

Shutesbury Planning Board Meeting Minutes  
October 7, 2019 Shutesbury Town Hall

Planning Board members present: Deacon Bonnar/Chair, Jeff Lacy, Robert Raymond, Linda Rotondi, Jim Aaron, Michael DeChiara, and Steve Bressler

Staff present: Linda Avis Scott/Land Use Clerk

Guests: Jeff Macel/Lodestar, Joe Hamel/NextEra Energy and Celinda Ezzell.

At 7:05pm, Bonnar calls the meeting to order.

Public Comment: Celinda Ezzell asks what the town is doing relative to the climate crisis noting that she is interested in ride sharing and wonders if someone may be able to develop an app. DeChiara: the goal of Complete Streets, a State initiative, is to increase and improve how all modes of transportation work; the Planning Board will be considering a draft policy to forward to the Select Board. DeChiara continues: the State Municipal Vulnerability Preparedness program has funds for planning and/or infrastructure for climate adaptation. Raymond appreciates Ezzell for sharing her comments. Bonnar: perhaps Complete Street funds may be used to create an app; a shelter on Lot O32 could be established as a meeting place. Ezzell cites the needs of the more vulnerable members of the community as a climate adaptation concern. DeChiara cites the Palaces for the People book as a resource; the more connected people are, the more resilience there is. Lacy: the 30-acre large scale ground-mounted solar system generates the equivalent of all the power used in Shutesbury and reduces the use of fossil fuel for energy production; the battery storage component could benefit Shutesbury in the event of a power outage.

7:15pm Deliberate Special Permit Decision/LSDP12, LLC: Bonnar calls attention to the draft special permit decision for the addition of battery storage to the Wheelock Solar Project. Raymond and Aaron have signed affidavits indicating they listened to the audio recording of the 9.9.19 public hearing. Lacy reviews the draft special permit and the plans/documents included in the application packet. Lacy confirms with Jeff Macel/Lodestar and Joe Hamel/NextEra Energy that all of the equipment manufactured by NextEra Energy is certified by UL. It is noted that the UL document “Safety Issues for Lithium-Ion Batteries” is part of the application packet (see file). Hamel certifies for the record that all NextEra Energy equipment meets UL certification. Per Macel, the “Samsung SDI” document about the components of the containers goes with the NextEra Energy “Battery Energy Storage Systems and fire safety” document as part of the application packet (see file). Noting that the project is considered light industrial use, Lacy reads the special permit “Findings” into the record (see file). Per Lacy, the overall project (Wheelock Solar) met the criteria for site plan review, rural siting principles and special permit; system resiliency is a component of the existing project. Macel: as codified in MA regulations, General Condition #6 reinforces General Condition #3. Bressler suggests that #6 (the second #6 in the draft) be a subset of #3 and Macel concurs; the draft language is revised to combine the two conditions. Macel regarding General Condition #7: fire suppression and detection are explained in the “Shutesbury Energy Storage, LLC Fire Prevention and Response Plan” (see file). Macel: blast protection is of no real concern because a fire suppression system using fluorine gas is present; a blast could happen if water is used to try to control a fire. Macel continues: the units are self-contained so there is no potential for leakage; the containerized components will be on a

concrete pad and there is no battery acid; the fluorine will stop a thermal runaway, when the batteries could potentially melt, from happening. Macel confirms for Lacy that there will not be any liquid in the containers, that Fire Chief Walter Tibbetts understands the procedure, and that training is essential. Bonnar: Electrical Inspector Maurice Gregoire and Fire Chief Tibbetts were invited to attend this evening; he spoke with both Gregoire and Tibbetts who stated they have no additional concerns. Per Lacy, Special Condition #9 is based on the 9.18.19 letter from the Shutesbury Conservation Commission and guidance from Kevin Sullivan/Lodestar. Macel reports conferring with Sullivan about liming and fertilizing the site and, to the extent possible, reseeding this fall. Ezzell seeks assurance that the products used will not injure bees. Bonnar: as per the initial special permit, the use of herbicides and pesticides is prohibited. Macel, to Bonnar's question about the surety (Pre-Construction Condition #1): the initial surety was for the panels and racking; he expects the surety for the battery system can be covered within the original \$122,000 surety. Lacy asks Macel to consider increasing the surety by \$20,000. Macel: the bond would have to be increased. Hamel: it will not be an issue to increase the surety by \$20,000 bringing the total to \$142,000; as an added note, it is in our interest to abide by the surety therefore you should not be concerned. Bonnar: the language is not clear that the \$122,000 refers to the original project. Macel: Lodestar set up a bond for the surety and you want the surety accessible to the town; you can leave it in, however, it does not mean anything to Lodestar because we were not involved with the original special permit and cannot speak to the thought process. Hamel: NextEra Energy will be posting a bond in the name of the Town for \$142,000; we will fulfill the obligation. Macel requests language indicating that this bond can be combined with the bond for the solar project. The language for Pre-Construction Condition #1, specific to the battery storage component, is revised and read into the record by Lacy (see file). The language for "General Condition #5" reviewed and agreed upon as stated. Macel and Hamel agree to use the phone number on the access gate as the "applicant or posted contact on site entrance"; this number has a 24-hour response. Board members and applicants review the revised special permit language. Lacy to Macel's question about "General Condition #9": Sullivan's guidance is to have the soil tested and, if needed, limed this fall. Macel agrees to this recommendation. Bressler appreciates Lacy's work on the special permit language. Bressler moves the Planning Board approve the special permit, as amended during the meeting; Raymond seconds the motion. DeChiara abstains and all other members vote yes and the motion carries.

DeChiara moves and Lacy seconds a motion to approve the 9.9.19 meeting minutes; Raymond and Aaron, not present on 9.9.19, abstain; all other members vote to approve the 9.9.19 minutes as presented and the motion carries.

MassDOT Complete Streets DeChiara reviews his draft "Complete Streets Policy for the Town of Shutesbury" and amendments are made. Lacy: there are places, i.e. near Lake Wyola and West Pelham Road to the town center, where Complete Streets may be applicable. Bressler: Complete Streets will be applicable where there is context for Shutesbury. DeChiara: the Town would apply the Complete Streets policy where it is relevant; applying opens up a revenue stream without a high level of commitment. DeChiara to Aaron's question: the Shutesbury Highway Department might think about how Chapter 90 projects might have a Complete Streets component. DeChiara continues: the policy is sensitive to Shutesbury and is multimodal. Raymond: perhaps the grant could be used to direct water flow (stormwater runoff) on Baker Road. DeChiara observes that erosion decreases walkability. Lacy moves that the "Complete

Streets Policy for the Town of Shutesbury”, as amended, be advanced to the Select Board. Raymond seconds the motion that passes unanimously.

Mass Vulnerability Preparedness (MVP) Grant: Per DeChiara, 71% of MA cities and towns are currently enrolled in the MVP program; a new grant round has just been announced; part of the process to be verified as a MVP community includes hiring a MVP program consultant to facilitate two half-day workshops to consider what our challenges are and what we need to do to prepare for climate change. DeChiara continues: the formal application, including a letter of support from the Planning Board, comes from the Select Board. Noting that the application due date is 1.15.20, the Board plans to further discuss the MVP grant program during the 11.18.19 meeting. To Aaron’s question, DeChiara explains that natural, nature-based solutions are encouraged. Board members support DeChiara’s willingness to let the Select Board know the Planning Board is considering an MVP grant application.

Possible 2020 Zoning Amendments: This topic will be considered during the 11.18.19 Planning Board meeting. Per Scott, the 21-day posting period has elapsed and the Town Clerk has submitted the “Certificate of Compliance” to the Attorney General’s office indicating that no claims were made.

Planning Board Roles: DeChiara states his willingness to be the Planning Board representative to the Community Preservation Committee. Raymond moves and Lacy seconds a motion for DeChiara to be the Planning Board representative to the Community Preservation Committee; the motion passes unanimously.

FRCOG Drone Service: This topic is carried over to a future meeting.

Concern Regarding Cell Tower: The concerned individual is not present.

Web Page: This topic is carried over to a future meeting.

At 9:09pm, DeChiara moves and Lacy seconds a motion to adjourn the meeting; the motion passes unanimously.

Documents and Other Items Used at the Meeting:

1. Draft Special Permit for “Addition of battery storage to Wheelock Solar Project”
2. “Review of Public Hearing Evidence Affidavit” from James Aaron and Robert Raymond for the 9.9.19 LSDP12, LLC special permit application
3. 9.18.19 letter from the Shutesbury Conservation Commission
4. October 2019 draft “Complete Streets Policy for the Town of Shutesbury”, MassDOT “Introduction: Complete Streets are for Everyone” and “Chapter 3: Complete Streets Policy Guidance and Scoring System”
5. 9.2.19 *Daily Hampshire Gazette* article “Hilltowns getting State hand to deal with climate change” by Fran Ryan
6. 9.7.19 “5G Space Appeal – News, Needs, and Plans for Delivery”, 9.26.19 “Cell Tower”, and 9.29.19 “Objection to Cell Tower Installation” emails from Mary Lou Conca.

Respectfully submitted,  
Linda Avis Scott/Land Use Clerk