

Town of Blandford

Public Hearing Minutes

Park Avenue Solar, LLC

October 3, 2018

**Present:** Rick Barnard, Julie Mueller, Sharon Barnard, Sarah Simpson

**Call to Order:** Rick Barnard, Chair

1. Chair opened public Hearing and read the Legal Notice
2. Chair explained the ground rules of the hearing
  - a. Turn off phones
  - b. Raise hand if you would like to speak
  - c. Nobody speaks until recognized by the Chair
  - d. No outbursts or catcalls
  - e. Everyone should conduct themselves in a respectful manner
3. Chair explained the purpose of the Hearing
4. Chair introduced parties
  - a. Susan Westa, Consultant from PVPC
  - b. Paul J. Haverty, Attorney for Park Avenue Solar LLC (Blatman, Bobrowski & Haverty)
5. Proponent explained proposal and supplemental changes due to peer review
6. Board Members ask questions
7. Chair opens Hearing to attendees
8. Board ask follow-up questions
9. If Board determines they have all of the information required to render their decision a motion/second/vote is made to identify specifically what additional information is required and who shall provide it.
10. Motion is made to continue the Hearing to a specific date/time/location
11. Once Public Hearing is closed no more information or testimony can be taken
12. Board deliberations will take place after the Public Hearing is closed.

Sharon read the notice

Chairman introduced board

Mr. Haverty confirmed that Park Avenue Solar LLC has submitted most of documents required, however, due to heavy rain and Conservation Commission concerns, Park Avenue Solar LLC is seeking continuance.

Chairman asked as to status of bond. Mr. Haverty confirmed that bond company refuses to allow 120 day renewal notice, and is insisting on 45 day notice.

Chairman stated that bond as it stands would be OK but want to amend site plan:

24B: “The applicant shall ensure that the surety required hereunder remains in effect and without interruption until the solar energy facility has been decommissioned and removed and the site restored in accordance with the terms and conditions of the Decommissioning Plan”

Sharon asked what work they are trying to complete before meeting with CC and PB. Atty confirmed conditions placed by CC.

Chairman stated received email regarding meeting with atty and CC, himself. Atty confirmed he is comfortable having counsel present for meeting (not just chairman).

Sharon confirmed that next meeting is November 7 and nothing is planned prior to then. Atty stated that he doesn't see any problem with that as he needs to satisfy CC conditions and meet with them first.

Sarah moved to continue hearing until November 7 at 6 PM. Sharon seconded. Voted unanimously to continue hearing until November 7 at 6 PM.

Attorney will contact attorney Mark Reich directly to set up meeting with CC/PB and respective counsel.

Chairman will request paper copies of all documentation during meeting.

Sarah motioned to close the meeting, Jeff seconded. Unanimously voted.

Respectfully Submitted,  
Sarah Simpson, Secretary

Town of Blandford  
Planning Board Minutes  
October 3, 2018

**Present:** Rick Barnard, Sharon Barnard, Julie Mueller, Sarah Simpson

OPEN MEETING – 6:20 PM

Approve meeting minutes from July/August minutes

Julie made the motion to accept

Sharon seconded the motion – motion passed

**OLD BUSINESS**

Review of Adult Use Marijuana bylaws/amendments made at last meeting..

Jeff Allen left the meeting.

Chairman mentioned that attorney will need to review and most likely revise adult use bylaws and wants to allow time for attorney review before voting. Chairman will submit to attorney before setting up any dates for public hearing, voting, etc.

Notice needs to be provided to abutting towns and in paper.

Chairman asked about changing distance from 500' to 50', Susan confirmed that pertains to medical marijuana bylaws.

Chairman asked if revised zoning bylaws would be ready for special town meeting this winter, Susan advised no.

Chairman will submit medical marijuana bylaws with adult use bylaws for special town meeting.

**Solar Overlay**

Susan will check on the specific requirements of green communities to get proper definition of overlay district, and will confirm what written requirements need to be stated.

Selectman McVey stated that he would prefer to have generalized statement instead of stating specific land area and proposed that we wait until there is a company that comes to PB to submit plan and then can determine if available/appropriate etc.

## **NEW BUSINESS**

DG Massachusetts Solar LLC represented by John Thomas.

Property is at 12 George Millard Road (Stetts property). DG Massachusetts Solar LLC will be leasing property from property owner.

Plan on submitting an application package to Con Com on October 8. Mr. Gates of Con Com advised would need peer review submission with application package.

Property is semi-forested. Development plan is to utilize 15 acres of northern portion of property for 5.1MW DC solar development.

Property has been surveyed and wetlands have been delineated.

Mr. Thomas asked if there is any option to reduce 100' set back. Chairman confirmed absolutely not.

Selectman McVey confirmed that all PILOT discussions need to take place with the Board of Selectmen as all other boards have abdicated negotiations to Select Board.

Mr. Thomas advised that he will take information on set back to client and confirm that there is no negotiation.

Chairman advised that state does not allow abutting solar fields. Susan will check into state regulations as far as abutting solar fields.

Mr. Thomas stated that there will need to be revisions made to current plans for set back. Will be submitting new plans in future (once negotiated with land owner).

Susan confirmed that electronic plans would also need to be submitted for peer review.

Planning Board suggested that Mr. Thomas submit all new plans for peer review. Mr. Thomas advised he will do that and will submit back to PB asap so that, if possible, plans can be submitted to peer review to attempt to get plans onto the November agenda.

Julie asked, because Planning Board is SPGA on solar, does Planning Board have authorization to make exceptions – just to confirm if we have authority. Chairman advised wants to keep at 100', Julie again confirmed that again, just wants to confirm if PB has authority.

ADJOURN – 8:00 PM

Sarah motioned to adjourn meeting, Sharon seconded. Motion passed.

Respectfully Submitted,  
Sarah Simpson, Secretary