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BOARD OF APPEALS RECEIVED & RECORDED
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**March 8, 2016
Minutes**

FINAL COPY

**7:00pm
Upper Meeting Room
270 Quaker Meetinghouse Road**

Present: James Killion, Chair, Robert Jensen, Vice Chair, Christopher Neeven, Erik VanBuskirk, and David Schrader

Also Present: Josh Peters, Asst. Town Planner and Paul Spiro, Building Inspector

Approval of Minutes

Mr. Jensen moved to accept the minutes of the meeting held February 23, 2016. Mr. Schrader seconded. The vote was unanimous.

Minor Modification to #10-06

14B Jan Sebastian Drive

Cape Cod Biofuel

Mr. Killion read the following comment letters into record:

- David B. Mason, Board of Health letter dated March 4, 2016
- Timothy J. McNamara, McNamara & Yates, P.C. letter dated March 4, 2016

Atty. Timothy McNamara was present as well as Mr. Andrew Davison and Mr. James Chase, owners of Cape Cod Biofuel. Atty. McNamara spoke about the letter he sent to the Board of Appeals regarding the Minor Modification to Special Permit 10-06. He feels that there was a miscommunication in the original Special Permit and would like the term "double walled" tanker to be removed as this type of tanker doesn't exist. Instead, Cape Cod Biofuel would use either double walled totes or a tanker truck to contain the methanol. Mr. Davison and Mr. Chase have agreed that the tanker truck will be the proper means of storage at their facility. The tanker truck will not exceed 7,100 gallons of methanol.

Mr. Killion says that the Board of Health is primarily concerned with the location of the storage tanks in a water protected area. Mr. Davison said he received input from the Board of Health at a prior Selectmen's meeting. Mr. Spiro also added that the Building Department would enforce anything that falls under section 5000 of the town bylaws

Mr. Killion opened the meeting for public comment. There was none.

Mr. Jensen moved that the public hearing for the Minor Modification to Special Permit 10-06 be closed. Mr. Schrader seconded. The vote was unanimous.



Deliberation:

Special Permit #16-01

145 Route 130

The Board reviewed and discussed Special Permit #16-01. The Board voted unanimously to approve the Special Permit. The decisions, findings and conditions are on file in the Planning and Development office.

Deliberation

Minor Modification Special Permit #10-06

14B Jan Sebastian Drive

The Board reviewed and discussed the Minor Modifications to Special Permit #10-06. The Board voted unanimously to approve the Minor Modifications. The decisions, findings and conditions are on file in the Planning and Development office.

Board Discussion

Mr. Killion opened the discussion regarding NRG. There were no comments regarding the changes to the electrical plant on Freezer Road. There was a brief discussion of the solar site also located on Freezer Road. Mr. Spiro commented that NRG is currently going through the State for exemptions. He also said the solar farm is by right use because of the overlay district that was established there in November of 2015.

Mr. Jensen will not be at the next meeting on March 22, 2016 and Mr. VanBuskirk will not be at the meeting on April 26, 2016.

Respectfully Submitted,

Laura C. Watts