



TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

OFFICE OF THE
TOWN CLERK
HOLLISTON, MASS

2019 DEC 31 AM 11:11

APPLICATION FOR GRANT OF A USE VARIANCE

Date Filed: December 19, 2019

Applicant's Name: Marshall Street Solar, LLC

Applicant's Address: 26 Market Street, Portsmouth, NH 03801

Applicant's Phone Number: 207-432-1317

Owner's Name: J. Michael Norton, Trustee, Green View Realty Collateral Trust

Owner's Address: 0 Marshall St, Holliston MA 01746
c/o 165 Main Street, Suite 206A, Medway, MA 02053

The Owner hereby appoints Weston & Sampson to act as his/her/its agent for the purposes of submitting and processing this application for a variance.

The Owner's title to the land that is the subject matter of this application is derived
Christa N. Canavan and Robert H. Norton, Trustees of R+C Realty Trust AND
Christa N. Canavan and Robert H. Norton, Trustees of the C+R Realty Trust
under deed from , dated 3/17/14, recorded on 5/2/14

And recorded in South Middlesex Registry of Deeds, Book 63565 / 63565 , Page 574 / 580

Or Land Court Certificate of Title No. , registered in

District Book , Page

The land is shown in the Assessor's records as Lot 19.2 on Map 007.0 , Block 0003

And has an address of or is located at 39 Marshall Street, Holliston, MA

Agricultural-Residential
in the Dist. A zoning district.

Under the provisions of Section VI-D (3) to vary the terms of Section I-B and the following, the Applicant hereby petitions the Board of Appeals:

Nature and subject matter of Variance:

For the proposed development of a large-scale solar photovoltaic array in an Agricultural-Residential Dist. A zoning district.

Section of Zoning Bylaw that permits this use by grant of Variance:

Section VI-D 3. Variances

Zoning Information (To be completed by Inspector of Buildings):

The Applicant presents the following evidence that supports grant of the Variance:

a. If this Variance is allowed it will alleviate a substantial hardship because:

A use variance is sought for proposed large-scale solar power generation within a agricultural-residential Dist. A zoning district.

The development of solar will help retire the existing environmental lien on the property.

The proposed project will alleviate the burden on the Town that other types of development would create. There will be no additional burden to police, fire, schools, water, sewer, etc.

b. If this variance is allowed it will create no substantial detriment to the public good because:

The proposed project will create no substantial detriment to the public good as solar voltaic arrays are a passive land use. They do not create additional traffic, noise, significant visual impacts, or significant environmental impacts and will expedite the assessment and remediation of environmental releases on the property/site. The project has public and abutter support.

c. If this variance is allowed, it will not nullify or substantially derogate from the intent and purpose of the zoning bylaw because:

A use variance is sought for proposed large-scale solar power generation within a agricultural-residential Dist. A zoning district.

Small-scale solar is allowed in this district and large-scale solar is allowed in the C and I zoning districts, per the Holliston by-laws. Another Town owned or operated large scale solar is proposed across Marshall Street in the same District A zone.

d. Will the proposed use include the storage or process of any hazardous substance?

Yes _____ (Please attach additional information.) No ☒

The proposed use will mitigate or eliminate hazardous waste.

Applicant's Signature: _____

Patrick Jackson, Manager, Marshall Street Solar, LLC

Owner's Signature: _____

J. Michael Norton, Trustee, Green View Realty Collateral Trust

Introduction

Marshall Street Solar, LLC proposes to construct, own, and operate a solar photovoltaic distributed energy generation that will be approximately 4.99 MW (AC) and will include 4 MW's of battery storage on land located at 0 Marshall Street in Holliston, MA. The following narrative and documentation is hereby submitted to the Zoning Board of Appeals under Section VI-D Board of Appeals Subsection 3 Variances, amended May 6, 2019 of the Holliston Zoning Bylaws.

Proposed Project

The proposed solar PV and battery storage site and associated clearing and gravel road improvements is located on lot 19.2 Map 007.0 Block 0003, and will be accessed from Marshall Street. The parcel is owned by J. Michael Norton, Trustee, Green View Realty Collateral Trust, and is located in the Agricultural – Residential District A Zoning District.

The proposed pile driven / ballasted solar PV system has an approximate size of ± 4.99 MW (AC). The system would be composed of approximately 19,960 panels mounted atop pile driven / ballasted racking system. The energy storage system has an approximate size of sixteen (16) 250 kW DC batteries with a total rating of 4 MW and 8.9 MWH.

The PV system would occupy approximately ± 21.50 acres of land within an enclosed eight foot tall security fence. Approximately ± 32 acres will be cleared within the property for the solar array and to eliminate shading of the proposed arrays.

The name of the Project Proponent is:

Marshall Street Solar, LLC

Marshall Street Solar, LLC is a Project Company owned by SunRaise Development. SunRaise is a New Hampshire based developer, financier, owner, and long-term operator of large-scale solar energy systems. SunRaise specializes in partnering with property owners to construct community solar farms which provide electricity to schools, municipalities, residential customers, and utilities. This collaborative sustainability partnership spreads benefits to everyone involved: the property owner receives lease payments for 20-years, the electricity customer gets reduced electricity rates, the utility grid is modernized, the municipality receives tax revenue without any burden on their services, and SunRaise manages the professionally engineered solar array. This project is expected to participate in the Solar Massachusetts Renewable Target (SMART) Program.

Contact information for the Engineer authorized to represent the Project Proponent:

Weston & Sampson Engineers, Inc.
55 Walkers Brook Drive
Reading, MA 01867
Contact: Stephen Paul Wiehe, Project Manager
Phone: (978) 532-1900
e-mail: wiehes@wseinc.com

The name of the system installer: To Be Determined

Other Permits and Approvals

Weston & Sampson is also filing concurrently a Notice of Intent (NOI) for review by the Town of Holliston Conservation Commission. A qualified wetlands resource specialist has conducted a reconnaissance of the site

and bordering vegetated wetland and bank were identified at the site. Additional MassGIS and FEMA FIRM mapping indicate that two NHESP Potential Vernal Pools are also present on the property. However, the solar array will remain outside of the 100-foot wetland boundary, as shown on the provided plans.

Compliance with Zoning Bylaws

We have developed a set of plans that are intended to meet all dimensional and screening requirements set forth in the Town Bylaws for the Agricultural-Residential District A zoning district in which the project is proposed. Below is a summary of the dimensional aspects of the project:

Table 1 Dimensional and Density Regulations:

Below are the zoning requirements for the Agricultural-Residential District A District.

Requirements	Required
Minimum Lot area (square feet):	80,000
Maximum Lot Coverage:	20%
Minimum front yard setback (Feet):	50
Minimum rear yard setback (Feet):	50
Minimum side yard setback (Feet):	50
Maximum structure Height (Feet):	35

The following are project specific criteria to demonstrate that the proposed Solar Energy System complies with zoning bylaw Section VI-D Subsection 3:

3. Variances – to grant upon appeal or upon petition with respect to particular land or structures, a use or dimensional variance from the terms of this by-law where the Board of Appeals specifically finds that:

a. Literal enforcement of the provisions of this by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant owing to circumstances relating to:

1. soil condition
2. shape, or
3. topography of such land or structures, especially affecting such land or structures but not generally affecting the zoning district in which it is located; and

A use variance is sought for proposed large-scale solar power generation within an agricultural-residential district A zoning district.

The development of solar will help retire the existing environmental lien on the property.

The proposed project will alleviate the burden on the Town that other types of development would create. There will be no additional burden to police, fire, schools, water, sewer, no long-term increase to traffic, etc.

b. Desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of this by-law.

The proposed project will create no substantial detriment to the public good as solar voltaic arrays are a passive land use. They do not create additional traffic, noise, significant visual impacts, or significant environmental impacts and will expedite the assessment and remediation of environmental releases on the property/site.

The project has public and abutter support.

A use variance is sought for the proposed large-scale solar power generation within an agricultural-residential Dist. A zoning district.

Small-scale solar is allowed in this district and large-scale solar is allowed in the C and I zoning districts, per the Holliston by-laws. Another Town owned or operated large scale solar project is proposed across Marshall Street in the same District A zone.