

Town House

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TOWN OF HAMPDEN MASSACHUSETTS



Planning Board

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Phillip Schneider, Chair
Judge Robert Howarth
John Matthews
Edward Loiko
Richard R. Green

MINUTES OF THE HAMPDEN PLANNING BOARD

Regular Board Meeting
Wednesday, April 11, 2018

Approved 4/25/18

Board Members:

Judge Robert Howarth
John Matthews
Edward Loiko
Richard Green

Adm. Assistant: Joanne Fiore, Adm. Assistant

General:

Call to Order – Judge Howarth called the meeting to order at 6:36 PM and announced it will be recorded.

Mail

Bills – Payroll signed

Minutes – John Matthews made a motion to approve the February 21, 2018 Special Board Meeting. Richard Green seconded the motion. (Vote 3-0). Those in favor include Phillip Schneider, John Matthews and Richard Green.

- Ed Loiko made a motion to approve the February 28, 2018 Regular Board Meeting Minutes. Richard Green seconded the motion. (Vote 3-0). Those in favor include Phillip Schneider, John Matthews and Ed Loiko.

- Ed Loiko made a motion to approve the February 28, 2018 Public Hearing/Case 2018-A. Richard Green seconded the motion. (Vote 3-0). Those in favor include Phillip Schneider, John Matthews and Ed Loiko.

- Ed Loiko made a motion to approve the March 14, 2018 Regular Board Meeting Minutes. Richard Green seconded the motion. All in favor so approved (Vote 4-0).

- Ed Loiko made a motion to approve the March 14, 2018 Public Hearing Minutes/Case 2018-B. Richard Green seconded the motion. All in favor so approved (Vote 4-0).

1) Tall Pines – Discussion to Consider Acceptance of Road by the Town

Judge Howarth stated this item has been postponed at this time.

2) 308 Somers Road – Discussion Regarding Petition for Earth Removal, Section 7.8

Steven Carabetta did not show for discussion. Will be rescheduled.

3) 216 Allen Street – Discussion Regarding Proposed Addition to Church

Pastor Skip Gunn addressed the Board with a set of plans dated back to 2003 and wondered whether they could possibly be considered in the future. Richard Green stated he could go to the Building Inspector, however, Pastor Gunn indicated he sent him to the Board. Pastor Gunn indicated white house that exists on the property would go away. The plans reflect an expanded sanctuary and an extension off the recreation room. Richard Green asked if an ANR was ever done on this property. Pastor Gunn was not sure. The Board stated the following would need to be done: 1) ANR – Combine lots if they remove the house 2) Bylaws do not allow parking lots in front of the structure, so a Special Permit would be required for that and 3) If they proceed, new proposed plans would have to be submitted conforming to the zoning bylaws.

4) 227 Mill Road – Eversource – Discussion Regarding Interconnection of Solar Facility

Those Attending on behalf of Eversource: Jennifer Garner, Attorney for Eversource
Mark Kasinskas, Burns & McDonnell, Assisting Eversource
William Blanchard, Eversource, Project Manager
Mark Kimball, Eversource, Solar Project Manager

Judge Howarth stated this is just a discussion. No vote will be taken on this matter.

Atty. Garner gave some background on the application for a Special Permit earlier last year. The plans submitted with that application were dated May 22, 2017. The interconnection was noted, however, there was no detail regarding how the interconnection would actually be hooked up to the solar array. Eversource did not have details on that as they were working

with National Grid to actually facilitate that interconnection so they didn't have that information. The project was approved in June of last year. Construction commenced and the project is merely done except for landscaping and a couple minor issues. Eversource met with the Board in October 2017 about the interconnection but still did not have the details on what it was going to look like. It was agreed to come back when more details were available on the logistics of what that interconnection would look like. Atty. Garner stated they are here to explain what they are thinking in terms of a proposal and look for ways to move forward.

Mark Kasinskas addressed the Board to give an extension of the discussion from October 2017. A version of a plan discussed back in October. This plan indicates a total of 6 interconnection poles that were contemplated at that time and a point of interconnection to National Grid's distribution lines that run along Mill Road. Also, as part of that plan, the landscaping plan that had been approved as part of the special permit had been developed in conjunction with both the board and adjacent landowners with revisions in an attempt to better screen the then proposed poles. This is what was presented to the Board back in October of last year. Since October, additional information was received from National Grid and feedback received from the October Meeting, and they are here to get the board's feedback on a revised plan that has taken the line of poles parallel to Mill Road and rotated them approximately 90 degrees so they are more perpendicular to Mill Road, running parallel to the driveway that goes to a residence driveway south of Mill Road. These plans show a total of 5 poles on the property with an additional pole which needs to be installed in line with the system poles along Mill Road. This would be overhead wiring. The array, the panels, and the wiring connecting all the panels together were installed last year. The wiring is connected up to this point. The transformers and inverters are in place. The fence surrounding the array has been installed. The plants have not been installed yet due to the Fall/Winter season. The plan is to install the plantings soon this Spring. Final electrical testing needs to be done for the array. Final seeding for some areas still is needed. General site clean-up and the interconnection to the grid in some form still needs to be completed.

Richard Green asked where the beginning of the driveway is because there are power poles on the driveway now which bring power to the house now. Mark stated they would be parallel but offset. The poles as shown on the plan would be on the inside of the facility perimeter fence. There would be a separation distance between that existing service line down to the house and these poles within the fenced line as part of the planting plan. Richard's second question was concerning the country-lane type fence. Mark stated that is included on the plan, and the contractor is aware of it. It is either a three or four board barn-type fence.

John Matthews asked about the five poles that run parallel to the driveway. The 6th pole is on the street. Are they going up the pole with high voltage or are there transformers on the poles? William Blanchard explained the various pole (junction pole, switch pole, switch pole, primary metering pole, load break switch and the last pole will go underground with primary cables 13,800 volt the to the first transformer. 13.2 going up the pole. Mr. Blanchard stated 37 ½ foot poles will be used. John Mathews stated National Grid will come down Mill Road, and those poles are probably shorter; and they will probably have to put in new poles. William Blanchard cannot speak for National Grid but he believes so.

Richard Green asked where the new poles would be heading east on Mill Road. Mark Kasinskas stated the original feedback from National Grid did indicate heading west. Upon their final study, they came back with they wanted to go the other way.

John reiterated no transformers on Eversource poles they plan to set—just switch gear and metering. John Matthews asked if they would speak to the representatives for the proposed solar facility at 220 Mill Road to see how they plan to interconnect. John asked is there only one set of share poles. William Blanchard stated that's more the case—you cannot put two switches on one pole.

Atty. Mark Albano, representing Susan Alston and Thomas Millette, of 236 Mill Road provided a handout prepared by his clients which illustrates the situation. Atty. Albano went through and explained each page/views of his client's property before and after the solar array was constructed. Also included what was approved in June 2017 and the view from his client's property, etc. Atty. Albano stated it is his clients position that if the proposed poles which, were not included in the Special Permit, were reflected if the Board would have granted if they did see the poles. He feels the poles are not allowed according to the Zoning Bylaws. Atty. Albano refers to Section 2, Definitions, 2.118 – Solar Energy System. The important word there being appurtenances. He refers to Section 7.16 – Solar Energy Systems, ground-mounted solar energy systems shall be installed as close to the ground as practicable and shall not exceed (12) feet in height and designed and located to minimize adverse visual impacts on surrounding properties. He stated it would be more appropriate that this line of poles be placed further back to minimize its impact to his clients and passers-by on Mill Road. He stated it doesn't appear to be an engineering challenge since the line conduit is under-ground to begin with. His clients are not happy about this and request the Board exercise its discretion to require Eversource to use all means feasible to minimize the grotesque visual impact that these poles create. Atty. Albano has been working with Eversource's attorney to try to work on some feasible alternative to accommodate the competing interest.

Atty. Jennifer Garner addressed a few things Atty. Albano mentioned. The height of the poles issue is a National Grid issue with the voltage they are dealing with, they have to be a certain height. As far as Section 7.16, Eversource has worked very hard to do exactly that; to minimize the adverse visual impacts while balancing the other competing interest that Eversource has considered as a public utility that serves the residents of Massachusetts. Atty. Garner refers to the option of running the interconnection underground as opposed to the poles as presented. They did weight it as an option but decided it was not a good fit for this site for a number of reasons. One being it is more complicated construction process that delays the project by another 4-6 months. The existing utility infrastructure in the area is also above ground and so it is consistent with the look and feel of the area, and the character of the existing infrastructure. Eversource worked with the abutters and came up with a landscape plan that visually improves the area to the extent that they were able to do so. The incorporated feedback from a number of abutters in developing that plan. There was feedback with the poles running parallel to the street and Eversource changed the poles to run perpendicular to the street to reduce the impact to the abutters. Eversource's regular practice is to put the interconnections above ground.

Judge Howarth asked about the option of moving the poles further down the road. William Blanchard stated it sounds feasible but they need to look at the electrical situations for that option.

Mark Kasinskis stated their core intent was to get feedback from the board as to what is required to submit the plan.

John Matthews asked if switch gears are put over head for ease of access and safety. William Blanchard stated it is normal standard utility practice to put that equipment overhead. The linemen are used to operating that equipment. To do something unique requires different work practice or safety practice. Troubleshooting is easier overhead.

Atty. Albano stated the legal problem Eversource has is they built an expensive project on a parcel under a bylaw that is essentially a bylaw intended to address homeowner-type solar systems as an accessory use; and the bylaw is clear, these poles are appurtenances to the solar energy system. They cannot be more than 12 feet tall.

John Matthews stated photovoltaic facilities larger than 3,501 square feet of panels requires a Special Permit. Atty. Albano stated when the permit gets amended, that opens up the appeal period. John Matthews stated appealing to the Zoning Board of Appeals. Atty. Albano stated the principal argument is this is not an accessory use, the poles are larger than 12 feet, and the poles are not appurtenances to the solar energy system. John stated you also have a safety issue with the voltage being transmitted. Atty. Albano will continue discussions with the Eversource Team.

John Matthews asked before Eversource comes back they discuss with those proposing the solar facility to the east and find out what their interconnection plans are.

Daniel Perry of 5 Grist Mill Lane asked if Eversource has provided underground supplied facilities at other sites. William Blanchard said they have gone underground and it is safe but it may cost more money. Mr. Perry asked why not consider it if it is safe. Atty. Garner stated in the instances where they have gone underground, they were site specific. Charleen Perry also stated she moved here for the rural atmosphere. These poles take away from scenic views.

Richard Green asked why at two facilities Eversource went underground and the reasons. Atty. Garner said two sites: The first one is located in Springfield and they went underground because in that particular industrial park, the entire infrastructure is also underground (Smith and Wesson); and the other circumstance is in Southwick – the town required underground connection because of improvements they were making in the area. It was a more populated area that had a lot more public exposure, they were doing other infrastructure improvements. There was no above-ground infrastructure on that side of the street. And because of the improvements they were doing at the time, they asked them to go underground because of all the other improvements they were making, the existing overhead was being modified as part of a rotary construction project that was planned and began to come in long before Eversource went in. They specifically requested as that work was being done, in conjunction with that work to seize an opportunity to actually go underneath the road and they went further by requiring as part of this Special Permit that it be an underground interconnection.

Judge Howarth asked if there is anything that prevents them from going underground (i.e. gas lines, etc.) Mr. Blanchard stated the gas lines are not involved in this area.

Judge Howarth read letters from Joan Letendre, Susan & Claude Bisson, Dr. Andrea Stolar and Loel Tronsky opposing the Solar Facility/Poles (to be in file).

Atty. Garner asked if the Board views this as a material change that requires an Amendment if the poles were above ground. John Matthews stated the Board knew back in June 2017 an interconnect plan would be proposed. Based on experience, overhead was the desire way to go. John stated underground costs more, and it is very dangerous to go underground

Richard Green also stated that safety is a very important issue. When the plan was originally approved, the interconnection plan was not available.

Nicholas Alston of 90 Carmody Road spoke regarding the two underground lines; therefore, the manpower must be in place. Thomas Millette stated they met three times with Eversource and he stated they indicated no poles. Mr. Green clarified Mr. Millette on the circumstance he referenced about poles. Richard Green asked about the poles for the municipality—nothing to do with the poles for the interconnection.

Other Business

- Letter to Board of Selectmen regarding “Jack Breaks” on Wilbraham Road, Allen Street, East Longmeadow and Somers Road. Request a sign be installed to not use the engine break.
- Invoice from Turley Publications to be paid by the Town for the rezone of 16 Somers Road.
- 141 Allen Street – Discussion regarding zoning of property – either R4 or R6. John Matthews stated we need to find out the existing frontage and the setback. Need to clarify whether he needs a variance if he puts an addition to the front of the home.

Having no further business, Judge Howarth made a motion to adjourn. Edward Loiko seconded the motion. The meeting adjourned at 8 PM.

cc: Assessor’s Office	Moderator
Building Dept.	Selectmen
Conservation Commission	Zoning Board of Appeals
Highway Dept.	Office Files

Submitted by: Joanne Fiore, Adm. Assistant