

Palmer Planning Board
Planning Board Meeting Minutes
Monday, November 15th, 2021

I. Call to Order

Chairman Michael Marciniac called the meeting to order at 7:05PM on Monday, November 15th, 2021, in the Town Hall Meeting Room. Chairman Mike Marciniac, Vice Chair Norm Czech, Clerk Kathy Burns and member Jeff Florence were present. Tom Skowyra was absent. Also present was Town Planner, Linda Leduc, recording minutes.

II. Public Hearings:

- **7:00 pm - Dumplin Brook LLC, Blue Wave Solar, continued from 10/4/21 and 10/25/21** - Major Amendment to the existing approved site plan to include the relocation of the access road, stormwater management and redistribution of solar panels

III. New Business:

- Zone Changes – Ware Street and Thorndike Street
- Year-End Gravel Reviews
- Review of Sign Updates - Gulf Station, 1078 Park Street
- SANR – Terence and Cynthia Heffernan - Lot Reconfiguration, Fuller & Thorndike Street
- Acknowledgement of Receipt of Town Property Form
- Meeting Minutes: October 25, 2021
- Abutting Town Notices
- Interest Allocation Report

II. Public Hearings:

7:05 pm - Dumplin Brook LLC, Blue Wave Solar, continued from 10/4/21 and 10/25/21 - Major Amendment to the existing approved site plan to include the relocation of the access road, stormwater management and redistribution of solar panels

Josh Lariscy, Project Development Director and Chris Knight, Solar Development Director were present and representing BlueWave Solar. J. Lariscy began by going over the remaining open items as outlined in John Furman's peer review memo dated 11/15/21. J. Lariscy also referred to the response memo prepared by Kevin McGarry of Fuss & O'Neill dated 11/3/21. Regarding easements and encumbrances, he stated that there are several other existing easements/encumbrances on both the properties belonging to the Strzemienski's and to the Battaglia's. He described three easements/encumbrances that are anticipated as locus to the project area and will be addressed prior to construction of the project in a suitable manner as to not obstruct issuance of proper title insurance. All other recorded easements will be confirmed as non-locus through a final ALTA survey or listed as acceptable exceptions upon issuance of a final title policy.

1. Statement of Classification of Forest Land: Upon anticipated approval of the Major Amendment Application, BlueWave will look to submit notices releasing the anticipated disturbed land from Chapter 61 and associated roll-back taxes paid.

2. Declaration of Homestead: BlueWave will obtain either a release of the Declaration of Homestead, or an SNDA relative to the Lease Agreement prior to construction of the facility.
3. Easement to Central Massachusetts Electric Company: This easement pertains to the electrical transmission easement now owned by NGRID and is also the Point of Interconnection for the proposed solar project. BlueWave is in the process of obtaining an Assent Agreement from NGRID in order to properly access and cross this easement for construction and for maintenance as required during operation of the project.

In response to J. Furman's comment questioning site control of the Battaglia parcels, L28 and L29, J. Lariscy submitted a copy of a Purchase Option Binding Letter of Intent and further stated that once L28 and L29 are acquired by BlueWave, the land will be combined and conveyed to the Strzemienskis via a SANR plan. This will occur no later than 30 days prior to submission of an application for a building permit.

J. Lariscy stated that all parking areas have been added to the plan and are shown on sheet GI-100. Overflow parking is located on the Strzemienski parcel on L19 Sykes Street. Workers will be shuttled to the site on Mt Dumplin Street. Route 181 will be monitored for tracking and swept if necessary. There will be no access to the project over the railroad tracks.

The VHB memo questioned the status of the Operations and Maintenance Plan. J. Lariscy confirmed that An Operations & Maintenance Plan was submitted and referenced as part of the original 2019 Site Plan Approval. Condition 8 (f) of that approval referenced provision of an Operation and Maintenance Agreement at the time of a pre-construction meeting. BlueWave will abide by this existing Condition of Approval.

John Furman of VHB went over his peer review memo dated 11/15/21 to address any other outstanding items. BlueWave clarified the project size of 8MW.

J. Furman's review of the parking and traffic updates confirmed that the overflow parking has been added to Sheet G-100 and the aerial photo scale has been increased to show the entire project. He also emphasized that there should be no parking on any municipal roadway. He stated that the BlueWave response to comments dated 11/3/21 provided a detailed traffic summary, including the maximum number of construction personnel on-site at the peak of construction and Post construction as well as the type of construction and delivery vehicles expected on site.

J. Furman confirmed sheet CS-101 has been revised to include a timber guardrail between the access road and detention basins and a detail has been added to sheet CD-507. Additionally, the applicant has confirmed that the intent is to balance the site earthworks. Notes have been added to the plan set to adjust final grading to ensure excess material remains on site.

J. Furman stated that a detailed narrative regarding the battery storage system was included in the Fuss & O'Neill response dated 11/3/21 as well as a sound study showing the sound levels at the source and the reduction in noise levels anticipated at certain distances away from the source. The sound study states the abutters will not be impacted from the HVAC or Inverter noise levels. The Board members discussed the need for future sound testing to be done after operation to confirm the study's findings. J. Lariscy agreed to this as being a permit condition of approval.

In reference to the Stormwater Management Ordinance, Chapter 145, J. Furman stated that the applicant has confirmed a total disturbance area of 58.3 acres. This area is shown on CS-200 and site

clearing zones are included on CP-100. The applicant also provided an updated Inspection schedule through 10/2022. Measures for the protection of stormwater quality are required as part of the stormwater permit; to ensure erosion is kept to a minimum and contained on site. And particularly to ensure that additional measures for prevention of erosion and sedimentation control, during construction, are provided. These measures will be fully defined as part of the SWPPP. The applicant has included a draft SWPPP with tis submittal. The applicant will need to provide the final SWPPP and permit number for the record.

A 5-year Stormwater performance bond surety of \$42,500 has been agreed upon.

An updated Decommissioning Plan has been provided with an estimated amount of \$254,050. The Plan includes additional line items that call to replant existing tree stock and to excavate only 4 inches of the gravel roadbed. L. Leduc asked if this new amount also includes removal of the battery storage system as the Memorandum dated 11/1/21 did not specifically address the energy storage equipment. J. Lariscy could not confirm this but agreed to confirm this and will increase the surety amount if it is not currently accounted for in this estimate.

M. Marciniac asked if the entrance road was proposed to be gated to deter trespassing and dumping. J. Lariscy agreed to include this safety measure.

Having addressed all outstanding items, a motion to waive the requirements of sections, § 171-93 B. (1) (c): Landscaping Plan and §145-5 3. iii: Televised (TV) inspection of the storm system, was made by N. Czech, seconded by J. Florence. The motion passed 4:0.

A motion to approve the site plan was made by N. Czech, seconded by J. Florence. The motion passed 4:0.

A motion to approve the Stormwater Permit was made by N. Czech, seconded by J. Florence. The motion passed 4:0.

III. New Business:

Year-End Gravel Reviews

John Furman of vhb presented the 4 gravel inspection memos, dated 11/12/21 to the Board. He went over each report based on the findings of the year-end inspections conducted on 11/2/21 and outlined the pertinent points. Wells were measured at the JJC pit but not the others due to equipment failure.

JJC- Long-time employee, Michael Shea, has retired. Peter Barrett, VP of Operations will be taking over management of the gravel operations. He will be overseeing the invasive species removal and permitting. Jim MacDonald also joined the inspection on 11/2 and will be part of the management team for Peckham. The annual special permit for this pit has expired. The condition of the pit was good but some of the side slopes presented erosion gullies which will need attention this winter

RDL- There has been quite a bit of removal activity since the last inspection. Excess rocks are piling up and will need to be removed and/or processed for removal in the future. Invasive species have been treated and it looks like progress is being made in the knot weed. Some of the Autumn Olive has been removed. The asphalt debris observed at the last inspection has been removed.

Palmer Paving, Ware Street- The property has been active and continues to look good. The annual permit expired on 10/6/21.

JT. Brown- Excavation into a new area north of the entrance road has begun. No real issues. There should be a new application coming next year.

Zoning Map Change – 6 parcels off Breckenridge and Ware Street from Suburban Residential to Highway Business

A motion was made by N. Czech for the Planning Board to be the proponent of this zoning map change, seconded by J. Florence. A letter will be written to the Town Council requesting a referral back to the Board. The motion passed 4:0.

Zoning Map Change – 6 parcels off Breckenridge and Converse Streets from Rural and Town Residential to Highway Business

A motion was made by K. Burns for the Planning Board to be the proponent of this zoning map change, seconded by N. Czech. A letter will be written to the Town Council requesting a referral back to the Board. The motion passed 4:0.

SANR - Terence and Cynthia Heffernan - Lot Reconfiguration, Fuller & Thorndike Street

The Board reviewed the Lot Reconfiguration Plan for lots off Fuller and Thorndike Streets. A motion to approve the SANR plan was made by J. Florence and seconded by N. Czech. The motion passed 4:0.

Acknowledgement of Receipt of Town Property Form

All members were sent the new town form via the meeting doc DropBox. The four members present all signed and returned the form to the Town Planner at the start of the meeting.

Review of sign updates – Gulf Station, 1078 Park Street

The Board reviewed the plans for the updates to the Gulf station signage 1078 Park Street. The Board had no issues with the proposal as submitted.

A motion to approve the sign updates was made by N. Czech and seconded by J. Florence. The motion passed 4:0.

Meeting Minutes of 10/25/21

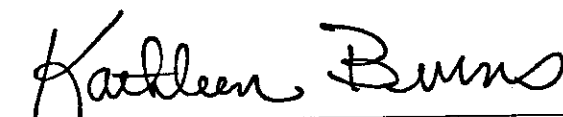
A motion to approve the minutes as written was made by J. Florence and seconded by K. Burns. The motion passed 4:0.

Abutting Town Notices & the September Interest Allocation Report were distributed to the Board for their review.

Next Meeting Date: 1/3/22

Adjournment

A motion to adjourn the meeting at 9:25pm was made by K. Burns, seconded by J. Florence. The motion passed 4:0.



Kathleen Burns, Clerk