

TOWN OF HAMPDEN
MASSACHUSETTS

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John Matthews, Chair
Judge Robert Howarth
Phillip Schneider
Mark Casey
M. Paige Gore
Associate Member: Richard R. Green

**HAMPDEN PLANNING BOARD
PUBLIC HEARING MINUTES/LOT NORTH OF 39 STONY HILL ROAD
Wednesday, September 24, 2014
Town House**

Approved 12/10/14

Mr. Matthews opened the Public Hearing at 7 PM and alerted the applicant and audience the Hearing is being recorded by the HCC Buffer Committee Representative.

The Public Hearing was scheduled on the application of Stephan W. Andwood of 65 Ridgeway Road, Hampden, MA 01036, for a Special Permit as required under Sections 10.6 and 7.7 of the Hampden Zoning Bylaws to install a Solar Energy Facility on Lot 21-62-1, Lot North of 39 Stony Hill Road in Hampden.

Members Present: John Matthews, Chair; Judge Robert Howarth, Phillip Schneider, Mark Casey and M. Paige Gore.

Introduction of Board Members: Mr. Matthews introduced the Planning Board Members.

Statement of Authority: Mr. Mathews read the Statement of Authority.

Legal Notice: The Legal Notice was read by Mr. Matthews.

Reports from Other Agencies: The Tax Collector reported the account is current. The Board of Health Agent, Lori McCool, sent a letter dated September 9, 2014 to the Planning Board indicating the Board of Health has no issues with the property use or the property itself at this time.

Applicant's Presentation/Board Questions: Stephan Andwood presented to the board his proposal for a Solar Facility on Lot 21, the lot North of 39 Stony Hill Road, in Hampden. Mr. Andwood stated he plans to lease the property to Heliovaas. Mr. Joe Pellegrino of Heliovaas addressed the board with the proposed Site Plans for the Solar Facility. He explained the facility will generate enough power for 100 homes. He indicated that the power is sold to a third party at a discount, and they utilized the grid. He indicated the facility will not go near the wetlands, and there is a minimum 25 feet protection buffer. There will be shrubs screening the front where the access road is. The existing trees will remain. On the west side of the property (back side measuring 438.75 '), there will be a 20 ft. buffer. Mr. Matthews indicated there will need to be a gate and a 6-8 foot chain link fence surrounding the perimeter. He also indicated 6-8 foot arborvitaes need to be planted as screening to shield the view of the facility from the abutters and maintained at 8 feet. Mr. Pellegrino indicated that they will maintain the arborvitaes up to the 6-8 ft. fence as the shade affects the solar panels.

Audience Questions/Comments: Michael Shea of 24 Greenleaf Drive asked if there will be shearing on one-half of the trees. Mr. Pellegrino indicated no, they will just be trimmed. Mr. Shea asked how they will access the Solar Facility. Mr. Pellegrino indicated access will be from the front, Stony Hill Road. He stated they will cut the grass 4-5 times a year.

Patricia Stuart of 30 Greenleaf Drive asked how far from her property will the facility be. Mr. Pellegrino indicated 20 feet. She also asked if there will be trees surrounding the facility. Mr. Pellegrino indicated there will be shrubs and a chain-link fence with green panels. She also addressed her concern about if a tree from her property damages the solar panels who would be responsible. Mr. Pellegrino indicated it is handled like any other insurance claim. Insurance inspections will be performed.

Anthony and Pamela Rogers of 28 Stony Hill Road addressed the board with various issues concerning the affect on their artesian well, pollution to the ground, and electro-magnetic fields.
Public Hearing/Solar Facility/Lot North of 39 Stony Hill Rd.

Many residents asked how long the lease agreement will be, and Mr. Pellegrino indicated a 30 year plan. Judge Howarth stated the developer must put up a bond to the town prior to construction.

Bob Makuch questioned why we don't find out how the town will benefit before a decision is made on the Special Permit. He asked if Heliovaas will meet with the Board of Selectmen. Mr. Matthews stated they will meet with the Selectmen

Mr. Casey stated due to the fact there were many issues raised, that the hearing should be continued to the Board's November 19, 2014 meeting. Therefore, he made the motion to continue the hearing to November 19, 2014. M. Paige Gore seconded the motion. The motion was denied (3-2). Voting against the motion: John Matthews, Phillip Schneider, and Judge Robert Howarth. Voting in favor: Mark Casey and M. Paige Gore. Therefore, a vote will be taken at this hearing.

Mr. Matthews indicated his concern with the screening around the facility, and would like this as a condition to the Special Permit. Heliovaas will provide a revised plan reflecting the conditions discussed.

Decision: John Matthews made a motion to approve the Special Permit request for a Solar Energy Facility on the Lot North of 39 Stony Hill Road in Hampden with the below indicated conditions. Judge Howarth seconded the motion. The Planning Board voted 4-1 to approve the Special Permit. Those voting in favor: John Matthews, Chair; Judge Robert Howarth, Phillip Schneider, and M. Paige Gore. Voting against: Mark Casey

Conditions to Special Permit:

- 1) The Solar Energy Facility will be screened with a chain-link fence with slats to code at minimum height with arborvitaes to provide a site impervious screen maintained at no higher than 8 feet.
- 2) The Special Permit is subject to Conservation Commission approval.
- 3) The first 20 feet of driveway are to be constructed of pavement or concrete.

The Public Hearing was adjourned at 8:40 PM.

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

Submitted by: Joanne Fiore, Adm. Assistant