

**MILLIS CONSERVATION COMMISSION
MEETING MINUTES
Room 130, Veterans Memorial Building, 900 Main St., Millis, MA
Monday, April 28, 2014**

The meeting was brought to order at 7:20 p.m. by Dr. James Lederer, Chair.

The following members were present:

Dr. James Lederer, Ed Chisholm, Tim Chorey, Christine Gavin, Daniel Lee, Anne Rich

Barbara Thissell, P.E., ConCom consulting engineer

Members Absent: Cara Krinsky

Others present:

Ross Liebert, Scout Troop 15
Mike Carter, GCG Associates, Inc.
Jeff Grandmaison, 94 Farm St.
Robert Fox, 275 Turnpike St., Canton, MA 02021
Daniel Merrikin, Merrikin Engineering
Mark Gladstone, 275 Turnpike St., Canton, MA
Sharon & Charles Vaillancourt, 349 Plain St.
Craig & Linda Fulone, 6 Gerald Ave.
Dom D'Eramo, 148 Spring St.
Steve Long, Borrego Solar Systems
David Albrecht, Borrego Solar Systems
Ruth & Paul Howard, 345 Plain St.
John & Robyn Mayer, 1 Meadowbrook
Roy & Janet Woodman, 350 Plain St.
Russell Waldron, P.O. Box 184, Norfolk, MA
Peggy Rich, 7 Meadowbrook
Carole Lee, 13 Meadowbrook
Marnee Saltalamacchia, 198 Village St.
Jared Connell, BSS
Susan Colgan, 1 Greenwood Dr.
Dianne Proe, 336 Plain St.
Nancy Cunningham, 16 Meadowbrook
Mickey Moran, 5 Meadowbrook
Ron & Ginny Peiler, 335 Plain St.
Janet Savignano, 338 Plain St.
Lisette Walter, 339 Plain St.
Judith Colella, 342 Plain St.
Mike Drenberg, 333 Plain St.
Janice & Ron Webber, 327 Plain St.
Phil Divuer, 130 Spring St.
Charles & Laura Tangerini, 139 Spring St.
John F. Magilligan, Jr., 332 Plain St.
Beverly Bond, 17 Meadowbrook
Richard Melanson, 3 Meadowbrook
Deborah Gibson

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Rita & Ed Dwyer, 154 Spring St.
Eugene Hayward, 187 Village St.
Suzy & Dave Ferrantino, 2 Gerald Ave.
Ronald Devens, 150 Spring St.
Richard & Ann Devens, 158 Spring St.

**Ross Liebert
Scout Troop 15**

Proposed Project – Pleasant Meadows

Mr. Liebert, a Life Scout, stated that he is one merit badge away from becoming an Eagle Scout. He presented a project proposal for improvements at the Conservation Commission property known as “Pleasant Meadows.” Mr. Liebert stated his improvements will include:

- Signage improvements for more inviting entrance
- Wood chips for paths
- Construct/Install kiosk for map
- Construction of a bench

The Commission was in favor of Mr. Liebert’s project and thanked him for his time in preparing and presenting his proposal.

On a motion made by Mr. Chisholm, seconded by Mr. Lee, it was unanimously voted to approve Mr. Liebert’s project proposal at 7:25 p.m.

**DEP FILE #CE225-0380 - NOTICE OF INTENT, CONT’D, PUBLIC HEARING
ROSENFELD ROAD - DRAINAGE IMPROVEMENT PROJECT**

DPW

The public hearing continuation was opened at 7:30 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Michael Carter, representing the Town of Millis DPW, had emailed the drainage calculations as requested (cover letter dated April 24, 2014). Mr. Carter summarized the report. He stated that he also provided Mr. Aspinwall with a copy of the report. There were no further questions.

On a motion made by Mr. Lee, seconded by Mr. Chorey, it was voted unanimously to close the public hearing at 7:35 p.m.

On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was voted unanimously to issue an Order of Conditions.

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DEP FILE #CE225-0381 - NOTICE OF INTENT, PUBLIC HEARING, CONT'D.

HICKORY HILLS SUBDIVISION

ACORN STREET & FARM STREET

The public hearing continuation was opened at 7:46 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Merrikin, representing the applicant, 400 Old Post LLC, updated the Commission on the status of the revised plans. He said that they are still working on addressing all the comments from the various boards. They will then revise the plans and provide written responses. A letter from Mr. & Mrs. Wilkes, abutters to the project, dated April 28, 2014, was received. Mr. Merrikin was given a copy.

Ms. Thissell, the Commission's consulting engineer, stated that she is "properly reviewing the application and plans" and the drainage is being looked at "in depth." She submitted her review letter, dated April 25, 2014. This letter will be discussed at the next hearing to allow Mr. Merrikin time to respond.

On a motion made by Mr. Chisholm, seconded by Mr. Lee, it was voted unanimously at 7:52 p.m. to continue the public hearing to Monday, May 19, 2014, 7:45 p.m.

DEP FILE #CE225-0382 - NOTICE OF INTENT, PUBLIC HEARING

185 VILLAGE STREET

BOREGGO SOLAR SYSTEMS, INC.

The public hearing was opened at 8:45 p.m. with notice being read by Dr. Lederer, Chair.

Mr. Drenberg asked the Commission to not allow the hearing to open as abutters would like some time to gather information as they were improperly notified in the first notice they received. The Commission was of the opinion that they would like to hear what the project is about as the public hearing would not be closed at this time.

There was discussion regarding the property being classified as "61A – Agricultural." Mr. Albrecht stated that they are aware of that classification and that the property would "have to be taken out" of Chapter 61A to go forward with the project.

Mr. Albrecht of Borrego Solar Systems, Inc., presented the application and plans. The proposed location is at 185 Village Street; 20-21 acres of the Dinnocenzo property. Mr. Albrecht discussed the existing conditions plan. He stated that the wetlands on the site were delineated and flagged by Mr. Russell Waldron, wetlands specialist. The parcel consists of approximately 20.62 acres of residential, agricultural and forested land, he said. That portion planned for the project site, within the project fence, he said, will consist of approximately 2.88 acres of the 20.62 total acres. The project site is made up of active cow pasture and is bounded by residential single-family homes to the north, east, and south, and agricultural land to the west.

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Mr. Albrecht stated that the proposed project consists of the installation of a 647 kW ground-mounted solar energy generating system containing photovoltaic modules on a portion of the land at 185 Village Street. Portions of the project will take place within the Bordering Vegetated Wetland and the 50-foot and 100-foot buffer zones, he said. According to Mr. Albrecht, the existing topography of the project area will be maintained throughout the construction period. Minimal earthwork will be required for the preparation of the electrical equipment areas, the access roads through the solar arrays, and the access roadway, he said. Mr. Albrecht explained the system of installation of the arrays and that they range in height from nine to eleven feet in height. Every panel will be facing south towards Village Street, he said. The entire system will be surrounded by a six-foot tall chain link fence with one foot of barbed wire, for a total of seven feet in height, he stated. There are no wires above ground, he said, as they generate the power, “divert it and take it out to the existing grid/pole at the street.”

Access to the site, he said, will be via the existing paved driveway to 185 Village Street. This access will be utilized for only the operations and maintenance vehicles. There are no permanent paved access roads proposed, he said. A limited access crossing is required to access the construction area, Mr. Albrecht said, and the applicant proposes to cross the BVW at the narrowest point. The crossing will result in permanent filling of 1,352 square feet of BVW, he said. Mitigation is proposed by the applicant.

Regarding the installation of the solar arrays, according to Mr. Albrecht, the only real disturbance to the wetlands is where the screws to the panels go in. No grading or removal of soil or vegetation is proposed. Any disturbed areas will be restored and re-seeded with whatever the Commission wishes, he said.

Mr. Albrecht discussed the project schedule and stated placement of erosion controls to build the gravel road would be first. He discussed the vegetation maintenance and said that they would mow the area once or twice a year and no fertilizers would be used. Mr. Lee requested that Mr. Albrecht prepare a Vegetation Management Plan, along with a maintenance schedule. Mr. Albrecht will provide that to the Commission.

Mr. Chisholm stated he would like to see some blown up details of the road crossing and a cross section of what is there. In addition, Mr. Chisholm would like to have it shown how the wetland will be protected during construction. Mr. Albrecht stated he anticipates a three month construction period in total. Mr. Albrecht stated that an excavator excavates the trench for underground utilities and the fences are put in “with a small machine.” Another “very small piece of equipment drives in the screws in less than two days.” Electricians then complete the work, he said.

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After discussion, the applicant will provide the following information:

- 100 year flood plain analysis
- List of other Borrego Solar installations in residential neighborhoods and other locations with wetlands on-site (2-3 years old) (For Commission to potentially look at)
- Details of two 18-inch culverts under the Town ditch located by northerly fence
- Detail to be shown on plan re: red line drawn by the northerly fence location
- Applicant will prepare Stormwater Management Plan for the Commission and file it with the EPA

Mr. Chorey questioned how the applicant proposes preventing rutting, washout and runoff from the gravel road into the wetlands. Mr. Chorey asked if the applicant would be amenable to paving the road. Mr. Albrecht stated that they prefer not to add impervious surface and could consider using “gravel pave” or other materials.

Many abutters were in attendance. Letters of concern were received from Michael E. Drenberg, Roy & Janet Woodman, Sharon & Charles Vaillencourt, and Elan Bair. The discussion was opened to the audience members, who raised many questions and concerns. Mr. Magilligan asked Mr. Albrecht if there was any risk of toxic chemicals leaching into the wetlands. Mr. Albrecht explained “spill containment control” procedures and stated that only the transformers would have “vegetable oil” – approximately 300 gallons each. Noise concerns were raised and discussed. Mr. Albrecht stated that the inverter was the only thing that would make any noise and that “at a distance of fifty feet, the noise would be similar to a conversation.” Ms. Tangerini, who owns the farm that abuts the property, expressed concern over shadows being cast by the structures onto her property/fields. According to Mr. Albrecht, there is a 22-25 ft. setback and the shadows will go “no further than 20 feet away.” Mr. John Mayer expressed concern over the chain link fence with the barbed wire surrounding the entire project. Mr. Albrecht stated that this is required by regulations and code and for insurance purposes because electricity is being generated. Many abutters expressed concern over this chain link fence that would now be at their back yards and the effect of the overall project on their property values. Mr. Albrecht said that in some instances, a seven foot chain link fence can be used instead of the barbed wire. Monitoring of the site would be provided by mounted cameras located near the transformers, facing to the west, Mr. Albrecht said. Many of those in attendance questioned why the applicant was choosing a residentially zoned area for such a project.

According to Mr. Albrecht, the project developer “found Mr. Dinnocenzo.” Mr. Albrecht stated that the proposed lease agreement would be in place for at least twenty years. Mr. Dinnocenzo “is leasing the land – not losing it,” he said. There eventually will be a “project owner.” “Someone will be purchasing the power,” Mr. Albrecht said, however, who that is “hasn’t been determined yet.” Mr. Drenberg stated that 40,000 square feet of the project is “in the wetlands” and asked if the applicant was “allowed to build in them.” Mr. Chisholm explained that it is incumbent upon the applicant to prove that what he does is not going to impact the wetlands and the Commission “either agrees or disagrees” with him. Ms. Tangerini asked if Mr. Albrecht had

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walked the site and stated it is very muddy. He said that he had walked most of it. Ms. Tangerini asked that the applicant “really think about how this is going to be maintained. The rutting will be incredible,” she said. She also raised concern for the wildlife corridor and stated that “barbed wire is not good for animals.”

The Commission explained that a site visit would be conducted and the hearing will be continued.

On a motion made by Mr. Chisholm, seconded by Ms. Rich, it was unanimously voted to continue the public hearing at 10:00 p.m. to Monday, May 19, 2014, 8:30 p.m.

A site visit was scheduled for Saturday, May 3, 2014, at 9:00 a.m.

OTHER BUSINESS:

Minutes

On a motion made by Ms. Rich, seconded by Ms. Gavin, the minutes from March 31, 2014, were unanimously approved as written.

Scheduled Conservation Commission Meetings: May 19, 2014

There being no further business, on a motion made by Mr. Lee, seconded by Ms. Rich, and voted unanimously, the meeting adjourned at 10:00 p.m.

Respectfully submitted,

*Camille Standley
Department Assistant*