S. Deerfield, MA

Present: Ron Bohonowicz, Chair, Bob Decker, Linda Dumas, Jamie Hartwright, Ben Wadham.

Absent: Chris Pichette

Hearing: The Zoning Board of Appeals of the Town of Deerfield will hold a public hearing on November 19, 2015 at 7:00 p.m. in Room 107 at the Town Offices, 8 Conway Street, South Deerfield, MA 01373 on the application of Pioneer Gardens, Inc. for a variance to allow an Extra-Large-Scale Ground-Mounted Solar Electric Installation to be located off of Mill Village Road, which is in the RA district and relief from sideline setback of 100' to dimensions as show on solar plan of Pioneer Gardens, Inc. The address of the property affected is 198 Mill Village Road, Deerfield, MA. (Assessors Map 94, Lot 9)

Jaap Molenaar stated that the intent of this solar project is to offset the current expense of electricity in the warehouses and the greenhouses. The lot adjacent is where the greenhouses, processing coolers and warehouses are and where the meter is at. If he uses the 100' setback, there is no space to put this array in there. That is why he is asking for the variance. The array is an acre in size. Going back into the grid – net metering. The land is in APR.

Mr. Decker asked what access Mr. Molenaar has to that parcel. He has access through the field that the panels are on, through Mr. Smiaroski's property, through the property south of the field where the panels are as well as the northwest side of it. Access will be from Mill Village Road.

Ms. Hartwright asked about the Operation and Maintenance Plan as mentioned in the Zoning Bylaws.

The size of the array is in question due to an error in 'kW' vs 'W' on the *Solar Proposal Layout*. Chair Bohonowicz recommended that the hearing be continued to December 17, 2015 and ask that Mr. Molenaar verify the actual size of the array by then. Ms. Hartwright stated that there are requirements that the Board will need from Mr. Molenaar in order to obtain a variance i.e., **§3832 (e.) Operation and Maintenance Plan** of the Zoning Bylaws and **§3830. Site Plan Review**. She stated that these are required documents.

Mr. Decker requested that the area where the array will be installed be staked out so that those who choose to could drive by and get a visual. Mr. Bohonowicz asked if there would be a fence around the array. Mr. Molenaar was not planning to have a fence unless it was necessary. Ms. Hartwright pointed out that both large and extra-large scale installations require that the prevention of unauthorized access therefore a fence is required.

Mr. Decker recommended that Mr. Molenaar check with the Deerfield Conservation Commission regarding the distance from the wetlands to make sure that there isn't an issue regarding that.

The Board recommended that Mr. Molenaar read the entire **§3800** of the Deerfield Zoning Bylaws about Solar Electric Installations in order to answer any questions he may have and to know what the ZBA and Planning Board will expect from him.

Mr. Wadham reminded Mr. Molenaar that he will need to show a hardship in order to be granted a variance.

Vote to continue this hearing to December 17, 2015 at 7:00PM passed unanimously (5-0-0).

No public opposition to Mr. Molenaar's request for a setback variance.

Ms. Hartwright made a motion to adjourn until December 17, 2015. Meeting adjourned.

Respectfully submitted,

Patricia A. Kroll

Administrative Assistant

(minutes accepted as written at 12/17/15 meeting)