

Sutton Planning Board
Minutes
March 9, 2015

Approved _____

Present: R. Largess, W. Whittier, J. Anderson, M. Sanderson
Staff: Jen Hager, Planning Director

General Business:

Minutes:

Motion: To approve the minutes of February 23, 2015, W. Whittier

2nd: J. Anderson

Vote: 3-0-1, M. Anderson abstained as she wasn't present at this meeting

Form A Plans: None

Recommendation – Hillside Drive Layout:

The Planning Director explained that during the process of adding previously accepted public ways to the Chapter 90 road funding list, Highway Foreman Lyman Rosebrooks found that Hillside Drive, which was constructed back in the 1990s, was never accepted as a public way. The Town has been maintaining this way since the 1990s and this proposed acceptance will clean up this oversight. The Board of Selectmen is required to refer such proposed actions to the Planning Board for their report prior to voting to layout potential public ways.

Motion: To recommend the Board of Selectmen layout Hillside Drive as a public way and that Town Meeting accept the way as public, W. Whittier

2nd: J. Anderson

Vote: 4-0-0

Correspondence/Other:

Annual report FY 2014 – The Planning Director noted the report for FY 14 is in the Board's file and that this annual report that is published each year as a part of the Town's Annual Report now includes attendance records for Board meetings.

Citizen Planner Training Collaborative (CPTC) – Jen Hager noted this year's annual training on subjects relevant to citizen planners will be held at Holy Cross on March 28th. The Town will pay the registration fee and mileage if any members can attend.

CMRPC Quarterly Meeting – The next quarterly meeting of Central Mass Regional Planning Commission is March 12th and features the new Director of what is now the Blackstone River Valley National Park!

(M. Sanderson stepped down from the Board as an abutter)

Public Hearing – Clean Energy Collective Solar (Carey) – 80 Worcester Providence Turnpike

R. Largess read the hearing notice as it appeared in The Chronicle.

Greg Carey of Clean Energy Collective was present to explain their proposed solar installation project. He stated they are part of Community Solar based in Colorado with an office in Worcester. They sell the power they generate primarily to residential customers who can't or don't want to install solar at their homes. They have similar installations in Rehoboth and Hadley.

He introduced team members Norman Gamache, P.E. of Guerriere & Halnon of Whitinsville, MA, Mike Whigham, Project Manager with Clean Energy Collective, and Rich Kleiman of Kleiman Energy & Environment, LLC based in Milton, MA. He noted they have met with every direct abutter, and have encountered no objections.

Norm Gamache reviewed the site plan for this 1.3 MW installation. The site is located behind uses that directly front on Route 146 namely the former Great Canadian Canoe plaza, TLC Pet Haven, Minardi Landscaping, and the Clark residence. The driveway to the project will be shared with the abutting Brown residence to the south that already has an easement for access over this property. There are two dilapidated structures on the site that will be removed as part of this project. The developer has begun the Notice of Intent process with the Conservation Commission as the driveway will need to be widened through a wetland resource area. The area where panels will be located will be cleared, graded in spots and over-seeded with a clover mix. In the buffers outside the security fence around the panels large trees will be cut leaving the stumps to prevent excessive erosion, and growth over 5' high will be cut but otherwise all existing vegetation will remain with no soil disturbance. As the installation is located on a hillside and clearing will increase runoff toward Route 146, drainage swales and structures must be installed along the eastern edge of the site. Screening plantings are also proposed along the eastern perimeter and some to the south. Mr. Gamache showed an aerial with contours that demonstrated there is a 50' high forested ridge between the proposed installation and homes on Burbank Road, therefore they are not proposing screening along their western perimeter.

The Board reviewed departmental comments including comments from the Town's consulting engineer who reviewed the site plan including critical drainage calculations. N. Gamache noted that although their drainage calculations are fully compliant, they haven't fully addressed all departmental comments yet.

Ted Brown from 86 W/P Turnpike who abuts the project to the south asked what the driveway surface will be? The current driveway is broken pavement and gravel. The proposed driveway will be paved at the street and then packed gravel through the wetlands with the upper portion newly paved.

In response to questions about wetland delineation N. Gamache explained wetland don't always appear wet, they are determined by plant species and the presence of hydric soils that hold water. In response to questions about noise it was noted this installation will use string inverters spread throughout the project as opposed to one central inverter so there will be no perceptible noise from anything other than the transformer which will only run during the day when power is being produced and which will comply with State regulations that limit increase of sound at a property line to 10 decibels maximum.

Gerald Brown, Trustee for 89 W/P Turnpike asked if the fence will have security wire at the top and what about animals getting trapped inside the fenced area? W. Whittier noted the solar installation at Whittier's Farm has a 6" gap at the base of the security fence to allow small animals to pass in and out and they also flipped the fence over so there are open barbs at the top to dissuade anyone from trying to climb over. The developer will consider these measures.

James Marran of 58 Burbank Road asked about the panels and if stone walls on the property would remain intact? The panels will be approximately 9 1/2' high and will be fixed in place at a set angle. They do not emit heat and do not reflect light. It was noted the Department of Energy Resources (DOER) has studied solar installations and their effects extensively. The stone walls that mark property lines will remain intact.

Motion: To continue the hearing to 3/23/15 at 7:25 PM, J. Anderson
 2nd: W. Whittier
 Vote: 3-0-0

M. Sanderson returned to the Board.

Public Hearing – Renewable Generation LLC Solar PV Installation – 49 Worcester Providence Turnpike

Travis Brown of Andrews Survey & Engineering overviewed adjustments made to the plans in response to comments. He provided two options to mitigate sound and visibility impacts 1) keep all existing vegetation in the 50' setbacks except for about 10' in which a staggered row of red cedars will be planted or 2) remove all but 10' of existing vegetation and install a 6-8' high earthen berm in the remaining 40' which will be planted with clover. He said the applicant is willing to construct either option depending on what the Board and abutters prefer. He reviewed the elevations on abutting lots compared to the proposed elevation of the berm and installation to help the understanding of what may or may not be visible.

Al Carlson of 12 Colonial Road and John Fallavollita Sr. of 20 Colonial Road commented. It was suggested the Board come out and see the site to help decide. The Board noted the abutters will live next to the installation so it's really their opinion that matters. Those present preferred that existing vegetation remain and be supplemented with red cedar and other plantings based on a site visit.

Motion: To approve the Site Plan for the 650 kW ground mounted solar installation at 49 W/P Turnpike with the following conditions:

1. Approval of all other local, state and federal authorities and bodies.
2. Prior to endorsement of the Site Plan reference to this Site Plan approval shall be entered upon the plans.
3. Prior to issuance of a building permit the Owner/Applicant (Operator) agrees to the following Financial Surety provisions and conditions to cover the cost of removal of the installation in the event the Town must remove it and remediate the landscape:
 - a. Prior to, and as a condition of, the issuance of a building permit the Owner/ Applicant and/or Operator (the "Owner") shall provide the Town of Sutton with an initial deposit of money in the amount of \$7,700.00; such funds shall be deposited into a special escrow account established to cover the cost of removal of the solar installation and/or remediation of the landscape; proceeds shall not become available to the Town unless and until the Owner/Applicant (Operator) is found in default.
 - b. An additional deposit of money in the amount of \$2,310.00 shall be provided by the Owner each successive year on or before April 1st for a period of ten (10) years.
4. Prior to issuance of a building permit the Owner/Applicant (Operator) shall supply the Planning Board with copies of the following:
 - a. Site Control –documentation of control of the project site, sufficient to allow for construction and operation of the solar photovoltaic installations;
 - b. Utility Notification –evidence that the utility company that operates the electrical grid has been informed of and approves the planned solar photovoltaic installation; copy of interconnected customer–owned generator agreement shall be provided.
 - c. Stormwater and Wastewater Infrastructure Permit (SWIP) –copy of Mass DEP Stormwater Permit shall be provided to the Building Inspector and Planning Board.
5. Prior to issuance of a building permit the Applicant/Engineer shall submit five (5) complete prints of the endorsed site development plan, two (2) fifty-percent (50%) reduced prints and one (1) electronic copy to the Sutton Planning Office.
6. Prior to issuance of a building permit the Owner/Applicant shall submit a stormwater pollution prevention plan (SWPPP) to the Planning Office.

- 7. During the construction phase, the access lane northwest of the J.D. ByRider building shall remain clear of parked vehicles.
- 8. A Knox box shall be installed at the gate keyed with a Sutton fire lock with all necessary keys and a fully knowledgeable contact list for the site.
- 9. Any illumination, including security lighting shall be arranged so as to reflect away from abutting properties and be directed in a manner to limit light trespass.
- 10. Landscaping shall be properly maintained, any dead or diseased plantings shall be replaced in the next immediate spring or fall planting season and the Board reserves the right to review landscaping annually to ensure it is being properly maintained.
- 11. Prior to start up of the facility the site engineer shall submit an As Built plan and written certification that the site has been constructed substantially in accordance with the plans approved by the Planning Board.
- 12. Prior to start up of the facility the Owner/Applicant (operator) shall provide the Fire Department with training and knowledge necessary for first responders to this location including a walk-through of the entire site, in consultation with the Fire Chief.
- 13. Prior to start up of the facility the Owner/Operator shall provide the Police Department with security information and keys, etc. for site access.
- 14. The Board reserves the right to reasonably supplement vegetative screening if necessary.
- 15. Prior to endorsement of the site plan, the applicant shall meet on site with the direct abutters and a Planning Board representative to determine appropriate screening plantings.

J. Anderson

2nd: M. Sanderson

Vote: 4-0-0

Motion: To close the hearing, W. Whittier

2nd: J. Anderson

Vote: 4-0-0

Chase Road Discussion - Tabled to future meeting.

Motion: To adjourn, M. Sanderson

2nd: W. Whittier

Vote: 3-0-0

Adjourned 8:24 P.M.