

**Town House**

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Joanne Fiore, Adm. Assistant

**TOWN OF HAMPDEN  
MASSACHUSETTS****Planning Board**

625 Main Street  
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Tel: (413) 566-2151 Ext. 109

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

**Approved 6/13/18**

**HAMPDEN PLANNING BOARD  
PUBLIC HEARING MINUTES – CASE 2018-D  
220 Mill Road  
Wednesday, April 25, 2018  
Town House**

Phillip Schneider opened the Public Hearing at 6:04 PM and announced the hearing was being recorded. The presentation will be timed so the public can have equal time. This hearing was scheduled on the application of Park Avenue Solar Solutions of 102 Greenwich Avenue, Greenwich, CT, for a Special Permit under Section 7.16 of the Hampden Zoning Bylaws for a ground-mounted solar photovoltaic (PV) facility (+/- 1,500 kW-DC).

**Members Present:** Phillip Schneider, Robert Howarth, John Matthews, Edward Loiko and Richard Green.

**Introduction of Board Members:** Phillip Schneider introduced the Planning Board Members.

**Statement of Authority:** Phillip Schneider read the Statement of Authority.

**Legal Notice:** Phillip Schneider read the Legal Notice.

**Reports from Other Agencies:** The Tax Collector reported there are no outstanding taxes. Per Lori McCool of the Board of Health, there are no issues. The Historic Commission has no comment.

**Applicant's Presentation/Board Questions:** Steve Wiehe of Weston and Sampson Engineers, Inc. representing the applicant, Park Avenue Solar Solutions, LLC, and Alan Chain, also with Park Avenue Solar presented to the Board the Site Plan for a Solar Energy System at 220 Mill Road. Under contract with Altus is a lease option to build the solar facility on the Witkop property at 220 Mill Road (Parcel ID 6-5-0). The proposed project would occupy approximately 7 acres of land and consist of around 1,500 kilowatts (DC) of solar modules. Mr. Wiehe indicated no clearing is required. The setbacks either meet or exceed the minimum standards set forth in the town bylaws. Post-driven racking system. System size is +/- 1,500 (DC) or +/- 1,250 kW (AC).

Richard Green requested the continuation of the plantings and fencing planned for the 227 Mill Road for this project to give a continuous look on Mill Road and also provide a screening barrier for the protection of the public welfare. John Matthews requested that in addition to the arborvitaes, the fencing should be a split rail, white vinyl fence to give a country look. There will be a break in the screening and fencing between the two different projects. Richard Green discussed the interconnection. He brought up the fact even though the Board could give direction one-way regarding the interconnection above ground or underground, National Grid could refute that. Alana Chain stated she has no control over the utility. Eversource indicated as this is a small system, it does follow the interconnection standards set by the utility. Underground is nice if everything else is underground. However, the lines are above ground in Hampden. For a solar project of this size, it can't bear a lot of cost or it doesn't become viable. John Matthews discussed power generation versus the requirement for a new subdivision having utilities underground. Richard Green discussed a report entitled "Model Zoning for the Regulation of Solar Energy Systems" from the Department of Energy Resources. This document states you cannot zone solar out or make it so unreasonable that you cannot complete the project. When the two projects co-exist together, there will be a strong concentration of utility poles in a very small area. The vast majority of Hampden coming into the

community is overhead, however, we don't have a strong concentration of 15-20-30 telephone poles. This will create an industrial look and the Board should be trying to eliminate this look.

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Judge Howarth asked is it feasible to go underground or if they have done this in any other projects. Alana Chain stated there are towns in Massachusetts have written in their bylaws their preference is underground utilities. Eversource indicated larger projects can bear the cost of going underground. Judge Howarth asked if they have people trained to for underground utilities. Alana Chain explained the assessment of a site being considered for solar. The utility bases its costs on what is in the area. That's how they decide if the project is feasible. She is not entirely sure that those costs tied to the utility going underground would not kill the project.

Richard Green stated if the Board wants it underground—the decision falls with the utility. Usually larger projects make it cost-effective to go underground.

**Audience Questions/Comments:** Susan Alston of 236 Mill Road passed out a handout that reflects what the project looks like now, what it will look like when completed, along with various views from her home. She discussed the height of the utility poles, various underground larger solar facilities that have underground utilities, and the Zoning Bylaws. She requests of the Board to minimize the visual affects of the project going forward. She stated we cannot stop the solar, but we can insist the utilities go underground. The cost should not be the burden of the town.

Nick Alston of 90 Carmody Lane opposes the entire project due to the views from his home. He doesn't see what this brings to Hampden.

Jack Arute of Oak Knoll Drive stated we can set pre-requisites on anything that comes into our town whether it's arborvitaes, screening, etc.

Richard Green read from the MA General Law, a summation from the state-- while the language within Chapter 40A, Section 3, states that local governments may not prohibit these uses, it does say they cannot be unreasonably regulated without providing guidance. That is why we ask for the fence, plantings, country-meadow look, etc.

Nick Alston asked the duration of the lease? Alana Chain stated 30 years. He also asked about the Decommissioning Plan in the town bylaws. Park Avenue Solar Solutions, LLC has provided a Decommissioning Plan Summary with a Total Salvage value of \$185,700. He also asked about new technology and the viability of the project. Any change to the approved plan would have to be approved by the Board.

Charleen Perry of 5 Grist Mill Lane questioned the arborvitaes. She stated the deer will eat the trees and leave holes. Richard Green stated through the Zoning Enforcement Officer, this will be remedied. She also asked about putting the plantings on the earth berms to do this as natural as possible.

Dan Perry of 5 Grist Mill Lane stated they moved into town prior to the solar array. Now all open land will be a solar array, however, he asked if this will continue through Hampden? Phillip Schneider stated we cannot regulate that and it's up to the owner of the property as long as it conforms to the bylaws.

Bill Lipinski of 38 Grist Mill Lane discussed a few points regarding zoning – solar arrays in residential areas. The Zoning Bylaws control the size of the arrays. John Matthews explained the Solar Bylaw.

Susan Alston asked the Board about the 38 ½ ft. poles. She is asking how those get permitted. John Matthews stated the pole height is regulated by the NEC. They determine the height due to the voltage to ground.

John Matthews discussed the 12 ft for the solar panels themselves. The inverters and transformers go to high voltage which is transferred to the lines. The NEC sets the regulations. Any unused energy goes into the grid over a step pole. The 12 ft. does not apply to the utility poles. It is referring to the height of the solar modules.

The Board also received e-mails from the following residents opposing the utility poles:

Loel Tronsky, 298 Ames Road  
Dr. Andrea Stolar, 93 Allen Street  
Susan & Claude Bisson, 44 Allen Street  
Joan Letendre

**Decision:** Judge Howarth made a motion the connections be underground. Richard Green seconded the motion (Vote: 3-2). Those voting against the motion include Richard Green, John Matthews and Ed Loiko. Those voting in favor of the motion include Phillip Schneider and Judge Howarth.

Richard Green made a motion to continue the Public Hearing and allow the applicant time to find out whether it will be cost prohibitive for the project to continue if we require the connections be underground and also for the sight improvements in the front. Ed Loiko seconded the motion. All in favor so approved (5-0).

Both parties agreed to suspend the hearing and then resume the hearing at a future date.

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

Submitted by: Joanne Fiore, Adm. Assistant