

TOWN OF HAMPDEN  
MASSACHUSETTS

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Joseph Dolben  
Cornelius Flynn  
John Matthews  
Judge Robert Howarth  
James Quackenbush

**Approved June 26, 2013**

**HAMPDEN PLANNING BOARD  
PUBLIC HEARING MINUTES/SOLAR FACILITY AT 229 SOMERS ROAD – Soltas Holdings, LLC  
June 5, 2013  
Town House**

Mr. Flynn opened the Public Hearing at 7:07 PM.

The hearing was scheduled on the application of SOLTAS Holdings, LLC (“Soltas”) for a Special Permit under Sections 10.6 and 7.7 of the Hampden Zoning Bylaws for the installation and operation of no more than a 4 MW DC solar photovoltaic electric generating facility at approximately 229 Somers Road, Hampden, Massachusetts.

**Members Present:** Cornelius Flynn, Chairman; John Matthews, Joseph Dolben, Judge Robert Howarth and James Quackenbush.

**Statement of Authority:** Mr. Flynn read the Statement of Authority.

**Legal Notice:** The Legal Notice was ready by Mr. Flynn.

**Reports from Other Agencies:** The Tax Collector reported the account is current.

**Applicant’s Presentation/Board Questions:** Mr. Kirt Mayland, Director of Business Management for Soltas Energy, presented to the board his proposal for a solar facility at 229 Somers Road. He explained other developments they are currently working on in Athol and Franklin, Massachusetts. He indicated that they will lease (20 years) the Kibbe gravel pit on Somers Road, install solar 295 watt panels which will be held by a rack system. The racking system will be a ballasted system that is about 5 feet from the ground. The solar technology converts the sun’s rays to DC electricity.

Mr. Mark Ferrell of Green Hill Engineering discussed the topography of the land. He indicated that the solar facility will utilize 17 acres of the land – about 10,000 panels at 300 watts. He indicated they will be in compliance with the zoning setbacks. He indicated vegetation (trees) will be planted to obscure vision of the facility. The entire operation (solar modules, collection houses, and access lanes) will be fenced in order to provide for safety and security. There will be a 12-foot farm lane on the interior of the fence. All the lines from the panels will come out to a riser pole to meet with National Grid’s 45’ pole.

Mr. Mayland indicated that a decommissioning plan will be set up. There will be security gate and low-level lighting for emergency personnel (police/fire). They also need to meet with the DEP for a “401” Water Quality. Mr. Mayland indicated they would like approval with the condition they get the 401 to allow the installation of panels in the wetlands. They have met with the Conservation Commission, and they have no issues. Mr. Mayland indicated there is really no noise generated from the facility – maybe a little humming that could not be heard from the abutters. He also indicated that there are no lights except for the emergency lighting for the police/fire departments.

Mr. Flynn asked how long the project will last from start to finish. Mr. Mayland indicated that it will take National Grid about 3 to 6 months. Mr. Flynn also asked if they received a commitment from National Grid and Mr. Mayland indicated that it doesn't come to fruition until National Grid commits which could be about 10 months. Mr. Flynn also indicated that the board wants some vegetation (arborvitaes, etc) to obscure vision from the road, and Mr. Mayland indicated he would like their feedback on what the town wants to be planted.

Mr. Flynn asked about the existing businesses located at the gravel pit. Mr. Mayland indicated the sawmill will not be impacted. The gravel pit company and the logging company will no longer be there. Mr. Flynn also asked about the security of the facility and the safety issue. Mr. Mayland indicated that anything dangerous is not accessible--it is mostly a security issue. He indicated that panels get hot; however, they can't burn anyone. Mr. Mayland indicated that Soltas carries the insurance policy and a decommissioning bond is set up by the town. Mr. Mayland indicated the benefits of the facility to the town: 1) it generates revenue to a Hampden family by the 20-year lease of the land; 2) property taxes; 3) if the Town of Hampden hosts the project, the electricity can be sold at 14 cent per KW hour; 4) The town's electric bills decrease over (20) years which can result in the million dollar range of savings; 3) supply electricity to homes in Hampden; 4) Global benefits – provide renewable energy.

Mr. Quackenbush asked whether there would be vegetation under the panels, and Mr. Mayland indicated there will be. No chemicals used. The transformers are full of biodegradable oil. Mr. Quackenbush asked if they plan to export material. Mr. Mayland indicated they will export the ridge material (hill). He also asked about the heights of the system. Mr. Mayland indicated the ballasted system would be 5 feet. The maximum scale system would be 10 feet. They need to prep the land to find out which system to proceed with. They would like to go with the ballasted system. Mr. Dolben asked if the Planning Board received feedback from other departments. The clerk indicated no feedback was received.

Mr. Flynn asked if any of the homes on the hill have visibility of the solar farm. Mr. Mayland indicated that those homes on the hill are 500-600 feet away from the property line. Also, Mr. Flynn asked what happens 15 years from now when the Kibbe's no longer own the home that has visibility to the farm. Mr. Mayland indicated they have a landscape architect that will work with the town. Mr. Matthews indicated the grass is dead in front of the fields. Mr. Kibbe indicated it is herbicide. Meadowbrook Farm plants corn. Mr. Mayland indicated they haven't done anything yet to the land.

Mr. Matthews indicated the panels are an eye sore, and he would like to see at the minimum 8 – 10 foot trees planted (arborvitaes) close together to obscure the view and maintained to 12 feet. Mr. Mayland indicated this will be done. Mr. Matthews also indicated he want the first 20 feet of the driveway into the facility paved. Mr. Mayland agreed to this request, and he believes the first 30 feet are already paved. Mr. Matthews asked what's in a panel. Mr. Mayland indicated silicone, tempered glass, and steel. There is nothing hazardous. The panels have monetary value and a long life. Mr. Mayland indicated they will post bond with the town. They will work with the Board of Selectmen on this and the decommissioning plan.

**Audience Questions/Comments:**

Mr. Ronald Lavoie of 234 Somers Road asked if a policeman will be available for traffic. Mr. Mayland indicated there is not much traffic during construction. There will be 20-30 men and a couple trucks for delivery.

Mr. Scott Makuch of 15 Kibbe Lane asked if there is any health risks associated with the solar facility. Mr. Mayland indicated he doesn't know of any study that proves health danger. Mr. Mayland indicated that the electricity going through the solar panels is about the same as the electricity already generated. Mr. Makuch asked if the property value decreases. Mr. Mayland indicated there are not enough studies to indicate if solar facilities decrease value. Mr. Makuch asked if there would be a change in his electric bill. Mr. Mayland indicated it is all municipal or private.

Mr. Austin McKeon of 28 Potash Hill Lane asked many questions pertaining to taxes, the need for a zoning change, flooding from the gravel pit, the cliff face, Section 10 of the bylaws. All issues were discussed and addressed.

Selectman Villamaino indicated a payback of \$70,000 per year for 20 years.

Mr. Ted Zebert of the Hampden Conservation Commission indicated the Commission does not believe they need the 401, and the DEP is requesting this.

**Decision:** Mr. Matthews made a motion to approve the plan with the conditions as listed below for the installation and operation of no more than a 4 MW DC solar photovoltaic electric generating facility under Sections 10.6 and 7.7 of the Hampden Zoning Bylaws with the conditions indicated below. Judge Robert Howarth seconded the motion. All in favor so approved.

Conditions for Special Permit:

1. Solar facility is not to be visible from road and subject to approval by the Planning Board.
2. Vegetation (shrubs, arborvitaes) to be planted roadside to obscure visibility and provide year-around barricade. Vegetation to be planted must be 8 to 10 feet tall and maintained to 12 feet.
3. The first (20) feet of the entrance road to the solar facility are to be constructed of pavement or concrete.
4. Special permit contingent upon the approval of Decommissioning Plan.
5. If deemed required, a traffic officer is to be provided during installation of solar facility.
6. If deemed required, water bars will be installed to minimize water drainage onto road.
7. Special Permit contingent upon gravel closing plans as reflected in conditions of the gravel pit special permit referencing Section 7, Paragraph 7.8 of the Zoning Bylaws.
8. An (8) feet chain-link fence to be installed around solar facility.
9. Use of the isolated wetlands area contingent upon DEP 401 approval and notification of such approval forwarded to the Hampden Planning Board.
10. Special permit contingent upon approval of Operations and Maintenance Plan.
11. Payment in lieu of taxes to be negotiated between Soltas Holdings, LLC and the Hampden Board of Selectmen

Mr. Matthews made a motion to close the Public Hearing at 8:47 PM. Judge Robert Howarth seconded the motion. The vote was unanimous.

Submitted by: Joanne Fiore, Clerk