

MILLBURY PLANNING BOARD  
MINUTES  
October 19, 2015

MILLBURY  
TOWN  
15 NOV 20 11:10:55

The regularly scheduled meeting of the Millbury Planning Board was held on Monday, October 19, 2015, in the Municipal Office Building, 127 Elm Street, Millbury, MA. Chairman Richard Gosselin presided.

Present: Edd Cote, Richard Gosselin, Scott Despres, Paul Piktelis

Absent: Michael Georges

**The 7:15 p.m agenda item: 256 Riverlin Street ANR plan has been cancelled.**

**7:15 p.m. Minutes:** Motion by Edd Cote, seconded by Paul Piktelis, to approve the minutes of September 28, 2015, motion carried unanimously.

**7:20 p.m. Planning Board Alternate – Recommendation**

The Board has received a letter of interest from Terry Burke Dotson and they discussed the merits of her application.

Motion by Edd Cote to recommend the applicant for the Alternate position, seconded by Paul Piktelis, motion failed on a 0-3-1 vote. Richard Gosselin abstained, he would like further information to base his decision on.

**7:30 p.m. Greenwood Street Solar Site Plan Review Public Hearing, cont.**

Clerk Edd Cote read the public hearing notice.

Clerk Edd Cote read letter dated October 16, 2015, from Fire Chief Richard Hamilton, addressing roadway, emergency procedures and contacts, and requesting a tour of the facility.

Clerk Edd Cote read letter dated October 19, 2015 from the Board of Health, requesting location of well, abandonment of well and cellar hole and dust issues.

Clerk Edd Cote read letter dated October 7, 2015 from Building Inspector Robert Frederico, identifying fencing issues.

Mark Allen, Allen Engineering was present on behalf of the applicant. He gave an overview of the project including its location, wetland areas and advised that an initial meeting was already held with the Conservation Commission, the access drive, grading, the gated fenced area, drainage basins, and waiver request for the fencing, which would cast shadows on the panels in certain locations. Mr. Gosselin recommended moving the fence further away from the panels.

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Ms. Connors advised that the trees and natural vegetation along Greenwood Street as a buffer zone should remain and be added to the plan, to block the view of the solar farm.

Miguel Inera, Select Energy Development addressed the Board. He will oversee this project. He suggested that if the Board would grant some relief in the northwest corner, he could slide the project away from Greenwood Street. The project was designed to meet the zoning requirements at 75 feet from the property boundary. If there is relief there, he can also relocate the fence. An 8 foot fence will cast a 16 foot shadow and sometimes a shadow three times its height. He identified the location of the access road, invertors, transformers and utility pole requirements from National Grid.

Underground wiring was discussed. Test pits for ledge will be conducted.

Mr. Gosselin was concerned with noise and suggested building a concrete wall around the inverter. Mr. Inera will provide the decibel levels to the Board, and stated that the noise level is very low and asked the Board to consider a condition that would re-visit the noise level after a one year period.

Motion by Edd Cote to continue the public hearing to 8 p.m., November 9, 2015, seconded by Paul Piktelis, motion carried unanimously.

**8:00 p.m. Westborough Street Solar Site Plan Review Public Hearing, cont.**

Clerk Edd Cote read letter from Shawn Wyse, 20 Flint Pond Village, Worcester, identifying his concerns with reference to impact to property values, safety issues, including fire response, and health concerns.

Clerk Edd Cote read letter dated October 18, 2015 from Enzo Simmarano, regarding property de-valuation, the letter also referred to an attached document. A copy of the 53 page document was submitted to the Board at the meeting.

Brendon Gove, Zero Point Development addressed the Board to discuss remaining items for discussion. This included the location of the curb cut, now corrected and shown on the revised plan. Mr. Cote stated that the road was also moved.

Mr. Gove advised that the height of the panels is 8 feet. A piece of equipment did go onto an abutting property and he is working with the abutter.

Planting of an additional 16 trees are shown on the revised plan. Mr. Gosselin asked how many panels would be visible.

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Mr. Gosselin advised that the abutters do not own the land, and the Board has to comply with the bylaws

Mr. Cote advised the public that the Conservation Commission has been cancelled for Wednesday night and continued to November 4, 2015 at 7:15 p.m.

Mary Keefe, State Representative, was present and stated that she was here in solidarity with the abutters, she is also on the Environmental Committee at the Statehouse, and stated that she realizes balancing the laws with quality of life is a difficult process.

Brendan Cash, 19 Valenti Drive, Worcester has concerns with air quality and removal of trees and requested a study be completed, to also include prevailing winds. He referred to the rock crushing plant and potential connection between the projects. He was advised that the abutters appealed this decision, the applicant did not defend the action. He is also concerned with property value, loss of tax revenue, and would like more than 16 trees added to the plan, access from a residential neighborhood, relocate the access to Route 122, PCBs associated with electric equipment and environmental impacts.

Mr. Gosselin is not sure if the Board can deny this project for wind and noise studies unless a threshold is crossed.

Mr. Cote asked where the access point from Route 122 was. It is on the other side of the railroad tracks.

Applicant, Mr. Etre advised the curb cut already exists and it is asphalted. It is located in Worcester. Shawn Wyse asked if this was approved by the City of Worcester for this project and stated that this was originally for a residential subdivision. Mr. Gosselin invited those in attendance to research the Worcester Planning Department records for this information.

Kate Toomey, Worcester City Councilor spoke with the Worcester Assessor's office and there is a question of what each city/town owns on the roadway, the town lines do not connect. She suggested that both Assessor's departments discuss this. Mr. Gosselin asked for greater detail of this area on the plan. Ms. Toomey asked for hydrant locations too. She asked for mitigation for sound, and added that a train goes by there also. She suggested grants be applied for, to replace deciduous trees to help with noise and air quality.

Mr. Gosselin asked how the panels would be hooked up. One large inverter is proposed. Decibel level is around 25 decibels, comparable to a home refrigerator and does not run 24

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hours, only while the sun is up. Mr. Cash asked if this was a peak number or an average number. Applicant will provide greater detail.

Ann Cash, 28 Etre Drive asked if the noise would be heard from the road.

Jeff Marchese, Etre Drive, stated that as full disclosure, Mr. Etre is his father-in-law, and that he is a resident of this neighborhood. A refrigerator noise 100 feet away should not be heard more than a refrigerator in your own home. He researched and could not find any articles which support noise issues emitting from solar farms. Microwaves emit more radiation, look at the facts. This property is zoned for industrial use, other industrial uses could be much worse. There will be little traffic, this is monitored remotely, people are only sent out when there is an issue. Mr. Etre has been paying taxes on this property, it is a legal use, there has been other offers for far worse uses and they have been turned down by Mr. Etre, including uses proposed by the state. There are 22 acres available, only 4 acres will not have the original trees to support the farm. The state of Massachusetts has done a detailed study on solar farms. There is a 132 foot buffer, the panels are white and will not be seen in winter when the trees no longer have leaves. Mr. Gove stated that people will go up there two to four times a year.

Mr. Cash argued that this is new technology, there could be new studies available in the future that might identify further impacts. This is an electrocution and fire hazard. Mr. Gosselin stated that the Millbury Fire Department receives specialized training for each individual solar farm. It is a slim to none chance that the panels would burn.

Mr. Marchese added that these panels are no different than the solar panels neighbors there have on their homes, panels that they sleep under.

Matt Etre, 14 Etre Drive, also stated that he is related to applicant. He lives in this neighborhood also, he added solar panels to his home, and . is not intrusive for them, he supports the project.

Donna Fitman, 15 Flint Pond Road asked where this project connects to the grid, what if there is an interruption to service will it affect their houses. She was told that part of the interconnect agreement with National Grid has the farm programmed to shut off if there are any issues with the utility grid, and it will shut off within two seconds. It connects to the same grid that services all houses. It was determined that none of this was a concern for this area. It is hooked up in Worcester. Ms. Fitman asked if there was a problem, who is contacted? Mr. Gosselin explained the primary lines on a house hook into a secondary line, that goes into the house. The flow of electricity doesn't just go one way, part of the electricity provided by a power plant

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immediately takes over and there will be no impact to this power source. No break will be experienced.

Mr. Marchese stated that the neighborhood is not getting this energy to their homes, the energy goes out to the grid and gets distributed with the other energy sources and sold in bulk.

Motion to continue the public hearing to November 9, 2015 at 8:30 p.m., by Edd Cote, seconded by Scott Despres, motion carried unanimously.

Chairman Gosselin declared a five minute recess.

**9:15 p.m. 40 Auburn Road Solar Farm – Discussion of Decommissioning Bond – National Grid – Joshua Lee Smith**

Mr. Smith, attorney for Mass Electric was present. Site Plan approval was granted to Borrego Solar and construction has now been completed. The site is ready to go live in a few months. A waiver request for the decommissioning bond was sent, and a second letter from senior counsel at National Grid was sent in support of this waiver request. This is not a commercial project, rights exist to the public utilities. Given the financial strength of Mass Electric and National Grid and the right by the state to develop these solar farms, which oversee and ensure that the companies are living up to their obligations, they have little risk to the community. Monetary constraints are not an issue. National Grid will not intentionally walk away from its obligations. They operate many other areas in town, like substations. The solar development rights to operate will be assigned to National Grid, providing contractual obligations. The bond premium is unnecessary and a waiver is requested.

Ms. Connors advised that this project is complete, the only remaining item is the decommissioning bond. Mr. Gosselin stated that the \$25,000 is held to recover any costs that might be incurred by the town. He will need a letter from National Grid, in a high enough position, that will guarantee that there will be money for decommissioning if necessary, and that they will take over this responsibility.

Justin Woodard, project manager from National Grid addressed the Board. He explained that a filing has been made with the Department of Public Utilities. Mr. Gosselin asked for this in writing. Mr. Woodard stated that this is a public record and he will provide it. All leases over 7 years are recorded with the Registry of Deeds. He will have a Vice-President issue a letter identifying their budget showing there will be money available for the town's use to decommission if necessary.

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Mr. Smith submitted the first amendment to the recorded lease. He asked that once the documentation has been submitted to the Board will this be waived? Ms. Connors asked when National Grid takes ownership? It is a matter of final approval.

Mr. Cote stated that for the record, the cost of this project will be borne by the customers, not National Grid. Mr. Smith stated that this is not the decision of National Grid, it comes from the rate setters. He asked if a draft can later be submitted and can conditional approval be granted contingent on receipt of an acceptable letter.

The Board will continue discussion at its meeting on November 9, 2015 at 7:10 p.m.

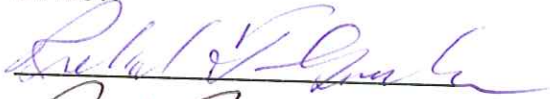
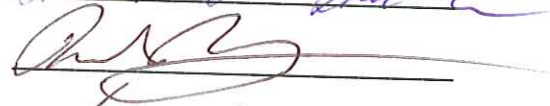
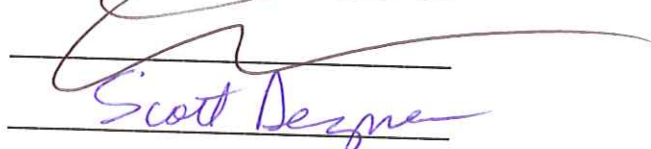
**Other Business:** Mr. Cote asked who owns the Subdivision Rules & Regulations book? He would like to include that T and Y formations are not allowed once the roadway reaches 500 feet. If the town does not want these, lets explicitly state so in the Rules & Regulations. Ms. Connors will work on this.

**Adjournment:** Motion to adjourn by Paul Piktelis, seconded by Edd Cote, motion carried unanimously. Meeting adjourned at 9:45 p.m.

Respectfully submitted,

Susan M. Dean

ATTEST:

  
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# TOWN OF MILLBURY

DEPARTMENT OF PLANNING & DEVELOPMENT

MUNICIPAL OFFICE BUILDING • 127 ELM STREET • MILLBURY, MA 01527-2632 • TEL. 508/865-4754 • FAX 508/865-0857

15 OCT 14 PM 2:05  
MILLBURY, MA

## PLANNING BOARD AGENDA October 19, 2015

- 7:15 p.m. 256 Riverlin Street ANR
- 7:30 p.m. Greenwood Street Solar Site Plan Review Public Hearing
- 8:00 p.m. Westborough Street Solar Site Plan Review Public Hearing Con't
- 9:15 p.m. 40 Auburn Road Solar Farm – Discussion of Decommissioning Bond  
National Grid - Joshua Lee Smith

### Other Business:

- Mail, Minutes, Vouchers
- Planning Board Alternate – Recommendation for Board of Selectmen
- All business not reasonably anticipated to be discussed

Subject to Change

SIGN-IN SHEET

442 Greenwood St. Solar Public Hearing

Date/Time October 19, 2015 7:30 pm

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Kathy Burrows	448 Greenwood St	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2	Andrew Allow	452 Greenwood St	<input type="checkbox"/>	<input type="checkbox"/>
3	Andrew Ziegler	450 Greenwood St	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4	Bonnie Ziegler	"	<input type="checkbox"/>	<input type="checkbox"/>
5	Bob Cove	"	<input type="checkbox"/>	<input type="checkbox"/>
6		309 E County Rd - 270 Pint	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7			<input type="checkbox"/>	<input type="checkbox"/>
8			<input type="checkbox"/>	<input type="checkbox"/>
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## SIGN-IN SHEET

Westborough 7. Solar Farm Public Hearing  
 Date/Time October 19, 2015 8:00 PM

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Rep. Mary Keefe	10 Oxford St.		
2	City Councilor Sarah Bon	50 Ideal Rd	✓	
3	Deputy Supervisor	21 Hunt Pond Rd	✓	
4	Astrid M. Nattera	10 Flint Pond Rd		✓
5	Shaw Wipe	20 Flint Pond Rd		✓
6	Paul [unclear]	18 Flint Pond Rd		✓
7	R. Kenneth [unclear]	19 Valente Drive		✓
8	Grego S. M. Arano	16 Flint Pond Rd Worcester	✓	
9	Elizabeth Amador	14 Flint Pond Rd Worcester		✓
10	Paul LaFontagne	7 Flint Pond Rd Worcester		✓
11	Dash Lee Smith	311 Main Street, Worcester		✓
12	Devin Fitman	15 Flint Pond Rd Worcester		✓
13	Donna Fitman	15 Flint Pond Rd Worcester		✓
14	Laurie Nattero	10 Flint Rd Worcester, MA	✓	
15	Sam Bick	28 EYE Dr Worcester MA		✓
16	Kathleen Fleming	30 Eye Drive Worcester MA		✓
17	Ann Kach	17 Flint Pond Rd Worcester MA	✓	
18	Jeff Marchese	6 Flint Pond Rd Worcester, MA		✓
19	Bick E + re	8 Valente Dr Worcester MA	✓	
20	Jy Ete	4 Flint Pond Worcester		✓

SIGN-IN SHEET

Westborough St. Solar Farm  
Date/Time Oct 19, 2015 8pm

	NAME	ADDRESS	I WISH TO SPEAK	
			YES	NO
1	Amie Marchese	6 Flint Pond Rd,		X
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