



# PLANNING BOARD

10 West State Street

Granby, MA 01033

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

Website: [www.granby-ma.gov](http://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: Bill Scanlan, PVPC  
Dean Smith, Borrego Solar  
Carli Shroyer, Borrego Solar  
James Baker, Attorney  
Ben Axelman, Nexamp

Absent:

Meeting: Monday, February 11, 2019

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

## Minutes

**CALL TO ORDER:** Glen Sexton called the meeting to order at 5:34 p.m.

### **Administrative Items**

#### Approve Bills

No bills to approve.

#### Approve Minutes

##### *Approval of January 28, 2019 Minutes*

Glen Sexton asked if there were any changes to the January 28, 2019 minutes. Lillian Camus noted speaker names were omitted in the list of "Others" in attendance and should be added to the minutes.

Motion was made by Robert Sheehan, Jr. and seconded by Rob Chauvin to approve the January 28, 2019 minutes as amended. Motion carried 5 in favor, 0 opposed, 0 abstained

## Correspondence

### *Memo from Selectboard*

Glen Sexton read a memo from the Selectboard inviting members of the Planning Board to attend the Selectboard's meeting on Tuesday, February 19 at 3 p.m. to discuss the moratorium on large-scale ground-mounted solar systems.

Members checked their schedules and all agreed they would be able to attend the meeting.

### *Board of Health Notice of Public Hearing*

Glen Sexton read a public hearing notice from Board of Health being held Tuesday, February 19 at 6:30 p.m. in the Granby Free Public Library. The public hearing is to review and hear comments relative to a proposed Board of Health Regulation entitled **Land Application and Storage of Sludge**.

## **New Business**

### ANR – Taylor Street

The Board reviewed an ANR application presented by Attorney Baker. The Board noted a locus needed to be added to the plans, per the Town of Granby's Subdivision Regulations, Section 3.00 Procedure for Submission and Endorsement of Non-Subdivision Plans (Plans Believed Not To Require Approval – ANR Plan), Section 3.03 Contents, subparagraph 8.

Attorney Baker agreed to have the plans revised to include a locus and to drop them off with Cathy Leonard along with a check for \$375.00. The Board will review and sign the plans at their February 25 meeting.

After some discussion the Board approved the ANR as presented.

### ANR – South Street

The Board reviewed an ANR application from Michael Scott of WDA Design Group to combine two parcels into one on property located at 134 South Street, aka Dickinson Farm. The property recorded in Hampshire County Registry of Deeds is Book 5885, Page 289 (Assessors 5/B/4) and Page 291 (Assessors 5/B/3.2).

After some discussion the Board approved the ANR as presented.

Check #1241 received from WDA Design Group, Inc. drawn on the Main Street Bank in the amount of \$250.00 was received by Cathy Leonard prior to the Planning Board meeting.

### Peter Hodgson

The Board reviewed an e-mail from Peter Hodgson requesting guidance for the process of opening a business at his home on Lyman Street.

After discussion, the Board suggested Mr. Hodgson go to the Building Inspector for guidelines and zoning interpretation. Mr. Hodgson is welcome to attend a Planning Board meeting to discuss what documents are needed. After all materials have been received, the Planning Board will set up a joint hearing with the ZBA.

### CPV Red Rock Solar

The Board reviewed an e-mail from Cathy Leonard asking for a decision as to when to hold a public hearing for CPV Red Rock Solar's proposed solar project.

After discussion, the Board will ask Cathy to set up a public hearing at 5 p.m. on Monday, March 4, 2019 at the Carnegie Building for CPV Red Rock Solar.

### Dollar General

The Board discussed an application from Bohler Engineering, dated February 4, 2019, for a proposed retail store development.

After discussion, the Board will ask Cathy Leonard to set up public hearing for 6:15 p.m. on March 11, 2019 for Bohler Engineering's proposed retail store development.

### **Old Business**

#### Permitting Guide Update

Bill Scanlan updated the Board on the Permitting Guide progress. Twenty-five copies of the guide are being made by PVPC and should be delivered to the Planning Board in the near future.

Becky Bash will send Lillian Camus and Cathy Leonard the final electronic version of the Guide so any future changes can be made in-house.

5:49 p.m. A motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke to close the regular Board meeting until after the public hearings. Motion carried 5 in favor, 0 opposed, 0 abstained.

### **New Business**

5:49 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.

Mr. Dean Smith reviewed changes and distributed pictures of what the residents that are closest to the project would see once the solar panels were installed. Mr. Smith noted there will be a proposed chain link fence with slats around the property. They are proposing 6 to 8 ft. trees as

part of the screening. Additionally, Mr. Smith noted the equipment shed is now a little over 100 ft. away from the wetlands.

#### Questions from the Public

- Jim Wieser, 74 Kendall Street – Asked to review the photos of views residents closest to the project will have.

#### Questions from the Board/PVPC

- Lillian Camus asked the following questions from Borrego Solar's response to Tighe & Bond's concerns raised during their peer review.
  - Item #1 – Notes in part they will undergo concurrent review with the Granby Conservation Commission and recommend that the Planning board confirm that the Conservation Commission accepts the delineation as shown. – Lillian Camus - Have you met with Conservation Commission? Mr. Smith – Not yet. We intend to ask for an RDA (Request for Determination of Applicability) from Conservation.
  - Item #5 – The access road turnaround should be dimensioned and reviewed by the Fire Department for adequacy. – Lillian Camus - As of today, the Fire Chief has not received any plans to review. We need his written response to the issue. Mr. Smith – I will contact the Fire Chief and get a set of plans for his review.
  - Item #9 – The Applicant should clarify how the site will be stabilized following tree clearing and grubbing. – Lillian Camus – Your response is that this has been provided see SWPPP (Storm Water Pollution Prevention Plan). Can you point to any specific section in the SWPPP that responds to this issue? Mr. Smith – I will review it and get back to you.
  - Item #10 – The Applicant should provide a construction sequence. – Lillian Camus – Your response is that this has been provided see SWPPP. Again, can you point to any specific section in the SWPPP that responds to this issue? Mr. Smith – I will review it and get back to you.
  - Item #11 – It is unclear based on-site conditions why the proposed internal access road is located within the wetlands buffer zone. The electrical equipment pad housing the proposed energy storage unit is partially located within the 100' buffer zone. The Applicant should consider moving the access road and storage unit outside of wetland buffer zones. Lillian Camus – Your response is This has been resolved. The fenceline and road were both moved out of the buffer one once the type of modules was updated to a more efficient product, allowing for a smaller acreage to be needed to reach a similar system size. We will need a copy of the fact sheet for the new modules as was provided for the "old" modules in your original plan. Mr. Smith – Noted that he would provide the information.
- Glen Sexton – Are the properties in the pictures are the ones with the most visual line? Mr. Smith - Yes.
- Glen Sexton – Would you supply us with a picture of the sign that will be posted at the site identifying the project? Mr. Smith - Yes.

The Board recapped items requested of Borrego Solar:

- Letter from Fire Chief regarding access road and turnaround
- Clarify where the stormwater report answers questions on items #9 and 10 in the peer review.
- Updated equipment brochure
- Meet with Conservation Commission
- Picture of sign identifying the project

Motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke to grant Breezy Acres, LLC/Borrego Solar Systems Inc. a waiver from the Town's fence bylaw of maximum 6' height to a 7' tall fence with the understanding the fence will be elevated above grade to allow wildlife. This is to comply with electrical codes. Motion carried 5 in favor, 0 opposed, 0 abstained.

Motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke to continue the public hearing to Monday, March 11, 2018 at 5:45 p.m. at the Carnegie Library. Motion carried 5 in favor, 0 opposed, 0 abstained.

Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke to reconvene the Planning Board meeting at 6:36 p.m. Motion carried 5 in favor, 0 opposed, 0 abstained.

Motion made by Robert Sheehan, Jr. and seconded by Jim Trompke at 7:04 p.m. to close the regular Board meeting until after the public hearings. Motion carried 5 in favor, 0 opposed, 0 abstained.

*7 p.m. – Continued Public Hearing on January 28, 2019 to consider the application of Granby Solar, LLC, 101 Summer Street, 2nd Floor, Boston, MA 02110 to amend the Special Permit and Site Plan Approval granted by the Planning Board on December 11, 2017.*

*The applicant previously received approval to install a 3.0 MW (DC) large scale ground mounted solar photovoltaic (PV) facility on an approximately 15 acre portion of an approximately 108 acre parcel of land. The applicant is proposing to modify the layout of the approved arrays and to change the racking system of one array to allow modules to rotate to follow the sun throughout the day. All work remains within agricultural areas and no new tree removal is proposed. The generation capacity of the project remains unchanged at 3.0 MW. The project is located at 134 South Street (Assessor's Parcel ID: 5-B-3-2, 5-B-4, 5-B-7). The property is owned by Leonard and Bruce LaFlamme of 134 South Street, Granby MA (a/k/a Dickenson Farm, also fronting on Morgan and East Streets) which is located within the Residential Single Family (RS) Zoning District.*

Glen Sexton read the public hearing notice.

Mike Scott of WDA Design Group reviewed changes to the layout for the solar project at Dickinson's Farm. Mr. Scott said they are willing to plant Hemlock, Spruce or Cypress instead of Arborvitae per the request of Gagne's.

#### Public Questions

- Richard Gagne - Confirmed the trees planted would be Hemlocks. Mr. Scott noted Hemlocks may be prone to disease but would put whatever trees they wanted in the screening area.

#### Planning Board/ PVPC Rep

- Robert Sheehan, Jr. suggested a condition be placed in the decision to replace any trees that die.

Motion was made by Jim Trompke and seconded by Robert Sheehan, Jr. at 7:29 p.m. to close the public hearing. Motion carried 5 in favor, 0 opposed, 0 abstained.

The Board discussed the project.

Robert Sheehan, Jr. has concerns about potential bug infestation in Hemlocks and the potential complaints/concerns with using a chemical on the Hemlocks.

Lillian Camus noted that the Planning Board's decision must include the wording that these plans supersede the previous plans.

The Board discussed the following conditions to add to the decision:

- Includes tracking rack system
- Extension of tree line further north
- Allow Hemlocks on Morgan Street side
- Any trees that don't survive after 2 years to be replaced by the applicant
- Applicant will do necessary maintenance on the trees, i.e., spraying

Motion was made by Jim Trompke and seconded by Robert Sheehan, Jr. to approve the modification as presented with new panels, per plans, with the above conditions. Motion carried 5 in favor, 0 opposed, 0 abstained.

Motion was made by Robert Sheehan, Jr. and seconded by Jim Trompke at 7:40 p.m. to reconvene the Planning Board's regular meeting. Motion carried 5 in favor, 0 opposed, 0 abstained.

## **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
- Bylaw Update

## **Review of Action Items**

The Board postponed review of the action items.

### *Open/New Action Items*

<b>Item</b>	<b>Responsible Party</b>	<b>Due Date</b>
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
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**

A special Planning Board meeting on Thursday, February 14, 2019 a 3 p.m. in upper level of the Carnegie Building

Meeting with Selectboard on Tuesday, February 19, 2019 at 3 p.m. in the COA Building.

The next regular Planning Board meeting will be Monday, February 25, 2019 at 5:30 p.m. in the upper level of the Carnegie Building.

### **Adjournment**

Motion was made by Rob Chauvin and seconded by Robert Sheehan, Jr. to adjourn at 7:58 p.m.  
Motion carried 5 approved, 0 opposed, 0 abstained

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

Respectfully submitted,

Lillian Camus  
Secretary