REGULAR MEETING BRIDGEWATER PLANNING BOARD MARCH 15, 2017

The regular meeting of the Bridgewater Planning Board convened at 6:30 pm in the Council Chamber-Room 203-Academy Building.

TRINITY CIRCLE PUBLIC HEARING CONTINUATION

The public hearing reconvened at 6:30 pm. Mr. Driscoll explained that there are drainage issues that haven't been resolved; an email from Larry Silva, engineer, was read into the record requesting a continuance.

Beth Marden -30 Ashtead Road-commented that she was reading the minutes from the Feb.6th meeting and advised the members that she was with Mr. Silva the day he looked at the area behind her house and he referred to the flow of water as a "trickle"; she stated that it was not a trickle, but half way up the pipe. Mr. Driscoll advised her that this is part of the drainage issues with the Town Engineer.

On a motion by Mr. Guarino, seconded by Mr. Ajemian, it was unanimously voted to continue the hearing to April 5, 2017 at 6:45 pm.

BOSTON CONTAINER EXTENSION REQUEST FOR SITE PLAN

A letter read from Louis Ravanis, President requesting an extension for their site plan permits due to circumstances that were beyond their control and were unable to make progress on their building and the expiration of their site plan permit is approaching.

On a motion by Mr. Ajemian, seconded by Mr. Sullivan, it was unanimously voted to grant an extension in time on special permit issued on April 6, 2015 for one year (to April 6, 2018) and to remind the applicant that any changes of use or to the site will require a modification hearing.

FORM A-MIKE KOSKA FOR BRIAN KILLEA-WALNUT STREET

Mr. Koska noted that this is the area of the proposed Walnut Woods (Map 51, plots 3 and 4). Mr. Killea went to the ZBA and received a variance and special permit dated 2/8/17 for two retreat lots 1 and 3 Lot 2 is house #334-pool to be removed.

On a motion by Mr. Sullivan, seconded by Mr. Ajemian it was unanimously voted to endorse the Form A plan.

COMMUNITY PRESERVATION COMMITTEE

Meetings of the CPC have been changed to the 2nd Monday of the month; as such, Mr. Ajemian, who represented the Planning Board, is no longer able to attend due to other commitments.

On a motion by Mr. Ajemian, seconded by Ms. Guarino, it was unanimously voted to recommend to the Town Manager that Mr. Sullivan be appointed to the CPC as the Planning Board representative.

AUBURN STREET SOLAR -IMHOFF FARM- PUBLIC HEARING CONTINUATION

The public hearing reconvened at 7:00 pm.

Correspondence received read into the record:

Email from Chris Veale dated 3/15/17 requesting a further continuance of the site plan public hearing and the modification hearing convening tonight and response from Mr. Delonno.

Email from Andrew Delonno to Chris Veale dated 3/15/17-please address the status of the following items at tonight's meeting:

1. Glare study;
2. Noise specs on equipment/switchgear;
3. Status of con com process;
4. Status of application w/Grid;
5. Issue of 2 principal uses on map 79, lot 4 (I spoke to the building inspector and received a preliminary determination that the existing residence would require a special permit from ZBA);
6. Discussion of plans for visual screening.

March 13th letter from Attorney McCluskey-He explained that they had requested the hearing be continued to this date in order for his client to resolve the power supply and distribution matters with National Grid and he was happy to report that they have reached an agreement. Additionally, they agreed to file a special permit modification application, re-advertise the hearing and re-notify the abutters to that all interested parties would be informed of the site plan modification. He explained that originally, the solar panels were designed with a minimum lot line setback distance of two hundred twenty (220) feet because the panels were designed with string inverters behind the panels. However, given the need to maximize the separation distance form the mean annual high water mark of the perennial stream along and adjacent to the eastern boundary of the project area and to maintain a minimum setback distance of twenty five (25) feet from bordering vegetated wetlands, his client determined that it would make most sense to change the project layout by utilizing central inverters instead thereby allow the panels to be fifty (50) feet from the lot lines as provided for in the Bridgewater Solar Bylaw/Ordinance. The revised site plan that has been submitted with the application modification accomplishes the objective. The central inverters are designed with a minimum lot line setback distance of two hundred twenty (220) feet. In the interim, his client has filed a Notice of Intent with the Conservation Commission which was denied. That denial was appealed to both MA DEP and to the Superior Court. Once the appeals are concluded, they would be in a position to move forward with the special permit process.

Mr. Chris Gallagher submitted the green notification cards and explained the changes to the plan outlined by Attorney McCluskey. The plan the Board was looking at is the same plan that was submitted to Conservation (revised October 12th) and is the most recent plan. He explained that there were significant difference between the Conservation botanist and their botanist. Another modification was the addition of a fence, a configuration change and the driveway was relocated because the power company and the Imhoff's were using the same one. He said they had glare and noise studies done, which could be affected by the changes to the solar panel redesign and change in locations.

As far as the duel use on the property they have several ways to address that:

1. Can get a Special Permit from the ZBA

2. Create a form A with frontage
3. Get a special permit for a retreat lot

Mr. Sullivan commented that since the initial submittal and the site walk the applicant hasn't received any input from the Planning Board. He questioned how the plans could be revised when they don't know what we like and don't like. One of his major concerns was the multiple use issue; there are other issues as well, he said. He mentioned the 13 utility poles on Auburn Street and said that one of his recommendations to the Board was that there be no utility poles, transformers or transition area be allowed within 200' of Auburn Street. Mr. Driscoll noted that he plan he was looking at had 6 poles, not 13. Mr. Sullivan commented about the fact that there was no visual buffering. Mr. Driscoll said that he agreed with him, however, we do not know if this is going to be the final plan until a determination comes down from DEP. Mr. Gallaher noted that buffering had been discussed before and there is a couple of hundred feet of woods there; he doesn't feel that anything additional is necessary on that side. On another side the houses are several hundred feet away and are a lot higher than this site; additional buffering won't help. Mr. Gallagher stated that at this point they are focusing on the design. Mr. Gallagher stated that as far as the poles are concerned they are back 100 feet; they might be able to move them back a bit, he said, with a reconfiguration of some panels. Mr. Driscoll noted as far as the poles are concerned, our bylaw stated that the connections should be underground. Mr. Sullivan noted that there is an existing easement so if the connections from there were underground that serves the purpose as well.

Harry Bailey, a member of the Conservation Commission, said that Mr. Etoniru was the engineer of record on this project so he had to recues himself from consulting the Commission so they had to hire an engineer and they hired Mr. Lanney as the consultant; he doesn't know wetlands, so they hired Lenore White from Wetlands Strategies. He stated that they have to rely on their consultants. At the last meeting, Attorney McCluskey came in and at the beginning of the meeting, told the commission that he wanted them to make a decision that night. At the end of the meeting, Mr. Bailey made a request that the hearing be continued and Attorney McCluskey got up and said no. There was no second to his motion; the hearing was closed and Conservation made their decision. He stated that they did not have the information from their consultant or wetland specialist to go forward so that is why they denied it. He stated that he just wanted the Planning Board to know their position; they could have continued the hearing.

Mike Berolini- 29 Old Farm Road-stated that they are trying to put in 14,000 solar panels, which is the size of 10 football fields, in a residential area; in order to get a special permit you have to promote the general safety and welfare of the Town, he said. Putting something this massive, he said, is just not conducive to the area and will change the dynamics of this residential area. He spoke about the fact that the plans show no kind of buffering and the Ordinance clearly states that all structures shall be shielded from any abutting properties. He commented that he is not against solar and wouldn't be against this if it wasn't so massive….and now, they have actually expanded the project with this modification instead of trying to appease the neighbors.

Fred Chase-60 Old Farm Road-said he would like a clarification of whether or not there is a pilot agreement? Mr. Delonno said no; there could be, but it is up to the Town Manager and Town Council to negotiate that. Mr. Chase stated that he is the designated representative of the" Imhoff Solar Farm 10 citizen group". The actually consist of 25 residents and abutters to the site and they have gained legal status as a pardon with the DEP for the purpose of pursuing any possible appeal of a reviewable for a that might be rendered buy DEP in their consideration now of the applicants request for a superseding

Order of Conditions . They intend to utilize every avenue for appeal that will be available to them, he said. He commented that he appreciated Mr. Sullivan's comment about the fact that it is the Board's responsibility to protect the interests of its residents; that is why we have zoning laws, he said. He said he did a quick calculation today….among the group of residents he represents, the total aggregate of taxable property is approximately $6,691,800. He told the Board they must protect that.

Laura Walsh-old Farm Road-her concern was the glare that might come from all these panels; she didn't thing enough studies had been done. She also told the Board that she has a skin condition caused by the sun and if this goes forward, she would have to sell her house and she questioned "who would buy it". Mr. Gallagher commented that all panels face south; not facing any house other than the Inhoff Farm.

Rose Pool-15 Auburndale Heights questioned the long term affect or consequences of such a large aggregate.

Bill Lee-700 Auburn Street-commented that there is no such thing as "no reflections" in solar panels; he expressed concern with night time lighting, effects on human health, animals/breeding and migration and will have a definite affect to their property values.

Cheryl Chandler-730 Auburn Street-expressed concern with setting precedence; they all own large acreage; would completely change the neighborhood if everyone else decided to subdivide property and have a solar farm.

Mr. Ajemian commented that it his responsibility to protect the town residents; they obviously have concerns that must be addressed.

Mr. Gallagher submitted a formal request for an extension in time for Board action to May 3, 2017.

On a motion by Mr. Sullivan, seconded by Mr. Ajemian, it was unanimously voted to continue the public hearings to May 3, 2017 at 7:00 pm and accept the extension in time for Board action to May 30, 2017.

On a motion by Mr. Ajemian, seconded by Ms. Guarino, it was unanimously voted to adjourn the meeting at 7:51 pm.

MINUTES APPROVED:_____