

Zoning Board of Appeals – Town of Spencer

Minutes



Regular Zoning Board Meeting
Wednesday, April 25, 2012 7:15 PM
McCourt Social Hall
Memorial Town Hall

The meeting was called to order at 7:15 p.m.

Zoning Board Members Present: Chair Joanne Backus, Delores Kresco, and Albert Drexler, Alternate

Zoning Board Member Absent: Allan Collette

Staff present: Michelle Buck, Town Planner and Brynn Johnson, Junior Clerk ODIS

1. Old Business:

A. 7:15 – Continuation of Public Hearing, Special Permit

CTC Electric, LLC, North Brookfield Road, Spencer. The applicant is requesting a Special Permit to establish a large scale ground mounted solar facility.

Ms. Backus reopens the hearing from April 10, 2012. Continued discussion for proposed Solar Farm on North Brookfield Road presented by John Henry Sr. Project Manager, Scott Fisher Partner and Founder, and Eric Roddy CEO of CTC Electric. Also present is Attorney Ellen Freyman (Shatz, Schwartz and Fentin, P.C.).

Mr. Roddy displays photos showing views off existing vegetation on site from four angles, as well as a view of their Orange facility.

Mr. Fisher of CTC electric explains they have addressed the three main issues that were brought up at the last meeting.

1. The first issue addressed was the concern abutters have regarding the impact of the solar array on their views and on their property values. Mr. Fisher says they plan to plant evergreen trees such arborvitaes to screen along the northern and eastern exposed portions of the fence. For the abutters to the south they are leaving a 50 foot natural forest buffer to provide screening for residents on Paul's drive. As for the impact on property value, Mr. Fisher says they have found no evidence of solar farms impacting property values in a negative way. Mr. Roddy reiterates that studies have shown no economic impact to abutting landowners.

2. Some of the abutters were concerned about the sound produced by the inverters and transformers at the site. Mr. Fisher explains the sound will be unnoticeable. The transformers/inverters will be approximately 600 feet away from any abutters. At this distance the noise would be equivalent to a “bedroom at night” according to a loudness comparison study.
3. Alan Letendre the abutter at 23 North Brookfield Road had concerns about the access road and buffer not being large enough between his property and the access road. He also had concerns about water drainage onto his property. After some discussion back and forth, Mr. Roddy says they could potentially move the tree buffer back about 20 feet on the side of Mr. Letendre’s property. They have flagged a new access road to the east of the existing tree line. As for water drainage they will comply with the Massachusetts Stormwater Management Standards as well as the Town of Spencer Stormwater By-Law. The permit application will include a Stormwater Management Plan and an Operation & Maintenance Plan.

Ms. Kresco asked about what is north of the arborvitae hedge. Mr. Roddy states that it will be left untouched as a field. Ms. Backus asked if it will be mowed. Mr. Roddy said that it will remain a meadow; they will only prevent significant growth.

Mr. Backus opens the hearing to the public at this time.

Matt DeFosse of 7 Pauls Drive asked if the fence could be black so it will better blend into the background. This question was not answered before they moved onto the next question. Will CTC maintain the stormwater after the project if built? Mr. Roddy says yes they will. Mr. DeFosse also asked if the inverters and transformers can be insulated if the noise becomes a problem. Mr. Roddy says no one should have any issues with the sound made by the inverters/transformers. Insulation would be an easy fix and they could do that in the future if anyone has a problem with the noise.

Roger Perron of 18 North Brookfield Road asked if the trees planted to screen the fence/array will be full grown when planted and if they will be maintained. Mr. Roddy says they will plant almost full grown trees (about 6 feet tall) so the view of the fence/array will be minimal right from the start. If a tree dies they will replace it.

Ben Terkanian of 16 Terkanian Drive asked what his view will be, will any glare/reflections come off the panels? Mr. Roddy says the panels do not make any glare. The panels absorb the sunlight not reflect it. Mr. Terkanian asked if CTC could plant some trees to screen the view on the south side of the fence near his property. There was discussion back and forth between Board members and applicant representatives regarding buffer along the south side of the property. CTC agreed to screen the south side of the fence. This will screen the rear view for the Terkanian and DeFosse properties. Evergreen screening (6 foot arborvitae) will be planted 200 feet for the Terkanian property and 200 feet for the Defosse property, 400 feet in total.

Mr. Lentendre asked if hedge along North Brookfield road side of property will also be 6 feet in height. The applicant said yes.

There was discussion back and forth regarding the slope and height of the solar arrays.

Ed Bemis of 24 North Brookfield Road asked CTC Electric if they have fully completed any solar projects. Mr. Roddy says no but the solar farm in Orange MA is 30 days away from completion. Mr. Bemis asked if they will need new utility poles and system upgrading. Mr. Roddy says North Brookfield Road will need some upgrades. Mr. Bemis asked how Spencer will tax this solar farm and how much tax revenue will be generated. Mr. Roddy explains they don't know yet how they will be taxed by the town.

Mr. Bemis asks if it will be a single or multiple phase project, and questioned the application narrative, which states that the solar project will serve 2,000 homes. Mr. Roddy says that it will be done in 3 phases. He also indicates that the 2,000 home figure is based on a standardized measurement and reflects net generation at peak capacity. Realistically, it will serve closer to 1,000 homes.

Mr. Drexler explained that if the applicants wanted to expand the project, they would have to submit a new application. He also asked the owners why they purchased the property and if they would sell it to a housing developer. Ms. Foley explained that they had purchased it for their children, but their situation has changed and they need to sell the property (and would sell to a housing developer if necessary). Mr. Drexler stated that he feels that it is better to have a solar farm than housing. Ms. Backus noted that there would be no buffer with a housing development.

A resident asked if the hearing could be continued (to allow the Board to visit a site). Ms. Backus said no. Since there was no active solar farm in reasonable proximity, Board members had not visited another site. However, the applicant had submitted a sound study.

Mr. Bemis noted that the state legislature is considering legislation to address local taxation of solar farms.

Mr. Drexler asked if CTC could revise the plan tonight to add more of a buffer on the side of Mr. Letendre's property. They agreed and will leave an additional 20 feet of vegetation along the Letendre property line and move the fence over. Mr. Roddy marked and dated the revisions on the plan. The approval can be conditioned upon a more formal revised plan.

Ms. Backus asks if there are any other questions. There are none. She asks if there is a motion.

MOTION: Mr. Drexler made a motion to close this discussion; however time is needed to make the revisions to the plan. The Board will have one more meeting to determine the final vote. The final vote will be held on May 2, 2012. Ms. Kresco seconds the motion.

VOTE (3-0 in favor)

2. **Adjournment** With no further discussion, Ms. Kresco made a motion to adjourn the meeting at 8:45PM. Mr. Drexler seconded the motion and the vote was 3-0 in favor.

Submitted By: Brynn Johnson, Junior Clerk ODIS

Approved by the Zoning Board of Appeals on _____6/12/2012_____.

List of Documents used on April 25, 2012:

- Email from Ellen Freyman, CTC Electric to Michelle Buck, Town Planner dated 4/24/2012