



GRANBY PLANNING BOARD

10 West State Street

Granby, MA 01033

Telephone: (413) 467-7177 Fax: (413) 467-2080

Website: www.granby-ma.gov

Members: Glen Sexton, Chair
Jim Trompke, Vice Chair
Robert Sheehan, Jr., Treasurer
Lillian Camus, Secretary, PVPC Rep
Rob Chauvin, Member

Others: William Scanlan - PVPC
Briony Angus – Tighe & Bond
Brian Huntley – Tighe & Bond
Mike Resca – CPV
Jake Brumback – CPV
Greg Sampson, Attorney for CPV Red Rock, LLC – Brown Rudnick
Tyler Saremi
Chuck Martins – Chuck's Signs
Dean Smith – Borrego Solar

Absent:

Meeting: Monday, March 11, 2019

Location: One Library Lane, Upper Level, Granby, MA

Minutes

CALL TO ORDER: Glen Sexton called the meeting to order at 4:31 p.m.

Administrative Items

Approve Bills

None.

Approve Minutes

Approval of February 19, 2019 Minutes

Glen Sexton asked if there were any changes to the February 19, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke to approve the February 19, 2019 minutes. Motion carried 3 in favor, 0 opposed, 2 abstained (Glen Sexton and Lillian Camus)

Approval of February 25, 2019 Minutes

Glen Sexton asked if there were any changes to the February 25, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Lillian Camus to approve the February 25, 2019 minutes. Motion carried 4 in favor, 0 opposed, 1 abstained (Rob Chauvin)

Approval of March 4, 2019 Minutes

Glen Sexton asked if there were any changes to the March 4, 2019 minutes. Hearing none

Motion was made by Robert Sheehan, Jr. and seconded by Lillian Camus to approve the February 25, 2019 minutes. Motion carried 3 in favor, 0 opposed, 2 abstained (Jim Trompke and Robert Sheehan, Jr.)

Correspondence

Sean Lamoureux Letter

The Board reviewed a draft letter to the Code Enforcement Officer which Lillian Camus created. The Board made one change which was to add a signature block for Glen Sexton.

Lillian will make the changes and have an original for all to sign at the March 25, 2019 meeting.

59 Ferry Hill Letter

After review of a draft letter to the Code Enforcement Officer, the Board agreed all the current issues at 59 Ferry Hill are not within our purview as no business is being conducted. Therefore, the letter will not be sent to the Code Enforcement Officer.

Granby Solar LLC – Decision

The Board reviewed the Modification of Special Permit & Site Plan Approval for Granby Solar, LLC (Dickinson Farms) which was prepared by Bill Scanlan.

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to sign the decision for Granby Solar LLC. Motion carried 5 in favor, 0 opposed, 0 abstained

5:00 p.m. A motion made by Jim Trompke and seconded by Robert Sheehan, Jr. to close the regular Planning Board meeting until after the public hearing. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:01 p.m. A motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to open the public hearing for Red Rock Solar, LLC. Motion carried 5 in favor, 0 opposed, 0 abstained.

New Business

5 p.m. - Continued Public Hearing to consider the application of CPV Red Rock Solar, LLC, 3 Lyons Street, Granby, MA 01033 for a Special Permit and Site Plan Approval as required under the following sections of the Granby Zoning Bylaw:

- *Section 3.0 – Table 1. Schedule of Use Regulations*
- *Section 5.99 – Large Scale Ground Mounted Solar Photovoltaic Installations*
- *Section 6.2 – Special Permits*
- *Section 6.3 - Site Plan Approval*

The applicant proposes to install a 3.0 MW (DC) large scale ground mounted solar photovoltaic facility on approximately 21 acres of an approximately 76 acre site comprised of four abutting parcels east of Lyons Street (Assessor's Parcel ID 17-A-39, 17-A-40, and 17-A-41.1, which are located in the Town of Granby, and Parcel ID 20-4C, which is located in the Town of Ludlow). All four parcels are owned by James Nawrocki, J L N Properties, 5 Lyons Street, Granby MA 01033. The site is located within the Residential Single Family (RS) Zoning District.

Glen Sexton read the following public hearing notice:

Briony Angus reviewed the project. She noted they have received site plan approval from the Ludlow Planning Board.

Ms. Angus mentioned the project is a 4.4 MW system, 1.6 MW are in Granby. 1.1 acres of clearing are on the Granby side.

Brian Huntley pointed out where the interconnections will be depends on which utility company comes back with a better deal. National Grid in Granby, Eversource in Ludlow.

Mr. Huntley also pointed out that no lighting is proposed for the site. The project will be monitored remotely.

Questions from the Board:

- Jim Trompke noted the Planning Board will have to get sign-off from the Selectboard when the site is decommissioned from mining before converting to solar. We will need Selectboard approval first before we decide.
- Bob Sheehan, Jr. asked Mr. Nawrocki if he is still excavating on both sides of the gravel pit or just in Granby. Mr. Nawrocki responded he is excavating in both Granby and Ludlow.
- Jim Trompke noted we've been requested by the Selectboard to entertain a moratorium on solar until some potential bylaw changes are in place. According to Town Counsel this project could be subject to any bylaw changes. Two of the largest changes that we've been told about is placing a limit on clear cutting and forming a municipal utility.
- Glen Sexton responded the Town is currently looking into forming a municipal utility.
- Jim Trompke remarked that even if we approve something it is subject to changes at the town meeting.

- Robert Sheehan, Jr. asked how the project works with the abutting parcels across the Town line. Mr. Huntley responded that setbacks are not needed there because it is being developed as one solar project.
- Robert Sheehan, Jr. asked if there are any abutters affected by this? Ms. Angus responded the Granby abutters are the landowner and his son.
- William Scanlan asked Mr. Huntley to describe stormwater action plan. Mr. Huntley noted that because the open mining operation will be filled to create an open meadow, rainfall will be absorbed on the site and will increase ground water recharge. The stormwater runs towards a low area on the Granby side. No basins are proposed.
- Robert Sheehan, Jr. asked how long would they anticipate until they receive a response from conservation? Ms. Angus responded they have a meeting with Conservation tomorrow night.

Ms. Angus agreed to send Cathy Leonard copies of Ludlow Planning Board's and Conservation Commission's decisions with conditions. Cathy will disburse to the Planning Board.

No questions from the public.

Motion made by Jim Trompke and seconded by Robert Sheehan, Jr. to continue the public hearing to Monday, March 25 at 5:30 p.m. at the Carnegie Library. Motion carried 3 in favor, 0 opposed, 0 abstained.

5:40 p.m. A motion was made by Jim Trompke and seconded by Robert Sheehan, Jr. to reconvene the Planning Board's regular meeting. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:35 p.m. – Sign for Lincoln Property West State Street

Tyler Saremi recently bought Stony Brook. Mr. Saremi wants to replace sign with smaller 4x6' wooden sign which will be 47 inches tall. Chuck Martins noted the sign is close to 8 ft. from the proposed sidewalk.

Motion made by Jim Trompke and seconded by Robert Sheehan, Jr. that the sign meets the bylaw requirements in size and the fact the new sign will be within the current footprint. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:50 p.m. A motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to close the regular Planning Board meeting until after the public hearing and open the public hearing for Borrego Solar Systems regarding the Kendall Street solar project. Motion carried 5 in favor, 0 opposed, 0 abstained.

5:50 p.m. – *Continued Public Hearing To consider the application of Borrego Solar Systems, Inc., 55 Technology Drive, Suite 102, Lowell, MA 01851 for a Special Permit and Site Plan Approval as required under the following sections of the Granby Zoning Bylaw:*

- *Section 3.0 – Table 1. Schedule of Use Regulations*
- *Section 5.99 – Large Scale Ground Mounted Solar Photovoltaic Installations*
- *Section 6.2 – Special Permits*
- *Section 6.3 - Site Plan Approval*

The applicants propose to install a 6.2 MW (DC) Ground Mounted Solar Photovoltaic Facility on an approximately 30-acre portion of parcel of land located at 0 Kendall Street (Assessor's Parcel ID: 8-B-5) owned by Breezy Acres LLC. of 25 Pleasant Street, Granby MA which is located within the Residential Single Family (RS) Zoning District.

Glen Sexton read the public hearing notice.

Dean Smith reported he met with the Fire Chief. As a result, Borrego Solar is putting in a circular turnaround at the end and will address disconnects. Mr. Smith noted they have added a landscape buffer in the northeast corner of the project. These will be evergreen trees staggered in two rows. The plants will be six to eight feet at time of planting.

Board Questions

- Lillian Camus asked if Mr. Smith was able to explain his responses to the peer reviewer's questions #9 and #10 in his response to Tighe & Bond in his letter dated January 8, 2019. Mr. Smith said he could not and the answer should be in the Stormwater Pollution Prevention Plan that was submitted. Mrs. Camus reiterated she had asked Mr. Smith to find out exactly where in that plan were the answers to questions #9 and #10. After discussion, Bill Scanlan will check with Tighe & Bond for interpretation on Borrego Solar response to #9 and 10.
- Glen Sexton asked if there are any other signs on the site? Mr. Smith responded just regular construction and electrical warning signs.
- Lillian Camus asked if Mr. Smith had met with the Conservation Commission yet. Mr. Smith responded he was too late to be on their agenda tomorrow but hopes to meet with them at their next meeting in two weeks.
- Bill Scanlan asked if the latest plan is dated 1/8/19. Mr. Smith responded with seven individual copies of the latest plans.
- Glen Sexton asked again for a picture of the entrance sign.
- Jim Trompke said he would like to hire an engineer, to be paid for by Borrego Solar, to assist the Town Building Inspector during this project. Mr. Smith did not see a problem with that request.

Public Questions

- Erik Wiesel, 50 Kendall Street – Asked for a clarification as to where the turnaround will be. Mr. Smith pointed it out on the plan.
- Erik Wiesel, 50 Kendall Street – Asked who will be our contact during all this? Jim Trompke responded if you have a complaint it goes to the Building Inspector.

Motion made by Jim Trompke and seconded by Robert Sheehan, Jr. to close the public hearing. Motion carried 5 in favor, 0 opposed, 0 abstained.

Board Discussion

Jim Trompke said he is OK moving ahead conditionally. Mr. Trompke suggested hiring an engineering firm to review conditions and to make sure it is being built to specs during the construction process. Until the Building Inspector and Engineer are OK no certificate can be issued. Additionally, Mr. Smith is to provide a final set of plans and sign off by the Fire Chief.

Robert Sheehan, Jr. asked when Mr. Smith thought construction will start. Mr. Smith responded probably target late summer, early fall.

Bill Scanlan asked if the Town requires any PILOT condition, noting it can be a condition of approval. The Board responded any PILOT agreements are up to the Selectboard.

Robert Sheehan, Jr. asked how does the proposed solar moratorium affect Breezy Acres LLC? Jim Trompke responded that if approved this evening they would not be affected.

Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to conditionally approve the application of Borrego Solar Systems, Inc. for Breezy Acres LLC #0 Kendall Street, assessor's parcel ID 8-B-5. Conditions are listed below. Motion failed. Glen Sexton – Yes, Jim Trompke – Yes, Robert Sheehan, Jr. – Yes, Lillian Camus – No, Rob Chauvin - Abstained.

Conditions to be included in above motion:

- Tighe & Bond to review the Stormwater Pollution Prevention Plan to point out where it satisfies response to Tighe & Bond's questions #9 and 10 in their peer review.
- Meet with the Fire Chief to obtain turnaround specs
- Enter into negotiations with the Selectboard on a PILOT agreement
- Satisfy the dollar amount needed for a peer review/engineer through construction up until a certificate of operation is issued
- Provide a picture of the entrance sign
- Provide a final set of plans as revised with the turnaround that conforms to Fire Department specifications.
- Comply with all requirement for removing land from Chapter 61, 61A, or 61B, if applicable.
- Provide financial surety in a form approved by the Town Treasurer and Town Counsel based upon Borrego's Decommissioning Plan estimate of \$464,345.
- Include conditions from Tighe & Bond's peer review contained in an email form Jean Christy, P.E. dated January 11, 2019.

General

1. This Special Permit/Site Plan Approval is transferable and any successors, transferees or assigns must comply with all of its terms and conditions.
2. This Special Permit/Site Plan Approval is issued for an approximately 6.8DC (MW) Large Scale Ground-Mounted Solar Photovoltaic Installation.

3. Any material change, extension or alteration of such use/structure shall require a new Special Permit/Site Plan Approval, or a revision of this Special Permit/Site Plan Approval. Unauthorized deviations from the approved Special Permit/Site Plan Approval may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
4. This Special Permit/Site Plan Approval shall not take effect, and the use and/or construction authorized under it shall not legally commence, until such time as the applicant has recorded in the Hampshire County Registry of Deeds (indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title) a copy of said Special Permit/Site Plan Approval bearing the filed in the office of the Town Clerk and no appeal has been filed or that if such appeal has been filed, that it has been dismissed or denied. The fee for recording or registering shall be paid by the owner or applicant. Within 7 days of said recording, the applicant shall provide the Town Clerk, in writing, with the book and page numbers in which said Special Permit/site Plan Approval is recorded at the Registry of Deeds for inclusion in the record file.
5. This approval shall lapse and become null and void if the construction permitted by this Special Permit/Site Plan Approval has not commenced within two (2) years of the date of its approval. The Planning Board may grant extensions for good cause, upon written request by the applicant provided:
 - a. said request is submitted prior to the expiration of this Approval, and
 - b. said approval requires the affirmative vote of a majority of the full Board taken at a Public Meeting and a Public Hearing is required.
6. At least 30 days prior to the sale and or transfer of ownership of the property and/or project, the current owner of the property and/or project (or his/her/their successor or assigns) shall notify the Planning Board, in writing, as to the identification and contact information of the prospective purchaser.
7. All work authorized under this Special Permit/Site Plan Approval shall be in accordance with:
 - a. the Application, supportive materials and testimony submitted by the Applicant and its representative to the Planning Board,
 - b. The approved plans, entitled: 0 KENDALL STREET, GRANBY, MA 01033, 6,825.600 kW DC STC RATED SOLAR ELECTRIC SYSTEM, Project Number 905-2031, prepared by Borrego Solar, 55 Technology Drive, Suite 102, Lowell, MA 01851, containing 20 sheets, dated May 29, 2018 as last revised March 11, 2019.
 - c. The Stormwater Pollution Prevention Plan (SWPPP), 6,825.600 kW Solar Energy Generating Facilities, prepared by Borrego Solar Systems, Inc., dated January 28, 2019.
 - d. The Decommissioning Plan from Borrego Solar, dated 1/8/2019,

- providing for a \$464,345 decommissioning estimate.
- e. A Stormwater Memo, prepared by Borrego Solar, dated August 2018 and last revised on January 28, 2019.
 - f. The Operations and Maintenance Plan submitted with the application, undated.
8. No outdoor storage of materials, other than that shown on this or previously approved Special Permit/Site Plan Approval is permitted,
 9. Members or agents of the Planning Board shall have the right to enter the site at reasonable times, upon prior notice and only when accompanied by the applicant, to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
 10. The Planning Board retains its jurisdiction and the right to, on its own motion, modify, amend, rescind or revoke its approval of this Special Permit/Site Plan after holding a Public Hearing in accordance with Chapter 40A, Section 9, when there is material noncompliance with the terms of this Special Permit/Site Plan.
 11. All on-site landscaped buffer and screening areas shall be comprised of deer resistant species and shall be maintained in good condition until the facility and site are fully decommissioned so as to present a healthy, neat and orderly appearance.
 12. The Applicant shall maintain the fence for the life of the project.
 13. The applicant shall work and coordinate with Granby Fire Department to ensure that the proposed gravel access roads are sufficient to allow emergency equipment to access the emergency disconnect switches year-round.
 14. The access drives shall be kept clear of snow up to the emergency disconnect switches and shall be maintained year-round sufficient to provide access for emergency vehicles to the satisfaction of the Fire Department.
 15. All exterior artificial lighting shall be so arranged so that all direct rays from such lighting shall fall entirely within the site and shall face in toward the site.
 16. During the hours that the facility is not operating, exterior lighting shall be reduced to only that which is only necessary for security purposes.
 17. Adequate provisions shall be made on-site for the parking, storing, stacking of delivery vehicles/trucks, including off-hours, sufficient to prevent said vehicles from parking, storing, stacking on the public way.
 18. Where required, the parking and access to the facility shall be in accordance with all applicable local, state and federal handicapped access regulations.
 19. A log of types and quantities of hazardous materials brought on site, generated on site and the amounts and location of disposition of these materials on and off site shall be maintained, including all Material Safety Data Sheets (MSDS).
 20. 1-lazardous materials containers must be labeled, tagged, and marked with appropriate warnings and the following information: Identity of the hazardous chemical(s); appropriate hazard warnings, and name and address of the chemical manufacturer, importer, or other responsible party.

21. From the commencement of construction until the facility is decommissioned all detention basins on the project site shall be the responsibility of the applicant and shall be kept in working order as designed. Following the decommissioning of the facility any remaining detention basins on the project site shall be the responsibility of the property owner and shall be kept in working order as designed.

Pre-Construction

22. Prior to the commencement of construction, all necessary and required permits must be obtained from any and all other municipal, state and or federal departments, boards, commission or agencies, and all work shall be done in accordance with said permits
23. The Decommissioning Plan in the form attached hereto as Exhibit A has been approved by the Planning Board. It shall be the decommissioning plan that will be undertaken when the project is taken out of service for whatever reason
24. The Decommissioning Plan has been approved by the Planning Board. It shall be the decommissioning plan that will be undertaken when the project is taken out of service for whatever reason.
 - a. The Applicant shall provide a form of surety, either through escrow account, bond or other form of surety, approved by the Planning Board to secure the removal/decommissioning cost of the project in the event the Town of Granby must remove the installation and remediate the landscape. This form of surety shall be in the initial amount of \$10,000 and shall be provided to the Town before issuance of a building permit.
 - b. Once the decommissioning is complete, and after the Town's inspection that the work has been done in according with the Decommissioning Plan, the portion of the surety not needed to remediate shall be returned to the applicant.
 - c. If the project is decommissioned or abandoned, and the amount available is insufficient to remediate, the Applicant shall be liable for the deficiency in excess of the surety amount.
25. If the project is decommissioned or abandoned, and the amount available in the Decommissioning surety is insufficient to remediate, the Town may decommission the project and, in the event that the applicant defaults on their liability for the deficiency in excess of the surety amount as required in their approved Decommissioning Plan, place a lien on the property for the cost in excess of the surety available.
26. Prior to the commencement of construction, the applicant must:
 - a. submit a complete list of hazardous materials used and stored on premises, including the latest copy of all Material Safety Data Sheets (MSDS), to the Fire Department, Board of Health, Building Department and Planning Board. This list must be updated on a regular basis, when there is a change in the use of the property, when there is a change in the ownership of the property, when additional materials are used which were not on the prior list, and when a Material Safety Data Sheet (MSDS) has been updated/revised.

- b. file a Hazardous Materials Management and Emergency Response Plan with the Fire Department, Police Department, Board of Health, Building Department and Planning Board. This plan shall:
 - apply to materials both during their transportation and storage/use/disposal on-site,
 - conform to all state and federal regulatory requirements,
 - include provisions to be taken to prevent the discharge of hazardous materials due to spillage, accidental damage, leakage or vandalism,
 - include procedures to be used for spill clean-up,
 - include the training of employees and, where required the training of public safety personnel, regarding prevention and clean-up,
 - be updated on a regular basis, when there is a change in the use of the property, when there is a change in the ownership of the property, when additional materials are used which were not on the prior list, and when a Material Safety Data Sheet (MSDS) has been updated/revised.
 - c. post on-site and make available all Material Safety Data Sheets (MSDS) for all chemicals used in the manufacturing and testing so employees, fire officials and or HAZMAT teams have access to this information.
27. No work shall commence until a pre-construction conference has been held between the applicant, the contractor, the project engineer, and appropriate town officials (Highway Superintendent, Fire Chief, Police Chief, Building Inspector, etc.). The applicant is responsible for contacting the town officials to make arrangements for such conference. At said pre-construction conference the applicant shall submit a written schedule for regular inspections and notification procedures (ongoing throughout the construction of the project).
28. The Highway Supervisor and Police Chief shall approve the routes for material deliveries.
29. The Applicant shall notify the Planning Board, in writing, at least 48 hours prior to the beginning of construction.
30. The Applicant and/or his representatives must post a 24"x 30" weather resistant sign on the premises prior to construction through decommissioning, which states the hours of operation and the phone numbers of the owner and the enforcing agencies (the Granby Police Department, Fire Department and Building Inspector). This sign shall be installed prior to commencement of construction.
31. Prior to the commencement of construction, the applicant is responsible for submitting to the Planning Board and Conservation Commission the final approved SWPPP and EPA Notice of Intent.

Construction

32. The applicant's engineer, or their agent, should complete periodic on-going inspections of the project to review its compliance with the approved plans and Conditions of this Special Permit/Site Plan Approval, at a minimum:
- Initial inspection (Pre-Construction Meeting)
 - Erosion and Sediment Control Inspection
 - perimeter erosion control
 - completion of rough grading (topsoil stockpile & temporary sediment traps)
 - completion of final grading (topsoil stockpile & temporary sediment traps)
 - daily inspections of the installed erosion control
 - Final Inspection when construction is complete and landscape vegetation has been established

Within seven days after each site visit (except for the daily inspections of the installed erosion control) a complete written report of the findings of such inspection shall be sent to the ZBA and Building Inspector. Such reports shall only be submitted within seven days after the daily inspections of the installed erosion control where issues have been identified that required addressing.

33. Hours of operation are limited to:
- Monday thru Friday: 7:00am - 7:00 pm, with no equipment starting until 7:00 am.
 - Saturday: 8:00am - 5:00 pm with no equipment starting until 8:00 am.
 - No work is permitted on Sundays and town recognized Holidays unless prior written approval is issued by the Town Administrator. Such requests must be received by the Town Administrator's Office at least seven (7) calendar days prior to the Holiday.
 - While School is in session, all deliveries shall be scheduled to avoid school bus routes during their hours of pick-up and drop-off.
 - Operations must comply with any other town noise or hours of operation restrictions.
34. From the commencement of construction, all work shall continue in an uninterrupted and timely fashion until the project is completed, excepting weather related delays. Failure to so comply may be reason for the Planning Board to rescind approval of this Special Permit/Site Plan Approval.
35. During construction, adequate provisions shall be made on-site for the parking, storing, stacking of construction and contractor vehicles and materials, as well as delivery vehicles/trucks, including off-hours, sufficient to prevent said vehicles from parking, storing, stacking on the public way.
36. During construction, adequate and effective measures shall be taken to prevent erosion/siltation from leaving the site or impacting the on or off-site drainage systems and aquifer.

37. During Construction adequate and effective measure shall be undertaken to prevent trucks and construction vehicles from dragging soil, mud onto the public way. Sediment tracked onto public roads from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.
38. The site shall be kept reasonably clear of construction debris and trash and said debris and trash shall be removed periodically from the site. Debris or trash which becomes a nuisance to abutters or which blows onto the adjacent roadway shall be removed immediately upon notification by the Town or its representative.
39. The site shall be stabilized with permanent plantings and perennial grass cover within twenty-one (21) days after the completion of construction. If construction takes place during winter months (December 1st to March 30th) this condition will not become effective until April 1st. During winter months other erosion control methods shall be utilized (i.e. hay bales).
40. The applicant agrees to remove, patch and repair any damage to the town roads resulting from this project at the conclusion of construction, if determined necessary by the Granby Highway Superintendent to, the extent required by the Granby Highway Superintendent.
41. Clearing of vegetation shall be limited to the extent necessary to construct or operate the solar facility in accordance with the approved plans. Proposed screening landscaping shall be installed as early as is practical during the construction process. Completed landscaping shall be approved by the Planning Board or its designated Agent prior to issuance of the final certificate of project completion.
42. The applicant's construction site manager or supervisor shall arrange and conduct a monthly construction progress meeting with appropriate town officials. The time and location of the meetings shall be coordinated by the site manager. The frequency of the meetings can be reduced or increased as appropriate by the Planning Board or Agent.
43. Spill kits adequate to address potential hazardous materials release risks shall be kept on site at all times.
44. All existing topsoil for areas to be disturbed shall be stockpiled on site and shall be surrounded with silt fence and hay bales or shall be covered with a solid woven fabric or tarp to prevent erosion or loss of usable top soil materials. The removal of topsoil from the site is prohibited. Other earthen materials shall only be removed where duly permitted by the town.
45. The Applicant of the facility shall be responsible for providing necessary training to Town officials in regards to the operation/emergency response for the facility prior to operation. The Applicant shall be responsible for additional training at the site to understand any new systems as technology or equipment is changed or updated.
46. The Applicant shall install a key lock box on site to provide access for Town emergency officials to the satisfaction of the Fire Department.
47. The Applicant/Owner shall submit a copy of the executed Interconnection Agreement with National Grid within 30 days of its execution, with confidential information redacted.

48. As soon as it becomes available the Applicant shall provide contact information for the maintenance/operations company to the Planning Board and Granby Emergency Services (Fire/EMS, Police) and shall also notify such town officials immediately of new and updated contact information should there be a change in the maintenance/operations company.
49. Warning signage shall be installed along the fence in accordance with all applicable laws and regulations, but not less than every 150 feet along the fence surrounding the project.
50. This solar photovoltaic installation shall be removed when it has reached the end of its useful life or has been abandoned. The owner or operator shall physically remove the installation no more than 180 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - (a) Physical removal of all large-scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
 - (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Planning Board may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
51. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when either it fails to be completed within a commercially reasonable time (such that power generation can commence), or it fails to operate for an elapsed time of more than one year without the written consent of the Special Permit/Site Plan Approval Authority. If the owner or operator of the project fails to remove the installation in accordance with the requirements of this section within one (1) year of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.
52. Three (3) full-size, one (1) 11"x17", one half-size (12"x18") and a pdf version of the full set of final plans and the final Stormwater Drainage Analysis on a USB Drive and using drawing interchange files (AutoCAD compatible DWG or DXF files), as required by the Highway Superintendent shall be delivered to the Planning Board within fourteen (14) days from the date of this Decision
53. Removed trees that are not sold shall be ground and removed off-site or used in accordance with applicable laws. Wood chips may be used for erosion control except in situations where they would be subject to buoyancy. Wood chips shall not be stored in any 100 foot Buffer Zone to any Wetland Resource Area.

Project Completion

54. All work shall be completed within 24 months of the approval of this Special Permit/Site Plan Approval. The Planning Board may grant extensions for good cause, upon written request by the applicant provided:
 - a. said request is submitted prior to the expiration of this Approval, and
 - b. said approval requires the affirmative vote of a majority of the full Board taken at a Public Meeting (a Public Hearing is required).
55. A Certificate of Approval from the Building Inspector for this facility shall not be applied for or issued until all site improvements as approved by the Planning Board are completed. This project shall not be considered complete until:
 - a. all of the site improvements, as approved by the Planning Board, are completed,
 - b. an "as built" plan has been provided to the Planning Board. Such plan shall be certified and stamped by the professional engineer of record and the submission to the Planning Board shall include three (3) full-size, two (2) half-size and an Adobe PDF '2. electronic file on a USB Drive and using drawing interchange files (AutoCAD compatible DWG or DXF files), as required by the Highway Superintendent shall be delivered to the Planning Board within fourteen (14) days from the date of this Decision.
 - c. the project engineer has submitted a written statement, with his/her seal/stamp affixed, certifying that all work has been done in accordance with the approved plans and conditions of this Special Permit, and that all systems are functioning as designed
56. No use of this property and/or facility being permitted by the approval of this Special Permit/Site Plan Approval may commence until the project's engineer has submitted a Certification, which the Planning Board has accepted and approved, that all of the conditions of this Special Permit have been complied with. The Planning Board may, by an affirmative vote of at least a simple majority of the entire Board membership taken at a Public Meeting, permit said use, or a portion of said use, to commence prior to compliance with or completion of all of the conditions of this Special Permit/Site Plan Approval. This approval is up to the sole discretion of the Planning Board, who may require a performance bond to ensure compliance and completion of all of the conditions.
57. If the Applicant wishes to obtain an Certificate of Approval from the Building Inspector for a phase or the entire project prior to installation of required landscaping or other stabilization and site work, the Applicant is required to provide monetary surety, in the form of a check or cash, which upon receipt will be deposited into an interest bearing account at a local bank, for the purposes of securing the landscaping or other stabilization site work as shown on the approved site plan. The amount of the surety to be provided should be accompanied by a detailed estimate (number of plants, species, cost per plant, labor, etc.) for the proposed landscaping and/or stabilization work and should be provided at the cost that it would be to the Town, if the applicant were to fail to install the landscaping as designed. .

58. From the completion of construction and the commencement of the use of the facility through its final decommissioning and release of the decommissioning bond by the town, the applicant/facility operator, or their agent, shall inspect the site no less than once a year to review its compliance with the approved plans and Conditions of this Special Permit/Site Plan Approval and shall submit a written report of the findings of such inspection to the IBA and Building Inspector within seven day of the inspection.

Discussion continued regarding why one vote was no. Lillian Camus explained she did not have enough information in accordance with the March 10, 2014 bylaws to make a decision.

Glen Sexton will contact Town Counsel to find out options at this point.

6:36 p.m. A motion was made by Jim Trompke and seconded by Robert Sheehan, Jr. to reconvene the Planning Board's regular meeting. Motion carried 3 in favor, 0 opposed, 0 abstained.

Old Business

January 7, 2019 Bylaw Request Selectboard/Other Bylaw Updates

Jim Trompke stated we are obligated to hold a public hearing in response to the Selectboard's January 7, 2019 letter. We need to vote to hold a hearing on the moratorium so we can get any feedback then get on agenda for Town meeting. We have 65 days from receipt of the letter to respond.

In computing when the 65 days would be up, Lillian Camus noted the Board received the letter electronically from Cathy Leonard on January 8, 2019. Glen Sexton responded the Board didn't meet to discuss the letter until the January 14, 2019 meeting, so the 65 days should start from January 14, 2019. This would bring the 65 days to March 20, 2019.

Motion made by Jim Trompke and seconded by Rob Chauvin to hold a public hearing for a solar moratorium on the same schedule for the other bylaw changes for zoning (April 22, 2019). Motion carried 5 in favor, 0 opposed, 0 abstained.

Jim Trompke asked that we set up a meeting with the ZBA to review the bylaw changes before the public hearing. The meeting could be with the whole ZBA, a representative of the ZBA or we could go to one of their meetings. Lillian Camus will work with Cathy Leonard to set up the meeting.

Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to submit the package regarding the bylaw changes to the Selectboard for their review as well as schedule a public hearing for residents of Granby for Monday, April 22, 2019 at 5:30 p.m. at the Carnegie Library. Motion carried 4 in favor, 0 opposed, 0 abstained.

Lillian Camus will check with Cathy Leonard to see if an alternate location would be available that would enable more people to attend the public hearing.

Old Business and Information

Other

Discussion of business estate lots

Duplexes

Sewer/Water Infrastructure

Westover Metropolitan District Commission (WMDC)

Any Other Business

Agenda Items for Next Meeting

Items for next meeting:

- Administrative
- Dollar General Public Hearing – 6:15 p.m.
- CPV Red Rock Continued Public Hearing – 5:30 p.m.

Review of Action Items

The Board postponed review of the action items.

Open/New Action Items

Item	Responsible Party	Due Date
Make edits to Lamoureux letter to be signed at March 25, 2019 Planning Board meeting	Lillian Camus	March 25, 2019
Set up a meeting with ZBA Re: Bylaw changes	Lillian Camus	March 25, 2019
Find alternate location for April 22, 2019 public hearing	Lillian Camus	March 25, 2019
Contact Matthew Bombaci re public hearing date for Dollar General	Glen Sexton	March 11, 2019
Follow up with Town Counsel re Solar Moratorium wording	Jim Trompke	March 11, 2019
Submit the Planning Board's 2018 Annual Town Report to Cathy Leonard	Lillian Camus	January 29, 2019
Ask Cathy Leonard to copy Bill Scanlan on anything sent to the Planning Board	Lillian Camus	January 29, 2019
Ask Chris Martin to contact Town Counsel for his opinion as to whether or not the Planning Board can accept applications during the temporary moratorium and before the Special Town Meeting vote	Glen Sexton	January 28, 2019
Ask Cathy Leonard to send Town Counsel's response to the Planning Board and Briony Angus at Tighe & Bond	Glen Sexton	January 28, 2019
Draft Planning Board submission for Annual Town Report	Lillian Camus	January 28, 2019
Work with Cathy Leonard to post a public hearing notice for Granby Solar LLC	Lillian Camus	January 14, 2019

Item	Responsible Party	Due Date
Speak with Chris Martin to get permission for the Town Attorney to talk with Granby Solar LLC's attorney	Lillian Camus	January 14, 2019
Speak with Chris Martin to get permission for Bill Scanlan to speak with the Town Attorney regarding options for the Planning Board and Granby Solar LLC in light of the Solar Moratorium	Lillian Camus	January 14, 2019
Ask Cathy Leonard to set up public hearing for 59 Ferry Hill Road	Lillian Camus	November 7, 2018
Ask Susan Westa for an accounting to date.	Lillian Camus	In Progress
Follow up with Chris Martin Re Attorney review of bylaws	Glen Sexton	November 7, 2018
Meet with High School Principal re possible Recording Secretary candidates – UPDATE: Glen will try to contact the High School Principal if the current applicant is not interested in the job. Waiting to hear back from principal. No response from high school principal.	Glen Sexton	In Progress
Review sample bylaws for Common Driveways, Flag Lots/Estate Lots and Driveway Standards	Planning Board	Ongoing
Create a spreadsheet for PVPC charges	Lillian Camus	Ongoing
Keep track of items to submit for town annual report	Lillian Camus	Ongoing

Next Meeting

The next Planning Board meeting will be Monday, March 11, 2019 at 4:30 p.m. in the upper level of the Carnegie Building.

Adjournment

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to adjourn at 7:18 p.m. Motion carried 5 approved, 0 opposed, 0 abstained

I, Lillian Camus, certify that these minutes are true and accurate minutes of the March 11, 2019 Planning Board meeting.

Respectfully submitted,

Lillian Camus
Secretary