TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
June 25, 2020

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PLANNING BOARD MEMBERS

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

The meeting began at 4:30 p.m. in the Selectmen's Conference Room via Telephonically (by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

PUBLIC HEARING – SITE PLAN – Ludlow Renewables, LLC – 0 East Street (Assessors' Map 27, Parcels 26, 27, 28, 29, 30, 31) (4 Megawatt (MW) ground-mounted solar array to be interconnected with Eversource's distribution system)

SEE ATTACHED MINUTES

SITE SKETCH – Kearsarge Solar LLC - West Street (Map 9, Parcels 18 & 36) (installation of 3.7 MW AC / 5.01 MW direct current solar array with approx. 11,088 PV to 11,934 PV modules as shown on project plan submittals; access road location moved)

Dan Voss – Kearsarge Energy and Michael Pietras - ELS were present for the appointment.

Mr. Voss explained that they have started site clearing, and that the changes do not increase the footprint of the overall array. He noted that the proposed changes include a change in the placement of the access road to a more central location.

Mr. Pietras added that the other change is that the plan shows the clearing and pruning limits, which was discussed at the previous meeting.

Mr. Phoenix: Given the nature of the change of the property as described by the applicant, I would make a **MOTION** to grant the waiver of the full site plan in favor of a sketch in our standard form, and I would further **MOVE** that we waive the requirement for a public hearing for this matter.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Stefancik said that he checked the plan and that it met the site sketch criteria.

Mr. Voss remarked that the panel count has been reduced from the original count which was around 12,000 panels, but the strength of the panels has increased from 4.5 megawatts to 5.01 megawatts.

Mr. Phoenix: I'll make a **MOTION** in our standard form to approve the site sketch.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

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Documents included: Master application; Request for waivers; Overall Proposed Conditions Plan Site Sketch – Map 9 Lot-18 & 36A West Street Ludlow, MA for Kearsarge Solar LLC (6/11/2020)

ANR – 0 West Street (Map 8, Parcel 1A) John C. Farr, Executor
(3 single family residential lots)

The applicant was not present for the appointment.

Mr. Stefancik said that the applicant is looking to subdivide out three additional lots, and that they all have at least 140' of frontage and they all exceed at least an acre of land.

Mr. Phoenix: I make a **MOTION** in the standard form to endorse the ANR.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Documents included: Master application; Approval Not Required (ANR) Subdivision Plan of Land in the Town of Ludlow, Massachusetts Hampden County – prepared for the Estate of Robert H. Farr (06/24/2020)

Regular meetings

The Board agreed that the meetings should go back to the regular meeting time (7:00 p.m.).

Mr. Stefancik said that he was advised that there can not be more than ten people at a meeting, so anyone over that number, such as the abutters, will need to call in for a public hearing.

The Board discussed options of holding meetings at other sites, such as a tent in the parking lot, or other facilities in town.

Mr. Stefancik will check with the Selectmen's Office for approval on any options.

Mail Item #27 – Payroll Authorization Form from Office of Town Accountant

Mr. Phoenix: I'll make a **MOTION** to have Doug designated as the person to sign payroll.

Mr. Stefancik: And bills.

Mr. Phoenix: And bills.
SECOND Mr. Queiroga.

Mr. Coelho: Can I third it for discussion? I'd still like them included in our weekly or bi-weekly packages to review.

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Mr. Stefancik: Ok.

Mr. Coelho: So, we have a motion, is my third amendable to the motion?

Ms. Houle: That's fine.

Mr. Queiroga: Yes.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Ms. Houle & Mr. Queiroga signed the form. The remaining Board Members will also need to sign.

File Mail Item #28 – Fence violation @ 58 Pleasant Street from Justin Larivee, Building Commissioner

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File Mail Item #29 – Town of Ludlow Board Reorganizations

Mail Item #30 – Unkempt Property @ 333 Fuller Street from Justin Larivee, Building Commissioner

Mr. Stefancik will send a letter, with an application, informing the resident that they need to apply for a special permit a for a home occupation.

Mail Item #31 – Letter from Gary Blanchard – Manager, Ludlow IT Dept. re: Behavior of Board Member on social media

Mr. Coelho and Mr. Phoenix both responded that the Planning Board should have official town email addresses and asked if those could be set up.

Mr. Coelho: I'll accept a MOTION to file these mail items.
Mr. Queiroga: **SO MOVED.**
SECOND Mr. Phoenix.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Consent Agenda:

The Board approved the Consent Agenda under unanimous consent.

- FILE Mail Item 26. - Legal Notices from surrounding communities
- APPROVE/SIGN Minutes of May 28, 2020; June 11, 2020

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Mr. Phoenix: I will **MOVE** to adjourn the meeting.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Meeting adjourned at 6:06 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 – SITE PLAN
0 East Street (Assessors' Map 27, Parcels 26, 27, 28, 29, 30, 31)
Ludlow Renewables, LLC
(4-Megawatt (MW) ground-mounted solar array to be interconnected with Eversource's distribution system)
June 25, 2020

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PLANNING BOARD MEMBERS

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

The hearing began at 4:32 p.m. in the Selectmen's Conference Room via Telephonically.
(by order of the Governor's March 10, 2020 order titled "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, § 20" due to the COVID-19 Virus Outbreak)

In attendance: Ralph Capua, Palmer Moore – Ludlow Renewables, LLC; Ken Strom – WDA Design Group; abutters

Mr. Coelho read the legal notice, advised the attendees that cameras are recording, and reviewed the application. The legal notice included the description of: 4-Megawatt (MW) ground-mounted solar array to be interconnected with Eversource's distribution system.

Mr. Coelho: Ok, so the hearing's officially open right now. Is the developer here?

Ms. Houle: Yes.

Mr. Moore: Yes.

Mr. Coelho: Could you please introduce yourself?

Mr. Moore: Good afternoon members of the Planning Board and members of the public. My name is Palmer Moore. I'm from Nexamp, and I am joined here today with Ken Strom from WDA who's representing our civil engineer on the project. As noted, we are submitting a 4-Megawatt solar project for the Board's review. This project has been in the works for some time going through a number of reviews elsewhere, and we previously received unanimous approval from the Conservation Commission in Town, and also received approval from Eversource for interconnecting the project to the distribution grid. As noted, it is a 4-Megawatt solar facility. Nexamp is a born and bred Massachusetts company. We've been operating in Massachusetts for over a decade and our primary objective with these projects is to build what is called community solar projects where the beneficiaries are individual Eversource customers from apartment renters and home owners up to small businesses and large institutions. A project of this nature could distribute benefits to literally hundreds of Eversource customers in the area. Project siting is always difficult, and in this case, we felt that while there is no perfect site for these projects,

this site represented a good opportunity because it was already heavily intersected with existing infrastructure. There is an Eversource transmission easement in view to the west, the Mass Pike is immediately to the north. There's an Eversource owned solar array immediately to the south and heading east we've left significant distance of existing mature vegetation between our project and a wetland echo system to the east. We also worked with the utilities and Mass DOT and are in process with them to try to reuse existing infrastructure by capitalizing on the fact that Mass DOT owns the property to the north and bringing in utility access that way and reusing Eversource's own access road to the south form Chapin Street which they use for construction access for their own project. We would seek to reuse that same road to access this property and build this project. So, trying to repurpose areas that have already been disturbed from previous uses to the greatest extent possible for this particular project. I think that's generally a high-level overview of the project. We appreciate the Board and the public's consideration and questions this evening. I can turn it over to Ken Strom from WDA just to summarize some of the key technical considerations for this site.

Mr. Coelho: Great, thank you.

Mr. Strom: I guess the easiest way is to just flip through the site plan on the, Doug has them on PDF and you can see them probably on your local cable access.

Mr. Coelho: --- might need to get you closer to the microphone, please.

Mr. Strom: Ok, my name is Ken Strom with WDA Design Group in Westborough. Hopefully you can hear me.

Mr. Coelho: Much better thank you.

Mr. Strom: And hopefully the camera can pick up the exhibit here, excellent. So, we've been before you before prior, back in February. So, just, Doug gave, excuse me, Palmer gave a kind of high level overview. I'll go through the design real quickly here. So, as Palmer mentioned, there is an existing solar field to the south of us here, northern point is up the sheet, Mass Pike is up here, and, let's see, East Street is here, and Chapin is down below us. This is Reynolds Street and the extension. So, what we have, it's a number of parcels here that, in aggregate, total of approximately 54 acres. We have an access coming in through the access from where the existing Eversource along the high-tension wires is what we're showing and then the solar field off the access road on the east side. The site generally slopes from west to east. There's a number of wetlands on the east side. We do have three detention basins, DB1, 2, and 3 to capture the runoff from the, number 3 is actually from the roadway, so the roadway runoff, and 1 and 2 from the solar field. We're developing the actual field or the fenced in area is probably on the order of 30% of that site. Palmer, did you want to speak to the access at all or?

Mr. Moore: No, not, other than mentioning reusing existing access, yup.

Mr. Strom: And that's just kind of a general overview. I don't know how much you want me to dig into this. I could just kind of show you aerial image, the way it looks now. So, that's the existing. Eversource, oh you don't have that one Doug. But, so we'll be up in this area in here. Sure, yup, ok, so we do have an exhibit. There was a question about some of the local drainage and patterns on the site. And as I said, it's basically, it's on a hill, and it's pretty much flowing, the direction of flow is in an easterly direction toward the wetlands. So, these red arrows represent the direction of flow on the surface, and there's a couple of isolated wetlands and then

eventually a connected wetland system. As you can see, it's staying on the site. Bottom line --- blow up at the end of Reynolds, there was a question there. You know, it's basically, there's actually kind of a bermed up ridge divide if you will, natural, I shouldn't say berm, it's a natural ridge in the topography and over in here. So basically, it keeps the flow going that way, any of the surface runoff. So that's it in a general sense. I don't know if you wanted any specific details --- the drainage on the side or other aspects.

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Mr. Coelho: So, thank you for the brief overview of the project. I'm gonna go right now into reading concerns the other departments have. I only have one in front of me, and that's from the Board of Health, and their only concerns have to do with the project this big --- rain water running down the elevation at the end of Reynolds Street and cul-de-sac homes due to any --- tree removal. Interesting comment from the Board of Health --- comment from alot of people with this project. Doug, do we have any more comments from other boards?

Mr. Stefancik: Oh, we do. Joe has the rest of the comments he'll read.

Mr. Coelho: Ok Joe, --- that'd be great.

Mr. Queiroga: Ok, the next one is the Conservation Committee comments: *Conservation approved as long as no entrance off of Reynolds Street.* The Planning Board: *Monumentation, show missing pins on plans CO.04 and CO.05; and applicant is asking for a waiver on Additional Requirements 1-3 and 5; applicant is also asking for a waiver on the frontage as per 6.10.07 Waivers – Large Scale, Ground Mounted Photovoltaic Systems, the Planning Board may waive the frontage from 140' to 50.3'.* That is, and that be it, Mr. Chairman.

Mr. Coelho: Is there anything from DPW?

Mr. Queiroga: Was there some communication over the what-do-you-call-it, the stormwater management?

Mr. Stefancik: Oh yeah, Jim saw the stormwater management. They received it, they didn't they didn't originally have the application on file.

Mr. Queiroga: But they have it?

Mr. Stefancik: The applicants completed the application and the fee.

Mr. Queiroga: Ok so, that ends the comments from various boards around town.

Mr. Phoenix: Just to clear that up, it's been submitted but it hasn't been reviewed yet, is that correct?

Mr. Stefancik: Yes, it was submitted over about January, sorry, June 5th.

Mr. Phoenix: It was submitted June 5th but still hasn't been reviewed?

Mr. Stefancik: Jim said the DPW Director has it and hasn't released it to be reviewed by Jim.

Mr. Coelho: Ok, well that sounds like a problem over there.

Mr. Phoenix: Yeah, that's almost three weeks that it's been sitting there. That's not awesome.

Mr. Coelho: And so, when we have, and that's all the comments we have then, correct?

Mr. Stefancik: Correct.

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Mr. Coelho: Alright, so let's, first of all, let's talk about these waivers. If the applicants would like to describe what they're asking for waivers from exactly and why we need those waivers.

Mr. Phoenix: I believe in the application packet there was some discussion of the waivers that they're asking for and why they were asking for them --- justified.

Mr. Strom: Ken Strom again from WDA. So, we were asking for a waiver for the frontage. We do not, we only have the 50.3 feet of frontage along Reynolds. We do have frontage on the Mass Turnpike, however that is no access, so it really can't be considered frontage under your bylaw.

Mr. ---: --- Turnpike --- can't be considered frontage per your bylaw ---.

Mr. Coelho: --- what are we requiring for frontage?

Mr. Stefancik: We require 140 feet in Agriculture.

Mr. Coelho: And they have what?

Mr. Stefancik: Fifty feet off of Reynolds. And in our bylaw under the solar bylaw, there's an allowance for the Board to approve waivers, and I had checked with Town Counsel and she said it was up to the Board to be able to grant that or not grant that if they felt up to the criteria what was in the waivers for the solar bylaw.

Mr. Queiroga: Chris?

Mr. Coelho: Yup.

Mr. Queiroga: If I may, on the front of the WDA Design Group, the second page, on the back of it, as the Board knows, if I can I'd like to read what they are asking: *We have filed for and received a preliminary subdivision plan to create a cul-de-sac just beyond existing at the terminus of Reynolds Street. This filing was made solely for the purpose of complying with the 140' foot minimum frontage requirement. There is no plan to construct a turn around. Access for construction has always been planned along the existing utility corridor out to Chapin Street. Therefore, by waiving the frontage requirement, the second cul-de-sac does not need to be constructed, the existing trees on the site can remain in place, the wetland filings can be avoided, and the construction vehicles will be restricted from utilizing Reynolds Street for access which is a major public benefit for this existing neighborhood.*

Mr. Coelho: --- to access the property through Eversource's property and not need to use Reynolds Street.

Mr. Queiroga: That is correct, and I believe, and correct me if I'm wrong here, that you have committed to using the other in and out for your two or three times a year maintenance that's got to be done on the batteries. Is that correct?

Mr. Moore: That's correct. We're in conversations with Eversource's transmission right-of-way team to get that easement in place.

Mr. Coelho: And construction will be done through there as well?

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Mr. Moore: Correct.

Mr. Coelho: --- missing pins but that's more of a housekeeping issue, but if the other Board Members have any questions, please go ahead and…

Mr. Strom: Excuse me, there was a second waiver on that letter with regard to, Additional Requirements for a 1. a Lighting Plan, and 2. Building Elevations, 3. Signage Design, 4. Area where snow will be stored, and 5. a Traffic Study. Basically, items that are really not germane to this type of development.

Mr. Queiroga: We can…

Mr. Stefancik: --- show the snow storage ---.

Mr. Strom: Actually, we did take care of that, yeah.

Mr. Coelho: --- the only item we have on there would be on whatever building or little facility that has capacitors and whatnot, right?

(multiple people talking)

Mr. Strom: No site lighting.

Mr. Coelho: What's that?

Mr. Strom: There is no site lighting.

Mr. Coelho: No site lighting at all, ok. Yeah --- pretty reasonable.

Mr. Phoenix: --- would be about the signage. There is required signage for this type of project, so I think you would want to have that put in and not removing that.

Mr. Stefancik: The Fire Department requires like a notice of signage of who's responsible. I think it's in the solar --- bylaw.

Mr. Moore: Can I respond?

Mr. Stefancik: Yes.

Mr. Moore: Ok, just to respond to that question, yes, to be clear signage in terms of advertising the site or company is what we're requesting a waiver from. The site will have signage as required by national electric code and fire code for 24/7 emergency contact information, no entry signs, and other safety related signs that are generally small in nature.

Mr. Coelho: And do we have that in writing?

Mr. Stefancik: Yes, all the waivers are in writing.

Mr. Coelho: Do we have the fact that they're not what he just said, does it indicate that?

(multiple people talking)

Mr. Phoenix: --- gonna have signage ---.

Mr. Strom: Well, it's in the minutes now, but we can write a letter to, or a memo to that effect.

Mr. Stefancik: I think there's something that says --- by the fire department, for the contact information.

Mr. Moore: Yeah, we're happy to put that in writing.

Mr. Coelho: Ok, anybody else on the Board have anything?

Mr. Phoenix: Just to clean up the waivers before we get into the bulk of it, since these don't really affect the actual thing itself only for the 7.1.5 stuff. We can talk about the frontage issue separately I think, but for 7.1.5 I would like to make a **MOTION** to grant the waivers of 1, 2, 4, and 5, and to deny the waiver on 3, signage design.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: Mr. Chairman, I don't know if you want to wait until after we have more discussion before we look at the other waiver or if you wanted to do that now. I'm not sure ---.

Mr. Coelho: No that's probably, let's hear from some of the abutters and we can address that later just in case there's any questions related to that.

Mr. Phoenix: --- hold off on it too, so.

Mr. Coelho: Ok, so now we're gonna go to the public hearing, to the public. How many people are here on this phone to the public?

Mr. Stefancik: There looks like there's five.

Mr. Coelho: Five people?

Mr. Stefancik: Five.

Mr. Coelho: We're running close to the end of this hearing --- scheduled. I'm gonna give everybody three minutes. --- time restricted. That'll put us at ten after. --- anybody from the public ---, please make your questions distinct and through me as Chairman of the Board, and please don't repeat yourself as time is of the essence on this. So, I guess we're gonna go ahead and start when you're ready to ask your question. Yeah.

Mr. Phoenix: You want to make sure they give their name and address for the record.

Mr. Coelho: Yeah, I was just gonna do that. Prior to your question, just state your name and address for the record. So, with that being said, we'll take one of five right now. Hello?

Ms. Anselmo: Hi. My name is Angela Anselmo. I live at 207 Reynolds Street. I'm the only house that abuts the major piece of land, 260 feet away from the solar panels. I already have 6,600 panels behind me, and now you're gonna be putting up another 10,140 panels to the north side of me. I have many concerns about the wetlands. I have concerns about the drainage because I've already dealt with Eversource and my concerns about Eversource. I am opposed to this because I have a lot to lose here. I'm very concerned about the building of it. I'm concerned about the drainage, where it's going into wetlands. I'm concerned about mudslides, what's gonna happen to the overall property out there. We were still concerned about deforestation and not being able to build one house on this 20 acres, but it seems to be that there's no problem with building 20 acres, deforesting 20 acres and putting up 10,000 plus solar panels. So, one of the concerns I have is that I want this thing written that if anything were to happen, because I'm already dealing with the water backup flow from Eversource with these concerns. I'd like to know --- this is a private company coming in, and it will affect me the most because I live here. I'm right here, I live in town. These are outside people coming in to build. Not their backyard. I have a lot invested in this. I've been here since 1990. I have a lot invested in this property.

Mr. Coelho: Would the developer like to address the concerns --- stormwater and how she might be able to get in contact with you --- you know, we have something catastrophic happen?

Mr. Strom: Ok, so my understanding, this is Ken Strom from WDA again, and is this Angela Dos Santos at number 207 Reynolds?

Ms. Anselmo: Yes.

Mr. Strom: Ok, so you're right here ma'am. Hopefully you can see on your tv.

Ms. Anselmo: Yup.

Mr. Strom: This is Reynolds Street ok. So, I'm not sure if you heard the earlier discussion. These red arrows represent the drainage pattern on the property as it exists currently. We're not altering that. So, basically these contour lines you can see, this is the north point so the north is up the sheet here. The contour lines are pretty much running north south. They dip a little bit to a northeasterly direction, but essentially these red arrows are showing where the existing drainage patterns are on the site. So, it's draining away from your house here. Going down is an isolated wetland over here, another wetlands system in here, and eventually out toward the stream over here. I understand that, you know, your question about the proximity to the existing or the proposed development. We're gonna be quite a ways back. This scalloped edge represents a clearing line, however, vegetation will be around to, trees won't be allowed to come up, but there will be vegetation coming up there. But will actually only be maintained, if you will, is within the fenced area which is way back here, and that fenced area is about 280 feet from your house across that wetland, that small isolated wetland. The edge of the clear…

Ms. Anselmo: I still have concerns because I need to have written that there is any problems that you will address it. I do live here, and my concerns also have to do with, are we still talking

about access through the Reynolds way because that will affect a lot of things at the end of our street, the cul-de-sac.

(multiple people talking)

Mr. Strom: Yeah, the answer is this, there's no access proposed through Reynolds.

Mr. Moore: Yeah, I just wanted to clarify to the commenter, certainly I appreciate the comments and wanted to make clear, so we are obligated to the Massachusetts Wetland Protection Act to either maintain or improve stormwater on the site as a result of this project. We are beholding to the state and the Town's Conservation Commission and responsible for any issues that happen related to stormwater. As I've mentioned, we've been in Massachusetts since our inception. We're intimately tied to all of our communities, so you need to, some of the other developers who work on these projects, or even Eversource who has their project in your backyard, as you can imagine we are the only company involved with this project. We're not gonna turn it over to another company after it's built. We handle all aspects of the project and construction, the servicing of the benefits that go out to electricity customers. We have literally thousands of customers in Massachusetts that we're responsible for and you can imagine if there's a problem with one of our sites, it's usually impactful to us and our business and our community, so we're absolutely...

Ms. Anselmo: --- because as I said I've also been dealing for the last three years with things that should be doing and put in place in my yard and now here we are again. It's gonna deforest 20 acres of land, you're gonna have runoff, you're gonna have problems. It's going into the wetlands. It is unclear to me how the wetlands, the conservation approved this because through the years, it was not able to develop anything on those lands and now, all of a sudden, we have no problem developing this land. That is a concern to me seeing that I've been here for this long who've never been able to build on it and now we don't have any problem building on it. And before --- hasn't happened --- happen. I don't understand how ---.

(multiple people talking)

Ms. Anselmo: --- meeting for the conservation with regards to even knowing that this is already approved by the conservation ---.

Mr. Coelho: Oh, I'm sure they had to have a hearing and review this as well including the stormwater management report which is on file with us. Your calculations are all based on a hundred-year storm curve?

Mr. Strom: Yeah, it's a two, ten, and one hundred-year storms, typical Mass DEP requirements for stormwater management. We do have an Order of Conditions. There was a public hearing, there was an Order of Conditions issued. I'm not sure if Miss Dos Santos, well she should have been notified, there was certified mailings that went out.

Ms. Anselmo: No, none of the neighbors were notified with the Conservation. In fact, Katie can speak to that, none of our neighbors were notified. Also, one last thing, --- I've lived here since 1990, and never had a problem with my property, never sold my property, never had any intentions to sell my property, and within the last month and a half, I've received five robocalls and one private call about buying my property. That's harassment ---.

Mr. Coelho: --- order please. We're starting to get off topic now.

Ms. Anselmo: I'm not getting off topic. It's all connected to this. I'm very concerned about ---.

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Mr. Coelho: And again, their stormwater report is on file, and they are addressing operations and maintenance of their facilities throughout the life of this project including demolition and removal of --- when it's done, so ---.

Ms. Anselmo: --- agricultural --- solar projects should be built on industrial. How did it get approved to be on agricultural land?

Mr. Coelho: --- there's an exception for agricultural land when it comes to solar power renewable energy.

Ms. Anselmo: ---

Mr. Coelho: Ok, we have four more constituents that need to be heard ---. --- number two please.

Ms. Shea: Hi, my name is Kathleen Shea. It was Kratochvil. That's how it's listed on the deed or whatever. So yes, my concerns are, so I kind of agree with Angela. I'm very concerned about the question of the access on Reynolds. I just heard that there will be no access to Reynolds which I'm hoping that that's true and for the long haul and like if something else doesn't fall through they're gonna go back and use this as a back door because.

Mr. Coelho: They are on record right now saying that there will be no access on Reynolds ---.

Ms. Shea: Ok, thank you. The other thing that I'm concerned about is like the meetings for the Conservation. I wasn't notified for that.

Mr. Coelho: Ok, that is not our board ---.

Ms. Shea: Can I ask who I should talk to about that?

Mr. Coelho: The Conservation Commission.

Mr. Stefancik: Penny Lebel, extension 1285.

Ms. Shea: I'm sorry?

Mr. Stefancik: Penny Lebel is the Conservation administrative assistant. If you call the main number for the town her number, extension number is 1285.

Ms. Shea: Ok, thank you. Ok, the other thing that I was concerned about is the, again, the --- station. The Department of Energy Resources Massachusetts Office of Energy and Environmental Affairs, their site references, they strongly discourage locations that result in significant loss of land and natural resources including farm and forest land. So, you're totally going against what the Department of Energy Resources is suggesting that you do in order to put up solar fields. Can I ask the Town why they're approving this?

Mr. Coelho: --- approving it. I don't know what the definition of significant disruption is, and it is private property that's developable. Maybe one of the engineers wants to take a shot at that - --.

Ms. Shea: ---. Right, I'm reading it from the ---.

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(multiple people talking)

Mr. Moore: Can I respond to that?

Mr. Queiroga: Yes please.

Mr. Moore: This is Palmer Moore representing the applicant. I just want to respond to the concern that was raised. I completely understand your concerns and just wanted to make clear a few things. So, the D-R as you noted, is showing preference for sites that are previously disturbed. They also have a resource GIS map on their website related to the solar program that supports projects like this. And this project is not identified, the site is not identified on that map as an area of significant concern. Of course, that's just a map. That doesn't really tell the whole story. But what I do want to note is that we've been heavily involved in solar policy in Massachusetts for over a decade. And the topic of land use has been a challenging one. It's one we take very seriously. It's one that obviously the greater public, the environmental groups and so forth take very seriously. And so, there's been a lot of work spent trying to find a balance between how we protect our environmental resources, but also look toward a more sustainable future by changing over to a clean energy model. In that analysis over the course of time, one thing that's come to light is that Massachusetts is predominantly forested, over 70% of the state is covered in forest, which is great. But it also means that there is a lack of other echo systems that provide a more diverse life for other species to habitat(e). And so, when you think about a solar project and the previous commenters note that to date no ones been able to develop a project here, and then all of a sudden, a solar project can be developed here. A solar project, I can't really think of another type of development, off the top of my head, that is as noninvasive as a project of this nature is. We're, generally speaking, not changing the topography of the site. We are leaving ground cover in place, and re-establishing ground cover after construction, and so you're left with a site that is fully vegetated across the entire site which is unique. I mean, you wouldn't get that same result, obviously, if you were developing a residential development or other type of development. And so, over time what's gonna happen is you're gonna get an establishment of a meadow environment. And a meadow environment is something that this state actually is in need of. There's only a fraction of a percent of the entire land in the state that is currently meadow environment and supportive of the type of diversity of species that come with that type of environment. And so, all of these things have to be taken on balance. Yes, there's certainly value to forest, but there's also value to other types of echo systems. And so, when this project is all said and done and is decommissioned, I only wish that the 4,000 square foot home that my neighbor just put up next door to me had to be decommissioned and taken away 20 years from now. But, that's gonna stay. This project will be removed in its entirety, and that site will, you know, unless the current owner at that time just uses it to do something else, that site will simply revert back to a natural state with emergent forest taking over the meadow environment. And so, you know, those are things we think about through this whole process and take very seriously. Again, this forest area is already bisected by a transmission corridor and the Massachusetts Turnpike, so it's already fairly interrupted in terms of being a viable forest corridor habitat. And so, you know, to create an established meadow habitat in this area that will certainly be there and be able to reconstitute itself in an emergent forest habitat

after the project is concluded I think is a unique opportunity in terms of the type of development that could be done in this particular area.

Ms. Shea: Ok, well I appreciate that you explained all that because that does, you know, make me feel a little bit better, but just understanding that we have all these questions and concerns because we're right here. You all, you know, you're wherever you live, you know.

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Mr. Moore: Foxboro.

Ms. Shea: And we're right here and this is the way that it's been for all this time and we have always been told that it can't be developed. So, again, I appreciate you explaining all that. I'm also concerned about the water, and I've heard what you said about the water, but is there someone that we will actually be able to, a person or a group, in that group, that we will actually be able to contact if the water does become a problem?

Mr. Moore: Yes, absolutely. So, first of all I'd like to say, you know, I've been with Nexamp since almost at start. I am happy to give you my direct phone number and you can call me anytime. I'd actually appreciate the opportunity to talk to neighbors before the start of construction, to just talk through all of the things that need to go into consideration there. And if you put me on speed dial on your phone, I have no problem with that.

Ms. Shea: Thank you.

Mr. Moore: My wife is…

Mr. Coelho: How about we have an informal on site pre-con meeting?

Ms. Shea: That would be great.

Mr. Coelho: Would the developer agree to that?

Ms. Houle: On site…

Mr. Moore: Preconstruction.

Ms. Shea: What was that again? Can you repeat that again?

Mr. Coelho: An onsite pre-construction meeting.

Ms. Shea: Yes.

Mr. Moore: We would certainly welcome that opportunity.

Mr. Coelho: Ok, so give us a two-weeks heads up and I'll gladly meet you out there. It's not gonna be anything official with the Planning Board, you know, to do maybe just a quick little Q & A face to face pre-con.

Ms. Shea: That would be great.

Mr. Coelho: Ok, ---. We have a third caller? Hello? Is there a third constituent out there?

Ms. Saloio: Hello?

Mr. Coelho: Yes, name and address please?

Ms. Saloio: Yeah, this is Christine Saloio, 31 Chapin Street. I have a two-part question, one goes back to the vegetation. Ok, if you're gonna leave the landscape, what about maintaining it, because grass is gonna grow under the, you know, panels and things like that. Are you guys gonna maintain that on a period basis? And two, what are you adding for drainage? Are you adding drainage pipes to funnel the water down, or are you just letting the natural drainage take the water away?

Mr. Moore: Thank you. I'll speak to the first one and let Ken take the second. As far as vegetation maintenance, and so, generally speaking, we're, you know, we're happy to let to ground cover re-establish and grow so that it can sustain various wildlife like pollinators and other creatures. But, what we've been doing across a lot of our site is we work with a network of sheep farmers who actually bring their herds to our sites and basically provide our lawn maintenance for us so to speak. It's nice because we avoid using fossil fuel burning equipment to do vegetation management on the site. They fertilize the soil and generally keep it in a nice sort of even keel environment not growing out of control and not burned right down to the ground. So, that's a program that we try to institute wherever we can, wherever it's appropriate to do so. If we were not able to do that for some reason on this site, we would be coming in to do a normal vegetation maintenance just to keep vegetation neat and under control. Obviously, we can't let it get too high or it starts to shade the array, so that becomes a problem. But, that maintenance would be, you know, depending on the weather and season, probably just a couple times a year and we would not use herbicides or anything to treat vegetation on site. We would stick strictly to just, you know, lawnmowers and weed whackers and the like.

Mr. Coelho: --- through the --- plan here it --- certainly address the electrical, electromechanical components of this. I'm sure you have written vegetative control programs that are available?

Mr. Moore: Yeah, as it relates to, I mean the ONM Plan does talk about vegetation maintenance in brief, but we can certainly provide a more detailed break down of the activities that would happen either through the grazing program that we operate with grazing animals on site or through just use of more standard vegetation management equipment.

Mr. Coelho: Wonderful.

(multiple people talking)

Mr. Moore: The second question is related to drainage, so I'll let Ken speak to that.

Mr. Strom: Yup, ok, I'm not sure, maybe you missed the first part, but anyhow, the general site drainage is from west to east. This is the Turnpike up here, and Reynolds down here. So, Chapin is over here, and East Street's here. It's basically sheet flow. There are three detention basins, DB numbers 1, 2, and 3, catching some of that sheet flow as it comes off the site to detain and retain, basically to mitigate any peak flows in the stormwater, the three storm events; the two, the ten, and the hundred-year storm events. That's the general overview. Is there something in particular with regard to drainage you're looking for?

Mr. Coelho: I think she was asking if you're doing any physical adjustments to the drainage pattern through culverts or.

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Ms. Saloio: Correct.

Mr. Strom: None downstream of the development. Basically, once it gets into the existing echo system here, you know, there are isolated wetlands and some connected wetlands down to the stream. We're not altering that whatsoever.

Mr. Moore: And just to clarify, so for a solar project of this nature, you know, the way that rain water falls onto the site, there isn't a lot of change based on as compared to existing conditions. So, we have this array with these modules up on racks, but the modules all have spacing in between them. So, the rain water's gonna filter down between these modules, fall on the ground underneath, soak into the ground, which as I mentioned, is gonna be vegetated across the site with ground cover, so there'll be established root systems across the site. And just like that site today, that water is gonna penetrate into the ground, evenly distributed across the site. If there was a storm event and the ground became unable to absorb the rainfall consistently then, as Ken noted, we do have stormwater controls to the east where all this water flows, that will then catch that excess flow, store it until it's able to be absorbed into the ground.

Ms. Saloio: Have you guys done a feasibility study against the original Eversource project to see what the impact was with to neighbors at Reynolds that are concerned about it. It would be interesting if the Planning Board had the original plans from when Eversource --- solar array and what they said their drainage was gonna be to what it actually is and how it has affected those residents 'cause, you know, if you're building another one it'd be good to have a feasibility study to kind of verify the original one. I know it's not yours, but it still impacts them, and they are having issues with it, so I know what they're concerns are and I'm a town resident ---.

Mr. Coelho: I wasn't aware of stormwater concerns --- since this one has been put on an agenda. So, I don't know that the Town has received any complaints about that.

Ms. Anselmo: I have sent out videos of water erosion down my driveway. I have --- puddles of water at my neighbors three doors down. ---

Mr. Coelho: ---

Ms. Anselmo: ---. There's about four or five neighbors that have been extremely impacted by the solar panels of Eversource. That is not true. We have sent it to the Town. The Town has said that that's not their problem. So, we have sent it to you.

Mr. Coelho: Do you have anything in writing?

Ms. Anselmo: Yes, I do, and I have sent it to Doug as well. So, yes, I do. And I have videos --- because I sent it to you. ---

Mr. Coelho: Ok, then we're gonna have to look at Eversource.

Ms. Anselmo: --- three emails, and two emails have --- and one has the video of the actual water running down my driveway and eroding my driveway, so that is why I'm requesting…

Mr. Coelho: Hold, on, hold on, hold on. We have very limited time here and we're already a half hour over. I'm trying to give everybody an opportunity. Speaking out of turn isn't gonna help that. Now, we can help you address your problems with Eversource. We will point you in the right direction and how to get ahold of Eversource ---.

Ms. Anselmo: ---

Mr. Coelho: We need to go on to our next person now. Is there a fourth? Are you on the line? Hello? Fourth person? Is there anybody else on the line that would like to speak to this?

Ms. Saloio: Yeah, this is Chris Saloio again, 31 Chapin Street. I just want to go over the benefits of the program. I know you said it's supposed to benefit the town residents. How does that benefit the town residents?

Mr. Queiroga: Mr. Chairman?

Ms. Saloio: Can you guys explain that?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: Yeah, let me try to bring people up to speed on it. I lived at 57 America Street for 44 years, which is on, which abuts the project that's being mentioned, adjoining it, the adjoining project. Now, my land goes lower than the electric company's land. I never had any problems. I was, I abutted the property. I wasn't ten feet away, or 100 feet away, I abutted it. Now, here's the other thing. I had a meeting with the Assessor of this town, Joe Alves, and to the best of his abilities, he said that at a 20-year, 4-Megawatt system would generate between $800,000 and $1,000,000 in 20 years based on, even based on some small changes in our tax rates. I saw some items on Ludlow online saying $5,000. It's not correct. They have a sizable tax to pay every year per, it's over $12,000 per Megawatt. There is a sizable contribution coming in as a result of these, and it's a very green type of development. This site will sit on only one third of the property, only one third. And it will, you know, all the sites we have in Ludlow are all on Agricultural. Somebody asked the question whether they should be on Industrial, that may be, but all of them are on Agricultural because that's where the large pieces of real estate are. But in terms of the economic benefit, it's substantial.

Mr. Coelho: Thank you Mr. Queiroga. Is there anybody else from the town that has any questions? Hearing none, I think we need to address the situation with the missing pins and also the waiver of frontage. I think the waiver of frontage at this point is the easiest one to address. As the developer indicated, they will not be using Reynolds Street as access, so I would be comfortable hearing a motion on that.

Mr. Queiroga: Mr. Chairman.

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I'd like to make a **MOTION** to, waivers, the site plan review authority may waive strict compliance with any requirement of this bylaw, or the rules and regulations promulgated hereunder, such actions allowed by federal, state and local statues and/or regulations, this was prepared, by the way, by our attorney, our town attorney, is in the public

interest, and is not inconsistent with the purpose and intent of this bylaw. And as far as the waiver's concerned, Mr. Chairman, I'd like to make a request to accept the waiver request and to act on it positively for the group that's here before us, the WDA Design Group.
SECOND Ms. Houle.

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Mr. Coelho: Let's clarify this, waiver of frontage on Reynolds Street with the stipulation that it's not gonna be used to access the property.
Mr. Queiroga: **SO MOVED.**

Ms. Anselmo: But I don't understand what that means.

Mr. Coelho: --- requirement off of Reynolds Street, so they can access the property through the Eversource, access that Eversource already has established. If not, we could get them a waiver and still allow them access through Reynolds Street. But in order to do anything, I think it's better for the overall neighborhood if they access through Eversource already established ---.

Ms. Anselmo: Where is that? Is that on the Chapin Street side? Is that what you're saying?

Mr. Phoenix: Mr. Chairman, there's a motion that's been made.
SECOND Ms. Houle.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Coelho: Now the missing pins on the map and the DPW review. We need to address those two things. I want DPW to take a look at the stormwater drainage. I don't want to accept this project until I have their input. --- that's not our problem. So, how can we handle that?

Mr. Phoenix: Well, we have 90 days from the time we close the public hearing before we actually have to take action. I would submit that we should probably keep the hearing continued though since we're gonna be taking in new information from that review, from Public Works. So, I think with that in mind, our best action here would probably be to find a date and time to continue this hearing to. --- that's available Sue?

Mr. Queiroga: Would that be only for the issue of stormwater management?

Mr. Phoenix: It would be for the continuation of this public hearing for anything else that needs to be brought up for it, but that's the main reason we need to do it, I think. Well, that and the pins, 'cause if they don't do the pins, then they can't go forward either.

Mr. Coelho: Yeah, they need to get those pins straightened out.

Mr. Stefancik: ---

Mr. Phoenix: --- go over it and make sure there are no other I's missing dots or T's missing crosses. I'm not gonna say that just for one issue if other things pop up in the meantime.

Mr. Queiroga: What do you have open Doug?

Mr. Stefancik: July 9th or July 23rd, or are you looking further out?

Mr. Phoenix: Well, I would certainly hope that by July 23rd Public Works can find time in their day to go over that stormwater plan and get us review comments on it. And I would certainly hope that within that time period we can get pins that should have been on the plan when it was originally submitted. The Board has heard many times from me, that's kind of a gross oversight on any site plan that comes in front of the Planning Board.

Mr. Coelho: Ok, so can I get a motion to continue to, was is it, the 23rd?

Mr. Stefancik: Yup. Do you want to continue at 4:30 or?

Mr. Phoenix: Well, why are we doing 4:30? Why aren't we doing normal meeting times?

Mr. Stefancik: Well, we're gonna discuss that later, but if you want it to be at 7:00, we can do the 23rd at 7:00.

Mr. Phoenix: Sounds good. I'll make a **MOTION** to continue to the 23rd at 7:00.
SECOND Mr. Queiroga.
4-0 in Favor.
Roll call vote: Mr. Phoenix – yes; Mr. Queiroga – yes; Ms. Houle – yes; Mr. Coelho – yes.

The public hearing was continued to July 23, 2020 at 7:00 p.m.

APPROVED:

Kathleen Houle, Secretary

su

Documents: Master application; Comments from Town Departments/Boards; Request for waivers; Nexamp Decommissioning Surety Memorandum (June 2020); Nexamp Operations & Maintenance Plan (June 2020); Application for Stormwater Permit (06/24/20); Stormwater Management Report for Large Scale Ground Mounted Solar Photovoltaic Installation – 0 East Street Ludlow, MA 01056 (September 2019); Proposed Site Plan – 0 East Street Ludlow, MA (Hampden County) – Prepared for Ludlow Renewables, LLC (6/23/20)

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