

**Holliston Planning Board  
Meeting Minutes of July 8, 2013**

**In Attendance:** Chairman Parashar Patel, Warren Chamberlain, David Thorn, and Jonathan Loya. Geoffrey Zeamer was absent.

**Call to Order:** The Chairman called the regular meeting to order at 7:30 p.m. in Selectmen's Meeting Room (#105) of the Town Hall, 703 Washington Street.

**Continued Special Permit and Site Plan Review Public Hearing:**

**BlueWave Capital – 56 Chestnut Street**

The Chairman re-opened the public hearing at 7:33 p.m. Present for the Applicant was Erik Graber-Lopez of Blue Wave Capital and Joyce Hastings, PLS of GLM Engineering Design Consultants, Inc. The Chairman re-entered all documents received into the record and the development team provided a detailed summary of the proposal and the locus. No parties of interest were present in the audience.

Mr. Chamberlain made a motion to close the public hearing. Mr. Thorn seconded with all in favor.

Mr. Chamberlain made a motion to approve the application based on the following Certificate of Action as amended through discussion:

**SPECIAL PERMIT AND SITE PLAN REVIEW  
CERTIFICATE OF ACTION  
BLUEWAVE CAPITAL – 56 CHESTNUT STREET**

<b>Date of Decision:</b>	<b>July 8, 2013</b>
<b>Applicant:</b>	<b>BlueWave Capital</b>
<b>Applicant's Address:</b>	<b>31 Milk Street, Boston, MA 02109</b>
<b>Owner:</b>	<b>Sandra Kase and Richard Kase</b>
<b>Subject Property:</b>	<b>56 Chestnut Street</b>
<b>Assessor's Identification:</b>	<b>Map 5, Block 4, Lots 19&amp;39</b>
<b>Zoning District:</b>	<b>Industrial (I)</b>

**Administrative Record:**

The Applicant filed an application for Site Plan Review and Special Permit with the Planning Board and Town Clerk on May 21, 2013. The plan of record is entitled "Site Development Plan of Proposed Photovoltaic Project, off Chestnut Street, Holliston, Massachusetts" prepared by GLM Engineering Consultants, Inc., dated May 17, 2013 (revised May 29, 2013 and June 3, 2013). In addition to the application, the applicant submitted supplemental materials including: "Study of

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Acoustic and EMF Levels from Solar Voltaic Projects (Massachusetts Clean Energy Center, December 2012) as well as information on proposed solar modules (MEMC Silvantis P290 Module), transformers (Envirotran Solar Transformer from Cooper Power Systems), inverters (Advanced Energy AE 500TX), and fastening system (Schletter FS System).

Hearing notice under the requirements of MGL, c. 40A and the Planning Board Rules and Regulations included the following:

1. Publication of the hearing notice in the Metrowest Daily News on June 17, 2013 and June 24, 2013;
2. Posting of the hearing notice in the Town Clerk's Office on June 13, 2013;
3. Notification to abutters (including surrounding towns and Applicant) by mail on June 13, 2013.

The Board received written comments from Fire Chief Michael Cassidy (dated May 31, 2013) and Westcott Site Services (dated May 31, 2013 and June 6, 2013). GLM Engineering provided response letters to both comment letters dated June 3, 2013.

A prior public hearing was held on June 6, 2013 but did not result in action by the Board because of lack of a quorum. The matter was therefore re-noticed. The public hearing was opened on July 1, 2013, and continued until July 8, 2013 at which time the hearing was closed. The Board deliberated on the matter on July 8, 2013. The minutes of June 6<sup>th</sup> are incorporated into this decision by reference as plans were revised in response to concerns raised at that time and special conditions were formulated in response to concerns raised during that forum.

### **Public Hearing:**

During the course of the public hearing, the following individuals made appearances on behalf of the applicant: Erik Graber-Lopez of BlueWave Capital and Joyce Hastings, PLS of GLM Engineering Consultants, Inc.

The Applicant requested a Special Permit under the Holliston Zoning By-Laws Section III-A Schedule of Use Regulations (#30b – Large-Scale Solar Power Generation System). The project will consist of approximately 13,068 modules of solar panels with associated equipment pads and utility poles. The project will be a 3 megawatt AC photovoltaic facility. The modules will be separated into two fenced systems or arrays each in a separate area of the site. Access to the panels will be gained by a proposed 18 foot wide gravel driveway which will be an extension of an existing 1,200 foot long, 10 foot wide gravel driveway. The panels will be set at minimum three feet above finished grade and sloped so that all precipitation will sheet off to the grass pasture below. The project will require cutting and grubbing of approximately 30 acres of woodland to prepare the site for installation and to minimize shadowing on panels upon installation. The stormwater runoff will be controlled through use of “best management practices” and in conformance with the MADEP Stormwater Management policy. Peak rates of runoff will be reduced.

The property contains 90 acres that include a residential dwelling and farm buildings, managed hay fields, woodlands, forested wetlands and wet meadows. The proposed project will be located at the rear of the property and will be screened from the view of existing house at 56

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Chestnut Street and from the adjoining residential and industrial properties. The site has approximately 85 feet of topographic relief between the site's highest and lowest points.

Mr. Graber-Lopez provided a summary handout with a company overview, project benefits (financial, environmental and community), construction and O&M details, and safety measures. In response to questions from Board members and abutters, Mr. Harding indicated that it will be essential to all parties that the solar energy facility functions at its fullest potential and it will be equipped with a SCADA system so that its performance can be monitored remotely 24/7. Should there be any irregularities with the system's performance, technicians can respond quickly to trouble-shoot the problem and make the necessary corrections. He added that generally, the solar panels are self-cleaning. The panels are angled toward the sun and each time it rains or snows the precipitation that contacts the panel flows down its face removing any dust or dirt that may have accumulated on the panels since the previous rain event. The inverters are maintained on a semi-annual basis and as needed under a performance contract with the inverter manufacturer to ensure that it is operating at peak functionality. The grass growing within the solar panel array will also need to be cut periodically to ensure that it does not shade the panels.

The solar energy facility will have an estimated useful lifetime of approximately 30 years or more, subject to equipment replacement and repowering. In most cases, however, it is prudent to assume that at the end of the 20 year power generation contract the system will be completely dismantled and the site restored to its preconstruction state. The facility will consist of numerous recyclable materials, including glass, semiconductor material, steel, wood, aluminum, copper, and plastics. When the facility reaches the end of its operational life, the component parts can be dismantled and recycled. Typical activities during the solar energy facility decommissioning and site reclamation phase include facility removal, breaking up of concrete pads and foundations, removal of access roads that are not maintained for other uses and recontouring the surface where appropriate.

The three-phase power will be extended from Washington Street and into the site where new utility poles will extend onto the site from Chestnut Street up the hill to the facility.

The project will meet electricity needs of more than 400 homes and will eliminate 3,563 tons of carbon dioxide emissions each year, a reduction equivalent to planting 2,500 acres of forest, displacing 1,680 tons of coal, removing 673 cars from the road. A fence will surround the entire project. The project itself will be designed with fail-safe systems and grounding to allow systems to remain "touch safe".

### **Findings:**

In accordance with the provisions of Holliston Zoning By-Laws Section VI-E Special Permit Granting Authority (SPGA), the Planning Board (acting as SPGA) has considered the proposed use in relation to the site as well as the adjacent uses and structures and finds that there will be no significant adverse effects to the neighborhood and the Town as proposed, considering the following criteria:

### **Section VI-E(5):**

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- a. The degree to which the proposed use complies with the dimensional requirements of the by-law, is in an appropriate location and does not significantly alter the character of the neighborhood; the project is compatible with existing uses and other uses allowed by-right in the district and is designed to be compatible with the character and the scale of neighboring properties.
- b. To the extent feasible, the proposal has been integrated into the existing terrain and surrounding landscape, minimizing the impacts to the aquifer and/or recharge area, wetlands, steep slopes, and floodplains.
- c. Adequate and appropriate facilities shall be provided for the proper operation of the proposed use, including screening and provisions for convenient and safe vehicular and pedestrian circulation within the site and in relation to adjacent streets and properties.
- d. The proposed project shall not create any significant emission of noise, dust, fumes, noxious gases or any other adverse environmental impact including stormwater, erosion and sedimentation.
- e. There shall be no unreasonable glare from lighting, whether direct or reflected, onto ways, the night sky or onto adjacent properties.

Throughout its deliberations, the Planning Board has been mindful of the statements of the Applicant, and the comments of parties of interest, all as made during the public hearing. The Board also finds that the proposal meets the General Conditions for approval specified in Section VII (2)(a-g) of the Holliston Zoning Bylaw.

The proposed project meets all dimensional requirements of zoning. All project components are located more than 50 feet away from the perimeter of the lots. The project is located more than 1,000 feet from any residential property and will be screened from any view of residential property. This screening and proximity to abutters will also provide effective mitigation of any noise (sound pressure level) and electromagnetic field (EMF) emissions from the solar installation components, namely the inverters, photovoltaic array and other equipment. Approximately 30 acres of the 90 acre site will be cleared leaving 34 acres of forested land and 30 acres of agricultural land. The closest public well to the site is Well #4, approximately 5,000 linear feet northwest of the site on Washington Street. The Conservation Commission is providing permitting for the entrance to the site which includes temporary modifications to an existing wetland crossing. All other areas of disturbance are located outside of regulated wetland areas. A series of best management practices including grassed channels and detention basins will provide for effective stormwater management. No lighting is proposed. Construction and operation mitigation has been developed with community input. The construction period will last approximately 3 – 4 months. Modest facility management is needed over the minimum 20-year operational period. Solar system performance will be monitored 24 hours per day.

**Planning Board Vote:**

The Board's vote to conditionally approve the Site Plan Review and Special Permit petition for BlueWave Capital, 56 Chestnut Street is as follows:

Parashar Patel - Yes

Warren Chamberlain - Yes

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Jonathan Loya - Yes  
David Thorn - Yes

**Conditions of Approval:**

The Board's decision to grant the Application for Special Permit is subject to the following conditions:

***General Conditions***

1. This Special Permit is not valid until recorded and indexed at the South Middlesex County Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11. The copy of the Decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision has been filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied. The Applicant shall record this Decision prior to the commencement of authorized site activity and shall submit proof of recording to the Planning Board and Inspector of Buildings.
2. The Applicant shall provide the Planning Board office with the name, address and business phone number of the individual(s) responsible for the activities on site and the date work will commence.
3. During construction the Applicant shall perform daily clean up and disposal of construction debris, including soil, on Town streets caused by the site construction.
4. A copy of this decision and endorsed plan set shall be kept on site and shall be made available to all site contractors.
5. The final plan set shall be endorsed by the Planning Board and presented to the Inspector of Buildings. Unless amended with the approval of the Planning Board, the endorsed plan set shall be the plan of record and construction should proceed in accordance with the plan and this Certificate of Action.
6. No substantial modifications, corrections, additions, substitutions, alterations or any changes shall be made to the final plans or Construction Schedule approved and endorsed by the Planning Board without the written approval of the Planning Board. Any requests for modifications shall be made in writing to the Planning Board for review and approval. Requests shall include a description of the proposed modification, reasons the modification is necessary, and any supporting documentation.
7. The Applicant shall submit an as-built plan stamped by a professional engineer certifying that all site improvements are completed in accordance with the approved plan. The Applicant shall submit a statement certifying that all conditions of approval of this decision have been met.
8. Terms and conditions of this Special Permit and Site Plan approval shall be strictly enforced by the Inspector of Buildings per the terms of Section VI-G of the Zoning By-Law and MGL.

***Special Conditions***

1. Final system design plans and components cut sheets shall be approved by the Planning Board prior to installation.
2. The Applicant shall complete the work in accordance with the revised Construction Schedule (Exhibit A).
3. Written notice shall be provided to the Town of Holliston and the identified parties in interest (i.e. abutters) a minimum of 48 hours prior to initial commencement of work, including tree cutting.

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4. The site shall immediately be posted with signs indicating “No Trespassing” and “Danger: High Voltage, Keep Out”.
5. Emergency contact persons shall be clearly identified on the site and provided to public safety officials upon commencement of work. This shall include the 24-hour remote monitoring service when the site becomes operational.
6. Prior to the issuance of a Certificate of Occupancy, the Police and Fire Department shall be provided with keys to any proposed gates (e.g. Knox box) and an accurate materials list depicting the contents of the storage areas (including MSDS).
7. All system components shall be marked in accordance with the National Electrical Code (NEC), including the integrated AC and DC disconnects on the inverter units.
8. Specialized training shall be provided for first responders prior to the system becoming operational. This training shall be coordinated with the Fire Chief.
9. All service roads shall conform to emergency vehicle access and turning radius requirements, as directed by the Fire Department.
10. The Applicant has agreed to provide a 10,000 gallon fire cistern to provide a water source within the project area per request of the Fire Chief. Said cistern shall be installed prior to commissioning.
11. Emergency erosion and sedimentation control measures shall stockpiled on site and employed in a timely fashion in anticipation of extreme weather events.
12. The Applicant shall not utilize fertilizers and pesticides in any re-vegetated areas.
13. Because of the scale and complexity of the project, installation of site access drives, and stormwater management features shall be subject to periodic monitoring and inspections by an agent of the Planning Board to be paid for by the applicant under the provisions of MGL, c.44, s.53G (593 Account) and the Board’s Rules and Regulations for Project Review Fees.
14. The Applicant shall provide evidence of semi-annual stormwater management system inspection and maintenance in accordance with the drainage operation and maintenance plan of record (dated May 7, 2013 with revisions through June 3, 2013).
15. The applicant shall not cause a nuisance to residents due to dust and/or noise. If, in the opinion of this Board, the above measures do not sufficiently mitigate noise and dust migrating off the property in accordance with the standards of Section V-N of the Zoning By-Laws, the Board will notify the Applicant in writing and the Applicant shall supply a corrective action plan within thirty (30) days for the Board’s review and approval. The Inspector of Buildings may take additional measures as the Town’s Zoning Enforcement Officer.
16. Hours of construction for required improvements shall be as follows: Monday through Friday 7:00 a.m. to 5:00 p.m. with no work on weekends or holidays. The Applicant shall take measures to prevent construction vehicle queuing at the site entrance and along Chestnut Street before 7 a.m. The applicant shall at all time use reasonable means to minimize inconvenience to residents in the general area. Construction activities shall include but not be limited to: start-up of equipment or machinery; delivery of materials and supplies; removal of trees; grubbing; clearing; grading; filling; excavating; import or export of earth materials; installation of utilities (both on and off the site); removal of stumps and debris; and erection of new structures. Construction hours shall be enforced by the Holliston Police Department.
17. The Applicant shall coordinate traffic control measures on Washington and Chestnut Streets and Wedgewood Drive during construction with the Police Department and pay for any necessary traffic details.

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18. The Board or its agents may enter onto and view and inspect the property during regular business hours, without notice, to ensure compliance with the terms and conditions of this decision, subject to applicable safety regulations.
19. The Applicant shall provide a deer-resistant evergreen landscape buffer along the southern border of the system to provide screening acceptable to the Planning Board. The plantings shall be installed prior to commissioning and shall be guaranteed through the life of the project.
20. The site shall have no exterior lighting.
21. No earth removal is authorized under this permit; no earth products are to be removed from the site.
22. The Applicant shall guarantee performance of the conditions of this Special Permit regarding facility decommissioning with a surety bond or other security satisfactory to the Planning Board. Said surety shall be posted prior to commissioning.
23. Executed interconnection services agreement(s), operations and maintenance agreement(s), and any utility easements shall be provided to the Planning Board, Inspector of Buildings and Fire Department for reference along with the final system plans and components cut sheets prior to commissioning.
24. The Applicant shall promptly pay the reasonable fee of the Board's legal counsel for review of the plans or documents described herein.

**HOLLISTON PLANNING BOARD**

By: \_\_\_\_\_  
Parashar Patel, Chairman

**TOWN CLERK'S CERTIFICATION OF NO APPEAL**

I hereby certify that 20 days has passed since this decision has been filed and no appeals have been taken in accordance with MGL, c. 40A.

\_\_\_\_\_  
Elizabeth Greendale, Town Clerk

\_\_\_\_\_  
Date:

**Adjournment** - The meeting was adjourned at 8:15 p.m. on a motion made and duly seconded. The next meeting was scheduled for July 25, 2013.

Respectfully submitted,

Karen L. Sherman, Town Planner

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