TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
August 8, 2019

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PLANNING BOARD MEMBERS

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

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

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 56. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of July 11, 2019 & July 25, 2019
- SIGN Special Permits:
  - Gary Manuel – 217 Church Street (home remodeling business)
  - Sarah M. Pascale – 52 Skyridge Street (law office)
- APPROVE/SIGN Release of Development Agreement - M and G Investors, LLC – Maria's Way Subdivision

CONTINUED PUBLIC HEARING – SITE PLAN – Huxley Solar LLC – 498/504 Fuller Street (Assessors' Map 9, Parcels 69 & 70) (installation of a 5.0 MWac/7.5 MWdc ground-mounted photovoltaic system on 88.6 acres currently in agricultural use. The ground-mounted system will include an access driveway, solar panels/racks, and transformers, inverters, and energy storage)

SEE ATTACHED MINUTES

ANR – Jose M. Alves – 17-21 Lower Whitney Street (Assessors' Map 14B, Parcels 74, 75) (combine 2 parcels into one lot)

Jose Alves was present for the appointment.

Mr. Stefancik noted that the plan meets all of the ANR criteria.

Mr. Queiroga: We are gonna have a **MOTION** in the standard form to approve the ANR for Mr. Alves.
SECOND Ms. Houle.

4-0 in Favor.

Documents included: Master application; Subdivision Approval Not Required Plan, Lower Whitney Street Ludlow, MA, owned by Jose M. Alves (July 15, 2019)

File Mail Item #55 – Memo from Ellie Villano, Town Administrator re: Use of Town Hall Conference Rooms

Ms. Houle: **MOTION** to adjourn.
SECOND Mr. Quiterio.
4-0 in Favor.

Meeting adjourned at 7:48 p.m.

APPROVED:

Kathleen 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
CONTINUED PUBLIC HEARING – SITE PLAN
498/504 Fuller Street (Assessors' Map 9, Parcels 69 & 70)
Huxley Solar LLC
(installation of a 5.0 MWac/7.5 MWdc ground-mounted photovoltaic system on 88.6 acres currently in agricultural use. The ground-mounted system will include an access driveway, solar panels/racks, and transformers, inverters, and energy storage)
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Rafael Quiterio (Present)

The public hearing began at 7:01 p.m. in the Selectmen's Conference Room.

The hearing was continued from June 13, 2019.

In attendance: Nicolas Galletout – Cypress Creek Renewables, Brad Saunders – GEI Consultants Inc., Ethan Winter – Cypress Creek Renewables

Mr. Phoenix: We do have some comments in here. From Public Works: *We reviewed the site plan for Huxley Solar and have the following comments; Submit a copy of NPDES Construction General Permit and the SWPPP when completed and submitted before work begins, and 2. Follow all requirements and conditions of the Ludlow Conservation Commission.* Planning Board, dated July 31st from Doug, he ran through the checklist and we have everything is checked off with the exception of additional comments: *applicant is asking for waivers on o. Additional requirements 1-5, does the Board wish to add additional landscaping such as a row of arborvitaes along the front section? There's a lot of natural vegetation, but as an extra precaution additional vegetation may be needed.* We also have the solar checklist has been gone through with a lot of checkmarks on it and nothing circled. We also do have the waiver request in my hands. This is for 7.1.5o 1, 2, 4, & 5. So out of those requirements this would leave in place signage design with dimensions and locations. It would, however, be asking for a waiver of the lighting plan with luminaire schedule prepared by an engineer; elevations showing the front, rear and sides of the building design; area where snow will be stored, and traffic study. I also have a letter from an abutter.

Mr. Queiroga: ---

Mr. Phoenix: Honestly, I didn't read this yet, so I'm not sure what's in this.

Mr. Queiroga: Doug, did you read it?

Mr. Stefancik: The first two pages has basically is his issues, but the rest there, it's just all zoning bylaw put in there, from everything from site plan to earth removal. So, I think if you just read the first two pages, and then he signs it, that's pretty much where the letter ends, except for all the boiler plate information.

Mr. Phoenix: Just to kind of read the beginning here: *I write this letter today to you to affirm my opposition on the above referenced matter. I write this letter as an abutter and more so a concerned citizen of the Town of Ludlow. I also have owned a business in the Town for over 23 years. I mention this only to illustrate that I am able to understand both takes on this matter. Lastly, I am unable to attend this hearing due to a previous scheduled family event. I respectfully ask the Chairman to have my letter read on record after the presentation by the applicants has been heard, and comments from the public is open.* I would, however submit that this is a very verbose missive and anyone that stood up to say this much material during the public portion of the meeting would not have that much time allotted to them. So, asking to have this much added in is a little bit awkward and I would submit having it read in as possibly misplaced. So, I would take the, ask the Board if we want to accept the summary from the Town Planner in lieu of reading the letter.

Mr. Queiroga: I second that --- or I make a **MOTION** to that effect.
SECOND Ms. Houle.

Mr. Queiroga: And I'd like to make one more comment.

Mr. Phoenix: There's a motion. All those in favor?
4-0 in favor.

Mr. Phoenix: You said you have a comment also Joe?

Mr. Queiroga: Yeah, one more comment. Do you have the list of who got abutters notices?

Mr. Stefancik: Yeah, it should be in the file.

(conversation regarding location of abutters list in folder)

Mr. Queiroga: Just as I thought, he lives on Pine Cone Lane which is half a mile to ¾ of a mile away and I was positive he wasn't sent an abutter's notice.

Mr. Lyonnais: --- on the corner --- property.

Mr. Queiroga: Still half a mile, I understand.

Mr. Phoenix: Well, whether he lives right next to it, whether he lives across the entire town, he still has a right to express his thoughts on the matter as long as it's in line with what everyone else is accorded. So, we do have the letter on file, and as we've already taken the motion we're going to accept the Town Planner's summary of it in lieu of reading the whole thing. So, with that said, if you gentleman want to explain to us what has changed since we last met.

Mr. Galletout: Sure, so I'm Nico Galletout, the developer on this project, and I have with me Brad Saunders who's with GEI. Since our last meeting, we've made the updates, required updates to the plans to include the southern parcel and the ALTA preconstruction survey. The

plans are now stamped, fully stamped, with all the monumentation as requested. I'm gonna hand it over to Brad for a little more detail on that, and the updates that we made to the plan, and then we open it up for questions.

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2019 AUG 23 A 11: 24

Mr. Phoenix: Ok.

Mr. Saunders: Ok. The plan hasn't changed particularly much although we did finally get ORAD from the Conservation Commission. So, there was some adjustment in the layout of the solar panels on the south part of the site to accommodate a change in the wetlands boundaries. We wanted to stay at least a hundred feet away from the wetlands, so as the wetland boundary changed, we continued to meet that standard. We do have a Notice of Intent in with the Conservation Commission. That was filed yesterday. Because we do have some wetlands and a riverfront area that we have to cross to gain access to the property. I don't control that, or I'd show you where it is.

Mr. Queiroga: Doug will be right back.

Mr. Phoenix: Doug should be right back.

Mr. Saunders: I guess I could show you with this.

Mr. Galletout: Fancy.

Mr. Saunders: Yeah, except it doesn't show up on that.

Ms. Houle: Oh my.

Mr. Galletout: It was working a minute ago.

Mr. Saunders: No, it's there, but once you get in.

Mr. Phoenix: Yeah, once it goes on the screen it doesn't ---.

Mr. Saunders: Yeah, it kind of disappears. But anyway, you can see where that hedgerow is, that north to south ---.

Mr. Galletout: I can show you.

Mr. Saunders: There is a stream there. It is a perennial stream. So, there's a riverfront area, yes, so there's a riverfront area on either side of that that we have to cross. To minimize the impacts to the wetlands there, we've reduced the road width to twelve feet instead of the twenty feet, which is what it'll be everywhere else. We're also using an existing crossing of that stream without doing any work in this stream. We're simply going to use that existing crossing. We have two detention basins which, I think, are the same, virtually the same as they were before, again, with a slight arrangement, adjustment to the one in the south. And aside from that, it's essentially the same project. The real difference was actually getting the monumentation, identifying where it needs to be set, and having this survey plan signed and stamped.

Mr. Phoenix: Ok, is there anything from the Board at this time?

Mr. Queiroga: You only have one crossing?

Mr. Saunders: Yes. Well, there's actually, there's a wetland, there's a finger of wetland. This is our access right here...

Mr. Queiroga: Right.

2019 AUG 23 A 11: 25

Mr. Saunders: There is a finger of wetland that comes in to this site in this location, we do have to cross that. There's no stream associated with it. In fact, it's just a reed canary grass area that's a little bit of a depression. In fact, that's currently mowed, if you go out and walk the site this is mowed, and then we have that stream crossing right there. Aside from that, everything is staying back.

Mr. Quiterio: Where the green is right? --- right here.

Mr. Saunders: Well, the green line is the riverfront area boundary, the stream is actually within that boundary right there. And these are the two detention basins for stormwater management.

Mr. Phoenix: Ok, would it possible for you just to show the other people in the room since we couldn't get it up on the big screen?

Mr. Saunders and Mr. Galletout explained to the public where the stream channel is located on the map.

Mr. Phoenix: Just for the record, I do need you to state your name and address.

Mr. Lyonnais: Garry Lyonnais, 490 Fuller Street.

Mr. Phoenix: Thank you.

Mr. Galletout clarified to the Board the location of Mr. Lyonnais' house on the map.

Mr. Phoenix: Ok, anything else from this side of the table before I bring up what I have and then we'll go to the public?

Mr. Lyonnais: ---

Mr. Phoenix: I need to, this is a public hearing, we need to have just one person really talking at a time. As far as the things that we had from other boards and from our office and in that packet, we do have the waiver request, which we are going to have to act on one way or another. Just as a reminder, that is the lighting plan with luminaire schedule prepared by an engineer, which I believe part of the reasoning for that is you're not really lighting a facility that's meant to capture light. It's kind of counterproductive. Elevations showing the front, rear and sides of the building design. Again, you're not really putting any structures up, so that becomes, essentially, a moot point. Area where snow will be stored. Now, there's not really like a big parking lot or anything like that that's gonna be involved, but there's gonna be the access way. What is the plan as far as whatever snow ends up coming down as far as when that gets cleared out to get access to the property?

Mr. Saunders: The plan is to simply plow it to the side.

Mr. Phoenix: Ok.

Mr. Galletout: And again, we access maybe once a quarter, so, not a lot.

Mr. Queiroga: So, at the meantime, at the most four times a year.

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2019 AUG 23 A 11: 24

Mr. Saunders: But it will be cleared for emergency vehicles. So, it still needs to be cleared throughout the year.

Mr. Phoenix: And, that actually, the issue of the number of trips leads into the fifth one which is the traffic study, which there's minimal visits to the site. It's almost as if there's nothing there as far as the number of trips that it generates, hopefully. So, I just wanted to make sure that that is still in everyone's brain that we do need to act on that. That said, I will open this up to public comments, questions, and concerns at this time. I would ask that if anyone has anything that they do state their name and address for the record, and address everything through myself as Chairman and we'll try and avoid cross talk and get whatever answers we need for people. Anything that was brought up in the first session of the public hearing doesn't need to be brought up again this time, that's already part of the record for this proceeding. Is there anyone that has anything that they'd like to bring up at this time?

Mr. Lyonnais: Mr. Chairman, I'm Garry Lyonnais, 490 Fuller Street. I did have questions that never did get answered last time 'cause about the fencing and where it will be, what is it? Is it gonna be chain link or barbed wire on the top? And I do have pictures of our other solar farm that's on Holyoke Street, I believe?

Mr. Phoenix: Well, there's a, that one's completed, yes.

Mr. Lyonnais: And solar farm's a nice word, but it really looks like an abandoned prison yard. I mean, are they gonna maintain the land? Right now, the land has been maintained --- the acreage, they'll just, fields are just growing into woods. Now I got pictures here of what the other one, it's terrible what the other one looks like.

Mr. Queiroga: You talking about the other one on the dump, Garry?

Mr. Lyonnais: Yeah. You see the entrances, you can't even see into where the gates are. It's terrible. I mean, I know they wanted, the Town wanted a nice curb cut and all that, but the rest of it, nothing's taken care of. I don't know if that's their intent or if it's the same company. But if you want to see what the other one looks like, I got the pictures and it's pretty, welcome to Ludlow and then you got that. I don't want that in my backyard. You know, I mean, solar farm sounds nice, but they don't do nothing to the land. They're gonna be there, I believe, the amount of trips they say, but they're not there to cut the lawn, they're not there. Right now, that field gets generally hayed twice a year. You're only using a small portion, I'd like to know what's gonna happen with the rest of the land 'cause it will grow in and just be woods. Now that area, according to a map of Massachusetts, is supposed to be scenic farmland, and part of that is a higher grade of scenic farmland or what they write. I don't know what portion is more to the left actually, but I don't know if that means anything at all in this, but I'd just like to bring it to your attention 'cause it's in documents in Massachusetts written for this area.

Mr. Phoenix: Ok, so to begin with, the fence type and location, can you indicate what's going on with that?

Mr. Galletout: Sure, I'll hand it off to Brad for that.

Mr. Saunders: Ok, the security fence is the circle and line part on here. It will be around the entire property once your inside with the solar activities. It's not going to be out on Fuller Street, ok, so, it'll be on the other side of that stream crossing, and it's only to surround the actual facility itself.

Mr. Lyonnais: What's the height?

Mr. Saunders: Six to seven feet. It will be chain link and there will be strands of barbed wire on the top. I believe that's dictated by federal agencies and there is a detail of it, in fact there were two details in the package of that.

Mr. Galletout: Thanks Brad. Garry, I can answer Garry's questions regarding maintenance and the growth. So, within the fence we maintain the grass, it's gonna be grass under the panels, just like it is now, and we mow those regularly to make sure the grass doesn't get high and go over the panels and cause like shading which would impact production. As far as what's surrounding outside of our fence, this is something that we think that it's better that we let nature grow and become what it wants to be, but we will maintain it as well to make sure that it doesn't, again, cause any shading on our panels. So, right now it's an open field, there's eighty acres there. We're using about 30% of that, right. So, everything that you see around it right now will stay that way. I don't foresee massive trees growing, you know, in the next five or ten years, right? But, if that was the case and if they were to cause shading, we would have to take them down, which would benefit everybody. I hope that answers your question.

Mr. Phoenix: Anything else from the public at this time?

Ms. Hodgman: Elaine Hodgman, 1475 Center Street Ludlow. The houses along Fuller Street that are part of that, are they gonna be part of this work area? Are they gonna be used for office? I don't remember what you said, if you did. What's gonna happen to them?

Mr. Galletout: Yeah, that's a great question. So, we have two houses on the site right now on the extremity of our property. We're not touching those houses. We're not using them as offices. We're gonna actually subdivide the land and sell them either to the owners that are currently, renters that are there, or sell them, put them on the market. So, I've had conversations with both people living there, and one of the families is moving out. The husband actually found a job a few miles away, so --- shortly at that house. It's gonna be up for sale. And then the other one, I'm still talking to them to find the best solution, but they were notified by the owner two years ago, when we signed the agreement, that their rental would be month to month.

Ms. Hodgman: So, they're currently renting now.

Mr. Galletout: They're currently renting, correct, yeah, both of them. So, that's something that we're working through to find the best solution for everybody.

Ms. Hodgman: Thank you.

Mr. Phoenix: I believe I saw another hand as well.

Mr. Lyonnais: Well, I do have a few more questions.

Mr. Phoenix: If everybody else has had a shot to speak, then sure.

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2019 AUG 23 A 11:24

Mr. Lyonnais: Are far as, are you gonna be, I'm sorry Mr. Chairman, will you be owning that land or leasing that land?

Mr. Galletout: We'll be owning it.

Mr. Lyonnais: Ok, and what is done after the panels are up what is done with it, 'cause I know Chicopee has an issue, and they have a contingency to get after twenty years, that's when how long the panels are good for, or if they just go bankrupt, your company goes bankrupt, we got 80 acres of solar panels just lying around.

Mr. Galletout: Right, so we put forward a decommissioning bond on every single one of our projects. We're committing to decommission the project, and whether it 25 years or 35 years, it's closer to 35 years now, we come in and we take those panels out, and we reseed the land, and the land can be used for something else. It can be agriculture, it can be residential development if there's a need in Ludlow in 35 years from now. We don't know. But, in the event that we go, as you say, belly up, we provide a decommissioning bond to the town, that provides with sufficient money for them to engage a firm that goes in there, takes those panels out, and then usually the resale value of this equipment is superior to the bond itself, so they make basically double the money. This is not something that we would want to abandon in any case because it's very valuable equipment.

Mr. Phoenix: Ok, yes.

Ms. Lyonnais: Dawn Lyonnais, 490 Fuller Street. How does this benefit Ludlow?

Mr. Galletout: That's a great question. It benefits Ludlow in many ways. So, this project will be paying taxes, right? We negotiate a pilot agreement with the Town. That brings in a lot of money. That goes to public services, schools, education, you name it.

Ms. Lyonnais: How does that bring, pilot?

Mr. Galletout: Pilot, yeah.

Ms. Lyonnais: Explain that, I don't know what that is.

Mr. Galletout: So, it's a payment in lieu of taxes, so it's a fixed payment.

Ms. Lyonnais: Taxes?

Mr. Galletout: Yeah, yeah. It's basically taxes, but it's an agreement that we have with the Town. There's that, there's the community solar aspect of it. So, everybody in the Town, once the project gets turned on, gets an opportunity to subscribe to this program, and by subscribing to this program, you're buying into solar energy, renewable clean energy, and you can also get like a knock off on their electricity bill every month. And the numbers that we're seeing right now is

as high as 10%, so it's a huge benefit to all the residents there. If you go beyond Ludlow, this project helps Massachusetts as a whole, it contributes to the aggressive renewable energy goals that they set.

Mr. Queiroga: What is the present percentage of, percentage of electricity that is provided by solar in this state?

RECEIVED
2019 AUG 23 A 11: 25

Mr. Galletout: In Massachusetts? I don't know off the top of my head, but I know that in the United States it's about 6%, so still a long way to go.

Mr. Queiroga: And they have a target of 25%?

Mr. Galletout: So, Massachusetts, I believe, their goal for 2050, and Ethan correct me if I'm wrong, is to offset 80% of their greenhouse gas emissions.

Mr. Winter: That's solar, also imports of hydro --- all of the above, but solar's a big part of that.

Mr. Galletout: Yeah, so every solar farm that we put in the ground offsets a huge amount of carbon dioxide, you know, and takes about, I think this probably takes about the equivalent of 100 and, ---- 200 cars off the road every year. So, it's cleaner energy for not only the residents of Ludlow, but the whole ---.

Mr. Lyonnais: ---

Mr. Galletout: Yeah.

Mr. Phoenix: Anything else from the public?

Mr. Lyonnais: I'd like to show these photos if you want to look at the photos.

Mr. Phoenix: Sure.

Mr. Lyonnais: I mean, I just hope you guys don't take care of your place like this place takes care of their place. That's the entrance.

Mr. Galletout: That's a farm that's in operation?

Mr. Lyonnais: Yes.

Mr. Queiroga: Where is that? Where is that Garry?

Mr. Lyonnais: --- the dump.

Mr. Queiroga: Are you talking about over on Holyoke Street?

Mr. Quiterio: Holyoke Street.

Mr. Lyonnais: Yeah.

Mr. Queiroga: I know one of the problems there is that the solar farm is higher than the road. I mean it's like…

Mr. Lyonnais: I know, but the chain link fence it looks like an abandoned prison yard. I mean you got grass growing through the chain link fence.

Mr. Queiroga: And the Town owns it.

2019 AUG 23 A 11: 24

Mr. Lyonnais: The Town owns it and it's welcome to Ludlow, then you got the two pieces of property that the contractor has, then that solar farm. It looks terrible. I'm ashamed that, I tell people don't come to Ludlow that way 'cause it's not very nice. And that's one entrance and that's the second entrance with a tree growing through the second entrance.

Mr. Galletout: So, that's town owned, you said?

Mr. Queiroga: Yes. The Town negotiated that contract years ago.

(multiple people talking)

Mr. Lyonnais: With a tree growing through it 'cause that's got fresher tire tracks. And that's what I don't want in my backyard. You know, it's different ---…

Mr. Queiroga: ---

Mr. Lyonnais: …farms, farmland, farmers come, they grow their crop, it grows nice, they chop it up, and again, it renews every year. Now, that field has been hayed --- normally twice a year for, my house was built in 1725 or 1825.

Ms. Lyonnais: 1822.

Mr. Lyonnais: 1822. I'm sure that that field has been hay since then, otherwise it would be grown in and be woods. I just like to see responsible care ---.

Mr. Phoenix: The one that we had approved behind your place…

Mr. Queiroga: Yes. My house?

Mr. Phoenix: Yeah. Is that one actually finished being built yet? Is that operational yet, do you know?

Mr. Queiroga: Oh yeah. Yeah, it's been operational, on top of Americo Street, and it ---.

Mr. Lyonnais: --- unfamiliar.

Mr. Queiroga: Yeah, not unless you went to my house. It was 165 feet from the back of my house. But, they did a great job. This was the electric company themselves. They already owned it. They're mandate by the state to have a certain percentage of electricity produced by green sources. And so, --- a little, but they did a great job and a high fence, they put some arborvitaes up, and you never even.

Mr. Lyonnais: Well, I work in Connecticut, so I drive by that every morning and every night, and it's not pretty. Holyoke Street, and I'm afraid that's what I'm gonna see in my backyard.

Mr. Queiroga: You better go by 291.

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2019 AUG 23 A 11: 25

Mr. Quiterio: All the solar fields that I've seen didn't ever look like that either, you know? They always look pretty clean.

Mr. Galletout: That one looks pretty bad.

Mr. Queiroga: The town, you know, I think, it generates $150,000 a year in terms of money for the school system and the Town.

Mr. Lyonnais: And that's good.

Mr. Queiroga: That's what they were trying to do.

Mr. Lyonnais: I'm trying to keep my property value the same.

Mr. Phoenix: 'Cause that one was the one over on Holyoke, and I don't want to get too far off this project. That was Borrego, I think?

Mr. Galletout: Borrego, yeah.

Mr. Phoenix: Should we reach out to the Selectmen and see where the limits are as far as who's responsible physically for maintaining that section of the property at the gates, whether it's the Town or whether it's the tenant, and see if we can get some movement on that.

Mr. Queiroga: You need a **MOTION** to that effect?

Mr. Stefancik: ---

Mr. Phoenix: Yes please. Is there a second?
SECOND Ms. Houle.
4-0 in Favor.

Mr. Galletout: We got that out of the way.

Mr. Phoenix: Sorry to take up part of your meeting with that, but just to, before that falls out of our brains.

Mr. Galletout: I don't like seeing that either. It's bad press for solar companies, yeah.

Mr. Queiroga: I don't want to release information if you don't have to, but if these people knew how much you paid for that land they wouldn't ask you whether you're going to take care of it.

Mr. Galletout: Yeah, we will. Garry, if I may, I was in the field for like about an hour today looking at every single viewpoint from the array to the houses, and I made some calculations, your house. So, you mentioned 120 feet, I think the back of your swimming pool is more or less 630 feet away from the first panel.

Mr. Lyonnais: I believe I won't see most of your solar panels, but I will see your fencing.

Mr. Galletout: Right, right, right. And the fence ---.

RECEIVED
2019 AUG 23 A 11: 24

Mr. Lyonnais: The prison yard, I don't know if I like a prison yard in my backyard.

Mr. Galletout: It will not be a prison yard. It will be a lot nicer than a prison yard. We maintain the fence. The good thing is, as you said, it's already cleared, there's not a lot of vegetation there, so for the vegetation to grow on the fence, it takes time and we take care of that because it causes shading on the panels which we...

Mr. Lyonnais: Yeah, I understand, but, you know, a lot of that growth has only been the last couple years since the owner has passed away because that land used to be better taken care of than it has in the last four or five years actually, and it's actually overgrown a lot more than it had. There was no trees in my backyard. You could see the whole field, all the fields. You know, I just don't want to see a chain link fence with a barbed wire with vines growing through it.

Mr. Galletout: We'll take care of it.

Mr. Lyonnais: --- live in Somers Connecticut, the Somers Prison.

Mr. Phoenix: As far as near the fence, I'm looking for the landscaping plan in here, but I can probably get a faster answer just by asking. What is the plan as far as any landscaping near the fencing? I know you say you don't want to have anything too tall to shade the panels, but beyond that, are you looking to have any arborvitaes or anything else along there, something that's gonna obscure the fencing somewhat?

Mr. Galletout: Right, so we looked at the view --- from the fence onwards to the properties along Fuller Road, and it's extremely dense vegetation all along, so for that reason, we didn't propose any vegetative buffers along the fence. I have pictures if you want to look at them. I couldn't see much except for at Garry's house, so.

Mr. Queiroga: Is his house, there's some areas where I'm sure you can't see through, but is there any areas that are where you can see?

Mr. Galletout: So, all those houses have very, very limited visibility, if none. I couldn't go in their backyard, but from what I'm looking at from the road and both like where the panels are gonna be, there's a very slim chance even in the winter because the cover is dense right? From Garry's house, so I actually spoke to Garry's neighbor, Cecile, I forgot, Cabey.

Mr. Lyonnais: ---

Mr. Galletout: Correct. Cecile Cabey. And she has dense vegetative cover. I actually went in and looked from the backyard and you can't see the field. Except Garry, I believe you had trees in the backyard, but they were cut, right, because you wanted to keep that view.

Mr. Lyonnais: No, they were cut because some of them fall. They're not real trees, they're like bushes. They grow so tall, they stop growing and then they die and fall down.

Mr. Galletout: Right.

Mr. Lyonnais: That's what I have between that neighbor you happened to be talking about, and that's what 'cause they --- farmer's fence or whatever. But, you used to be able to see, 'cause it hasn't been taken care of in the last four or five years. From her living room you could see all the fields. She had the best view of that whole property. And in the winter time I'm sure she sees the field. But, I just, one more quick question, are looking to expand, 'cause you're taking, doing the section left now, and I may not see it, but in your future, you're chaining up the whole field, are you gonna put more that I eventually see five years from now? I mean, is that the plan?

Mr. Galletout: So, that's a great question. Our current plans for development stop here. This is all we have, and that's usually the way we do it. We make one design for one property that we lease or buy, and then we're done with it, we maintain it, and then we move on to the next one.

Mr. Lyonnais: It seems like a lot of property just to leave blank ---. Is it getting your foot in the door, does the zoning have to be changed? I'm not even quite sure. To get your foot in the door to change your zoning, and this is what we do today, tomorrow this is.

Mr. Galletout: No, in solar development there's a lot of risk, right? You never really know what you're buying. You need to diligence that, so me personally, whenever I see a big site that's mostly cleared, it looks like it could be suitable for solar development, the more acreage I have, the more wiggle room I have. You never know, you could find, you know, like a riverfront buffer or a stream right, you could find a wetland, or you could find bedrock. So, all those things I take into account when I look at sites and I select them. So, the more we have, the better chances we have at like putting a good project in the ground, right, and deciding where we want to put it. We know that there's like intense vegetative screening to the north. That's why most of the array is to the north. You only have a little bit like on the south side, right? Once we put the fence, usually we're done. In very rare instances do we come back and add to it.

Mr. Lyonnais: I just, when you walked in that field, you're gonna know, the top field, the grass grows slower than the one by where all the water is. Stuff grows, that's gonna get overgrown like that.

Mr. Phoenix: Just to interject and add a couple things to this as well. If they did want to expand, that would be another hearing that would have to happen in order to allow that. Also, as far as a zone change, that's a whole separate process that would have a hearing, it would have to go to Town Meeting, and that would have to be approved by Town Meeting for a zone change to happen. So, the underlying zoning of the property is still the same as it ever was, it's just this the use that they can do on that property.

Mr. Winter: Nico, I do want to comment on the practicalities too, when you're surrounded by wetlands, so to your point Chairman, there's not much you would do in them ---.

Mr. Galletout: Yeah this is…

Mr. Lyonnais: Yeah, I know, just this is, ---. I know what he paid for it. --- so I'm sure you guys paid a lot of money for it.

Mr. Galletout: --- this is the actual wetland --- is the wetland buffer. So, we're pretty much hugging.

Mr. Queiroga: So, you're really on an island --- around the water.

Mr. Galletout: Pretty much, yeah ---.

(multiple people talking)

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Mr. Phoenix: And then once you're done showing that, I'm gonna be looking to get a motion on the waiver and then we'll go from there.

Mr. Galletout showed Mr. Lyonnais the map of the wetlands.

Mr. Phoenix: So, let's start by doing the waiver request. Again, just to refresh everyone, this is 7.1.5o 1. which is the lighting plan, 2. which is the elevations of buildings, 4. which is the area for snow storage, and 5. which is the traffic study, all of which would seem to be largely not applicable in this instance. Is there a motion on this requested waiver?

Mr. Queiroga: Mr. Chairman, I make a **MOTION** to waive the various items that you so eloquently stated.
SECOND Ms. Houle.
4-0 in Favor.

Mr. Phoenix: So again, just to keep everybody refreshed on where we're at, the new things that we have in the file itself from last week, we do have that mail item #57 that we already referenced, we have the communication from DPW about the stormwater --- plan being completed and submitted before work begins and NPDES Construction General Permit, and follow all requirements and conditions of Ludlow ConsCom. And then from our office it was just, let's see, we already did the waiver, does the Board wish to add additional landscaping such as a row of arborvitaes along the front section? There's a lot of natural vegetation but as an extra precaution additional vegetation may be needed. I believe that was about it in here. That said, is there anything else from the Board at this time? Is there a motion to either approve or deny the plan at this time?

Mr. Queiroga: Mr. Chairman, I **MOVE** to approve the site plan for Huxley Solar LLC on the property of 501 Fuller Street in Ludlow.
SECOND Ms. Houle. It's 504.

Mr. Stefancik: 498 and 504.

Ms. Houle: 504 not 501.

Mr. Phoenix: Is the mover ok with that correction?

Mr. Queiroga: Yes.

Mr. Phoenix: Ok, so we have a motion made and seconded in the standard form to approve the plan as submitted. All those in favor?
4-0 in Favor.

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

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2019 AUG 23 A 11: 25

The public hearing closed at 7:41 p.m.

APPROVED:

Kathleen O Houle
Kathleen Houle, Secretary

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Documents: Master Application/Site Plan Approval Application; Preliminary Site Drainage Memo (April 26, 2019); Comments from Town Departments/Boards; Plans: Site Plan Approval Documents – Huxley Solar, LLC, Town of Ludlow, Hampden County, Massachusetts (2019-07-26) (25 sheets); Letter from Robert Kopec – opposition of Huxley Solar, LLC Site Plan

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