

**Leicester Planning Board
Meeting Minutes**

MEMBERS PRESENT: Jason Grimshaw, David Wright, Debra Friedman, Sharon Nist, Alaa AbuSalah

ASSOCIATE MEMBER:

MEMBERS ABSENT: Carol Pappas; Michelle Buck, Town Planner

IN ATTENDANCE: Barbara Knox, Board Secretary

MEETING DATE: September 20, 2016

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM Application Discussion Cont:
 Site Plan Review, LaFlash Boutilier Solar Farm (ZPT Energy Solutions, LLC)
- 7:30PM Town Planner Report/General Discussion:
 A. Ch.61A Right of First Refusal, 2 Green Street
 B. Planning Projects FY2017
 C. Miscellaneous Project Updates

Mr. Grimshaw called the meeting to order at 7:00PM

Application Discussion Cont:

Site Plan Review, LaFlash Boutilier Solar Farm (ZPT Energy Solutions, LLC)

In Attendance, Mr. Chris Anderson and Mr. William Hannigan of Hannigan Engineering. Mr. Anderson reviewed the changes made from the previous meeting. They have added an additional riprap slope around the edge of the detention basins for erosion control. They also utilized the sites sub-drains to the existing detention basins to help slow down the peak rate of stormwater coming off the site. The site will be accessed off Boutilier Road and a gravel access path will extend the length of the project.

He said they provided the office with a draft copy of a modified plan regarding the status of Boutilier Road. Ms. Friedman asked when the plans were submitted. Mr. Anderson said yesterday morning. Ms. Friedman explained the Board did not see it because their meeting packets are sent out the Thursday before a Tuesday night meeting.

Mr. Anderson submitted additional copies to the Board and continued review. They are proposing to convert the entire property back to the original property lines that existed previously to the subdivision plan. The plan is to create a public way point up near the northern corner of the project. There are two segments of straight lines and they propose frontage off the second line that will be approximately 175 feet of frontage along that roadway, for future frontage, for one lot. All the property lines within the subdivision will be eliminated.

Ms. Friedman asked the location for the potential buildable lot. Mr. Anderson said the building lot wouldn't be considered until after the end of the access way and the frontage would be along the northern property.

Ms. Friedman asked why it wouldn't be considered until after the end, if there is 175 feet frontage. Mr. Anderson explained if a future lot were to be built there, they would pull the frontage after the solar project access and not use the solar site for access. The determination made by the attorney, was that area would remain public in order to allow access to the site for future development of a single family home.

Ms. Friedman asked what would happen to the existing road that's been built. Mr. Anderson said the road will remain as is, except the portion of pavement they will remove within the property itself.

Ms. Friedman asked why nothing will happen to the road. Mr. Anderson said because it's already constructed. Ms. Friedman noted it is not an accepted road; it was not constructed correctly and didn't received the proper inspections. She said there will be a road there that has no inspections, with the possibility of adding a buildable lot on a road that was not approved and cannot be approved because it was not inspected before the contractor built it. Mr. Anderson explained the buildable lot was being left for future consideration and would not be cleared at all for this project.

Ms. Friedman asked what happens in 20 years when this solar field was no longer in use and there will be this road that's hadn't been built up to standard and someone comes along wanting to develop something there. Mr. Anderson explained removing the status of a possible public-way; they would need to go back before the Planning Board in order to developed along that area. By removing the subdivision, will remove the ability for anyone to move in and develop without Planning Board approval. Ms. Friedman noted except for the lot left having 175 feet of frontage will still be developable. Mr. Anderson agreed.

Ms. Nist asked if it would say it on the plan not a buildable lot after removing the subdivision. Mr. Anderson said it would be provided as part of the modified subdivision plan.

Ms. Friedman asked who would maintain the road. Mr. Anderson said ZPT will accept responsibility to maintain the drainage structure and plow to allow access to the site. They would plow from the existing residential home to their access way and the model home will be taken down.

Ms. Nist asked what would happen in the event Boutilier Road wasn't plowed from Henshaw Street to the residential home. Mr. Anderson said the maintenance during the winter months was minimal and only accessed for emergency repairs. Mr. Hannigan said they won't allow snow to get high enough where an emergency vehicle can't access the site and they will plow the turnaround for emergency vehicles.

Ms. Friedman asked by leaving the existing road, that has not been inspected, intact, will not affect any drainage. Mr. Anderson said they will capture all the stormwater and directing it to a small detention basin. The recharged volume was based upon the impervious area and DEP standards require to meet that volume. They built and designed a small settling basin to retain more than the required volume and allow to infiltrate back into the ground water. The stormwater, at predevelopment, prior to anything happening on site, there was no impervious. When they did their analysis, they added in the impervious surface to make it more functional. All the water captured within the property was calculated into that impervious area calculation.

Mr. Wright asked if that meant there would be no runoff onto the existing Boutillier Road, which will not be maintained in the wintertime. Meaning from the access drive to the solar site, southeast, where the paved section of road that has not been inspected or accepted by the Town, there will be no runoff onto the road. Ms. Friedman agreed, because then there will be runoff going onto the surrounding properties because of the road creating the impervious area.

Mr. Wright asked from the turnabout all the way down, surface runoff was not going onto Boutillier Road. Mr. Anderson said there were several catch basins located throughout the property and the last two basins were located on Boutillier Road at the low point where the driveway was. The remainder of impervious area would be captured within the stormwater system, brought through to a proposed water quality structure and treat all the runoff coming off the paved area. They are providing enough of recharge to meet DEP standards and providing treatment prior to discharge.

Ms. Friedman asked about the catch basins already constructed. Mr. Anderson said they are already connected and formed into the area, but not inspected.

Mr. Wright said the catch basins existing that have not been inspected that are in Boutillier Road taking surface runoff from the road itself, is being brought back to the solar project's detention basin that's been calculated in access beyond DEP standards, is being recharged back into the site at that location. Mr. Anderson agreed.

Ms. Friedman was concerned with where the runoff was going, because if they are utilizing catch basins that may not have been constructed correctly, because the road was done without inspection, the catch basins were installed without an inspection, she wanted to make sure that the calculations over compensated the runoff. Mr. Anderson said when looking at the overall development and modifying the sediment basins, they were able to meet and drop the peak grade flow off the site.

Ms. Friedman said at the last meeting there was a gentleman who was very concerned about the drainage in his backyard, because he already has a water problem back there. Mr. Anderson said where that property was located and the contour of the land, his property won't be impacted by the solar development, because the drainage will be directed away from that area.

Ms. Nist asked if the calculations took into consideration runoff onto Stafford Street. Mr. Anderson said that area would be outside the scope of the project, but their calculations do account for everything paved and in the area along the property line.

Ms. Friedman asked for clarification that the solution does not include the constructed drainage already in the road as part of the drainage in Boutillier Road. Mr. Anderson said they will include and incorporate the drainage system within Boutillier Road. Ms. Friedman questioned if the existing drainage in Boutillier Road was being included in the drainage solution, that it be inspected. Mr. Wright agreed having it inspected by the Town Engineer.

Mr. Grimshaw asked the applicant how they wanted to move forward. Mr. Anderson asked the Board for a conditional approval upon receiving the modified subdivision plan. They understood if the Board wanted the Town attorney's review on the modification, but in their opinion that would be a conditional approval.

Mr. Grimshaw was concerned with the wording of the condition and felt additional time was needed to consider the request. Ms. Friedman wanted the Town Engineer's opinion on whether or not the drainage should be inspected, since it has never been inspected or approved and is becoming part of their system. She agreed the wording of an Approval was important, because 20 years from now when this solar field is no longer there, but the road is, it becomes someone else's problem, and also removal of the house. This all needs to be reviewed by Town Counsel.

Mr. Grimshaw asked for any further comment, hearing none, asked for a motion to continue.

MOTION: Ms. Friedman moved to continue discussion on LaFlash Boutilier Solar Site Plan Review to, Tuesday, October 4, 2016 at 7:30PM

SECONDED: Ms. AbuSalah –

Discussion: Mr. Harry Brooks asked who owned the road. Ms. Friedman said no one owns it, because it's not technically a road because it hasn't been accepted, it's a way, it's a private way.

Mr. Brooks asked if the road was solely on Mr. LaFlash's land. Ms. Friedman said that's not known yet.

Mr. Anderson said the road itself will be determined as part of the modification, to make sure they are on the solar project site. There maybe some areas that are not once the old properties lines are removed, but all the solar panels will be on Mr. LaFlash's land.

Mr. Brooks questioned if part of this is on one site and another part is on the other site and both are using this road and they need it for drainage, why shouldn't the current road be included in the drainage.

Ms. Friedman said because it's not a road. Mr. Grimshaw said it's not a public way.

Mr. Brooks asked if it was going to be used as a road or a turnaround. Ms. Friedman said no, it's going to be blocked off. Mr. Grimshaw gave an example describing it as being like a long driveway.

Mr. Anderson said they will have a gate at the end of the road at the access drive.

Hearing no further discussion, Mr. Grimshaw asked for a vote.

VOTE: All in Favor

Town Planner Report/General Discussion:

A. Ch. 61A Right of First Refusal, 2 Green Street

The Board of Selectmen received notice regarding property owned by Kurt Gurksy at 2 Green Street who wants to sell the property currently in Chapter 61A. The Town has Right of First Refusal.

MOTION: Mr. Wright moved to NOT exercise its Right of Refusal.

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

B. CMRPC

Ms. Friedman will attend Thursday Night's Historical Preservation & Historic Districting Seminar.

C. Planning Projects

Cherry Valley Solar representatives are requesting another plan modification to be reviewed at the October 4, 2016 meeting.

D. Miscellaneous Project Updates

Special Town Meeting, Tuesday, November 1, 2016.

Hearing no further questions or comments, Mr. Grimshaw asked for a motion to adjourn

MOTION: Mr. Wright moved to adjourn

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

Meeting adjourned at 7:50PM

Respectfully submitted,

Barbara Knox

Barbara Knox

Documents sent in meeting packet:

- Agenda
- Memo from Michelle Buck, Town Planner to the Board regarding September 20th Planning Board Meeting
- Response letter from Chris Anderson of Hannigan Engineering regarding comments from Quinn Engineering on LaFlash Boutilier Road Solar Project dated 9/8/2016
- Comments received from Quinn Engineering regarding LaFlash Boutilier Road Solar Project dated 9/14/2016

Documents submitted at meeting:

- Comments received from Quinn Engineering regarding LaFlash Boutilier Road Solar Project dated 9/19/2016
- Email from William Hannigan of Hannigan Engineering regarding Boutilier Road Solar Project relative to disposition of the approved subdivision dated 9/19/2016
- Email to the Planning Board from Michelle Buck, Town Planner regarding 9/20/2016 Planning Board Meeting
- Draft copy of the Modified Definitive Subdivision located on Boutilier Road, from Hannigan Engineering for ZPT Energy Solutions – LaFlash Boutilier Solar Project