

Town of Blandford

Planning Board Hearing

Syncarpha Capital, LLC - Chester Road Project

October 2, 2019

Present: Rick Barnard, Paul Martin, Edna Wilander, Sarah Simpson

Mike Petrin – VHB

Ken Comia - PVPC

OPEN HEARING –6:30 PM

Rick read the legal notice and the ground rules of the meeting.

Graeme Dutkowski of Syncarpha introduced council Frank Sterns and engineering firm, Wood.

Graeme stated seeking board approval for site plan approval and lifting of cease and desist of construction. Have submitted plans reverting back to 7.0 mw size and addressing concerns of Board.

Graeme stated that they are submitting four changes to original site plans.

Racking - Original plan 5x6, now proposing 4x6 due to market availability. Increased by 147 tables but still producing same wattage. Due to reduced size there will be less rows of racking.

Depiction of underground conduit –9/12/19 plans depict underground conduit running adjacent to the site access driveway. Not typically depicted on civil engineering plans as determined by electrical engineer and is subject to change up until installation.

Quantity of utility poles, based upon safety requirements of Eversource, number of poles has doubled from original site plan. Eversource is mandating.

Boulders – Determined that they would remove once allowed to return to work.

No other deviations from original site plan.

Greg Avinga – WOOD – Engineer. Reviewed plans and determined that the changes being submitted are minor in nature and do not amend the original footprint of the site plan.

Paul asked Dick Gates of CC had any questions. Dick advised not based upon what he’s heard tonight.

Paul summarized that Syncarpha has reverted to original site plan review, Graeme stated with four changes sited, yes.

Rick asked if Mike Petrin had any concerns. Mike advised that he was able to review the plans and that he has no concerns at this time.

Ken PVPC – Ken advised that he provided draft of amended notice of decision due to changes of staffing within the planning board. He further explained that this is different hearing taking into consideration the plans that were submitted to include changes, as well as additional documentation to be included in the PB file. The vote taken tonight is to approve the amended notice of decision (with conditions), with inclusion of PB agent requiring third party inspections. Ken stated PB third party agent is only change from 2018 decision.

Rick stated that his concern was conditions PB gave for approval were never conveyed to construction. Graeme stated that there were communication issues and that going forward all parties are and will be properly informed of plans/work.

Bruce Cooper voiced concerned over his complaints not being addressed.

Graeme responded that Syncarpha offered to plant trees on Cooper property, and is the most feasible solution.

Mr. Cooper stated that someone should look into Syncarpha as there is pending litigation in the town of Leominster.

Cliff Chapman, CEO Syncarpha stated that there is no current legal action in Leominster or any other municipality.

Mr. Cooper asked Mr. Chapman what would be done to resolve his issue?

Mr. Chapman advised that a proposal has been made, Mr. Cooper advised it is not an option.

Mr. Cooper stated that set back was reduced. Rick clarified that the set back was not reduced.

Paul stated to Mr. Cooper that based upon photos presented the field would be visible from the property due to elevation regardless.

Exchange between Mr. Cooper and various members of Syncarpha.

Rick asked Building Inspector if he saw clear cutting. Building inspector stated that there was evidence of cutting done prior to the start of the project.

Mr. Cooper stated that Syncarpha clear cut additional trees. Syncarpha stated that they believed that there was illegal logging done between the clearing of the area and the project beginning.

Mike Petrin stated that no visual regulations, and no clearing resolutions at the time of the hearings, and therefore the situation is not under the purview of the Planning Board.

Mr. Cooper asked Mr. Chapman about planting behind posts of array or spray painting of array, Mr. Chapman advised that it is not a feasible. Mr. Chapman stated that the proposed tree plantings will grow and hopefully resolve issue.

Carter McCann, advised that they proposed what they felt was the best option they could offer.

Frank Sterns, council for Syncarpha, stated that they have made changes based upon presented information and concerns for Board that they would receive approval to begin construction. Mr. Sterns advised that the owner operator will work separately with abutters to address other outside concerns.

Eric McVeigh, selectman – suggested to Syncarpha to plant pollenators, which would allow resurgence of wildlife and some of the visual impact.

Paul stated that Board should bring focus of hearing back to approval of project and that he hopes that Syncarpha is able to work with Mr. Cooper, but that the hearing for this evening was whether Syncarpha has met their obligations to the conditions set forth by the Board.

Mike suggested that if the board approves the plan to allow work, that the Board put in a condition that Syncarpha provide the proof that there was illegal logging done.

Dick Gates, Conservation Commission, stated that if property was logged legally that DCR would've required a cutting plan and those plans are fairly specific and that if logging was done legally then there should be record of where the cutting footprint would have been. Stated that forester from state would have had to sign off on cutting. Dick went on to say that the property was logged 2-3 years ago and that it should be able to be determined if logging was done prior to project.

Discussion between Ken, Mike and Syncarpha representatives in regard to if changes to site plan were significant or not.

Ken recommended Board make it a condition of approval that Syncarpha submit affidavit to summarize changes from original approval, and cross reference approvals that have previously been made.

Edna moved to closed public hearing. Paul seconded. Voted unanimously. Hearing closed at 8:05.

Sarah made the motion to:

- lift cease and desist order
- include approval of minor changes as reflected in the September 12 plans
- require affidavit to reflect changes in procedural history
- reference previously approved plans, including the amended order condition as issued by the Conservation Commission
- provide a recording of the Planning Board votes
- require condition of removal of all boulder piles
- that the Planning Board or his/her appointed agent shall conduct periodic construction monitoring during the construction phase of this project to ensure compliance with the terms of this site plan approval and for consistency with the site plan and building plans. The Planning Board may engage the assistance from an outside consultant(s) which shall be paid for with funds provided by the Applicant through an escrow account managed by the Town of Blandford
- to be recorded at the Hampden Registry of Deeds.

Paul seconded. Voted unanimously. Motion carries.

All Energy Solar – 239 Otis Stage Road

Hearing reopened at 8:15 to consider All Energy Solar project for 239 Otis Stage Road.

Residential use. No changes to plan, nothing to add.

Sarah moved to approve project at 239 Otis Stage Road. Edna seconded. Voted unanimously.

Paul moved to close public hearing. Edna seconded. Voted unanimously

Hearing closed 8:20.

Blandford Planning Board Meeting

Meeting opened at 8:20 PM

Sarah moved to accept the September 4, 2019 meetings. Paul seconded. All in favor, one in absentia.

NEW BUSINESS

Board requires a new member. Brief discussion was held in regard to advertising for position. Board members will make suggestions/recommendations if available.

Sarah requested recorder to allow proper recording of minutes and hearing exchanges. Edna stated that it should be done through office supplies through town. Edna will speak with Joanne to get information on ordering.

OLD BUSINESS

Revisit Bi-law changes

PVPC was the only respondent based upon the language of the RFP, but that process was not conducted properly so Board discussed rejecting PVPC RFP and restarting the process properly.

Sarah moved to close meeting. Paul seconded. Voted unanimously. Meeting closed at 8:40 PM.

Respectfully Submitted,
Sarah Simpson, Secretary