

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JANUARY 12, 2016**

Ms. Gibson-Quigley called the regular meeting of the Planning Board to order at 6:30 PM.

Ms. Gibson-Quigley noted the members present.

Present: Charles Blanchard
Russell Chamberland
James Cunniff
Heather Hart
Sandra Gibson-Quigley, Chair
Susan Waters, Clerk

Also Present: Jean M. Bubon, Town Planner
Diane M. Trapasso, Administrative Assistant

Absent: Penny Dumas

Ms. Gibson-Quigley opened the meeting and read the agenda.

APPROVAL OF MINUTES

Motion: Made by Mr. Blanchard to approve the draft minutes of December 15, 2015.
2nd: Mr. Cunniff
Discussion: None
Vote: 6 – 0

**BLUEWAVE – REQUESTING AN EXTENSION OF THE SITE PLAN
APPROVAL PERMIT FOR THE HARE ROAD SOLAR PV PROJECT**

Materials presented:

Letter from BlueWave – dated 1/6/2016 – Re: Requesting an extension of time for completion

Mr. Graber-Lopez of BlueWave Capital, LLC spoke. He stated that we would like to update the Board on the steps that have been taken under the extension initially granted for the project and to also request a new extension be granted to allow sufficient time to complete the project.

He noted that the Board granted BlueWave an extension of Site Plan Approval for the project on September 9, 2015 conditional upon construction beginning November 30, 2015. While equipment was not delivered or installed before November 30th, significant construction progress was made on site prior to that date. Their partner SunEdison applied for building permits, held pre-construction meetings with staff, identified staging areas, and

marked areas of clearing in the field prior to that date. For this reason, the necessary components of construction began before November 30th, keeping the project in compliance with the extension. Specific issues related to entitlements and financing arose however, impacting the schedule.

More specially, the project has undergone lengthy review processes by two governmental agencies, which have caused significant delays to the development process. The project required a review by the Army Corps of Engineers due to the proposed access road, which would connect the two areas of array construction and cross some small streams. The Army Corps ruled that the stream crossing construction work could only be completed during the summer months of June, July and August. In the meantime, the project was required to be reviewed by the United States Fish and Wildlife Service regarding the Northern Long Eared Bat, since this species was recently listed as federally threatened. There is critical winter habitat for the bat species about one mile from the project, but was ultimately deemed to be not affected by solar array construction. By the time Fish and Wildlife issued this determination, it was too late to begin the stream crossing construction, per the Army Corps. BlueWave has since discovered an engineering solution to avoid the stream crossings, which should allow construction to begin promptly in the spring.

Mr. Graber-Lopez also stated that additionally the investor for the project, SunEdison, recently determined that they were no longer able to provide financing. They have since entered into negotiations with another investor to finance the project over the long term ownership of the project upon commissioning. He is hopeful that they will reach a financing agreement for the project in the coming days and will then be able to disclose our financing partner's identity.

He is hopeful they will be able to start construction soon after the proposed Town PPA amendment is approved resulting in significant savings to the Town on an annual basis.

The Board had the following concerns, questions and comments:

- When do you plan to start – Mr. Graber-Lopez stated that the plan to start construction is in April
- This project has been going on for so long, why??? – Mr Graber-Lopez stated that all for the reasons I stated before – we seem to be on the right track now

Motion: Made by Mr. Chamberland to grant an extension of time of the Site Plan Approval Permit for BlueWave for the Hare Road Solar PV Project to November 15, 2016.

2nd: Mr. Blanchard

Discussion: None

Vote: 6 – 0

CONTINUED REVIEW AND DISCUSSION OF PROPOSED AMENDMENTS TO THE ZONING BYLAW AND MAP AS RELATED TO THE COMMERCIAL TOURIST DISTRICT AND ANY RELATED ITEMS

Ms. Bubon stated that the final edits were made at the December 1st meeting of the Planning Board for the proposed bylaw amendments to the Commercial Tourist District. She stated that the map shows that 380, 478 and 472 Main Street are partially in the SR District and would like to change all to be in Commercial Tourist District.

Ms. Bubon recommends that the Board vote to be the petitioner to start the process for the public hearing for the proposed amendments for the Zoning Bylaw and map for the Commercial Tourist District and the Wireless Telecommunication Overlay District Bylaw, Chapter 12.

Motion: Made by Mr. Blanchard to be the petitioner to start the public hearing process for the amendment to the zoning map to change to the zoning of 380, 478 and 472 Main Street from part Commercial Tourist District and Suburban Residential to all Commercial Tourist District.

2nd: Mr. Chamberland

Discussion: None

Vote: 6 - 0

Motion: Made by Mr. Blanchard to be the petitioner to start the public hearing process for Chapters 2, 8 and 19 for the proposed zoning amendments for the Commercial Tourist District.

2nd: Ms. Waters

Discussion: None

Vote: 6 – 0

Motion: Made by Mr. Chamberland to be the petitioner to start the public hearing for the proposed amendments to the Wireless Telecommunication Overlay District Bylaw, Chapter 12.

2nd: Mr. Blanchard

Discussion: None

Vote: 6 - 0

TOWN PLANNER UPDATE

Borrego Solar – requests a modification of Condition #21 which states “Prior to energization or final appropriate training for emergency personnel of the Town, training to be arranged through the Police Chief and Fire Chief and the details of such training shall be provided to the Planning Department in advance of the training.” Ms. Bubon has conducted the final inspection and the applicant has completed the punch list items noted. However, the training has not been completed. Both the Fire Chief and Police Chief are agreeable to delaying this until it gets closer to energization which will be in the Spring. Ms. Bubon stated that she is asking the Board to defer to the Police and Fire Chiefs with regard to the training schedule and allow Ms. Bubon to sign off on the final inspection so that a Certificate of Occupancy may be issued for the project.

Motion: Made by Mr. Chamberland modify Condition #21 of Site Plan Approval to defer to the Police and Fire Chiefs with regard to the training schedule for this project and

allow Ms. Bubon to sign off on the final inspection so that a Certificate of Occupancy may be issued.

2nd: Mr. Blanchard

Discussion: Mr. Chamberland stated that there are stumps and trees at the entrance that need to be cleaned up. Ms. Bubon stated that she requested the clean up to the applicant but they stated it was out of their control and it was Mr. Galonek's responsibility to clean it up. Ms. Bubon noted that she will contact Mr. Galonek regarding this issue.

Vote: 6 – 0

Correspondence from the BOS and Mr. Morse regarding the proposed resurfacing and related work on Route 20 – meeting was cancelled due to weather

DLTA application submitted to CMRPC for Multiple Dwelling Project and OSRD Bylaw updates – new procedure - had to be signed by BOS instead of the Planning Board

Construction update – Jay Patel – 21 New Boston Road – started site work – all the earth needs to be removed – unstable – new soil will be brought in and compacted

Heal, Inc. – medical marijuana facility requesting a letter of no opposition from the BOS – zoned appropriately – 660 Main Street

Steve Koi – 69 Main Street – opening 1/13/2016 – Dollar Store

OLD/NEW BUSINESS

None

NEXT MEETING

January 26, 2015 may be cancelled

February 9, 2016

On a motion made by Mr. Chamberland, and seconded by Mr. Cunniff, and voted 6 – 0, the meeting adjourned at 7:20 PM.