

Shutesbury Zoning Board of Appeals Meeting Minutes
May 16, 2019 Shutesbury Town Hall

Zoning Board members present: Chuck DiMare/Chair, Tom Williams and Jeff Lacy

Zoning Board alternate present: Andy Berg

Staff present: Linda Avis Scott/Land Use Clerk

Guests: Susan Gomberg, Tom Kelley/Northeast Solar, Jacqueline Strauss, Jeanine Haendiges/PV Squared, and Louise Reardon/Valley Solar

DiMare calls the meeting to order at 7:30pm.

DiMare moves the Board celebrate and recognize David Dann for his service to the Town and, especially, the Zoning Board of Appeals. The motion is seconded by Lacy and passed unanimously.

Williams moves and Lacy seconds a motion to approve the 5.2.19 meeting minutes as presented; motion passes unanimously.

Case 19.001 Site Plan Review 114 West Pelham Road/Gomberg:

Tom Kelley/Northeast Solar to Williams' request for clarification: the proposed array's peak power DC is 8.64kW; peak power is relative to the inverter so the maximum AC power is 7.6kW. Williams moves the ZBA decide the site plan review decision for Case 19.001 as prepared by Lacy; the motion is seconded by Lacy; the motion and decision are unanimously approved. The appeal period is explained to the applicant; the decision will be delivered to the Town Clerk 5.17.19.

Case 19.003 Site Plan Review 50 Old Egypt Road/Strauss:

The members of the Board have no further questions on this case. Williams moves the ZBA decide on the site plan review decision as prepared by Lacy; the motion is seconded by Lacy; the motion and decision are unanimously approved. The appeal period is explained to the applicant; the decision will be delivered to the Town Clerk 5.17.19.

Case 19.002 Site Plan Review 71 Locks Pond Road/Fontaine:

Louise Reardon/Valley Solar, applicant for property owner Jeremy Fontaine who is unable to be present, explains this is a re-application for a 12.48kW/DC (10kW/AC) 32 panel ground mount solar array. DiMare inspected the site, Williams and Berg viewed the site from the road and Lacy reports being familiar with the site. Per Reardon, the initial plan was withdrawn because the on-site inspection resulted in concern about the presence of boulders and a change to the anchoring system; helical screws, designed by Sunmodo, will be used. Reardon: the trench will run from the paddock, site of the array, to the house and all setback requirements are met as the closest point of approach is 93'. Per the project narrative, the array will not be visible to abutting properties; there will be partial visibility from the road though the split rail fence will provide a visual break. Lacy affirms that siting is the purview of the ZBA. Reardon to Berg's inquiry: there is a slight drop off in grade to the east end of the site where the maximum height of the array will be 10'8"; on the slightly higher west side, the maximum height will be 13'2" above

grade; from the road, the array will look like mirrors in the field and the height will be comparable to that of an accessory structure. Per Reardon, the length of the array is 55'2"; if a portion of the field is used for livestock, Valley Solar recommends the array be fenced off. It is noted that this is a large system and will meet the electricity needs of the single family home, accessory apartment and barn and, potentially, an electric vehicle. Williams and Lacy observe that the proposed site is a good open location and no tree removal will be needed. All Board members agree with the plan for Lacy to draft a decision; this decision will be considered during the 6.3.19 meeting.

Old Business:

Williams explains to Lacy (not present for the 5.2.19 discussion) that the "Opinion regarding interpretation of language in the Zoning Bylaw of Shutesbury Section 8.9 (8.10), Ground-Mounted Solar Electric Installation", was determined to be good and could be used to base a decision on. Williams reads "The Interpretation" section of the document into the record (see attached) and suggests it could be a proposed bylaw amendment and a condition required for qualification. Berg suggests the document be added to the ZBA webpage as a clarification of what is necessary for a ground-mount solar array site plan review application. DiMare suggests the question about production/use be added to the site plan review application. Williams supports DiMare's suggestion. Lacy agrees to revise the site plan review application. Williams concludes that by revising the application, an amendment to the bylaw will not be necessary. The Board plans to vote on Williams' decision and consider Lacy's revision during the 6.3.19 meeting.

At 8:16pm, Lacy moves and Williams seconds a motion to adjourn the meeting; the motion passes unanimously.

Respectfully submitted,
Linda Avis Scott
Land Use Clerk