

**WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING**

April 3, 2018

Pursuant to a meeting notice posted by the Town Clerk that was delivered to all Board members, a meeting of the West Newbury Planning Board was held on April 3, 2018 at 7:00pm in the 2nd floor Hearing Room at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, John Sarkis, Richard Bridges Raymond Cook and Brian Murphey were in attendance. Town Planner Leah Zambenardi and Associate Member Cindy Sauter were also in attendance.

Discussion/Report to Town Meeting: Request to Modify Town's Solar Overlay District to Include 20 Acres of Land off of Coffin Street – Michael Cary submitting on behalf of John Beaucher

Sarah Rosenblat, SWEB Project Coordinator, provided answers to questions that have been asked by the Board members and residents.

Rosenblat gave an overview of what the benefits to the Town are. Rosenblat stated that one of the benefits would be that 51.6 acres of land would be donated and put under a conservation restriction. She stated that SWEB is currently in the process of working on a draft letter of commitment with the Open Space Committee. The letter will be executed before the vote. Another benefit is that there will be an opportunity for Community Shared Solar, in which the Town members could receive a 10% discount on their electric bills. This will be done with a third party called, BlueWave. This project would also improve the infrastructure by reducing the storm water runoff and making it cleaner. The PILOT program, which is the financial benefit to the Town, has been discussed with the Finance Committee.

It was requested that SWEB present renderings of the view of the project from Page School. Rosenblat submitted multiple photographic renderings from the Page School, abutters' homes, Coffin Street, Cortland Lane, and more. She also presented renderings showing where the tree clearing will be.

SWEB provided a comparison on the tax revenue between the PILOT program as compared to Property tax benefits if the land were developed for housing, based on the assumption that the land would yield six houses. She stated that with the property taxes would generate about \$45,000 and the PILOT program is also estimated to provide \$between \$40,000 and \$64,000 to the Town annually. Therefore, there isn't that much of difference regarding the financial benefits between a housing development and the solar project for the land. Sarkis further discussed the property taxes for new residences and suggested they would be higher.

Per request Rosenblat presented the topography of the site as related to the efficiency of the space for panels. Due to the ability to tilt the panels, it doesn't matter that this land is sloped. The panels will be fixed panels, tilted at an angle to maximize their efficiency.

Rosenblat also presented the proposed screening, an image of exactly what the panels will look like, the proposed fencing, and all tree clearing locations, as well an updated overall site plan. The proposed fencing is wood board fencing which could potentially cause more maintenance. Wood fencing was requested by the neighbors.

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She also showed a sound chart which portrayed decibels at the property lines with no interference and no background noise. By the time the sound would hit the first house, the level would be 12.5 decibels which is comparable to falling leaves. All the direct neighbors would be under 12.5 decibels.

Rosenblat discussed case studies on the effect of residential property values where similar Solar projects were installed nearby. The case studies resulted in the conclusion that the homes did not lose value in the time since a solar field was installed. Within the research the current values of the homes were derived from Zillow, and the solar fields that were installed were smaller than the one proposed for West Newbury.

Rosenblat also presented a report from a real estate company on a different proposed project, which the outcome stated there would not be decrease in the home values due to the creation of the solar farm. She also shared an informative packet of information from DOER discussing solar fields, and common questions and answers.

John McGrath, Main Street, requested clarification of the 51.6 acres of land proposed for open space. Rosenblat further clarified that land will be donated to the Town with a conservation restriction, or to a conservation agency. She stated that the plan is to create a trail system along with the conservation restriction. Sarkis noted the proposed open space appears to be land locked and advised SWEB to research the legalities of creating such. McGrath prefers that the land be donated to the Town as municipal land, and that the Town should decide what to do with the land.

Steve McCall, 9 Cortland, questioned who did the sight lines. Steve Weir, Weston & Sampson, replied that they were done by licensing architects. He also questioned if the real estate assessment included median home price and comparison metrics.

Maureen McCall, 9 Cortland, stated that there is a home value difference between Swansea, MA (a case study that had been discussed) and West Newbury.

Kathy Feehery, Main St. is concerned with access to the trail system. She stated that one area is under a transmission corridor and is not passable. She is also concerned with setbacks from the transmission corridor. Weir stated that they will have trail access out to Coffin St.

Jean Lambert, 215 River Rd., member of Open Space Committee, clarified that they are not working on a commitment letter with the SWEB.

Patricia Reeser, 84 Crane Neck St., Chair of Open Space Committee, stated that there is not unanimous vote from Open Space on the solar field proposal. She is working on the commitment letter with SWEB independent of the Open Space Committee.

Rose Vetere, 54 Coffin St., verified that the size of installations with the comparison homes were a lot smaller than the proposal in Town. She also stated that one of the pictures in the comparison slide showed a sign near the fencing that stated, "danger high voltage".

The Planning Board discussed the proposal and unanimously is not in favor of the project. Murphey stated that the project does not meet the findings in sections 8A2F of the Zoning Bylaw. He also feels that the size of the proposed project is larger than his expectations. He feels that this land would be better suited for a housing development. Cook feels that there is a considerable benefit to the Town, that is quiet, safe,

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and that it is good to develop such a resource for the Town. Cook's issue is with the scale of the project. Sarkis stated this proposal demonstrates a flaw in the process, which is to be able to put a parcel up for a vote to be included in the district. Sarkis feels that this project is too close to certain abutters' homes. He personally went to certain abutters' properties to see their viewshed and feels that the renderings that were presented from those homes did not accurately depict the post development view. He also feels that if the arrays were setback further than there would be no change in the home values. Bridges stated that the Board is in a position where they have to look at different things in which they don't usually do. Bridges is not in favor of the scale of the development on the site. He feels that there are other locations in the region such as commercial or industrial district where there isn't as much of a residence burden. He also stated that if SWEB proposed a smaller scale project than it might not be an issue. Bardeen feels that the site is not the best location for the size of project. She also stated if a residential development was built it would have an impact on abutters as well. She is concerned that with current solar bylaw that the Planning Board will have to go through this process every time there is a proposal.

Zambernardi will write a report including the Board's input.

The Board voted to not recommend the solar overlay district proposal to the Selectmen. The Board agreed to recommend to the Selectmen that there be a binding commitment letter regarding the 51.6 conservation land included in the article.

Frank Vetere, 54 Coffin St., questioned how the Town accepts a land donation. The Board stated that it will be a Town meeting vote.

Sarkis made a motion to recommend that Town meeting approve the project. Cook seconded the motion and it did not pass 0-5.

Discussion/Report to Town Meeting: Request to Amend Section 5.G.5. of the West Newbury Zoning Bylaw "Large- Scale Ground- Mounted Solar Photovoltaic Installations" - Rose Vetere

Resident Rose Vetere, had previously presented her proposed amendments to sections in the Zoning Bylaw. The first amendment proposal is to insert the following as new Section 5.G.5.c amendment is to *provide stricter guidelines for setbacks for large-scale ground mounted solar photovoltaic installations within the residence A, B, or C districts and rear setbacks shall not be less than 200 feet on the applicant's property. LGSPI shall be provided with 200-foot setbacks on all lot lines abutting a Residence A, B, or C District, regardless of the zoning designated for the proposed site.* The Board discussed this article and agree that that is too restrictive.

Sarkis made a motion to recommend that Town meeting approve the project. Cook seconded the motion and it did not pass 0-5. Sarkis stated that the proposal is too restrictive but the Board does want to address this matter in the future.

The second amendment proposal is to amend the Town of West Newbury Zoning Bylaw by inserting the following as new Section 5.G.5.c: *"All Large-Scale Ground-Mounted Solar Photovoltaic Installations (LGSPI) located in Residence A, B or C districts shall not exceed a nameplate capacity of 500 kW DC."*

The Board discussed this amendment. Murphey is in favor of this, because smaller is better for West Newbury. Cook feels that this is too restrictive, and that the Attorney General could deny this recommendation. Sarkis stated that he is not sure this is a good fit for every case, and can't support the way it's written but stated that a sliding scale system could potentially work. Bridges is not in agreement

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with the restrictiveness, as the property yields the limits. Bardeen stated that the capacity is dependent on the land, therefore this proposal is too restrictive.

Sarkis made a motion to recommend that Town Meeting approve this proposal. Cook seconded the motion and it did not carry 1-4-0. Murphey is in favor. All others are opposed.

The third proposal is to amend section 5.G.4.d of the Zoning Bylaw to require that more detailed information be submitted to the Selectmen or Planning Board of the solar installation and overlay district of abutting properties before Town Meeting Vote.

Sarkis is not sure of the legalities of this proposal, and while he understands the rational, he cannot vote in favor. He also stated that it is up to the applicant as to how much they want to spend to get an approval. Murphey stated that he would be in favor of the proposal without the site plan review piece. Bridges agrees that this is too restrictive. While the Board members overall oppose this due to legal conflicts, they do recognize the issues addressed.

Sarkis made a motion to recommend that Town meeting approve the project. Cook seconded the motion and it did not pass 0-5.

**Recommendation to Selectmen: Notice of Intent to Sell Chapter 61B Land for Residential Use
0 Middle Street, Assessor's Map 27, Lot 32 – Middle Street Holdings, LLC**

The Board discussed that the land has no use to the Town especially with a value of \$900,000. The property is being purchased by the Insight Meditation Center.

Cook made a motion to recommend to the Selectmen that they do not purchase this land at the suggested purchase price. Bridges seconded, and it carried 0-5-0.

Review of Open Space Preservation Development Bylaw, Section 6.B of Zoning Bylaw

The Board tabled the matter.

General Business –

Updates – Chapter 40B Minimum Acreage Calculations Study, Archelaus Hill Road ANR/Gorman, Town Center Infrastructure Planning Study, Regional Housing Plan
Zambernardi will send updates to the Board via email.

Minutes – March 6, 2018, March 20, 2018

The Board agreed to review the minutes at a future time.

Vouchers –

There were payments for office supplies and timesheets.

Correspondence –

This was not discussed.

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Administrative Details – Property Tax Work-Off Program
This was not discussed.

Adjournment -

The meeting was adjourned at 10:12 PM.

Submitted by,

Lori Dawidowicz
Recording Secretary