

**RECORD
TOWN OF GRANBY
SPECIAL TOWN MEETING
OCTOBER 28, 2019**

In accordance with the foregoing warrant, the inhabitants of the Town of Granby qualified to vote in elections and town affairs, met at the Granby Jr. Sr. High School at 385 East State Street on Monday, October 28, 2019, at 7:00 p.m. then and there to act on the following articles, to wit:

The Moderator, Lynn Snopek Mercier opened the Special Town Meeting at 7:02 p.m. with a quorum present (30 or more) 91 voters in attendance at the time of opening. The Pledge of Allegiance to the Flag was led by Select Board Chairman, Jay J. Joyce, and the Town Officials along with the residents joined in.

The Moderator calls on the Town Clerk, Katherine A. Kelly-Regan, to certify that all the warrants were posted in accordance with the law.

The Clerk responds they have. The warrant for this Special Town Meeting was declared to be in order.

The Committees, Boards, and Officials present at this STM:

Select Board: Chairman, Jay J. Joyce, Members, Glen Sexton, and Jennifer Silva, All Present, sitting with the Select Board was the Town Counselor, Brian O'Toole, and the Town Administrator, Christopher Martin.

Finance Committee: Chairman, John Libera, Jr., and members Robert Glessmann, III, and Scott Wilson, Not Present, Robert Cannon, and Richard Jolivet

Planning Board: Chairman, Glen Sexton, Lillian Camus, Robert Chauvin, and Robert Sheehan Not Present James Trompke

Those Presenting Articles:

Glen Sexton-Planning Board/Select Board

Jay Joyce-Select Board & Energy/Economics Committees

David Desrosiers- Highway Superintendent

Lou Barry- Parks Oversight Committee

Jenn Silva- Select Board

Also, in attendance Town Treasurer, Steven Nally

Vote Counters & Checkers: Patricia Banas, Maureen Costello, Elaine Lafleur, Earl Owen, Debra Plath, Matthew Skipton and Dawn Stolulonis

GCAM-Filming the meeting- Alex LaMarche

Microphone Runner: Dawn Stolulonis

Police Officer: Stephen Marion

Below is the Planning Board's Report filed in the Select Board's office for the Public to view this was filed in the Select Board's office on Oct. 04, 2019:

**Planning Board Zoning Bylaw Amendments Report
& Recommendation for the Oct. 28, 2019
Special Town Meeting**

Dear Town Meeting Members:

The Massachusetts General Laws, pursuant to Chapter 40A, Section 5 and Chapter 41, Section 81Q requires that the Planning Board prepare and submit to Town Meeting a report with recommendations regarding any proposed Bylaws of the Town of Granby Volume III Chapter XXI - Zoning Bylaws or amendments thereto before any vote to adopt shall be taken by that body. The following report of the Planning Board pertains to Articles 1-5 on the Warrant for the Special Town Meeting to be held on October 28, 2019.

The report is the result of public input at the Public Hearing held by the Planning Board on September 23 and a Public Meeting on October 3, 2019.

Zoning Bylaws

ARTICLE 1 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations by amending: Subsection 5.99.1 – Purpose by renumbering, adding special permit and site plan review authority, and adding new subsections (c) term of permit and (d) outside consultant review.

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.1 – Purpose, by renumbering, adding special permit granting and site plan review authority, adding 5.99.1.c – term of permit, and 5.99.1.d – outside consultant review:

- 5.99.1. a Site Plan Review Authority: For purposes of this bylaw, Special Permit Granting and Site Plan Review Authority refers to the Granby Planning Board.
- 5.99.1. b Zoning Enforcement Authority: For purposes of this bylaw, Zoning Enforcement Authority refers to the Granby Building Inspector.
- 5.99.1.c The initial term of any special permit for large-scale ground-mounted solar photovoltaic installations will be 20 years, or such other time as determined by the Planning Board. The permit may be extended for up to two five-year terms upon inspection of said facility. Any further extension shall require a new application.
- 5.99.1. d for the purposes of this bylaw, the Planning Board may engage with an outside consultant at the applicant's expense per MGL Chapter 44, Section 53G.

ARTICLE 2 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations by amending Subsection 5.99.3 – General Siting Standards removing inapplicable zoning district for consistency, adding distance requirement standards, and adding language to reference another section in bylaw.

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.3 – General Siting Standards, amending the subsection (a) Lot Requirements, amending the subsection (b) Setbacks, and adding language to correct reference in subsection (c), as written:

- 5.99.3. a Lot Requirements

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be permitted on parcels larger than two (2) acres located within the Residential Single Family (RS) and Industrial (I) & (I-2) Zoning Districts
- 5.99.3. b Distance Requirements

All solar photovoltaic installations shall have a minimum distance of 100 feet from the front property line, 50 feet from each side property line and 50 feet from the rear property line. No trees shall be removed outside the limit of work boundary. The Planning Board may allow a lesser setback along a property line where, in its judgment, the proposed facility is not likely to negatively affect an existing or permitted land use on the abutting property. The Planning Board may require a greater setback along a property line where, in its judgement, the proposed facility is likely to negatively affect an existing or permitted land use on the abutting property.
- 5.99.3.c All appurtenant structures shall abide by setbacks as stated within Section III – Use Regulations, Section 3.2. Dimensional and Density Regulations.

ARTICLE 3 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations amending Subsection 5.99.11 – Monitoring and Maintenance, by adding subsection (b), Inspections.

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.11 – Monitoring and Maintenance, by adding 5.99.11.b – *Inspections* as written:

5.99.11. b Inspections

The Planning Board shall require an inspection three years from certificate of completion and every five years thereafter until the project is decommissioned. Inspection including an up-to-date decommissioning cost shall be initiated by the Planning Board and/or its designee at the expense of the owner or operator of the large-scale ground-mounted solar installation.

ARTICLE 4 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations for housekeeping and consistency purposes, by deleting inapplicable references to subsections, repetitive language, revising typographical errors and subsection references.

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.5 – Site Plan Review, subsection (b), by revising minor typographical errors, and amending correct references in (2) and (3), as written:

5.99.5. b Required Documents

1. A site plan showing:
 - (i) Property lines and physical features, including roads, for the project site;
 - (iv) One- or three- line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
2. Documentation of actual or prospective access and control of the project site (see also Section 5.99.6)
3. An operation and maintenance plan (see also Section 5.99.7)
8. All material modifications to a solar photovoltaic installation made after final approval shall require approval by the Planning Board.

Remove Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.9 – Design Standards, subsection (d), Land Clearing, Soil Erosion and Habitat Impacts, as it appears elsewhere in bylaw, and renumber subsection, as written:

5.99.5. d Facility Access and Conditions

The large-scale, ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the local Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.

5.99.9. e Appurtenant Structures

All appurtenant structures to large-scale, ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.12 – Abandonment or Decommissioning, subsection (a) – Removal Requirements, by including correct reference in bylaw, as written.

5.99.12. a Removal Requirements

Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Section 5.99.12.b of this bylaw shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Site Plan Review Authority by certified mail of the proposed date of discontinued operations and plans for removal.

ARTICLE 5 amends the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION III – USE REGULATIONS AND PERFORMANCE STANDARDS, Section 3.2 – Dimensional and Density Regulations, Table 2 – Table of Dimensional Regulations to add note under subheading Structures Other Than Dwellings to include reference to distance requirements for Large-Scale, Ground-Mounted Solar Photovoltaic Installations, as written:

STRUCTURES OTHER THAN DWELLINGS***									
DISTRICT	RS	RM	GB	I	I-2	VC	FWD	WSP	AP
Minimum Lot Size (sq. ft.)	40,000	40,000	40,000	40,000	40,000	40,000	40,000	60,000	40,000
Minimum Frontage (ft.)	150	150	150	200	200	150	*	150	150
Minimum Front Yard (ft.)	40	40	40	40	40	40	40	40	40
Minimum Side Yard (ft.)	15	30	30**	30**	30**	30**	30	15	15
Minimum Rear Yard (ft.)	20	20	20**	20**	20**	20**	20	20	20
Maximum Height (ft.)	35	35	35	35	35	35	35	35	35
Maximum # of Stories	2	2	2	2	2	2	2	2	2
Maximum Lot Coverage	25%	25%	70%	40%	40%	40%	25%	25%	25%
* Within the overlay district, the dimensional regulations of the underlying district shall remain in effect.									
** Where a side or rear yard is adjacent to a residential area such yard shall be a minimum of 50-foot setback.									
*** Minimum distances from the property line for large-scale ground-mounted solar photovoltaic installations are as follows: Front – 100 feet, Side – 50 feet and Rear – 50 feet (See Section 5.99)									

**End of Planning Board’s Zoning Bylaw Amendments Report & Recommendation for Oct. 28, 2019 STM.*

To Note: At the beginning of the town meeting all voters were given handouts that contained this report, the posted warrant, the Article Motions being presented by town officials, and copies of the proposed Amendments being presented by Jay Joyce, Chairman to the Economics/Energy Committees.

Start of the Special Town Meeting:

The Moderator now calls for Article 1 of the STM at 7:07 P.M.

Motion 2nd

*The Moderator recognizes Glen Sexton, Planning Board Chairman.
Mr. Sexton thanks all those attending this meeting for their support in our town affairs.*

ARTICLE 1. move the Town vote to amend the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations by amending Subsection 5.99.1 – Purpose by renumbering, adding special permit granting and site plan review authority and adding new subsections (c) term of permit and (d) outside consultant review, as detailed in Planning Board’s Report to Town Meeting October 4, 2019.

Please refer to the Planning Board Report for the full text

*2/3 Votes Required
Presented by Glen Sexton
Short discussion*

Motion 2nd

Mr. Sexton reads the motion, motion is second, the Moderator asks if there are any questions?

There is a motion to Amend Article 1 by Jay Joyce, 18 Jennifer Dr., his Amendment is as follows:

*Mr. Joyce explanation for this Amendment:
Renumbering the bylaw and adding language to include special permit granting authority responsibilities remain consistent and clarifies the applicability of this bylaw as the Planning Board oversees the proceedings of permitting solar development in the Town. The Planning Board sought to include a term of the grant of a special permit for solar development to remain consistent with the viability of solar development as it is occurring throughout the Commonwealth with lifespans usually stated at 20 years. With the inclusion of (d), if the Planning Board seeks to engage with an outside consultant for a peer review, it may choose to do so early on once the application is received.*

Amendment on Article 1:
Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.1 – Purpose, by renumbering, adding special permit granting and site plan review authority, and adding 5.99.1.c – term of permit and 5.99.1.d – outside consultant review, as follows:

- 5.99.1. a Special Permit and Site Plan Review Authority: For purposes of this bylaw, Special Permit Granting and Site Plan Review Authority refers to the Granby Planning Board.*
- 5.99.1. b Zoning Enforcement Authority: For purposes of this bylaw, Zoning Enforcement Authority refers to the Granby Building Inspector.*
- 5.99.1.c The initial term of any special permit for large-scale ground-mounted solar photovoltaic installations will be 20 years, or such other time as determined by the Planning Board. The permit may be extended for up to two five-year terms upon inspection of said facility. Any further extension shall require a new application.*
- 5.99.1. d For the purposes of this bylaw, the Planning Board may engage with an outside consultant at the applicant’s expense per MGL Chapter 44, Section 53G.*
- 5.99.1. e A Large-Scale Ground-Mounted Solar Installation of 250 kW or larger mounted on top of a canopy that is constructed over a parking lot is allowed as-of-right, with Site Plan Approval by the Planning Board.*

2/3 Votes Required

Amendment Presented by Jay Joyce

Short discussion

Amendment Passes-Unanimous-Show of Hands-Declared by Moderator

Motion 2nd

Lynn Snopek Mercier, Moderator, informs the voters that they must first vote to allow this Amendment to be voted on. She explains to the voters that it’s a Majority vote to allow this Amendment to be considered. Motion 2nd Passes- Majority Show of Hands Declared by Moderator

She now opens the floor for any discussion on Article 1 as Amended. There is a short discussion and the Moderator now calls for a Vote on Article 1 As Amended by Jay Joyce. She reminds the voters this is a 2/3 required Vote.

**A vote is taken on Article 1 as Amended:
Article 1 as Amended -Passes -Unanimous -Declared by Moderator-Show of Hands**

The Moderator now calls for Article 2:

ARTICLE 2. move the Town vote to amend the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations by amending Subsection 5.99.3 – General Siting Standards by removing inapplicable zoning district for consistency, adding distance requirement standards and adding language to reference another section in bylaw, as detailed in Planning Board’s report to Town Meeting October 4, 2019.

Please refer to the Planning Board Report for the full text

2/3 Votes Required

Motion 2nd

Presented by Glen Sexton

Long discussion

Mr. Sexton reads the motion, motion is second, the Moderator asks if there are any questions?

There is a motion to Amend Article 2 by Jay Joyce, 18 Jennifer Dr., his Amendment is as follows:

Mr. Joyce explanation for this Amendment:

Removing Municipal Zoning District from 5.99.3.a creates consistency between the schedule of uses in Section III where Large-Scale, Ground-Mounted Solar Photovoltaic Installations are only allowed with a special permit in the Residential Single Family and Industrial (I) and (II) districts as established originally.

The Planning Board seeks to increase distance between solar development and abutting properties and the roadway. Prior to this proposed amendment and recent moratorium, solar development applications had to address and demonstrate the existing setbacks as stated in Section 3.2, Dimensional and Density Regulations: In Residential Single Family District (RS), Front 40, Side 15, Rear 20, and in Industrial (I) and (II) Districts, Front 40, Side 30, and Rear 20.

Now all future solar development in those zones will require a 100-foot distance to the front property line, 50-foot distance to side and rear property lines.

Amendment on Article 2:

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.3 – General Siting Standards, removing inapplicable zoning district in subsection (a), amending the subsection (b) Setbacks adding distance requirement standards, and correcting reference to other section of bylaw in subsection (c), as follows:

5.99.3. a Lot Requirements

5.99.3.a.1 *Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be permitted on parcels 40,000 sq. ft. and larger or 250Kw and larger, but no larger than 15 acres, located within the Residential Single Family (RS) and Industrial (I) & (I-2) Zoning Districts.*

5.99.3.a.2 *Large -Scale Ground-Mounted Solar Photovoltaic Installations shall not be allowed on Important Agricultural Farmlands as defined by the US Department of Agriculture as those soils found to be Important Farmlands pursuant to 7 C.F.R. § 657.5, that includes Prime Farmlands, Unique Farmlands and Additional Land of State Importance.*

5.99.3. b Distance Requirements

Setbacks will be as follows:

- *Minimum of 200 ft. from the road*
- *Minimum of 40 ft. of frontage*
- *Minimum of 50 ft. on sides and back from the property line*

**The underlined in section 5.99.3.b is another Amendment by Glen Sexton that passed by Majority to be voted on with Mr. Joyce Amendments*

5.99.3.c *All appurtenant structures shall abide by setbacks as stated within Section III – Use Regulations, Section 3.2. Dimensional and Density Regulations.*

5.99.3. d *No more than an 8% slope on the entire project. This includes the solar panels, shading areas, setbacks, etc.*

5.99.3. e **Screening**

5.99.3.e.1 *Screening shall be a minimum of 50 ft. wide to the height of the solar installation of screening on all sides including public ways (road/street). Setback area may be used for screening.*

5.99.3.e.2 *Fences shall be equal to the top of the highest solar device that may be viewed surrounding the entire solar installation from abutters and/or public way.*

5.99.3.e.3 *Planting shall use a minimum of 4' height four-season foliage trees, and/or a minimum of 5' deer resistant arborvitae.*

5.99.3.e.4 *Mature height after a minimum of 5 years shall be at least the height of the fence.*

5.99.3.e.5 *Trees shall be planted in a staggered formation (triangular) for best screening coverage.*

5.99.3.e.6 *Any tree with a minimum of 10" diameter at a 4' height that is cut to install Large-Scale Ground-Mounted Solar Installation, including the area to prevent shading of systems of more than 20%, shall be replaced to maintain the Greenhouse Gas (GHG) reduction process.*

5.99.3.e.7 *Replacement trees/arborvitae may be added to natural vegetation in the 50 ft. setback areas to enhance screening. Planting shall use a minimum of 4' height four-season foliage trees, and/or a minimum of 5' deer resistant arborvitae. Mature height after a minimum of 5 years shall be the height of the fence*

5.99.3.f – Mitigation for Loss of Forest Habitat within the Installation

If forestland is proposed to be converted to a Large-Scale Ground-Mounted Solar Installation, the plans shall show mitigation measures that create a wildflower meadow habitat within and immediately around the Solar Installation, and a successional forest habitat in the surrounding areas managed to prevent shading until such time as the installation is decommissioned.

5.99.3.g – Mitigation for Disruption of Existing Trail Networks

If existing trail networks or woods roads are disrupted by the location of the Large-Scale Ground-Mounted Solar Installation, the plans shall show alternative trail alignments to be constructed by the applicant.

Lynn Snopek Mercier, Moderator, informs the voters that they must first vote to allow this Amendment to be voted on. She explains to the voters that it's a Majority vote to allow this Amendment to be considered. Motion 2nd Passes- Majority Show of Hands Declared by Moderator

She now opens the floor for any discussion on Article 2 as Amended.
There is a long discussion on Jay Joyce Amendment another Amendment is called on Jay Joyce Amendment.

Lee Ann Wiesel of 74 Kendall Street wants to Amend Mr. Joyce section of Setbacks to read as:

Setbacks will be as follows:

Ms. Wiesel Amendment:

Distance Requirements- 5.99.3b -Residential

100 feet front, side, and rear property line and minimum of 200 feet from a residence front, rear, and sides.

The Moderator seeks Town Counsel help with Brian O'Toole after a while it was determined that the wording Residential was too vague the town has 12 different classification in our zoning as residential

Mrs. Wiesel changes the wording to dwellings; the Moderator and Town Counsel agree to this wording.

She now hands in a revised Amendment to Mr. Joyce Amendment:

Mrs. Wiesel Amendment:

Distance Requirements – 5.99.3.b – Residential

200 ft. set back on all sides of a residence as defined in Table 1 Schedule of Use Regulation in Chapter 3 of Granby Bylaws.

Minimum of 200 feet from a dwelling front, rear and sides.

There is a long discussion on this Amendment, Steve Nally, 31 Pleasant St. proposes to stop this debate and move Mrs. Wiesel amendment and Mr. Joyce amendment and to go back to the original Article presented by the Planning Board.

George Randall, 52 Taylor St, proposes to bring this Article back to a later date.

Glen Sexton, Planning Board Chairman, mentions that we can always bring Articles back at another time.

Jay Joyce stresses to the voters we need to act and decide on a Bylaw or we may lose the protection of the moratorium, and then it will be a free for all.

Lynn Snopek Mercier, Moderator tells the voters we are going to vote to see if we want to stop this debate on Article 2. She informs the voters that a 2/3 vote is required to have Article 2 postponed. She calls on the vote counters a hand count is taken to see if we wish to postpone Article 2:

The Hand count is Yes-40 No-34

The Moderator Declares that this request FAILS because it did not meet the required 2/3 votes. For this to have passed it would have required 49 or more in favor.

The Moderator now calls for a vote on Mrs. Wiesel's Amendment. The Vote Counters are called to the floor.

In order to accept this Amendment a Majority Vote is all that is required.

She calls the vote counters and a hand count is taken.

Yes-29 No- 43

Mrs. Wiesel Amendment FAILS by Majority Vote- Show of Hands

It's been over one hour of discussions on the Amendment changes presented by Jay Joyce on Article 2.

All his Amendments for Article 2 have been addressed and accepted by the voters to be voted on.

There is now another Amendment added to Mr. Joyce Amendment by Glen Sexton, Planning Board Chairman. On Article 2 Section 5.99.3.b to add after the words Minimum of 50 ft on sides and back from property line.

Glen Sexton's Amendment is voted on and passed by Majority Vote by Show of Hands Declared By Moderator

The Moderator explains to the voters that for Mr. Joyce's Amendment as Amended must receive 2/3 of the voter's votes.

The Moderator now calls for a Vote on Article 2, as Amended, Amended by Jay Joyce. She reminds the voters this is a 2/3 required Vote.

**A vote is taken on Article 2 in its entirety as Amended, Amended:
Article 2 -Amended, Amended**

2/3 Votes Required

Motion 2nd

Amendment Presented by Jay Joyce

Very Long discussion over 1 ½ hours

Passed as Amended, Amended-

By 2/3rd Votes-Declared by Moderator- Show of Hands

The Moderator now calls for Article 3:

ARTICLE 3, move the Town vote to amend the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations by amending Subsection 5.99.11 – Monitoring and Maintenance, by adding subsection (b) Inspections, as detailed in Planning Board's report to Town Meeting Oct. 4, 2019. *Please refer to the Planning Board Report for the full text*

Mr. Sexton reads the motion, motion is second, the Moderator asks if there are any questions?

There is a motion to Amend Article 3 by Jay Joyce, 18 Jennifer Dr., his Amendment is as follows:

Mr. Joyce explanation for this Amendment:

Currently, approvals do not require inspections through the term of the permit consistent with the language of the bylaw. Consequently, the Planning Board seeks to require routine inspections through the lifespan of the permit approval.

Amendment on Article 3:

Amend Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations, subsection 5.99.11 – Monitoring and Maintenance, by adding 5.99.11.b Inspections as follows:

5.99.11. b Annual Reporting Requirements

The owner or operator of a Large-Scale Ground-Mounted Solar Installation shall submit an annual report demonstrating and certifying compliance with the following:

5.99.11.b.1 Operation and Maintenance Plan

5.99.11.b.2 The requirements of this bylaw, and approvals granted hereunder, including but not limited to continued management and maintenance of vegetation, compliance with the approved plans and any permit conditions, continuation of liability insurance, proof of Bond Surety, ensure decommissioning costs are sufficient, and adequacy of road access.

5.99.11.b.3 The annual report shall also provide information on the maintenance completed during the course of the year and the amount of electricity generated by the facility.

5.99.11.b.4 The report shall be submitted to the Select Board, Planning Board, Fire Chief, Building Commissioner, Board of Health, and Conservation Commission no later than 45 days after the end of the calendar year.

Glen Sexton, Planning Board Chairman, tells the voters that the Planning Board is in favor on Mr. Joyce's Amendments to Article 3

**Lynn Snopek Mercier, Moderator, informs the voters that they must first vote to allow this Amendment to be voted on. She explains to the voters that it's a Majority vote to allow this Amendment to be considered. Motion 2nd
Passes- Unanimous- Show of Hands Declared by Moderator**

**She now opens the floor for any discussion on Article 3 as Amended.
There is a short discussion and the Moderator now calls for a Vote on Article 3 As Amended by Jay Joyce.
She reminds the voters this is a 2/3 required Vote.**

**A vote is taken on Article 3 as Amended:
Article 3-Amended**

***2/3 Votes Required
Amendment Presented by Jay Joyce
Short discussion
One Opposing***

Motion 2nd

Passed as Amended - By 2/3rd Votes--Declared by Moderator- Show of Hands

The Moderator now calls for Article 4:

***Mr. Sexton reads the motion, motion is second, the Moderator asks if there are any questions?
No questions are presented she then calls for a vote, she reminds the voters that this Article needs 2/3 Votes to pass.***

ARTICLE 4, move the Town vote to amend the BYLAWS OF THE TOWN OF GRANBY, VOLUME III CHAPTER XXI – ZONING BYLAW SECTION V – SPECIAL USE REGULATIONS AND PERFORMANCE STANDARDS, Section 5.99 – Large-Scale, Ground-Mounted Solar Photovoltaic Installations for housekeeping and consistency purposes by deleting inapplicable references to subsections, repetitive language, revising typographical errors and subsection references, as detailed in Planning Board's report to Town Meeting dated October 4, 2019.

Please refer to the Planning Board Report for the full text

***2/3 Votes Required
Presented by Glen Sexton
No discussion***

Motion 2nd

Passed - Unanimous--Declared by Moderator- Show of Hands

The Moderator now calls for Article 5:

Mr. Jay Joyce reads the motion, motion is second, the Moderator asks if there are any questions? After a short discussion she calls for a vote she reminds the voters a majority is all that is required to pass this Article.

ARTICLE 5. move the Town vote to authorize the Select board to continue the water line construction project from South Hadley down Route 202 to Amherst Street and Pleasant Street to Morgan Street.

Only Majority Vote Required

Motion 2nd

Presented by Jay Joyce, Select Board Chairman

Short discussion **Passed -Majority-Declared by Moderator-Show of Hands**

The Moderator recognizes John Libera, Jr. Finance Committee Chairman:

Mr. Libera tells the voters that the Finance Committee is in favor on Articles 6-11.

The Moderator now calls for Article 6:

Mr. David Desrosiers reads the motion, motion is second, the Moderator asks if there are any questions? There's no discussion she calls for a vote she reminds the voters a majority is all that is required to pass this Article.

ARTICLE 6. move the Town vote to transfer from account 01-192-5801-ART ATM 06/16/14 #21 Paving Senior Center the sum of \$6,300 for the purpose of funding pavement repairs at the new library.

Only Majority Vote Required

Motion 2nd

Presented by David Desrosiers, Highway Superintendent

No discussion **Passed --Unanimous-Declared by Moderator-Show of Hands**

The Moderator now calls for Article 7:

Mr. David Desrosiers reads the motion, motion is second, the Moderator asks if there are any questions? There's a short discussion she calls for a vote and she reminded the voters that a 2/3 Vote is required for this Article to pass.

ARTICLE 7. move the Town vote to transfer from the General Purpose Stabilization Fund the sum of \$100,000 for the purpose of funding tree removal along public ways.

2/3 Votes Required

Motion 2nd

Presented by David Desrosiers

Short discussion

Passed By 2/3rd Votes—Unanimous- Declared by Moderator- Show of Hands

The Moderator now calls for Article 8:

Mr. Jay Joyce, Chairman to the Energy Committee reads the motion, motion is second, the Moderator asks if there are any questions?

There's a short discussion, Mr. Joyce talks about the grants we have received being a Green Community and being a Green Community, we will need to purchase Hybrid vehicles for the town, he mentions the police vehicles will be one of the first purchased as hybrids. We are required to have the charging stations available and doing this now we may get up to 60% reimbursements in grant monies.

The Moderator now calls for a vote and she reminded the voters that a 2/3 Vote is required for this Article to pass.

ARTICLE 8. move the Town vote to transfer from the Capital Needs Stabilization Fund the sum of \$50,000 for the purpose of funding the purchase and installation of EV chargers for municipal buildings.

*2/3 Votes Required
Presented by Jay Joyce
Short discussion
2 opposed*

Motion 2nd

Passed By 2/3rd Votes--Declared by Moderator- Show of Hands

The Moderator now calls for Article 9:

Lou Barry, Parks Oversight Committee Chairman, reads the motion, motion is second, the Moderator asks if there are any questions?

Lou Barry requests that Matt Ryan, a Conservation Engineer be able to explain this dredging process, Mr. Ryan is a non-resident and needs to get permission from the voters to speak.

The Moderator asks the voters if they will allow Mr. Ryan to speak, she informs the voters a Majority vote is what is required to allow Mr. Ryan to come up front.

A vote is taken, and it passes Unanimously for Mr. Ryan to speak by Show of Hands.

There is a short discussion, Matt Ryan thanks the voters for letting him speak and tells the voters he has 40 years' experience as an engineer he recommends doing this study and once the study is completed the town can see if they will be willing to continue with this project.

He goes on to say it could be costly to dredge but he can't know how much until the study is completed.

The Moderator now calls for a vote and she reminded the voters that a 2/3 Vote is required for this Article to pass.

ARTICLE 9. move the Town vote to transfer from the General Purpose Stabilization Fund the sum of \$75,000 for the purpose of funding consulting services for the dredging of the Dufresne Park pond.

*2/3 Votes Required
Presented by Lou Barry, Chairman Parks Overview Committee
Short discussion
5 Opposed*

Motion 2nd

Passed By 2/3rd Votes--Declared by Moderator- Show of Hands

The Moderator now calls for Article 10:

Lou Barry reads the motion, motion is second, the Moderator asks if there are any questions? There's no discussion she calls for a vote she reminds the voters a majority is all that is required to pass this Article.

ARTICLE 10. move the Town vote to transfer \$1,500 from account 30-122-5302 ART STM 08/27/18 #08 PFAs Testing, \$8,200 from account 30-171-5802-ART STM 02/04/19 #04 Forge Pond Trees, \$2,144.86 from account 30-210-5801-ART ATM 06/18/12 #19 and \$38,155.14 from account 01-122-5798-ART STM 05/14/12 #08 Forge Pond Land Purchase for a total of \$50,000 for the purpose of funding Dufresne Park repairs.

Only Majority Vote Required

Motion 2nd

Presented by Lou Barry, Park Oversight Chairman

No discussion

Passed -Unanimous -Declared by Moderator- -Show of Hands

The Moderator now calls for Article 11:

Jennifer Silva, Select Board Member, reads the motion, motion is second, the Moderator asks if there are any questions? There's no discussion she calls for a vote she reminds the voters a majority is all that is required to pass this Article.

ARTICLE 11. move the Town vote to transfer \$415.50 from account 30-420-5806 ART ATM 05/10/10 #22 Light Dump Truck, \$4,048.70 from account 30-420-5807 ART ATM 06/18/12 #21 Dump Truck and \$2,535.80 from account 30-420-5808 ART ATM 06/18/12 #22 Mower for a total of \$7,000 for the purpose of funding the purchase of a sander for the Public Buildings department.

Only Majority Vote Required

Motion 2nd

Presented by Jenn Silva, Select Board Member

No discussion

Passed-Unanimous- Declared by Moderator- -Show of Hands

The Moderator motions to adjourn this STM

Motion 2nd

All in favor to adjourned:

Passed: Unanimous- By Voice

The business for this STM held on October 28, 2019, has been completed, all Articles have been voted on and the Moderator officially dissolves this STM at 10:05 P.M.

There were 100 voters, and 12 non-voters that showed up to support and contribute to this meeting.

Respectfully submitted,



**Katherine A. Kelly-Regan
Town Clerk, CMMC**

To Note; Articles 1-4 Solar Bylaws, will not go into effect until we get the approval from the Attorney's General office.