TOWN OF LUDLOW PLANNING BOARD
MINUTES OF THE MEETING OF
July 23, 2020

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2020 AUG 31 P 3:18
TOWN OF LUDLOW

PLANNING BOARD MEMBERS

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

The meeting began at 7:00 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)

CONTINUED 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

Mr. Phoenix: **MOVE** to close, move to adjourn.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Meeting adjourned at 7:15 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
CONTINUED 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)
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(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; Angela Anselmo (abutter)

Mr. Coelho read the legal notice, verified the attendees present on the phone.

Mr. Coelho: Ok, hearing none, let's get going here. I think one of the things we were hanging up on were the comments from the DPW which I have here in front of me. They're saying: *We have reviewed the site plan for the proposed Ludlow Renewables, LLC Solar Installation located off East Street & Reynolds Road, prepared by WDA Design Group dated 06-04-2020, and we have the following comments: The designer has*, we'll have you address these comments one at a time. Is that ok, Ludlow Renewables? *Comment 1. The designer has declined to incorporate any comments with respect to the post development stormwater calculations. Our disagreement over post development ground cover will not affect our recommendation that the Planning Board approve the Site Plan.* So, what is that? Can somebody explain that sentence to me a little bit better? No? Somebody said you guys are gonna have wheat or soy gum or something over there. Hello?

(multiple people talking)

Mr. Queiroga: ---

Mr. Capua: Yes, Joe?

Mr. Queiroga: Did you hear the Chairman's question?

Mr. Capua: I did, and I think Palmer is trying to answer in on that.

Mr. Queiroga: Ok.

Mr. Capua: Palmer do you hear us?

Mr. Queiroga: In the end I know that he said that it would not stop him from voting to approve it, or, but it's a difference over the type of grass to put on the area?

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Mr. Capua: That is correct. Palmer are you on this?

Mr. Moore: I am. I'm trying to jump in, but I don't want to interrupt anyone.

Mr. Capua: Then jump in please.

Mr. Moore: Ok, hi, this is Palmer from Ludlow Renewables. The statement in that comment is basically the DPW had the opinion that the ground cover that we proposed should be valuated differently under stormwater calculations. We've responded to that comment with some evidence of some existing sites with established vegetation. This ground cover is fairly common across solar sites in New England. So, we understand that comment and would welcome additional opportunity to discuss that with the DPW. We understand that we need to obtain a stormwater permit as part of the process and expect to have that conversation with the DPW at that time.

Mr. Coelho: So, that's gonna be more of an as-built decision.

Mr. Moore: That's correct. I would say, you know, we have not declined the comments that the DPW made, we just haven't had an opportunity to see that discussion --- to a conclusion, but we're certainly not adverse to seeking the Board, the DPW's comment and revising as necessary to change the ground cover specification as needed.

Mr. Coelho: Ok, I can't imagine that that's a deal breaker what type of grass you guys…

Mr. Moore: No, it's not at all. We already preliminary evaluated what the DPW was looking for, so it's not a deal breaker and we can certainly figure that out with them when we have an opportunity to sit down and ---.

Mr. Coelho: Ok, number two here is: *Prior to application for building permit, the owners must submit an application and obtain a Stormwater Permit from the DPW,* which was just described, *a Stormwater Agreement signed by the owners will have to be recorded in the Hampden District Registry of Deeds before startup and operation of the facility.* So, you guys are gonna be reviewing, again, ground cover and drainage in much more detail…

Mr. Moore: Correct.

Mr. Coelho: …with that application process.

Mr. Moore: Correct.

Mr. Coelho: With all that being said, again, that the DPW agrees that this plan can be accepted by the Town from their perspective. So, another thing that we had were some missing landmarks on the drawings?

Mr. Strom: This is Ken Strom from WDA Design Group, the land surveyor.

Mr. Coelho: Yup.

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Mr. Strom: So, we did set --- on the property corners, they're iron rods --- holes, --- individual parcels that were requested by the Town Planner, Doug Stefancik.

Mr. Coelho: You're gonna, you confirmed that Doug?

Mr. Stefancik: Yes, they're all set.

Mr. Strom: --- because they're out in the middle of a swamp, but we put them there.

Mr. Coelho: Yeah, well that's probably a to be set, so.

Mr. Strom: No, no, we did actually. Yeah, we went in there.

Mr. Coelho: You got in there, huh?

Mr. Strom: Everything to be set was set, yup.

Mr. Coelho: Well, ok, and what else? Am I missing anything else Doug?

Mr. Stefancik: No, I think the DPW comments and then the pins were really the only thing. And I know you were going out and doing a site visit as well, so I don't know if you wanted to share what the results of the site visit was.

Mr. Coelho: I just kind of went out there --- I didn't take a proactive role either way, and I actually kind of walked around and it was like a visual que for extensive construction and whatnot. But I think everybody got together and looked like a pretty civil discussion from what I saw, but I think a lot of questions were answered. Then that's what I took away from that meeting. I think it was productive, but I don't think it was productive as I thought it was, but I think it was a good meeting. Anybody else on this side of the table have anything to add?

Mr. Queiroga: Did we read in Seth Falconer's comments from the Fire Department?

Mr. Coelho: Oh, no I didn't.

Mr. Stefancik: Maybe the last time we did?

Mr. Coelho: Yeah, I thought I just had the updated ones. Hold on let me.

Mr. Queiroga: If you want I can read it Chris.

Mr. Coelho: Well if you got it, read it.

Mr. Queiroga: Comments: *(Knox Box) rapid entry system to be mounted to access gate on Chapin Street for emergency access to existing Eversource gravel road* is all they had.

Mr. Coelho: Ok, so that's something they're gonna have to work on with Eversource since they're sharing the road.

Mr. Queiroga: ---

Mr. Stefancik: Yup, that's correct.

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Mr. Coelho: Anybody else? Ok, not hearing anything, I'm gonna take this out to whoever's called in from the community. Again, if you could state your name and address. How many people are on the line right now?

Ms. Anselmo: ---

Mr. Coelho: Is Angela, anybody else? Ok, so Angela go ahead. I'm not gonna put too strict of a time limit on you, but…

Ms. Anselmo: I just want to know since last time we spoke to Palmer and Ken, did Eversource approve the entryway for, I think one was Chapin and then I don't know if the other one was power lines on, is it East? Were those approved and how does that work if you don't get an approval?

Mr. Moore: This is Palmer from Ludlow Renewables. No, neither of those have been approved. We're in discussion with both Eversource and MassDOT. MassDOT is the landowner to the north on East Street. Eversource is the landowner to the south on Chapin. So, we're discussing vehicular access only with Eversource from Chapin, and overhead power line access from East Street with MassDOT. Both entities are aware of the request and reviewing the site plan, however we do not have a signed easement from them at this point.

Mr. Coelho: ---

Ms. Anselmo: Another meeting, do you have to set up another meeting for that or how does that work we get informed whether or not that's a go or not go? I'm not sure what that means afterwards.

Mr. Coelho: What happens if you don't get your easements?

Mr. Moore: So, typically at our expense, how this works is if this project were to be approved it would be approved with conditions that it would obtain sufficient access as proposed by the applicant for those purposes, so we would only be able to satisfy that conditional approval if we eventually went on to get those easements from Eversource and MassDOT.

Mr. Coelho: So, just to clarify, and I think this is what Angela's getting at, if you don't get those easements, you still can't go in through Reynolds Street?

Mr. Moore: If we don't those easements we still have a Conservation Commission Order of Conditions that specifically states that they are only approving the plan as currently represented, and if any changes to that plan were to occur, we would have to start over and file a new Notice of Intent with the Conservation Commission. So, we would be back to square one if we're unable to obtain movement from another land holder other than off the end of Reynolds.

Mr. Coelho: Ok, great. Does that answer your question a little bit more clearly Angela?

Ms. Anselmo: Yes, it does. And so, if it gets approved today, you guys are still, you still have to wait for them and then start only when you get approval from them?

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Mr. Moore: Correct.

Mr. Queiroga: Palmer, do you expect approval on this as a normal ---?

Mr. Moore: Oh, it's normal to take quite a good deal of time, so --- we have experience --- easements similar to this, and other municipalities with utilities and --- like MassDOT. So, we would expect to get these easements eventually, but I won't hesitate to admit that both Eversource and MassDOT probably unsurprisingly to everyone on this call are very slow moving operation. So, we've been in discussion with them for months already. I think, you know, we'll be able to get there soon, but we're certainly not going to have those easements tomorrow.

Mr. Queiroga: Ok.

Mr. Coelho: Ok, so, I don't think I'm hearing anything new coming up at this point, and I'd be willing to accept a motion.

Mr. Queiroga: Mr. Chairman?

Mr. Coelho: Mr. Queiroga.

Mr. Queiroga: I would make the **MOTION** to site plan approval for this project and with the stipulation that it includes the access to the various properties mentioned beforehand.

Mr. Coelho: The access limited to either East Street or Chapin through Eversource.

Mr. Queiroga: ---
SECOND Mr. Quiterio.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

Mr. Phoenix: **MOVE** to close, **MOVE** to adjourn.
SECOND Ms. Houle.
5-0 in Favor.
Roll call vote: Mr. Quiterio – yes; Mr. Queiroga – yes; Mr. Phoenix – yes; Ms. Houle – yes; Mr. Coelho – yes.

The public hearing ended at 7:15 p.m.

APPROVED:

Kathleen Houle, Secretary

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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).