



*Office of*  
**ZONING BOARD of APPEALS**

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William Cadogan, Chair  
Anthony Genova, Member

Darlene Sodano, Vice-Chair

Craig Stevens, Member  
John Giunta, Associate Member

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**Minutes 1/11/17**  
**Townsend Memorial Hall, Townsend MA, Meeting Room 2**

**1.0 Preliminaries:**

- 1.1 Call the meeting to order: CS moved to open the meeting at 6:06PM.
  - 1.1.1 BC appointed John Giunta full member status for voting
- 1.2 Roll Call: William Cadogan (BC), Craig Stevens (CS), Darlene Sodano (DS), Anthony Genova (TG), John Giunta (JG). Michele Decoteau attended as Zoning Administrator.
- 1.3 Topics not reasonably anticipated by the Chair 48 hours in advance of the meeting: None.
- 1.4 Review and approve minutes from June 8, 2016, June 28, 2016, and December 21, 2016: DS moved to accept all three sets of minutes. CS seconded. All in Favor (AIF).

**2.0 Hearings/Appointments/Work Session**

**2.1 6:00pm: Public Hearing**

**22 West Meadow Road – Variance for Ground-mounted Solar Array under §§145-45, 145-64, 145-65 and 145-86.** Applicant is requesting to install a 1.283 megawatt ground mounted solar facility.

BC opened the hearing at 6:06PM.

BC read the legal notice, mandatory referrals, and summarized a letter dated Nov 17, 2016, from the Building Inspector.

John Barrett (JB) represented the applicant. In addition to the Applicant, Palmer Moore (Nexamp), Kim Craven, and Keven Conover attended to answer questions.

JB summarized the parcel and project. It is a 4.6 acre site near a 3-phase power source. This will allow the power to be easily accessed by utility company. Nexamp would build the array and then community members would be able to sign up for a discount rate on power. His arguments in favor of the application were:

- Chapter 40A of MGL says that towns cannot unfairly restrict solar to being only available by variance
- This will keep open space, open
- Financial incentives will be lost and a delay would be a financial hardship
- A solar array is not detrimental to the public good or the environment
- The intent of the draft Solar Bylaw will be upheld

Palmer Moore summarized some of the hardware concerns:

- Cabling will run from the array in a trench to a common connection.
- Existing poles will be repurposed

- What makes this variance imperative is the tax benefit, time-limited incentives (for the applicant), and the existing bylaw violates the MGL
- This is the maximum size for this rate of savings. If we have to move to a bigger tier of savings, then the site would have to be much larger

Kevin Conover shared his thoughts about the project. While this is a commercial project, there are far fewer impacts to town services than if this land were developed with a subdivision.

Palmer Moore – Community Shared Solar is a democratization of power. If folks sign up they would get net-metering which would be an administrative benefit.

- On average a home in this area uses 6 KW per year
- This project will benefit approximately 200 homes
- This is a relatively small number of homes
- The Board of Selectmen might advocate to residents and provide workshops for residents to sign up
- Typical savings is 15%
- There will be no costs, the consumers get credits which generate a net savings

Steve Meehan (7 Fox Run), an abutter, spoke about this being a tangible benefit. Utility Companies give you tip etc. This project is good for them, not because they are good neighbors, but because it is an inexpensive way for them to provide power without the expense of building new power plants.

- Neighborhood power generation helps to keep utility rates low for all customers.
- Anything we can do reduce our dependency on oil is good.
- No argument against this!

Bill Rideout (88 South Harbor Road), an abutter, spoke about his support.

- Less carbon emitted is good for the planet
- This is another tool to keep farms surviving

Kym Craven added that many places seem like they could put solar in but when you actually look carefully the number of places is minute. This project

- Will benefit the entire town
- Will not open the flood gates since there are so few places
- The town owned properties are not viable
- All the possible areas in a protected class
- The imperative is to run Lockbrook LLC and Craven Homes, we need to do this

Pursuant to §145-66 (A)

- (1) This is one of the few parcels of land in town that is suitable for this type of project. Trees don't need to be removed. Under existing conditions, this meets the size and proximity to 3-phase power.
- (2) This is low impact project will not impact views and vista of neighbors or people driving by.
- (3) MGL Chapter 40A, §3 prohibits any zoning bylaw from unreasonably regulating the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety or welfare.

DS moved to grant a variance to Lockbrook Realty Trust to build a solar array as described in the application, with the protected vistas including fencing and proposed setbacks. CS seconded.

Roll call vote:

Tony Genova No  
Craig Stevens Yes  
John Giunta Yes  
Darlene Sodano Yes  
Bill Cadogan Yes. The motion carries.

§145-45

DS moved that given the low impact nature of the proposed project that the submittals are acceptable. CS seconded.

Roll call vote:

Tony Genova Yes  
Craig Stevens Yes  
John Giunta Yes  
Darlene Sodano Yes  
Bill Cadogan Yes. The motion carries.

§145-65 F(1)

- (a) The site is adequate using 4.6 acres of a 37 acre property.
- (b) The site is suitable as one of the few suitable properties in town.
- (c) There will be no impact on traffic.
- (d) The impact on the neighborhood visual character will be negligible with the set backs.
- (e) There will be no sewage produce.
- (f) This project will supplement public service.
- (g) This is a low impact project that protects the natural resources.

DS moved to grant the Special Permit based on the proposal because the use will not have adverse effects which overbalance its beneficial effects on either the neighborhood or the Town, in view of the particular characteristics of the site. AG seconded.

Roll call vote: Tony Genova Yes  
Craig Stevens Yes  
John Giunta Yes  
Darlene Sodano Yes  
Bill Cadogan Yes. The motion carries.

DS moved to grant a variance based on §§165-45, 145-65, 145-66.

Roll call vote: Tony Genova Yes  
Craig Stevens Yes  
John Giunta Yes  
Darlene Sodano Yes  
Bill Cadogan Yes. The motion carries.

**3.0 General Business:**

3.1 Mandatory Referrals: None

**4.0 Correspondence:**

4.1 Notices from Townsend / Other Towns: Noted

**5.0 Schedule: None**

**6.0 Adjournment: DS moved to adjourn the meeting. CS seconded. AIF.**