

**Joint Public Hearing Minutes
Planning Board / Stormwater Authority
Site Plan Review – Solar, Forestdale Cemetery**
(meeting is being recorded)

On Tuesday, November 24, 2015, the Holyoke Planning Board held a joint Public Hearing regarding a Site Plan Review for the property located on Rock Valley Road, submitted by SHR Energy Management, LLC. The meeting was held in the 4th Floor Conference Room, City Hall Annex, 20 Korean Veterans Plaza, Holyoke, Massachusetts at 5:00 p.m.

Attendance:

Planning Board

Mimi Panitch	Chairperson
Christian LaChapelle.....	Vice-Chairman
John Kelley	Member
Harry Montalvo	Associate

Planning Staff

Jeffrey Burkott	Principal Planner
Sharon Konstantinidis	Head Clerk

Others Present

Charles Bluemer	114 Rock Valley Road	Marysue Mooney	114 Rock Valley Road
Suzanne Smiley	301 Kelly Way, Girl Scouts	Porter Burns	144 Rock Valley Road
John LaRose	154 Rock Valley Road	Elizabeth Burns	144 Rock Valley Road
Stacy Wright	164 Rock Valley Road	Scarlett Shockey	164 Rock Valley Road
Patrick Burns	226 Rock Valley Road	Linda Vacon	Ward 5 Councilor
Paul Murray	Forestdale Cemetery	Steven Marsden	Marsden Engineering, Inc.

MIMI PANITCH at 5:30 p.m., called for a motion to open the Public Hearing. A motion was made by JOHN KELLEY and seconded by CHRIS LACHEPELLE. The motion carried 4-0. She explained the Public Hearing process and noted that Section 7.9.2 of the City Ordinance allows solar facilities in all zoning districts.

The Stormwater Authority opened their Public Hearing and meeting (2-0-1).

STEVEN MARSDEN showed the location of the proposed site on the map. He explained that the proposed development of 2052 panels was proposed at the northerly portion of the parcel as the site contains walking trails and endangered species. There would be no change in topography or earth work needed; only grass maintenance within the enclosed 7 ft high fenced area. The solar panels would be pile driven into the ground every 10-15 feet and have the ability to lay flat or horizontal.

STEVEN MARSDEN stated that trees over 25 feet high would be cut by hand. At the request of the HG&E, the 6x6x5 transformer would be located at the northeast portion of the site with underground poll lines to Wall Road. Installation would be less then four weeks. Security cameras would not require a structure or additional lighting and would allow for 24/7 monitoring. Vehicular access to the site would be obtained through the cemetery for a yearly equipment check and determination if a mowing within the fence was needed.

DAVID MOORE asked if those from the public had any questions regarding stormwater. COUNCILOR VACON asked if it was within the purview of the Stormwater Authority to determine if the development was within the aquifer as the adjacent residential properties depend on well water. JEFFREY BURKOTT replied that the applicant would have to submit to the Barnes Aquifer Protection Advisory Committee to determine the Best Management Practices for the site.

The Stormwater Permit was issued (2-0-1).

JEFFREY BURKOTT stated that the applicant had complied with the criteria as outlined in Section 7.9 of the Solar Ordinance, and there were no concerns submitted from the various reviewing departments.

JOHN KELLEY noted that several letters were submitted to the Planning Department in opposition to the "zone change" to allow a solar field. He stated that the Public Hearing was to hear a petition for Site Plan Review and not a Zone Change as solar fields are allowed as of right in all zoning districts.

MIMI PANITCH asked if the applicant had renderings of what the development may look like from the abutters' perspective. It was within the purview of the Board to assure that a development was not infringing on the residents' surroundings. STEVE

MARSDEN replied that the development would not occur within the 25 ft off-set and the 50 ft buffer, and nothing outside the 7 ft high black vinyl coated chain link fence would be disturbed that was less than 25 feet high. The solar panels would be 150 feet from the nearest property line; the panels should not be seen by the abutters.

MIMI PANITCH asked for those that wish to speak in favor or against, or to ask questions to come forward.

COUNCILOR VACON stated that it was still not clear what the abutters would view from their property. Although zoning may allow the project as of right, it does not mean that it has to go everywhere especially if it has a negative impact on property values and the abutting residents. Since the proposed is an industrial use, what will the residents see and how will it affect them when they try to sell their home or have a perk test. She noted that the Planning Board has oversight when it becomes a quality of life concern.

MIMI PANITCH reiterated that visual renderings would be helpful instead of providing buffering numbers.

JOHN KELLEY stated that a site visit may be in order.

MARYSUE MOONEY questioned if the trees to be cut were those in excess of 25 feet or 15 feet as shown on the plans. JEFFREY BURKOTT stated that the plans do reflect 15 feet. STEVE MARSDEN stated that Natural Heritage requested that the trees in excess of 25 ft high not be cut; due to shading there was no need to cut trees that were 25 feet and under.

CHARLIE BLUEMER showed the location of his property on the map. He stated that he too did not agree that an industrial project should be allowed. He stated that he has given up development rights on his property for a Conservation easement to remain wildlife. He was concerned that maintenance access would be difficult up the 300 year old narrow winding road on the north side; vandalism may occur to the transformer as cameras were only inside the fenced area; well water may be affected; and what happens when SHR Energy went bankrupt. He was opposed to the project.

SCARLETT SHOCKEY requested that the Board have a site visit and take a hike. She was concerned about the impact to the wildlife and the residents from the displacement of the wildlife.

ELIZABETH BURNS stated that she appreciated the Board taking a site visit to what she feels is the countryside. She questioned if a cemetery could even develop on their property. She believed that State and Federal laws prohibited them from earning money from something other than a cemetery. She also questioned how long the project would last. STEVE MARSDEN responded that the proposal was for a 20 year although the HG&E would like 30 years. PAUL MURRAY added that the cemetery was a non-profit and any revenue would offset their overhead.

STEVE MARSDEN added that he has been in contact with Natural Heritage and, at their request to protect the natural habitat, the endangered wildlife cannot be identified. The limited cutting will ensure that the habitat is protected.

JOHN KELLEY noted that the life span of the panels is 40 years.

MARYSUE MOONEY stated that with the increase in cremation there may not be a high need for land and asked if the cemetery could develop beyond the 2 acres. STEVE MARSDEN replied that currently the cemetery could develop the entire property.

COUNCILOR VACON stated that she was surprised to learn that the cemetery was utilizing a portion of the land for a use other than a cemetery since the lower Forestdale was nearing capacity. She appealed to Mr. Murray as a neighbor to not continue with the project. She stated that it was at the recommendation of Planning Staff and the City Solicitor that the Solar Field Ordinance is written to be inclusive in all zones. It was since determined that it is not a State and Federal Law that it cannot be restricted to specific zones. She has filed an order to address the current situation of it allowed in all zones.

PAT BURNS was concerned for the inability to access the property safely. STEVE MARSDEN provided a 2008 GIS aerial view of the site. The residents noted that the actual site is very different.

STEVE MARSDEN noted that there was no radiation given off from the panels or transformer.

CHARLES BLUEMER asked who would maintain the trees and what happens in the event the company goes bankrupt. STEVE MARSDEN responded that the developer was responsible to maintain the trees and a liability policy and bond is posted for the City to use to clean the site up in the event the developer abandons the property.

STACY WRIGHT recognized that the cemetery had the right to expand and cut trees, and asked what would prohibit them from clearing the lot and expanding the solar field beyond the 2 acres. STEVE MARSDEN noted that the permit was to cut 2 acres out of a 37 acre parcel. He stated that they would have to reapply for a change in the issued permit which would trigger public notification. In addition, the State has guidelines for sizing within the net metering laws. Changing the size would require a reapplication to the DOER and, per the current guidelines, it could not be done. The creation of the Green Communities Act in 2008 under the Deval Patrick administration was created to promote solar energy. Per State Statute, each municipality has to purchase so much green power requiring a solar field.

STEVE MARSDEN noted that as the cemetery continues to expand, the solar field will be required to be removed in 30 years.

The Board discussed the parameters of the site visit scheduled for 1:00 p.m. on Friday, December 4, 2015; the abutters were invited by the property manager to attend.

At 6:38 p.m., a motion was made by JONH KELLEY and seconded by HARRY MONTALVO to continue the Public Hearing until January 12, 2016 at 5:00 p.m. The motion carried 4-0.

Respectfully submitted,


Eileen Regan,
Holyoke Planning Board