

WEST NEWBURY PLANNING BOARD
MINUTES OF MEETING
December 19, 2017

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 December 19, 2017 at 7:00pm in the 2nd floor Hearing Room at the West Newbury Town Offices, 381 Main Street. Board Members Ann Bardeen, Brian Murphey, John Sarkis, Raymond Cook, and Richard Bridges were in attendance. Town Planner Leah Zambbernardi was also in attendance. Alternate Members Cindy Sauter was not in attendance.

Subdivision Approval Not Required Plan: Assessor's Map R-1, Lot 58, Dole Place – Andrew Gage Nicholas Realty Trust (Owner) – C.W. Collins Corp (Applicant) – Creating of 1 Building Lot

Zambbernardi stated the Planning Board received an ANR a parcel on Dole Place (Map R-1, Parcel 58), but the Zoning District boundary line was not drawn correctly, and therefore the applicant submitted a request to withdraw the plan.

Sarkis made a motion to allow the applicant, Tim Collins, to withdraw without prejudice his request for endorsement of an ANR plan for property on Dole Place (Assessors Map R-1, Parcel 60) owned by Andrew Gage Nichols Realty Trust. Cook seconded the motion and it carried 5-0-0.

Continued Pre-Application Conference: Proposed Zoning Amendment/Map Change Re: Large-Scale Ground Mounted Solar Photovoltaic Overlay District at Beaucher Property on Coffin Street proposed by SWEB Development on behalf of the Landowner (last discussed on 9/19/17)

Sarkis explained the rules governing Zoning Bylaw Amendments, and discussed how map changes are conducted. He had stated that the Zoning Bylaw was amended to create regulations governing LSGMSPOD and made provisions for the districts to be created at the will of the Town. Sarkis further explained the Zoning Bylaw Map Amendment law, and that a 2/3 majority town vote would be needed for the district to be approved. Once an Article is received by the Selectmen, they submit it to the Planning Board, who conducts a public hearing and makes a report to Town Meeting. If the article is approved by Town Meeting then it would be submitted to the Attorney General for approval.

Previously on 9/19/17, Michael Carey from SWEB Development met with the Board informally and discussed the initial proposal for the solar field at the Beaucher Property. Tonight, Sarah Rosenblat, SWEB Development, provided more details on the proposal. She stated that this proposal by SWEB will be part of the SMART program with the goal to gain 1600 megawatts on the grid. The SMART program is the new solar initiative run by the Massachusetts DOER. Rosenblat presented the 72 acres where the solar field would be built. The solar field footprint is 14 acres within the 72 acres. The width of the access road will be 15ft. Everything outside of the 14 acres is planned to be under conservation land therefore any future development would have to be within the 14 acres that is proposed. Rosenblat has spoken with the Open Space Committee, and is proposing new trails within the conservation land. One proposed trail is to serve multiple uses such as walking, equestrian, and biking. There will be screening to the proposed site, which can be an open discussion as the process moves forward. She demonstrated where the arrays will be facing and discussed the topography of the site.

West Newbury Planning Board, Minutes, December 19, 2017. Approved February 20, 2018.

Andrew Walker, Weston and Sampson Engineers, discussed the Storm Water runOff. Walker discussed that the water will drain to 5 different locations, presented them on the map, and stated that simple BMP's can be installed to mitigate the runoff. Walker also showed the location of proposed swales and retention basin.

Rosenblat provided a brief overview of the steps moving forward with the project including entering a PILOT agreement. The PILOT agreement stands for Payment In Lieu of Taxes. Rosenblat explained that approximately \$10,000-12,000 per megawatt would be paid to the Town, which would total \$40,000-\$50,000 in lieu of Property Taxes. She stated that SWEB Development would operate the project and own the property for 20yrs in which there will be an interconnection agreement with National Grid. At 15yrs they will work with National Grid to see if they will extend the agreement, which can be a maximum of 40yrs. If there is no extension, then a decommissioning process will begin. At a future meeting Rosenblat will provide information as to the protocol after the 20yr project scope is completed. The Business Model of SWEB is to not sell the land. Typically the land would be given to the Town and the 58 acres would remain conservation land.

Some of the benefits would be that SWEB Development will make an annual payment to the Town for the operation duration, which is 20yrs. The land would remain under conservation as well as the new trails.

As the project moves forward, Rosenblat will provide a photo rendering of the view from the Page School, and other areas to show what that site will look like. Sarkis advised that she show the entrance to Coffin St. and the neighboring subdivision of Cortland Lane. At the suggestion of the Board, she will also provide graphics showing what the site would look like post clearing including what would remain, thus providing a better scope of the project layout. It was also requested that SWEB provide an efficiency of space calculation as related to power output to assist in assessing the quality of the site for use as power generation.

Liz Hatch, 94 Maple St. questioned the duration of construction disruptions, decibel level, and water use. Rosenblat stated that the Project timeline is divided into two sections. The first section is site preparation which takes approximately 4-6 weeks. The second phase is the construction which takes 10 weeks. Once that is completed there be there won't be traffic to the site, except for Operation and Maintenance teams which is minimal during the year. She stated that the decibel level is 54, which is very minimal.

Rose Vetere, 54 Coffin St., questioned the number of panels to be installed. Rosenblat stated that approximately 12,000 -13,000 individual 360-watt panels would be installed. She will provide graphics and dimensions of the panels at a future meeting.

Brad Bodwin, 44 Coffin St., stated his concern for collecting the money in lieu of taxes.

Elisa Grammer, 47 Coffin St., questioned if community solar is an option as part of the project. Rosenblat stated that the SMART does offer community solar, in which individuals that participate could offset their electric bills. Rosenblat stated that she will provide more information at a future time.

Jean Lambert, 215 River Rd. questioned if there is any potential environmental harm towards humans or animals. Rosenblat stated that with all the research that has been done, there is no evidence of environmental harm. The panels are made from glass, and there are no toxins within them. Studies have also indicated that there are no harmful effects from the EMF radiation. Lambert also asked how much of the 14 acres would be clear cut. Lambert questioned if the proposed retention pond would draw

West Newbury Planning Board, Minutes, December 19, 2017. Approved February 20, 2018.

mosquitos. Walker responded that it would be very small. Lambert questioned if there would be a reason to remove the conservation restriction. Rosenblat stated that once the project is interconnected into the grid it must remain the size it is.

Jim McCobb, 65 Coffin St., is concerned with the runoff of project to his property. He is also concerned with the timing of the final documentation and when it is presented to the public to be voted on for Town Meeting. Sarkis stated that the detail review begins after Town Meeting, but it is advised that the applicant provide detail on the technical matters as to the final project outlook. McCobb stated his concern about the financial capacity of the applicant to be able to fund the project. The Board stated that the Town doesn't have the legal right to question the financial capability of the developer, but there are protections such as bondings as well as certain insurances.

Dan Carlat, 9 Old Wharf Ln., stated his concern about the permanency of the conservation restriction.

Kathy Fury, 540 Main St., stated that there is a difference between 61B designation and a permanent easement in perpetuity. Rosenblat stated that 61B is currently not part of the project proposal. The current plan is to put all the land in conservation land in perpetuity.

Frank Vetere, 54 Coffin St., discussed the topography of the site, and stated his concern that there is substantial impervious cover. Walker stated that the runoff from the panel will be into the grass and will drain away from the panel, and that swales will be implemented. Vetere is concerned with the property values on Coffin St. and Cortland Lane. He feels that the view shed of those homes will be the solar field, and therefore diminish home values.

Paula Cutter, 44 Coffin St., stated her concern over her property value.

Zambernardi stated that all information presented on the project can be can be shared with the public via a Dropbox file.

Documentation Reviewed: Draft Storm Water Management Report – December 14, 2017, updated email from SWEB dated 12/15/17, Coffin Street Solar Update dated 12/15/2017

Continued Public Hearing related to an Open Space Preservation Development at 365 Main Street and 34 Meetinghouse Hill Road (aka Drakes Landing) - William Daley (Owner); Cottage Advisors, LLC (Applicant) - Site Plan Review pursuant to Section 8.B. of the West Newbury Zoning Bylaw

Rob Blanchett, Cammet Engineering, presented the plans with the grade level changes to the roadway in the development. This will result in reducing the amount of fill that will be needed for the site. Blanchett discussed the grade level changes throughout the development. The revised calculations are in compliance with DEP's 10 BMP standards, which have been provided to Meridian. There will be no changes to the septic system. The basements of the homes will be sitting above the seasonal high-water table. Foundation drains will be connected to each other and be daylighted. The average swale height is 2ft. With this change the houses dropped roughly an average of 1ft. About half the homes will have gutters, in which the homeowners are responsible for maintaining them. Sarkis recommended that the collection system for roof runoff be included in the Operation Maintenance Manual. Blanchett discussed the topography for the new retention basin, which will be outside the open space. With regards to the town septic system on the adjacent property, Blanchett stated the state environmental requirement code is a 25ft offset from an open basin to a leach facility. Currently from the property line to the leaching

West Newbury Planning Board, Minutes, December 19, 2017. Approved February 20, 2018.

facility is 50ft, and then another 25ft from the property line into the site, totaling 75ft edge to edge. A mounding calculation was conducted and submitted to Meridian. Hall stated that due to the high seasonal water area, some of the unit locations moved including some of the affordable units. The affordable unit numbers changed, and would therefore need to be referenced to in the decision.

Dan Carlat, 9 Old Wharf Ln., questioned what the public access to the trail system would be and what they will look like. Hall discussed that the trail will be stone dust, and presented where the trail system will go on the plans.

Liz Hatch, 94 Maple St. expressed her concern with certain lots near Maple St. She also questioned if there is a backup system for sump pumps? Blanchett replied that there is Backup generator so there is no issues if water needs to be removed from the homes if there is a power outage.

Melissa Robbins requested to continue the public hearing to January 9, 2017.

Sarkis made a motion to continue the public hearing to January 9 at 7:15pm. Cook seconded the motion and it carried 5-0-0.

Documentation Reviewed: Revised plans, Revised Storm water plans, Various Department comments via email

Set Public Hearing Date: Site Plan Preview Application involving the demolition of the existing water storage tank at Brake Hill and the installation of a new water storage tank – West Newbury Water Department

Zambernardi stated that the Board received a Site plan application for demolition of the water tower, and to build a new one. The Board agreed to hold the public hearing for site plan review on January 23, 2017 at 7:15. Sarkis requested that the Board review the site prior to the review.

General Business –

Updates -

Sarkis shared that he had attending a group meeting with the Selectmen and other town committees discussing communication of various official town affairs with the public. The Board discussed how to communicate Planning Board information via social media networks, and agreed that a link be posted on the Planning Board Facebook Page that will redirect residents to the town website.

Liz Hatch, 94 Maple St. discussed that she and a few others have created a Facebook page discussing news of the town.

Vouchers –

The Board signed vouchers for Meridian.

Correspondence –

There was no correspondence.

Minutes – December 5, 2017

West Newbury Planning Board, Minutes, December 19, 2017. Approved February 20, 2018.

Sarkis motioned to accept the December 5, 2017 minutes as edited, seconded by Bardeen and it carried 5-0-0.

Administrative Details –

There was no correspondence.

The meeting was adjourned at 10:00pm.

Submitted by,

Lori Dawidowicz
Recording Secretary