

# Town Of Sandwich

THE OLDEST TOWN ON CAPE COD



## PLANNING BOARD

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### MINUTES April 2, 2013

**FINAL COPY**

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TOWN OF SANDWICH

APR 25 2013

12 H 00 M P M  
RECEIVED & RECORDED

7:04pm  
Meeting Room  
Town Office Building,  
16 Jan Sebastian Drive

**Present:** Sarah Regan, Chair, John Campanale, Vice Chair, Stanley Torrey, Joseph Vaudo, and William Burbank,  
Town Planner Nathan Jones and Assistant Town Engineer Sam Jensen  
**Absent:** Henry Rakov

#### Approval of Minutes

Mr. Torrey motioned to accept the minutes of March 19, 2013 as written. Mr. Campanale seconded. The vote was unanimous.

#### Public Hearing

##### Greenwood Meadows Special Permit

##### Large Scale Ground Mounted Solar Photovoltaic Installation

##### Snake Pond Realty

Ms. Regan read the Public Hearing Notice into the record. She also read the following comment letters into the record:

- Zoning Board of Appeals, Harold Mitchell, Chair, letter dated March 27, 2013
- Engineering Department, Sam Jensen, P.E., Asst. Town Engineer, letter dated April 1, 2013
- Sandwich Water District, Jeff Rose, Asst. Superintendent, letter dated March 20, 2013
- Sandwich Conservation Commission, David DeConto, Asst. Director of Natural Resources, letter dated March 1, 2013

Atty. Jon Fitch introduced the following members of the project team to the Board as follows: Gary Hogg, Ethos Energy, Consultant, Rich Tabyzinski, Atlantic Design Engineers, LLC, Brian Madden, LEC Environmental Consultants, Inc., and Bill Yetman, Howland Development Corp., applicant. Each has a presentation for the Board.

Atty. Fitch reviewed the project for the Board as a 34.06 acre parcel divided into two sections: One 16.5acre parcel for the solar array and one 17.5 parcel for open space. This project will have a minimal impact on the residents in the area – it is probably a football field away from the nearest abutter. He acknowledged that it is still necessary to appear before the Board of Appeals for a revision of the Comprehensive Permit as 40 of the 72 houses will be erased.

Mr. Madden addressed the environmental aspect of the project. There are box turtles, a rare butterfly and several rare moths on the property. The fencing has been raised to allow for the turtles to move around the property. The solar panes are also elevated. The interior of the property will be revegetated to resemble a field; plants will attract the rare moths and butterfly. Long term habitat management has been planned.

Mr. Tabyzinski reviewed for the Board the site plan (sheet #3). He explained how the solar panels will be set up on 315 south-facing racking blocks of 44 panels each set at a 25 degree angle. There will be a 12' gravel road surrounding the site. There are seven inverters and 1 transformer that tie to the electric cabinet. He went over sheets 3, 4, and 5 covering siting of the panels, setbacks, storm water management.

Atty. Fitch told the Board that the standard for coming to decision is that the project does not create a nuisance, hazard, or noise. Since this solar array runs by itself, there is no traffic impact; there is also no wastewater, no noise, and no congestion. There will be a meeting on site with the Fire Department to discuss the emergency safety plan including a Knox Box and lighting. He would be happy to have this as part of the conditioning before operations begin. The Cape Cod Commission could not find any detriments to the proposed project.

Mr. Hogg stated that he had stayed in close communication with the base throughout the planning process. Height restrictions and reflectivity standards have been met. The final approval for the interconnection with NStar is being completed.

Mr. Yetman recapped the process for arriving at the meeting tonight. It has been a long process; he said that there was a 60 page agreement that needed to be approved in order for the Town to purchase the electricity produced, meetings at the Cape Cod Commission, and other requirements to be met prior to coming before the Planning Board. His company hopes to sell all the electricity produced from the 3.5 megawatt solar array to the Town to support the school system at a cost of 83% of what



the Town is paying NStar. Over 10 years there should be a savings of about \$14 million. There are options in place to continue this arrangement at the end of 10 years.

Mr. Fitch concluded the presentation by telling the Board that there were several things left to address:

- Memo from Engineering
- Lighting question – CCC did not want any lighting, but the SFD wants lighting for emergencies – this needs to be reconciled
- Maintenance plan for the gravel road will be put together

Ms. Regan read the comment letter from the Zoning Board of Appeals. The concern is accessing a business using through a 40B development. Mr. Fitch said that when Howland Development goes before the Board for a needed modification to the 40B Comprehensive Permit, the right to use the road to access the solar farm can be incorporated. He also pointed out that there would be other changes requested to the comprehensive permit.

Mr. Burbank noted a height discrepancy on the plans; he was assured this would be taken care of in the plan revision. He also asked about what the plan for maintaining the grasses under the panels would be. Mr. Madden responded that there would be a seed mix that is shade tolerant and slow growing. Wherever it was an option, weed-wacking would apply. He will provide visual on sheets 10 and 11 showing the buffer between the 6' perimeter and the house lots. He will show vegetation before the leaves come out. He said that the lighting should be on the inside of the fence for safety and security. Mr. Tabyzinski noted that the lighting shown on the plans was part of the original submission. Mr. Vaudo wanted to verify that there would be a condition for the road. Mr. Sam Jensen wanted to make sure that the road would be 18' wide with a bump out. He was assured that the engineering comments would be addressed and incorporated in the plan revisions.

Ms. Regan opened the meeting for public comment. Nicole Mantopolous, 3 Belmont Avenue, asked what the anticipated timetable would be from ground to completion. Mr. Yetman told her it should be a four month process. Ms. Regan asked what might prevent being able to keep to the timetable. Mr. Yetman said that given the time of the year, not much would interfere with completion of the project. He also assured the Board that the turtles would be protected. Mr. Harold Mitchell, Chair, Zoning Board of Appeals, said that the ZBA did not approve what is being called for in the changes to the house lots. Atty. Fitch recognized that and said that they would be appearing before the Board to request the changes. He also said that any reference to rentals would be struck from the application.

It was noted that there would not be a quorum for the meeting of April 16<sup>th</sup>. Mr. Vaudo, therefore, motioned to continue the public hearing for Greenwood Meadows to April 23, 2013 at 7:00 pm. Mr. Campanale seconded. The vote was unanimous.

#### **Board Discussion**

##### **14 Tupper Avenue**

##### **SP Permit #13-04**

##### **Grier**

There was no comment from the Planning Board.

#### **Zoning Articles**

Ms. Regan asked Mr. Jones he has heard anything back on the zoning articles. Mr. Jones responded that he has had one or two meetings with businesses along 6A. The general sense is support for the proposed changes.

Mr. Vaudo moved the Board adjourn. Mr. Campanale seconded. The meeting adjourned at 8:40pm.

Respectfully submitted,

Marilyn K. Bassett