



Zoning Board of Appeals – Town of Spencer

*Minutes*

Zoning Board of Appeals Meeting  
**Tuesday, April 08, 2014 at 7:15 PM**  
McCourt Social Hall  
Memorial Town Hall

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Zoning Board Members Present: Dee Kresco, Allan Collette and Robert Emerson.

Zoning Board Member Absent: Albert Drexler

Staff present: Michelle Buck, Town Planner, Brynn Johnson ODIS Jr. Clerk

Ms. Kresco opens the meeting at 7:15pm

**1. 7:15 Open Meeting**

Call to Order

Open Meeting Law Compliance

Roll Call

**2. Special Permit-** Continued Public Hearing. Applicant: SJA Solar LLC. Owner: Cistercian Abbey of Spencer, Inc. Location: 167 North Spencer Road. The applicant is requesting a special permit for the construction of a roughly 17.5 megawatt ground level solar farm on the Abbey property. The property is located within the Rural Residential zoning district. Continued public hearing from February 11, 2014 and March 11, 2014.

Ms. Buck gives an update. Since the last ZBA hearing the applicant submitted revised plans. At the last meeting there were many concerns especially from other Boards that needed to be addressed. They have made much progress in addressing these concerns. The remaining concerns will be addressed with the Planning Board. Don Graves from Graves Engineering met with Ms. Buck and other Town officials yesterday they made a lot of progress.

Mr. Collette asks for a brief summary of the remaining concerns the Planning Board needs addressed. Ms. Buck says the biggest issue is stormwater. The Town still has concerns with the phasing of the project. The Planning Board will likely have very detailed conditions related to the construction impact. No one seems to have long-term issues with the project; most concerns relate to the construction impacts of clearing 75 acres. After yesterday's meeting with the applicant, Ms. Bucks doesn't see reason to further continue the ZBA hearing.

The Board discusses the need for adding a solar bylaw in the future.

Mr. Emerson asks if there will be any exterior lighting. Mr. Graves says no.

Ms. Kresco asks if there are any other questions. There are none.

Mr. Collette makes a motion to close the discussion. Mr. Emerson seconds. Vote 3-0 discussion is closed.

**MOTION:** Mr. Collette makes a motion to grant a special permit to the Cistercian Abbey of Spencer, Inc. Located at 167 North Spencer Road. This special permit is approved under Sections 4.2.B.3 & 4.3.4, and 7.2 of the Spencer Zoning Bylaw.

Findings:

**1. That the proposed use is in harmony with the general purpose and intent of the zoning bylaw.**

According to Section 1.1 of the Bylaw, the purpose of the Bylaw is promote the general welfare of the Town, protect the health and safety of its inhabitants, encourage the most appropriate use of land within the town, retain the natural resources, and protect, conserve and increase the value of property. Ground-mounted solar photovoltaic systems are an allowed use in the subject zoning district under the Bylaw upon the issuance of a special permit. The proposed solar facility is a passive use of the land that will not generate excessive or objectionable heat, smoke, light, glare, noxious fumes, pollution, or noise.

**2. That the proposed use will not create undue traffic congestion nor unduly impair pedestrian safety.**

Once completed and operational, the only traffic to the site will be infrequent trips made by maintenance and service technicians to inspect the installation. Accordingly, there will be no traffic generated by the project to affect existing traffic flow or impair pedestrian safety. The Board also finds parking to be sufficient to serve the proposed use as required under Section 6.1.1.H

**3. That the proposed use will not impair the integrity or character of the district or adjoining zones, nor will it be detrimental to the health, safety, or welfare of neighborhood or the Town**

The proposed solar farm is comprised of many separate solar fields as shown on the plans. The Cistercian Abbey owns all the relevant land. All commercial uses are on contiguous land under common ownership. The proposed facility will not be detrimental to the health, safety or welfare of the neighborhood or the Town as conditioned herein.

**Conditions:**

1. The project shall meet applicable industry standards and federal, state, and local requirements for construction of solar arrays.

**VOTE:** 3-0 in favor

**3. Minutes-** from 02/11/2014 and 03/11/2014. Motion: Mr. Collette makes a motion to approve the minutes from 02/11/2014 and 03/11/2014. Mr. Emerson seconds. Vote 3-0 in favor.

**4. Adjournment:** with no further discussion the meeting is adjourned at 8:15pm.

Submitted By: Brynn Johnson, ODIS Junior Clerk

Approved by the Zoning Board of Appeals on 7/8/2014

**List of Documents used on April 8, 2014:**

Items mailed to ZBA members prior to meeting:

- Agenda
- Memo from Michelle Buck, Town Planner dated 4/03/2014
- Minutes from 02/11/2014 and 03/11/2014
- 115 Wilson Street Solar special permit decision dated 7/10/2012

Items submitted to ZBA members at the meeting:

- none