**TOWN OF LUDLOW PLANNING BOARD**
**MINUTES OF THE MEETING OF**
**July 11, 2019**

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2019 AUG -9 P 12: 27
TOWN OF LUDLOW

**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Absent)
Joseph Queiroga (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

The meeting began at 7:00 p.m. in the Selectmen's Conference Room.

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**Appointment – Ana Goncalves, Caracas Construction – Avelino Way Subdivision Update & Development Agreement Extension**

*Ms. Goncalves rescheduled the appointment until the meeting of July 25, 2019.*

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## *Consent Agenda:*

*The Board approved the Consent Agenda under unanimous consent.*

- FILE Mail Item 50. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of May 23, 2019 & June 27, 2019
- SIGN Special Permit:
  - Beth Evon – 167 Parker Lane (baking business)
- APPROVE Change of Occupancies:
  - Law Office of Gary Scagliarini – 733 Chapin Street, Ste 203 (from chiropractic to law office)

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**File Mail Item #49 - Certificate of Assessment for the Pioneer Valley Planning Commission 7/1/19-6/30/20**

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**PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Gary Manuel – 217 Church Street (home remodeling business)**

**SEE ATTACHED MINUTES**

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**Tony Goncalves – Discussion of Bylaw Changes & Growth**

*Tony Goncalves rescheduled the appointment until the meeting of July 25, 2019.*

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**ANR – James Pafumi – 389 Fuller Street (Assessors' Map 10, Parcel 101) (divide property into two parcels)**

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*Paul Smith was present for the appointment.*

Mr. Smith explained that the ANR is for a one house lot to be cut off of an existing house lot with conforming areas and frontages. Mr. Stefancik noted that he ran through the ANR plan and that it met the checklist criteria.

Ms. Houle: Mr. Chairman, I **MOVE** to endorse the ANR for James and Laurie Pafumi on Lots 1 & 2 Fuller Street.
**SECOND** Mr. Quiterio.
**4-0 in Favor.**

*Documents included: Master application; Subdivision Approval not Required Plan, Fuller Street Ludlow, MA – owned by James A. & Laurie A. Pafumi (July 1, 2019)*

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**Michelle Vargas – 114 Sewall Street – Change of Occupancy (Coco Lush Studios)**

*Michelle Vargas cancelled the appointment.*

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**Discussion – Site Plan - Sewall Street Auto Center (330 Sewall Street)**

*Mr. Phoenix recused himself from the discussion.*

*Ms. Houle took over as Chairman. (7:15 p.m.)*

Mr. Stefancik explained that he reached out to the owners of 330 and 326 Sewall Street, and that the auto repair business indicated that the property is going to be sold and that the new owner will be doing improvements and submitting a new site plan in the future.

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*Mr. Phoenix rejoined the meeting as Chairman at 7:17 p.m.*

Mr. Phoenix: So, that does bring us to a point where our only remaining business does have to wait until its official times to start, so the next time that we have is 7:35, I'd ask for a MOTION to take a brief recess until that time.
Mr. Queiroga: **SO MOVED** Mr. Chairman.
**SECOND** Ms. Houle.
**4-0 in Favor.**

*A brief recess was taken from 7:17 p.m. until 7:35 p.m.*

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**PUBLIC HEARING – SPECIAL PERMIT / HOME OCCUPATION – Sarah M. Pascale – 52 Skyridge Street (law office)**

TOWN CLERK'S OFFICE
2019 AUG -9 P 12:27
TOWN OF LONDONDERRY

**SEE ATTACHED MINUTES**

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**PUBLIC HEARING - SITE PLAN – Andrew Bernstein, Manager – Kearsarge Solar LLC – 0 West Street & 62 Nash Hill Road (Assessors' Map 9, Parcels 18 & 36A) (installation of 3.6 MW AC / 4.435 MW direct current solar array with approx. 11,088 PV modules)**

**SEE ATTACHED MINUTES**

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Mr. Phoenix: Ok, I see nothing else on the agenda, is there a MOTION to adjourn?
Mr. Queiroga: **SO MOVED** Mr. Chairman.
**SECOND** Ms. Houle.
Mr. Phoenix: Always in order and not debatable.
**4-0 in Favor.**

Meeting adjourned at 8:13 p.m.

APPROVED:

Kathleen J. Houle
Kathleen Houle, Secretary

su

(All related documents can be viewed at the Planning Board Office during regular business hours.)

**TOWN OF LUDLOW PLANNING BOARD**
**PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT**
**217 Church Street – Gary Manuel**
**(home remodeling business)**
**July 11, 2019**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Absent)
Joseph Queiroga (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

*Hearing began at 7:05 p.m. in the Selectmen's Conference Room.*

*In attendance: Gary Manuel*

Mr. Phoenix read the legal notice, gave Mr. Manuel a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: Home Office – home remodeling business.

Mr. Phoenix: Before I start asking questions of the applicant, just kind of looking at the home occupation supplement, what we're looking at on here is a Ford F150 with a GVW of 6,900; the total area of home used for the occupation total is 2,105, what's actually being used is 180; no non-resident employees and also no to planned signage, to customers at the house, deliveries unlike those of a normal residence, and no to any changes that would make it look less residential. We also do have a signed request for a waiver of a full plan down to a sketch and photos as prepared by the applicant, and we have not granted that waiver or made any findings yet. That said, you want to just explain for us what you're looking to do?

Mr. Manuel: It's just a, in the picture I showed you, I have one of the two bedrooms, or one of the three bedrooms, I'm gonna use just as an office space.

Mr. Phoenix: And no storage or anything like that at the house, it's all just office?

Mr. Manuel: Correct. I use a little bit of the basement to store some tools, but that's it.

Mr. Phoenix: Ok. Any questions or concerns from the Board at this time?

Mr. Quiterio: Nope.

Mr. Phoenix: I would mention that we do have two checklists that I believe you've been provided copies of with thirteen items on each of them related to conditions that would be applied to any special permit that we would be granting to you for the home-based business. They basically, kind of, tie in with those things that I read off of the sheet.

Mr. Manuel: Right.

Mr. Phoenix: So, you basically can't have the business look like it's a business.

Mr. Manuel: That's not the purpose.

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Mr. Phoenix: Fair enough. So, I will open it up to the public. If anyone does have anything that they would like to add or ask, I would ask that you state your name and address for the record and address anything through myself as chairman. Is there anything from the public at this time? Hearing nothing, to begin with, we do have a request in front of us. We have not made the finding or the waiver. Do I hear a motion on either or both of those?

Mr. Queiroga: Mr. Chairman?

Mr. Phoenix: Mr. Queiroga.

Mr. Queiroga: I **MOVE** to find that Mr. Manuel's purpose for this request of a home occupation as described by him, is a suitable home occupation under the bylaw.
**SECOND** Ms. Houle.
**4-0 in Favor.**

Mr. Phoenix: And on the waiver?

Mr. Queiroga: On the waiver of the full plan, I **MOVE** to waive the site plan for Mr. Manuel at the location which is 217 Church Street, in favor of a sketch and photos to be prepared by the applicant since this is in relation to a home occupation and doing so is consistent with the purpose and intent of this particular zoning law.
**SECOND** Ms. Houle.
**4-0 in Favor.**

Mr. Phoenix: And on the matter that's actually in front of us, if there's no further discussion, is there a motion?

Mr. Queiroga: Mr. Chairman, I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under 6.2.1 thru 6.2.13 for Mr. Manuel at 217 Church Street with the restriction that the permit will run with the applicant and not with the property.
**SECOND** Ms. Houle.
**4-0 in Favor.**
**Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Phoenix – yes.**

Mr. Phoenix: I will ask for a MOTION to close the public hearing.

Mr. Stefancik: Do you want public comment before you close it?

Mr. Phoenix: I did public comment.

Mr. Stefancik: You did? Oh, ok.

Ms. Houle: You're ready for your vacation.

Mr. Stefancik: Overdue.

Mr. Phoenix: So, I believe I did hear a motion to close. Is there a second?
**SECOND** Ms. Houle.
**4-0 in Favor**.

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*Hearing ended 7:09 p.m.*

APPROVED:

Kathleen Houle, Secretary

su

Documents: Master application; abutters list

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*

**TOWN OF LUDLOW PLANNING BOARD**
**PUBLIC HEARING – HOME OCCUPATION/SPECIAL PERMIT**
**52 Skyridge Street – Sarah M. Pascale**
**(law office)**
**July 11, 2019**

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2019 AUG -9 P 12:27
TOWN OF LUDLOW

**PLANNING BOARD MEMBERS**

Raymond Phoenix – Chairman (Present)
Christopher Coelho – Vice Chairman (Absent)
Joseph Queiroga (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

*Hearing began at 7:35 p.m. in the Selectmen's Conference Room.*

*In attendance: Sarah Pascale*

Mr. Phoenix read the legal notice and reviewed the application. The legal notice included the description of: Home Office – law office.

Mr. Phoenix: As far as the application in front of us right now, we do have a home occupation supplement sheet. We have on here that there's a personal vehicle that would be in use with the business. It is well under our regulation at 1,970 for GVW. Looks like that's kilograms, but that's still well under. A total area of home and other buildings housing the occupation is 1,477; area that's being used is 250. Number of nonresident employees is zero. Also, there will not be any planned signage for the business, any customers at the house, any deliveries made unlike those of a normal residence, and there will be no changes made which make it look less residential. Further, we do have a signed request for a waiver of full site plan in favor of a sketch and photos as prepared by the applicant. At this time, we have not made the finding or the waiver. So, that's what I have on my side. Before we get into anything like that, would you like to just explain what you're looking to do at the house.

Ms. Pascale: Yes, my name is Sarah Pascale. I'm an attorney. I've been licensed in the Commonwealth of Massachusetts for the last nine years. I graduated from Western New England in 2010. I worked as an assistant district attorney in both Hampden and Northwestern District Attorney's Offices for 7 ½ years, and I would like to open a home law office specializing in the areas of estate planning and criminal defense. I will not be meeting with clients at my home. I will be utilizing an office space for that, but I will be doing the majority of the internet work, phone calls, estate planning is very paper heavy, so that's where I'll be doing most of the work is from home doing the estate planning work.

Mr. Phoenix: Ok. So, the home professional office, it's a piece that we don't normally touch on because the occupations that are tied in to it don't come in nearly as often as just somebody looking to do an office for a landscaping company and that sort of thing. But, Section 6.3 of the Bylaw does say that: *the Planning Board may issue a special permit and site plan approval for the operation of an office of a physician, surgeon, dentist, optometrist, lawyer or similar*

*professional as a home professional office provided that the operation is located within the private residence of the professional. Unlike the home occupation, accessory buildings shall not be used in connection with the home professional office, and such an office shall comply with the regulations concerning home occupations.* Now, my personal thinking would be if you're not locking to have people coming to the home that it, kind of, changes whether I think this really needs to apply 'cause I think this is written with the idea that you would have people coming to the home which is why it would invoke full site plan approval. But, it's people that would be doing a professional office, hence the name, for a physician, surgeon, dentist, optometrist, lawyer or similar. And I think in this case, what we're looking at is someone who's just looking to use the home as a home office and happens to be a lawyer.

Ms. Pascale: That is correct.

Mr. Phoenix: Does that sound appropriate to everyone?

Mr Queiroga: It does ---.

Mr. Phoenix: So, with that in mind, can I get a motion to find that this particular use case is not categorized as a home professional office with the intent of the Bylaw?

Mr. Queiroga: Mr. Chairman, I make a finding to find that the home occupation as described here is more as a home occupation than a professional office that would be where you'd have people coming there and have certainly a lot more traffic, so I would make the, I would find that this, as pertaining to Sarah Pascale at 52 Skyridge, would be a suitable home occupation under the Bylaw.

Mr. Phoenix: Ok, so to summarize, that's kind of two parts, one is to find that home professional office does not apply, and one is our standard finding, essentially, that this would be suitable as a home occupation under the Bylaw. Is that correct?

Mr. Queiroga: That's correct. I'd make a finding of the waiver…

Mr. Phoenix: Before we get to that, is there a second on the MOTION?
**SECOND** Ms. Houle.
**4-0 in Favor.**

Mr. Phoenix: I think you were making another motion, Joe?

Mr. Queiroga: Yes, I'm making a **MOTION** of the waiver of the full plan, I **MOVE** to waive the full site plan for Ms. Pascale at the location of 52 Skyridge, do I got the right address, yes, in favor of a sketch and photos to be prepared by the applicant since this is in relation to a home occupation and doing so is consistent with the purpose and intent of our bylaws.
**SECOND** Ms. Houle.
Mr. Phoenix: Motion's made and seconded to grant the waiver of the full site plan in favor of a sketch and photos based on the nature of the business. All those in favor?
**4-0 in Favor.**

Mr. Phoenix: So, now we're basically just down to the question of the business itself. Do we have any questions or comments from the Board at this time? Hearing nothing, I will open it up to the public. If anyone has anything that they would like to add or ask, I would ask that you

state your name and address for the record, and address anything that you have through myself as Chairman and we'll do our best to get you any answers that you need. Does anyone have anything at this time? Hearing nothing, is there a motion?

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Mr. Queiroga: Mr. Chairman, I **MOVE** to approve the Special Permit under 7.0.4 a-m and the Home Occupation under Section 6.2.1 thru 6.2.13 for Mrs. Pascale with the restriction that the permit will run with the applicant and not with the property.
**SECOND** Ms. Houle.
**4-0 in Favor.**
**Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Phoenix – yes.**

Mr. Phoenix: Is there a MOTION to close the public hearing?
Mr. Queiroga: **SO MOVED.**
**SECOND** Ms. Houle.
**4-0 in Favor.**

*Hearing ended 7:43 p.m.*

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

su

Documents: Master application; abutters list

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*

**TOWN OF LUDLOW PLANNING BOARD**
**PUBLIC HEARING – SITE PLAN**
**0 West Street & 62 Nash Hill Road (Assessors' Map 9, Parcels 18 & 36A)**
**Andrew Bernstein, Manager – Kearsarge Solar LLC**
**(installation of 3.6 MW AC / 4.435 MW direct current solar array with approx. 11,088 PV modules)**
**July 11, 2019**

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**PLANNING BOARD MEMBERS**

Raymond Phoenix - Chairman (Present)
Christopher Coelho - Vice Chairman (Absent)
Joseph Queiroga (Present)
Kathleen Houle (Present)
Rafael Quiterio (Present)

*The public hearing began at 7:45 p.m. in the Selectmen's Conference Room.*

*In attendance: Mike Lotti – Industria Engineering, Inc., Alex Young – Kearsarge Energy, Michael Pietras – ELS Inc., Wally Lupa - Lupa Zoo*

Mr. Phoenix read the legal notice, gave the applicant a copy of the invoice from Turley Publications, and reviewed the application. The legal notice included the description of: installation of 3.6 MW AC / 4.435 MW direct current solar array with approx. 11,088 PV modules)

Mr. Phoenix: That said, I'm just gonna start by reading in what we've gotten for feedback. I didn't see a separate packet for you, so I'm thinking did you guys already get a copy of this?

Mr. Pietras: Yes.

Mr. Phoenix: So, from Fire we have; *Ludlow Fire Department has reviewed the Site Plan as presented and at this time the Ludlow Fire Department has no additional comments. We do, however, expect all local, federal, and state codes to be followed during the course of construction on this project. Sincerely Captain Seth Falconer.* Board of Health, we have approved. From our own Board, or from our own office, I should say, we have Doug went through the checklist, I don't see a whole lot of red on here, which is nice. The only red that I do see is: Additional comments; Applicant is asking for waivers of o. 1, 2, 3, and 5. And as far as the photovoltaic systems list, there's a circle on item number, letter L. Escrow account or a bond is required, not a letter of credit. And that appears to be it that I have over here. So, with that, I'll turn it over to the other side of the table and ask if you want to explain what you're doing.

Mr. Lotti: Sure, I'm Mike Lotti with Industria Engineering. We'll be the contractor to construct the system. We've got Alex Young of Kearsarge Energy, Mike Pietras with…

Mr. Pietras: Engineering and Land Solutions.

Mr. Lotti: Engineering and Land Solutions, and Wally Lupa the owner of the property. I'm just gonna give you a quick into of the company and the project, and then Mike's gonna do more description of it. Kearsarge Energy has been doing developing solar for close to ten years now. They own over 60 megawatts developed over 100 megawatts in the state. They have a different model than a lot of the developers; they actually develop and own their systems versus develop and sell, which is good because they will be the long-term owners of it, maintaining the system for who knows how long, it's a twenty year lease that we're doing. This project is, you know, 4.5 megawatts. It's a good-sized system. There is, this is probably as big as you'd want to build in Massachusetts right now, but there is still a long road to go as far as getting the final approvals from Eversource on the project. So, as much as we want this to move forward quickly, we do have to wait a little bit before construction happens just because of the approval from Eversource, so. I think, Mike, you want to just explain, kind of, the overall.

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Mr. Pietras: Sure.

Mr. Lotti: If there's any questions about the technology of solar, the solar panels, converters, storage, all that stuff, I'm here to help out with that.

Mr. Pietras: Good evening. The site has an existing, I'll walk through the existing plan, and then into the proposed plan. It has an existing paved entrance that was originally put in for fire department access to gain the back to the zoo.

Mr. Lupa: ---

Mr. Pietras: That will be maintained within this proposal. The proposed gravel road that'll be associated with the solar field, is actually to the eastern side of this road. The fence will separate both the road and the gravel path to the solar field itself, so it will be contained separate from that access. The only thing that would be performed outside of their fence line, essentially, is the privacy screening that's proposed on the southwestern side of the property to the folks that abut the southern side of the property. Screening, as far as the eastern side of the property, is well developed. If you look at an aerial, all the neighbors to the Lupa property line, are a minimum of 150 feet or so of existing vegetation and forest, and then the Lupa portion to the fence line, as you see, is 36 feet off. So, approximately 200 feet of screening will be provided for those neighbors. The site itself, I don't know if anyone's driven by or is familiar with it, but I have some photos just to show, it's a very well kept forest that has no understory, per se, that's why I'm showing you the photos. When you do the drainage analysis on a piece like this, you could rate the forest as good, fair, or poor. Fair or good is a considerable understory, you know, brush, just the normal saplings that you would expect. This site does not have that, and it goes fair to poor. We designed good and fair. And the, you know, and when Jim gets back and reviews the stormwater plan, you know, I'm sure he'll see the same, we'll sit down with him. But, the post rates to the preexisting rates, the post rates are actually more favorable because within the solar field configuration, they actually will seed the ground with a meadow seed mix which will actually slow down the run off currently on site.

Mr. Queiroga: How many acres is the actual solar field?

Mr. Pietras: The fence line as you see it, contains 13.7, so 13 3/4 of an acre, acres, excuse me.

Mr. Queiroga: And out of a total of?

Mr. Pietras: The total piece is the 21.14-acre parcel here, and then this little stub here is 10 acres. So, but that portion of land, if you were to go for the combined land that contains the zoo and the other piece, it's just about 58 acres in total, 68, excuse me. I have the other 10 there.

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Mr. Queiroga: Ok.

Mr. Pietras: But the lease area, I believe, is 24 or 21? Yup.

Mr. Queiroga: And what steps were taken to keep this view from the abutters who are?

Mr. Pietras: Well, we held the prescribed setbacks, we actually went greater, the solar field itself, most of the panels are 50 feet or greater from the property line. Seeing the existing vegetation out there and how it was so dense to these properties, that was taken into consideration as well, that's why we didn't propose screening on that side because it is so well developed that they shouldn't see on the eastern side.

Mr. Quiterio: --- on this side, right?

Mr. Pietras: Yes. And where you see the eastern side with the proposed plantings, that was taken in account because it actually, if you've driven by this property, there's a valley in the center of it. So, these folks along, you know, the southern side of the property on West Street will be at pretty much at eye level elevation wise, or thereabouts, maybe within 10 feet of the field, so it was felt that providing screening there, in the winter, because it's all deciduous trees, they'll lose the leaves, it'll provide a buffer for them when it grows in. I believe you folks had a neighborhood meeting as well that was held.

Mr. Lotti: We did yeah. I don't remember the date of it, but we invited all the abutters, essentially, just to give them a presentation on the system, the location, if they had any questions, just in a less formal setting, to see if there's any immediate concerns. And a few neighbors did show up, and I think most were fairly far away, you weren't even really that close --- actually showed up, but.

Mr. Young: Yeah, I believe we had…

Mr. Lotti: Someone from the southwest side…

Mr. Young: Back here.

Mr Lotti: …and maybe one from the east side, and we explained the project, showed them what we were doing and.

Mr. Pietras: And if you look up at the image that Doug has up there, you'll see the forested area to the eastern side, you can see, even in the parcels that are shown there, it goes well past halfway of their own parcels as far as screening.

Mr. Quiterio: ---, excuse me, that's not the entryway right, between those two houses?

Mr. Pietras: No. It's north.

Mr. Quiterio: Where it says West Street.

Mr. Lotti: Exactly, yeah.

Mr. Queiroga: Can you move that up a little bit, Doug?

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Mr. Lotti: You can almost make out the road where ---.

Mr. Pietras: Yeah, see the jog in the property line? That's pretty much where, it's a couple hundred feet north of that.

Mr. Quiterio: Now this road here ---, you have the fenced here on the long side right?

Mr. Pietras: Yes.

Mr. Quiterio: Where would the gate be to get in here?

Mr. Lotti: It would be right on the northwest corner. Yes, right there.

Mr. Quiterio: Right here would be the gate to get into the solar property?

Mr. Lotti: --- they want to maintain the existing gravel access road without affecting it. So, the fence line's gonna go on the edge of the road, we'll be just to the other side of that.

Mr. Quiterio: So, the driveway, the entryway will be for both purposes, for the zoo and…

Mr. Lotti: Yup.

Mr. Quiterio: …then there'll be a separate gate for this here?

Mr. Lotti: Yup, yes.

Mr. Queiroga: How high is the fence?

Mr. Lotti: Seven feet.

Mr. Queiroga: Seven feet?

Mr. Lotti: Chain link.

Mr. Queiroga: Will it have any?

Mr. Lotti: No, we don't typically do that when there's --- in the woods like this. Plus, there's our issues with wind loading when you put slats in, they can get knocked over, believe it or not.

Mr. Pietras: And a portion of it as well, there's existing culverts that pass under the road that the Lupa's put in for access to the zoo. We're actually proposing to upgrade those with splash pads because there was scouring noted, so that will be corrected.

Mr. Quiterio: There's like three of them here, right?

Mr. Pietras: Yes.

Mr. Lotti: And just to give you a quick idea of the basic construction sequence and timing, you know, the first thing we do is survey limits of work and then erosion controls, and then clearing, stump removal. In this case, we're not doing any significant grading at all, it's just once stumps are removed, just kind of back drag so that the stump holes aren't really a hazard, and then the trees are typically taken off site. If there are any that are worth timber, the contractor generally gets a better price for us if there is timber wood, otherwise it'll be ground and used for biomass, typically. Stumps are often ground on site and used for additional erosion controls during construction. And then, additional survey work to determine the rows of solar, and it's a fairly straight forward process. Pile driver comes on site, track mounted. It's very similar to the machines you use for putting guardrails except it's track mounted instead of truck mounted and it drives piles in anywhere from six to eight feet. The back end of the rows are roughly 7 ½ feet, 8 feet; the front end is about 3 feet off the ground. We do that because for two reasons; for maintaining the grass that'll be planted, and to, when snow in the wintertime is on it, it slumps off and can pile up in the front without shading the panels. We then go through installing the racking system. I mean, the rows are east and west where we drive piles, and it's almost like a big erector set when we get to that point, it's just parts and pieces get built, solar panels attached, everything wired together. There's a few pads shown where's there's transformers and central inverters, and there's a fair amount of trenching out to the different rows of solar. A project of this size, you know, 4 1/2 megawatts, it'll be probably four to six months max of onsite activity. Once the site is complete, we, you know, we hydroseed. We need to grow grass because in the stormwater report is gonna assuming --- was it meadow or?

Mr. Young: Meadow.

Mr. Pietras: Yup, meadow.

Mr. Lotti: It's meadow. We usually use like a low growth, sometimes a flowering species which is appropriate for the area, other times just a mix of grasses, rye, etc. We've actually talked with Wally about eventually planting clover and…

Mr Lupa: We might be changing that up because we might be stepping up a notch and actually farming under the solar panels with certain type of goats, so keeping the maintenance more natural and, it's been North Carolina has been very successful in doing that. They've had some challenges; they've had to erect portable fences because the goats tend to stay in one area ---.

Mr. Lotti: We're actually doing that on a project. Kearsarge is doing that in Great Barrington. We have…

Mr. Young: Sheep out there.

Mr. Lotti: Yeah, we have sheep.

Mr. Lupa: Yeah, I had a conversation with Henry, who left you guys, --- conversation, and I would abstain from sheep because goats are just more, sheep are a pain in the ass. They're parasite wise, taking, just maintenance and everything.

Mr. Lotti: Right.

Mr. Lupa: They can be a little picky. But, I'd be welcome to entertain to hear how they're doing there, but.

Mr. Lotti: It's going ok. So, once the grass is established after the system is installed, it's remotely monitored with internet connections. We can even turn the system on and off without even setting foot on the site. Any time there's a power outage in the area, regardless of the reason, the system is shut down for safety reasons for the utility workers. Any time we need to go out, we can obviously check first. There'll actually be cameras two of the pads, just to keep an eye on the site so we can have outages, --- interruption into your internet service interruption if there's a quick interruption of power it'll shut down. We can turn it back on remotely. We also look to see if there's snow cover or if the fields need maintenance or if the goats or sheep are doing anything strange. And then, once we, on average, I tell folks once a month there'll be a technician with a pickup truck going out and checking on things, that's the average. Sometimes it might be twice a month, sometimes not for three months. So, there's no need for water, no need for power, except for using, obviously no sewer, no one is stationed there or works there, there's no lights at night. At night there is absolutely no noise. During the day there's two inverters that sound not much dissimilar than having a small air conditioner. Once you're 50 to 100 feet away, you can't even hear that they're there, so it's cooling fans on the inverters themselves and there's no other noise. There's no moving parts in the array, so they're fairly benign once they're installed, not much happens.

Mr. Queiroga: Most of the hardware will be in this section here?

Mr. Lotti: There'll be a trench, yeah exactly.

Mr. Young: Right, right.

Mr. Lotti: Yeah, that area there, there's gonna be, there's proposed energy storage also, which is essentially a 40-foot Conex box with battery packs on the inside, and inside the Conex box there is additional monitoring, fire suppression, there's also fire monitoring. And the systems, the battery packs now, I know some lithium --- batteries, remember those stupid little scooters the kids had, there were some that were cheaply made that were starting fires, this is not even close to that. These are much higher end batteries that you couldn't afford a scooter if we had these batteries in there. They're much more well made. They have multiple levels of National Fire Protection Association testing, UL listing down to the small packs that are built into larger modules and then put in racks, almost like server racks in a computer. It's a lot like an uninterruptible power supply for a computer room, just a larger industrial scale of it, and we can monitor the hell out of that thing, turn it on, shut it off as needed. Even that part of it is , it's on the plans and we're working with Eversource on that, but it's not necessarily gonna go in because there's a lot of additional approvals, and studies, and requirements that have to happen in order for that to go, so sometimes it's a case where like, that doesn't make sense any more, we're not gonna do it. But, we wanted to put it on the plans just so if it does work out with the utility company, we have the option to do that.

Mr. Phoenix: Ok, now as far as the one, on average, trip per month, one of the things that we do have in our Bylaw, and we've discussed this on another solar project recently, is that there is a requirement that the parking area be paved for wherever that parking space is. And we realize, you know, with a lot of these, like the one that we're looking at previously, there was kind of a road that meandered around the array, but there still needed to be something designated on the plan showing the parking, and that it was a paved spot. On this particular drawing, I'm seeing

some things called out, but I'm not seeing anything that directly references that. Is that taken into account on the plan?

Mr. Pietras: Yup, we figured just as they stated for maintenance, if they were to go to the Conex boxes on the eastern side, they would park in that widened gravel area, and then the same is at the top by the Conex box to the south of the path, if you look at that. And then if it was to hold paving, we would hold them out at the existing pavement surface.

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Mr. Phoenix: 'Cause I saw like, you've got the temporary parking spaces called out on here, it doesn't indicate whether they're paved, whether it's gravel, whether it's whatever. So, I just wanted to make sure that I did mention that that is a requirement under the Bylaw, and it's not something that we can really waive in the section of the Bylaw where that's located, so.

Mr. Pietras: Sure, so at that point we would indicate that any long-term parking would be out in the paved area. Because if you drive by the first portion on the plan there, you'll see it's a full, basically a full width road access, so there's plenty of, it's 24 feet wide.

Mr. Phoenix: Like I said, I fully understand that kind of a single parking space paved in the middle of nowhere is kind of foolish, but that's what the law says, so we have to make sure that we're asking for it. The other thing that I was, kind of, you probably noticed I was doing a lot of flipping through this thing, there's a note in Doug's review that you're asking for waivers on o. 1, 2, 3, & 5, which for everyone that doesn't do this on a regular basis, that's the additional requirements which are waivable by this Board, including: lighting plan with luminaire schedule prepared by an engineer; elevations showing the front, rear and sides of the building design; signage design with dimensions and locations; and the traffic study, which I think it's, we can have a pretty simple discussion about whether most of those are warranted or not, but what I don't see in the packet is the actual request for that waiver. Do you have something with you, or did I miss something?

Mr. Pietras: We could write something out.

Mr. Stefancik: They do have it on the site plan. I mean, I can get the boiler plate document together.

Mr Pietras: Yeah, on page two it's called out right on the site plan as well. Right up top there.

Mr. Quiterio: Right here.

Mr. Phoenix: It does say, 1, 2 ,3 and 5 right there. Are we happy with that or do we want that on something separate?

Mr. Queiroga: I'm always happy.

Mr. Phoenix: That is not true. You are generally happier more often than I am, but not always. And quite often, it's opposite times. So, if we're ok with that, then I think the main things that we need to do are look for public comments and questions, and we need to take action on the waivers and I think there's one other little bit of business in here and then we can see where we're landing. Does anybody have a preference in the order we do things? Do we want to do the waiver, or do we want to go to the public first?

Mr. Queiroga: Why not take a chance and go out to the public?

Mr. Phoenix: Works for me. So, the large number of people that showed up, I would ask that if you have something that you would like to add or ask, just state your name and address for the record, and address it through myself as Chairman. We'll do our best to get you any answers that you need. Is there anything at this time?

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Ms. Hodgman: Elaine Hodgman, 1475 Center Street.

Mr. Phoenix: Thank you.

Ms. Hodgman: Could you just review again the size of the parcel and how much of that parcel will be the solar field 'cause it was hard to hear to begin with?

Mr. Pietras: Sure, within the fence, or I can address? Within the fence line it's 13.74 acres, so 13 ¾ acres.

Ms. Hodgman: 14 acres will be the solar field?

Mr. Pietras: Yes, within the fence line. So, there is a buffer outside of the solar field as well. The total parcel…

Mr. Phoenix: I think you said it was 68 all together?

Mr. Pietras: Yes, just about 68.

Ms. Houle: 68 acres.

Mr Pietras: 68 acres.

Ms. Hodgman: 14 of the 68 or so, right?

Mr. Pietras: Yes.

Ms. Hodgman: In saying that, why are you only doing, are there plans to make it bigger later on? If you've got a 68-acre parcel now --- later on?

Mr. Phoenix: ---

Mr. Lotti: No.

Mr. Lupa: It wouldn't be feasible for us because right now the zoo takes up a good portion of that, and then the maintenance yard takes up the other portion. And then we are leaving a wood buffer, so when our guests at the zoo will not see, there's a buffer literally all the way around the solar field. So, the neighbors from Fuller Street, from West Street, and also from the zoo, it will be hard to see.

Mr. Lotti: In addition, when we design these projects and work with utilities, we have to tell them exactly what size the project is gonna be.

Ms. Hodgman: I see.

Mr. Lotti: They specifically approve that size and that size only. You could put it smaller if you choose to, but you cannot go larger without going back to the utility and going through the entire process again, and then that would be a major modification to the plan set if we are approved. We'd have to come back to the Planning Board for it, go back to the public process and do this all again.

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2019 AUG -9 P 12:27
TOWN OF LUDLOW

Ms. Hodgman: Right.

Mr. Lotti: But there are no plans to do that.

Ms. Hodgman: ---. One other comment. I love the idea of the goats / sheep natural maintenance. Go for it.

Mr. Phoenix: I was given, kind of, our standard waiver request with the items circled. I know we said we'd be ok with the version that's on the plan, but since it was handed to me, can I just get a signature on that? And if there's nothing else from the public, I would ask for a motion on the waiver request please.

Mr. Queiroga: Mr. Chairman, I **MOVE** to approve and sign the plan for the, I want to make sure…

Ms. Houle: You want the waiver first?

Mr. Phoenix: Yeah, we need to do the waiver first.

Ms. Houle: Waiver first.

Mr. Queiroga: Ok, let's go to the waiver then.

Mr. Phoenix: To waive o. 1, 2, 3, and 5.

Mr. Queiroga: To waive o. 1, 2, 3, and 5 for the plan presented by Engineering and Land Solutions ---.

Mr. Phoenix: Considering they're largely not relevant?

Mr. Queiroga: Correct.

Mr. Phoenix: Ok. So, the motion is to waive o. 1, 2, 3, and 5 considering they're largely not relevant to this project. Is there a second?
**SECOND** Ms. Houle.
**4-0 in Favor.**

Mr. Phoenix: And I did recall, there was one other note in here, and it was just the escrow account or bond is required, not a letter of credit. So, I'm sure that's something you're aware of and will be able to address?

Mr. Young: Yup.

Mr. Phoenix: That said, is there any motion from the Board on the actual approval?

Mr. Queiroga: Mr. Chairman?

Mr. Phoenix: Yes?

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Mr. Queiroga: I make a **MOTION** to approve and sign the site plan for, now there's a, it's a, how do you pronounce this, Kearsarge Solar LLC?

Mr. Lotti: Yeah.

Mr. Queiroga: ---?

Mr. Lotti: Yup.

Mr. Phoenix: Ok.

Mr. Queiroga: Alright?

Mr. Phoenix: In the standard form?

Mr. Queiroga: Of course, in the standard form. What other form is there?
**SECOND** Ms. Houle.
**4-0 in Favor.**

Mr. Phoenix: Entertain a MOTION to close the public hearing.

Ms. Houle: **SO MOVED.**
**SECOND** Mr. Queiroga.
**4-0 in Favor.**

*Hearing ended 8:11 p.m.*

APPROVED:

Kathleen J Houle
Kathleen Houle, Secretary

su

Documents: Master application; Additional Information – Kearsarge ~ 3.6 MW (AC) PV Array – Map 9 Lot-18 & 36A West Street Ludlow, MA 01056 (Attachments A – G); Stormwater Management Report - Kearsarge ~ 3.6 MW (AC) PV Array – Map 9 Lot-18 & 36A West Street Ludlow, MA 01056 (June 10, 2019); "Site Plan" Plan of Land in Ludlow, Mass surveyed for Lupa Game Farm, Inc. (Rev 5. 9/28/15); Existing Conditions Plan – Map 9 Lot-18 & 36A West Street Ludlow, MA for Kearsarge Solar LLC (5/24/17); Interconnection Prints – Singlle – Line (Option C) Lupa Zoo Generation Station (26MAR2018); Comments from Town Departments/Boards; Typical Solar Signage packet

*(Documents pertaining to this hearing are available for viewing in the Planning Board Office during regular business hours).*