

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

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Kenneth Chenis, Mbr.
Matthew Allison, Mbr.



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Adam R. Burney
Land Use Director

Minutes Public Hearing (cont'd) 322 Flat Hill Community Solar November 10, 2014

Meeting Posted: Yes

Time: 7:00 PM

Place: Town Hall, 17 Main Street, Lunenburg, MA 01462

Present: Joanna L. Bilotta-Simeone, Nathan J. Lockwood, Damon McQuaid, Kenneth Chenis, Matthew Allison, Adam R. Burney

Initial Hearing held October 14, 2014, continued to October 27, 2014 and this date. Public Hearing was to hear and discuss a Special Permit and Development Plan Review under Sections 4.15. and 8.4. of the Protective Bylaw of the Town of Lunenburg for construction of a 75kW ground-mounted photovoltaic installation at 322 Flat Hill Road (Map 087, Parcel 0026). Applicant/Owner is Michael Conway, 322 Flat Hill Road, Lunenburg, MA.

M. Allison recused himself as an abutter to the site.

Applicant Michael Conway noted his letter dated November 7, 2014 (on file in Planning Office) which summarized a discussion held November 6th with G. Kelly, 45 Cortland Circle, M. Ramstack, 44 Cortland Circle, two trustees of the Flat Hill homeowners' association and the applicant. Discussion items as follows:

Scope Limitation Agreement- M. Conway agreeable to executing a legally binding agreement guaranteeing site will not be expanded in the future.

Vegetative Screening- M. Conway committed to installing comprehensive screening system.

Project Location- M. Conway will move the site 200' southeast along the property line (to Zone 2).

Project Size- M. Conway shall limit system size to 50 kW.

The letter noted three "zones". Zone 1 being farthest from M. Conway's residence, Zone 2 in the middle, and Zone 3 closest to M. Conway's residence. M. Conway noted he would move the proposed location 200' southeast along the property line (Zone 2). When the application was originally submitted, the proposed location was Zone 1. M. Conway will move the site to Zone 2.

N. Lockwood concerned with noise level and asked how many inverters in full size project. Eight distributed throughout the arrays, but they only make noise during daylight hours. K. Chenis inquired if the visual barrier will have an impact on the sound. M. Conway responded that the neighbors will not hear the inverters. Douglas Troyer, Attorney for the Ramstacks, after reviewing M. Conway's November 6th letter, noted that the proposed site would be located only 30' off the property line and that no discussion of increase in vegetation took place at the stated meeting. He opined that an expert analysis should be required for a noise study. He also noted that the Ramstacks has no interest in any further conversations with M. Conway. Both J. Bilotta-Simeone and K. Chenis respectively asked Attorney Troyer his interpretation of a special permit and what does the state declare as large scale solar. Attorney Troyer made reference to 4.15.4.7. Setbacks and Buffer Strips, that the proposed project is not in an appropriate location, there is no explanation given as to why it has to be in a specific location, and that he (Attorney Troyer) doesn't care what the state declares as large scale solar; he only cares about the Bylaw.

Chuck Courtemanche, 41 Cortland Circle- opposed to commercial entity on Flat Hill Road. Being asked to take M. Conway at his word.

Greg Kelly, 45 Cortland Circle- voiced many issues with M. Conway's letter referencing the November 6th meeting. Also noted he felt he should have received a copy of same letter from M. Conway. He might possibly agree to 15kW, but would never agree to 25 kW. He opined that the reason M. Conway did not want to move the location to Zone 3 was because M. Conway wanted to keep that area for his family's use. He has no confidence in M. Conway's facts and requested the Board deny the application.

M. Conway noted the entire system will be checked by the Lunenburg Wiring Inspector for compliance with the National Electric Code.

James Targove, 35 Cortland Circle- inquired if plans submitted to the Planning Board were different than those submitted to the ZBA. A. Burney responded that the two submittals show different levels of detail.

Tom Alonzo, 284 Lancaster Avenue- voiced issue with N. Lockwood's Ledger editorial opining it was in conflict with the Open Meeting Law. Noted that the Town provides regulations and that the solar bylaw is being obliterated.

Michael Mackin, 26 Cortland Circle- asked the Board to keep in mind the precedence this will set for the bylaw and that the bylaw needs to be properly enforced.

Wesley Flis, Whitman & Bingham Associates, presented his November 10, 2014 review letter (on file in Planning Office). He also noted if M. Conway moves the site from Zone 1 to Zone 2, the drainage will not change as the square footage of the array will not change. Also, if the same vegetative growth is kept under the panels, the drainage will not change.

Motion to close Hearing, D. McQuaid, Second, K. Chenis.
Hearing closed 8:50 PM

Documents used at Hearing:

Letter, 11/7/14, from Michael Conway, Flat Hill Community Solar, Inc., 322 Flat Hill Road
Letter, 11/10/14, from Whitman & Bingham Associates