Webster Planning Board
Meeting Minutes
March 18, 2019

A meeting of the Webster Planning Board was held on Monday, March 18, 2019 in the Community Meeting Room of the Webster Police Station at 357 Main Street, Webster, MA.

Present: Chairman Paul Laframboise, Vice Chairman Michael Dostoler, Members Cathy Cody, Tom Klebart, Dan Morin and Associate Member Christella Gonsorick. Also present: Ann Morgan, Town Planner, Kelly Gorham, Planning Department Clerk, and Chuck Eaton of CME Engineering.

1. Call to Order: Chairman Laframboise called the meeting to order at 6:32 p.m.

2. Action Items
   a. Approval of Meeting Minutes – February 25, 2019 – This item was tabled to the next meeting.
   b. Completed Projects – Release of Peer Review Funds – Ms. Morgan advised the Board on which projects can be closed out. State law requires that unused funds be returned to the applicant. Hubbard Hospital is not yet in compliance with plantings.

   Motion to approve the list of peer review refunds with the exception of Hubbard Hospital Solar made by Mr. Dostoler. Mr. Klebart seconded. Motion passed unanimously 5-0.

3. Public Meeting
   a. Site Plan Review - 41 East Main Street - Webster First Federal Credit Union (Applicant / Owner). Construction of a new bank branch and associated site work. (Continued from 2/25/19)

   Peer Review engineer Chuck Eaton reviewed the last minute plan submission. He recommended approval with the following comments; the rip rap slope detail must be revised to show smaller placed rip rap as discussed with the Board, the business sign interior lighting needs to be addressed and the exterior lighting on the proposed building must have the foot candle contours labeled. One more plan set submission is required showing the easement and the other conditions.

   Motion to accept the plan with contingencies made by Mr. Klebart, seconded by Ms. Cody. Motion passed unanimously 5-0.

4. Public Hearings
   a. Solar Project - 0 Juniper Lane - Juniper Lane Solar, LLC (Applicant); Kathryn Rose (0 Juniper Lane), Finamore Management Company (0 Harvard Street, 0 Klebart Avenue) - Owners. Proposed large scale ground mounted 10 megawatt solar project on 60 acres off Juniper Lane. Project area will consist of 19 acres spanning three parcels zoned Agricultural Single Family Residential (ASFR) or Conservation District (CD). (Continued from 2/25/19)

   Evan Turner of Aries Power and Travis Brown from A.S.E. Engineering presented revised plans. A few changes have been made in accordance with recommendations from the Conservation Commission and the Fire Chief. Mr. Brown addressed the outstanding CME comments. There will be erosion control barriers for construction and the width of the access road was increased to 18 feet to allow more room for a fire truck to turn around. Mr. Eaton is satisfied with the revisions. There is a 25 foot no disturb zone and the fence is approximately 30 feet away. The solar panels are 50 feet from the wetland. This provides an access area for work to be done. Mr. Dostoler asked about the wetland at the end of the street. They are working to the west of the wetland and it will not be touched. Mr. Brown reviewed the waiver request for underground interconnection, the layout of the inverter area and the fencing which is designed to minimize the visual impacts.
Audience members Sarah Phillips of 3 Juniper Lane and Sabine Potem of 6 Juniper Lane, who are the closest abutters, asked what they are going to see. They are concerned that a wall at back of the property will lower their property value. Mr. Turner explained to them what will be visible from their properties, which will be trees, some of the driveway, and a utility pole located near Ms. Potem’s property.

Alicia Zukowski of 5 Cranberry Road asked about traffic and the hours of operations, because of the proximity to the school, and also questioned who will pay to repair the street. Mr. Turner stated that working hours are a standard condition. Ms. Morgan added that standard working hours are Monday – Friday from 7:00 a.m. – 5:00 p.m., Saturdays from 7:00 am – 3:00 p.m. No work is done on federal holidays or Sundays. Altering those standard hours would require special language. They can put a construction bond on the road for repairs. Dust control can also be in the conditions. School traffic is also an issue. Construction would begin in spring or summer of next year. Ms. Zukowski requested that the contractor be required to hire a traffic coordinator at the Applicant’s expense. The coordinator would be responsible for ensuring pedestrian and vehicular safety along Lake Parkway where it intersects with Juniper Lane during the high volume traffic times during construction. She also wanted to make sure that dirt and dust from the construction vehicles leaving the site weren’t tracking it onto local roads. It was suggested that a paved apron at the site entrance along with a wheel spray down area on the site could be used to achieve that goal. Ms. Zukowski also wanted to make sure that employees of the contractors were not parking on local streets during construction.

Decommissioning surety and associated documentation are also required. The Board stated their preference for a cash surety as opposed to a bond. Mr. Turner noted that he was amenable to that. Ms. Morgan stated that Town Counsel has advised that draft language should be presented to them for review, and then it can be presented to the Board. She recommends not closing the hearing until that is done. Ms. Morgan also noted waivers must be submitted in a separate written document and as well as on the plan.

Mr. Klebart asked about the length of the proposed road within the site as well as the proposed fencing as it relates to wildlife. Mr. Brown reviewed the road noting that it is approximately 3,300 feet long. The site will be fully enclosed with a fence that will be raised 6 inches off the ground to accommodate small animal migration through the site. Deer and other larger animals can easily jump over the fence. It was noted that much of the surrounding foliage outside the fence would be kept in place which will further block the visual impacts. It was noted that the primary residential abutters to the property were at the northern end of the project site. To the south is Town owned land and another solar project to the west. Mr. Klebart asked about the solar panels and how water run off and plant life will be handled. Mr. Brown noted that the panels will be ground mounted in rows which will have 4 to 5 feet of spacing between. The Conservation Commission has requested that a wildflower mix be planted under the panel. Water running off the panels will easily get down and in between the panels. Mr. Klebart noted that there would be a large amount of tree cutting required to prepare the site and asked if they plan to plant trees around the site to offset those cuts and improve the visual screening. Mr. Turner noted that the site is configured in such a manner that it would be difficult to do so given the proximity to the wetlands. He further noted that the area surrounding the site was fairly wooded which would not be disturbed.

Motion to continue the hearing to April 29th was made by Mr. Klebart, seconded by Ms. Cody. Motion passed unanimously 5-0.

b. Solar Project - 0 & 153 Upper Gore Road - BWC Chamberlain Pond LLC c/o BlueWave Solar Applicant; Janet S. Konkel Revocable Living Trust, Janet S. Konkel Trustee (0 Upper Gore Road - Assessor ID 52-A-1) and Victor J. Stefanik, Jr. (153 Upper Gore Road - Assessor ID 53-
B-4) - Owners: Proposed 6 megawatt-AC solar project on 133 acres off Upper Gore Road; both properties are zoned Agricultural Single Family Residential (ASFR) within the Lake Watershed Protection (LWP) district. (Note: this is a new application. The previous application was withdrawn without prejudice.)

Charmain Laframboise opened the public hearing. Tom Reidy, attorney from Bacon/Wilson on behalf of BWC Chamberlain Pond, LLC, Rich Riccio P.E. of Field Engineering Co. Inc. and Matt Parlon, Project Manager for BlueWave Solar presented the plans. Changes to the original design were discussed. The original design had 23 acres of fenced area and now there is 17.3 acres; 9.7 in the north parcel and 7.6 in southern parcel. The total disturbed area is now under 29 acres. The southern array is in an area that was previously cleared and further from sensitive habitats. The total size is 6 megawatts, with 15,000 panels and a 10-11 foot row spacing on the arrays. They received comments from the Webster Fire Department and CME Engineering today. The gravel access road off of Upper Gore is 18 feet wide. There are 2 detention basins and no major grade changes. The stormwater report is for up to a 200 year storm event. The site will be enclosed by a 7ft high fence which will be raised 6 inches off the ground to allow for movement of wildlife.

The applicant has provided calculations and will work with Ann Morgan regarding the decommissioning and the surety agreement. They can provide half of the total as a cash payment in advance of the commencement of operations and the balance to be staggered over a few years. They estimate the total of the surety to be $48,000 total. They received comments from Mr. Eaton regarding the payment schedule on the first application which are reflected in this application.

Mr. Parlon presented photos from various viewpoints and submitted electronic versions to the Planning Department. Eight view sheds were studied and analysis at other locations can be done if requested by the Board.

Neighbor Dennis Neslusan of 12 Mikes Way expressed concerns about the property values for the homes on his street. The array was moved closer to his property and states he will see it every day.

Randy Becker of 77 Bates Point Road, speaking as a private citizen, gave a presentation copies of which were distributed to the Planning Department. Environmental impacts, the effects of deforestation, visual impacts, wildlife, impacts to wells and other ecosystem impacts were addressed in the presentation. An 8 page letter from Scott Horsley, Water Resources Consultant, was also reviewed which included such issues as impacts to water flowing across the site towards the lake given the steep topography.

An unidentified member of the audience expressed concern that the proposed detention ponds would attract a large mosquito population. He wanted to know if there was a schedule for cleaning those ponds. It was further noted that there are approximately 140 houses surrounding the site that will be negatively impacted, both visually and financially, by the project which is essentially an industrially sized power plant. The view shed analysis presented by the Applicant was called into question as not illustrating the visual impacts to the abutting Blueberry Hill neighborhood.

Janet Scheffler of 7 Blueberry Lane mentioned that the site is an environmentally sensitive area. She noted that she has marbled salamanders in the backyard which are likely on the site. She asked if a MEPA review would be conducted given the size and the scope of the project which she views as industrial in nature. She expressed concerns about the construction period impacts to Upper Gore Road which is narrow, in poor condition and can barely handle the local traffic. It would need to be resurfaced
after construction. She asked how about the size and number of vehicles would are anticipated during the construction phase. Mr. Parlon noted that he would provide that information at the next meeting.

Mr. Riccio reviewed the stormwater report and hydrology on the site. Mr. Klebart asked about the stream crossing in the project area. Mr. Riccio noted that there is an abandoned rail bed they plan to use as the access road. They are proposing to restore the natural stream bed and install a new 4 ft. wide box culvert to replace the crushed box culvert to allow better flow through the area. The Conservation Commission is planning to have this reviewed by their engineer.

Ms. Cody asked what the value is to the town. Mr. Parlon stated that this was a community solar project and that residents can buy energy at a reduced cost. He added that there will be tax payments to the Town through a PILOT agreement (Payment In Lieu of Taxes). They are estimating that it will generate $50,000 to 75,000 per year for the Town.

Mr. Klebart noted that the site is developable under the Town’s by-laws. It was noted that a zoning amendment prohibiting large scale solar development in the Agricultural Single Family Residential districts which this site is located. However, the Applicant filed a Preliminary Subdivision Plan in advance of Town Meeting action which locks in the previous zoning. Attorney Reidy noted that residential development of the site would have greater negative impact to Town by adding more children to the school district and additional infrastructure which would have to be maintained. Mr. Becker stated that the area was zoned for residential development which is what is expected – not an industrially sized power generating facility.

Motion to continue the hearing to April 29th was made by Mr. Dostoler and seconded by Mr. Morin. Motion passed unanimously 5-0.

5. Old Business – Engineering Review / Update
   a. Dunkin' Donuts – two locations – 128 Main Street, 170 Thompson Road – Karlee Management is unavailable in April. This will be discussed in May.

6. New Business
   a. Town Meeting Warrant Articles – An article was submitted by Citizen’s Petition to the Annual Town Meeting, May 13, 2019 to include three abutting parcels at 0, 173, and 173R Thompson Road in the Recreational Marijuana Retail Sales Overlay District. The will be heard at the Planning Board hearing on April 29th.

7. Correspondence - Chairman Laframboise signed the letter of support for the recently updated Town of Webster Open Space & Recreation Plan.
   
   Mr. Dostoler asked for an update on the Kmart location, 30 Worcester Road, for marijuana sales. Ms. Morgan explained that the December town meeting was not adequately posted. This went to the Attorney General’s office and needs an act of legislature to approve. Applicants need to negotiate a host agreement and are encouraged to come to Planning Department for conversation first. The Planning Board will make a recommendation and the article will be voted on at next town meeting. A Citizen’s Petition was developed by David McCann. The Planning Board will hear this item on April 29th.

8. Staff Update - A larger location may be necessary for the Planning Board meeting on April 29th. Staff will try to secure the large meeting room in the Gladys E. Kelly Public Library. Mr. Laframboise provided an update of the work of the Memorial Beach Committee. Currently there is no master plan but they are in the process of compiling information, which they can bring before the Board of Selectmen. Main points
of interest are places to be run, a bandstand, boat launch and washing station, and improvements to the beach house. They are working with a group of WPI students to gather information and develop a concept.

9. Any items which may lawfully come before the Board - None.

10. Adjournment
Motion to adjourn made by Mr. Morin, seconded by Mr. Klebart. Motion passed unanimously, 5 - 0. The meeting was adjourned at 8:48 p.m.

Minutes Approved: [Signature]  Date: 4/29/19
Chairman Paul Laframboise

EXHIBITS
- Public Meeting 3A - Site Plan Review – 41 East Main Street – Webster First FCU (Applicant / Owner) – Construction of a new bank branch and associated site work. All materials associated with this application are on file in Planning Department.
- Public Hearing 4A - Solar Project - 0 Juniper Lane - Juniper Lane Solar, LLC - All materials associated with this application are on file in the office of the Town Clerk and the Planning Department.
- Public Hearing 4A - Solar Project – 0 Upper Gore Road – BWC Chamberlain Pond, LLC - All materials associated with this application are on file in the office of the Town Clerk and the Planning Department.
- New Business 6A – Town Meeting Warrant Articles and Citizen’s Petition – All materials associated with this application are on file in the office of the Town Clerk and the Planning Department.