

Zoning Board of Appeals Meeting Minutes
May 30, 2018 Shutesbury Town Hall

Zoning Board of Appeals members present: Chuck DiMare/Chair, Tom Williams and Jeff Lacy
Zoning Board of Appeals alternate absent: Andrew Berg
Staff present: Linda Avis Scott/Land Use Clerk

Guests: Mary Jo Maffei and Jeff Quackenbush/533 West Pelham Road; Carlo Maloni/All Energy Solar; Eduardo and Susan Reyes/441-443 Wendell Road

DiMare calls the meeting to order at 7:00pm.

Lacy moves and Williams seconds a motion to approve the 5.21.18 ZBA meeting minutes as presented; motion passes unanimously.

Continue Public Hearing for Case 18.002: 533 West Pelham Road

Lacy moves and Williams seconds a motion to close the public hearing for Case 18.002 and begin deliberation; motion passes unanimously. The draft Special Permit decision is reviewed by the Board. Williams moves the ZBA approve the Special Permit decision as presented; Lacy seconds the motion. Maffei: approval from the Board of Health has been received via email (see file). Lacy: the Planning Board will consider the question regarding the driveway spur during their 6.11.18 meeting. Maffei: the spur does not seem to be a travel portion of the driveway. DiMare: a driveway could have an untraveled portion; recommends the owners consult with the Planning Board. Discussion is concluded. The Special Permit decision for Case 18.002 is unanimously approved. DiMare signs the document that will be submitted to the Town Clerk 5.31.18. The twenty day appeal period is explained to the applicants.

Case 18.003: Site Plan Review 441-443 Wendell Road

DiMare, Williams and Berg observed the proposed ground-mount solar array site on 5.26.18; Lacy conducted a drive-by inspection. Per DiMare, the Site Plan Review (SPR) application was formally received on 5.24.18 and appears to be in conformance with the draft SPR application reviewed by the ZBA on 5.21.18. Carlo Maloni/All Energy Solar: the proposed project seems to meet the applicable review criteria; sees no reason the project should not be allowed as per page 54 of the *Shutesbury Zoning Bylaw* (Site Plan Review Criteria). Maloni responds to Williams' question about the number of trees on this site as compared to similar project sites: the solar exposure rating has to be at least 70%. Susan Reyes: there are about a dozen trees around the array site that still need to be cut; these trees are 15-20 years old and ~10" in diameter; All Energy Solar provided guidance on the trees to be cut. Maloni confirms for Williams that the panels will be 20" off the ground in the front and 132" tall. S. Reyes confirms that the house contains two living spaces; their nearby abutter, Stephen Sullivan, has no concerns about the project. Per Scott, the Conservation Commission conducted a site visit and, as there were no wetland concerns, signed off on the building permit application; per Catherine Hilton/Board of Health, they have no concerns. DiMare suggests the ZBA conduct a non-binding discussion about the application. DiMare: sufficient information has been received to indicate the proposed project meets Section 9.1-1 (Submission Requirements); suggests a condition to ensure the project is built as per the Bylaw guidelines. The Board reviews Section 9.1-2, Review Criteria A-

L. DiMare: the location of the project is unobtrusive to neighboring properties and public roadways. S. Reyes confirms for Lacy that clearing will be done right around the array site. The Board has no concerns about Section 9.1-2. and reviews Section 9.1-3 (Review Procedure). Williams asks if any ground preparation is needed. Maloni: the area around the array will remain grassy. S. Reyes states she may install some shade plants and/or plant a shade mix. Williams notes that there will be rainwater runoff from the arrays, however, the site is fairly flat. Lacy: the SPR decision will reference the plans included in the application. Williams moves the ZBA assign drafting the decision to Lacy; the motion is seconded by Lacy and passed unanimously. The Board will review and discuss the SPR decision on 6.19.18 at 7:00pm.

There being no requests for education and guidance or old/new business, at 7:43pm, Williams moves and Lacy seconds a motion to adjourn the meeting; the motion passes unanimously.

Respectfully submitted,
Linda Avis Scott
Land Use Clerk