

**Holliston Planning Board
Meeting Minutes of March 22, 2012**

In Attendance: Chairman Jack Donovan, Parashar Patel, Jonathan Loya, Warren Chamberlain, and Geoffrey Zeamer. Also present was Tree Warden Mark Ahronian and Special Counsel Mark Bobrowski.

Call to Order: The Chairman called the meeting to order at 7:30 p.m. in the Main Hall of the Senior Center, Goulding Street.

**Continued Special Permit and Site Plan Review Public Hearing
Metrowest Realty Group, 100 Central Street**

The Chairman re-opened the public hearing at 7:30 p.m. Present for the applicant were Dan Nissi, Manager and Atty. Peter Barbieri of Fletcher Tilton, PC. Plan revisions dated March 19th and a revised draft Certificate of Action (dated March 20th) were discussed. The Chairman noted receipt of a final review letter from Westcott Site Services dated March 20, 2012.

On a motion by Mr. Patel, seconded by Mr. Chamberlain, the Board voted to close the public hearing. On a motion by Mr. Patel, seconded by Mr. Zeamer, the Board voted unanimously to approve the application for Special Permit and Site Plan Review based on the draft Certificate of Action (dated March 20th).

**Continued Administrative Site Plan Review: Bullard Farm Solar Facility
and
Continued Scenic Road and Shade Tree Act Public Hearing
Bullard Memorial Farm, Bullard Street**

Shortly after 7:30 p.m., the Chairman re-opened the joint public hearing along with Tree Warden, Mark Ahronian and noted that this is a continued hearing of the two authorities under the Massachusetts Scenic Road and Shade Tree Acts as well as continued discussion of the Site Plan Review application. The meeting was delayed until 8 p.m. upon a request to videotape the proceedings by Alison Lima. Offering comments on this issue were Marty Lamb of 57 Wingate Road and Jack Hathaway of 25 Evergreen Road (Norfolk). Town Counsel confirmed that videotaping was allowed.

Representing the applicants, Renewable Energy Massachusetts, LLC (REM), were Brian Kopperl and Bob Knowles of REM as well as Larry Beals and Greg St. Louis, PE of Beals Associates, Inc. of Charlestown (land planners and civil engineers), and Atty. Michael Spillane of Orsi Arone Rothenberg Iannuzzi & Turner, LLP.

Mr. Beals referred to a plan set entitled “Plans to Accompany an Administrative Site Plan Review for Solar Energy Facility at Bullard Farm, Bullard Street, Holliston, MA” dated November 8, 2011 (revised thru March 20th).

With regard to the street trees, Mr. Beals summarized that they are proposing to leave six of the seven trees within the right of way, to respect neighborhood concerns. The one tree that they would like to remove within the right of way is the southern-most tree. It is a red maple that has been impacted by vehicles/snow plows, carpenter ants and vines. As a consequence the tree is diseased and dying. Mr. Ahronian confirmed that he had “condemned” the tree under the provisions of the Shade Tree Act. Mr. Ahronian also

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recommended that they be allowed to do some work within the crowns of the remaining trees including removing dead wood and possibly thinning the crown by 10 - 15 percent. He also recommended removal of four black cherries located in the stone wall which have cankerous black knot. Mr. Beals noted the 9 “infill” street trees planned from south of tree #6 to just north of the planned emergency access. The selected trees are Honey Locust, White Oak, Red Oak and Zelcova (or equal). Mr. Ahronian confirmed that the species and size selected will provide a shade canopy upon installation and are commonly utilized in the area.

Mr. Beals also reviewed proposed right-of-way screening, noting Mr. Ahronian’s recommendation for 8 – 10’ Norway Spruce in the northwest property corner with a total of 75 trees shown on the site abutting the right-of-way from the northwest corner to the proposed curb cut entrance. This plant schedule includes White Fir, Red Fir or Silvertip Fir, Norway Spruce, White Spruce and Serbian Spruce (or equal). Mr. Beals noted that Westcott Site Services had recently recommended that a 15’ paved apron be provided to protect the integrity of the Bullard Street pavement edge.

Offering comments from the audience were: Ron West of 91 Bullard Street, Peter MacDonald of 127 Mill Street (Sherborn), Marty Lamb of 57 Wingate Road, Donald Bates of 124 Bullard Street, Jane and Shahar Ze’evi of 15 Bullard Street, Kristine Irving of 29 Winchester Drive, Thomas Gilbert of 105 Bullard Street, Bronwen Bernier of 45 Bullard Street, Kevin and Therese Reilly of 61 Bullard Street, Sandra O’Neil of 110 Bullard Street. In summary, concerns raised included alteration of the scenic character of the road, the need for watering and maintenance of proposed replacement trees, and the use of non-native species.

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

Mr. Patel made a motion to approve the Scenic Road application as amended through discussion with mitigation within the right-of-way as shown on the revised plans, subject to the following conditions: 1. Tree Warden supervision of all proposed work, including tree removal (36” red maple aka Tree #7 only), canopy trimming, and installation of nine (9) replacement trees, 2. Up to 15% canopy and dead wood trimming on identified street trees #1-6 is allowed, 3. Mechanical removal of invasive poison ivy and bittersweet is allowed over the life of the project, 4. A five-year guarantee will be provided for the replacement in-fill trees, and 5. The burning bush-dominated low shrub layer will be preserved. Mr. Chamberlain seconded with all in favor.

The Chairman entertained a 5-minute recess before beginning the continued Site Plan Review discussion.

Mr. Zeamer took issue with the lateness of the applicant’s submission with materials sent as late as Wednesday evening. Again, Mr. Beals referred to a plan set entitled “Plans to Accompany an Administrative Site Plan Review for Solar Energy Facility at Bullard Farm, Bullard Street, Holliston, MA” dated November 8, 2011 (revised thru March 12th).

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He also referred to correspondence dated March 20th and additional project documentation dated March 20th. He reviewed the supplemental information provided, including REACH compliance, UL1703 Certification (panels), UL1741 Certification (inverters), Flammability Testing and Certification (including UL1703 and 94 Code Compliance), Decommissioning and Recycling, Cochlear Implant Review, Sound Analysis, and Proposed Conditions. Some discussion of the significance of the UL testing followed. A reference to compliance with Zoning By-Laws Section V-N (Performance Standards) was made. It was confirmed that the panels would contain trace levels of lead.

Offering comments from the audience were: Stacey McGovern of 85 Bogastow Brook Road, Peter MacDonald of 127 Mill Street (Sherborn), Ron West of 91 Bullard Street, Marty Lamb of 57 Wingate Road, Donald Bates of 124 Bullard Street, Jane and Shahar Ze'evi of 15 Bullard Street, Kristine Irving of 29 Winchester Drive, Thomas Gilbert of 105 Bullard Street, Bronwen Bernier of 45 Bullard Street, Kevin and Therese Reilly of 61 Bullard Street, Sandra O'Neil of 110 Bullard Street, Marty Boyles of 121 Bullard Street, Alison Lima of 59 Bogastow Brook Road, Charles Maley of 220 Mill Street, Kristen Foster of 43 Fiske Street, Adam Mastrangelo of 106 Bogastow Brook Road, and Liz Theiler of 17 Norland Street. Comments offered included potential short- and long-term health impacts to a resident of 85 Bogastow Brook Road who has a cochlear implant and others, the facility acting as an attractive nuisance, concerns for negative impacts on surrounding property values, the need to bond for decommissioning, the lack of information on the required NSTAR upgrade from Bullard Street to Fiske Street, and the potential need for National Historic Preservation Act review for the federal funds being utilized. Atty. Bobrowski provided some brief comments on the term "welfare" as mentioned in the statute (MGL c. 40A, s. 3) regarding the "solar energy system" exemption. Mr. Patel asked members of the audience whether there was an acceptable scale of the project. Most audience members noted there was not.

The Chairman noted correspondence received from Town Administrator Paul LeBeau dated March 22, 2012 with enclosure from Syncarpha Capital dated April 7, 2011, Tree Warden Mark Ahronian dated March 20 and 21, 2012, Water Superintendent Ron Sharpin dated March 22, 2012, Westcott Site Services dated March 21, 2012, Charles Thurlow, President of Bullard Farm Memorial Association dated March 21, 2012, Carol Khouri of 40 Bullard Street dated March 21, 2012, Dr. Sandra George O'Neil of 110 Bullard Street dated March 19, 2012 with enclosure from Advisory Council on Historic Preservation dated March 14, 2012, Thomas Gilbert of 105 Bullard Street dated March 21, 2012, Alison Lima of 59 Bogastow Brook Road dated March 22, 2012, Tabitha McKeown of 578 Norfolk Street, Elizabeth Bourque-Theiler of 17 Norland Street dated March 15, 2012, Stacey McGovern of 85 Bogastow Brook Road dated March 16, 2012. Mrs. McGovern also submitted 3 pages of information from the US Dept. of Health & Human Services on Cochlear Implants during the meeting.

Mr. Zeamer made a motion to close the public comment period. Mr. Loya seconded with all in favor.

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Mr. Zeamer made a motion to instruct Special Counsel to draft a denial based on the necessity to protect the public health, safety and welfare. Mr. Loya seconded with all in favor.

Attorney Bobrowski asked that the Board members send him their rationale for the draft denial document directly and reminded them of Open Meeting Law provisions. The deliberation session was set for April 2nd at 8:00 p.m.

Adjournment - The meeting was adjourned at 11:02 p.m. on a motion made and duly seconded. The next meetings were scheduled for April 2nd and 12th.

Respectfully submitted,

Karen L. Sherman, Town Planner