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PLANNING BOARD

8-9-16

IN ATTENDANCE, TOM H, BOB D , MARK S , BOB T.

PUBLIC HEARING FOR CONSTRUCTION OF A 650KW GROUND MOUNT SOLAR ARRAY BY WH BENNET INC. ON THE LAND OF TRACY REVOCABLE TRUST

MARK S OPENS THE MEETING

TOM H , SPEAKS TO THE CROWD, I SPOKE TO THE ETHICS BOARD THIS MORNING AND IT WAS SUGGESTED TO ME THAT I READ THIS STATEMENT TO THE PUBLIC (TOM READS STATEMENT)

PAUL SILVERNAIL- WHY WAS THE MEETING OPENED WITH THIS

TOM H - I REACHED OUT TO THEM BECAUSE I HAVE HAD SMALL DEALINGS WITH MR TRACY.

MARK S - SPEAKING TO THE AUDIENCE, I WANT PEOPLE TO BE AWARE THAT TALKING TO BOARD MEMBERS NOT AT A PUBLIC MEETING IS NOT SOMETHING THAT SHOULD BE DONE, MARK NOW INTRODUCES MR TRACY TO SPEAK

MR TRACY - AS A LOT OF YOU KNOW THERE IS A LOT OF INTEREST IN GREEN ENERGY, MR. BENNETT TOOK IT UPON HIMSELF TO TRY AND HELP FARMS STAY VIABLE AND HAVE AN EXTRA SOURCE OF INCOME, INCOME THROUGH THE LEASE OF PROPERTY (2 ACRES), I BELIEVE THIS IS IN OUR BY-LAWS AND ALLOWED UNDER 3.0.4.2, PUBLIC UTILITY/PRIVATE UTILITY. IT WAS SUGGESTED IN THE NEWSPAPER THAT WE SHOULD NOT ACT ON THIS BECAUSE IT IS NOT IN OUR BY-LAWS. I THINK OF NO REASON UNLESS YOUR JUST PLAIN AGAINST SOLOR ELECTRICITY. THE VIEW AS APPROACH FROM THE NORTH IS NOT VISIBLE AND FROM THE SOUTH JUST A BREIF VIEW, NOT VISIBLE FROM ANYONES HOME, NO AGRICULTURAL LAND TAKEN OUT OF USE, FULLY FENCED IN, NO NOISE, NO CHEMICALS, NOTHING LEFT BEHIND. 3 PHASE ALREADY ON THE POLES NO NEED FOR UPGRADE, PRODUCES GREEN ELECTRICITY, AVAILABLE TO BENEFIT NEIGHBORS. WITH THAT SAID I WOULD LIKE TO INTRODUCE WH BENNETT.

MR BENNETT - THIS IDEA CAME TO ME FROM A FRIENDS FARM WHO WAS LOOKING FOR HELP TO SUSTAIN HIS FARM AND I WAS JUST GETTING INTO SOLAR, NO LAND TAKEN OUT OF PRODUCTION, BEAMS DRIVEN IN THE GROUND ARE TEMP, VERY SAFE TECHNOLOGY.

MARK S - OK FOLKS WILL NOW OPEN TO FLOOR FOR QUESTIONS AND CONCERNS

JENNY C - I HAVE GIVEN MARK A COPY OF POINT OF ORDER, TWO MAIN POINTS, USE REGULATION AND SPECIAL PERMIT. THIS IS LARGE SCALE, NOT A PUBLIC UTILITY SUB STATION, TOWN NEEDED TO USE LEGAL DEFINITIONS, BACK OF OUR BOOK NO WHERE TO BE FOUND, PUBLIC RECORD SHOWS DID NOT KNOW WHAT TO DO WITH THIS APPLICATION, TIMING ISSUES WERE BROUGHT UP, WESTHAMPTON ZONED AGRICULTURAL RESIDENTIAL THIS IS A COMMERCIAL USE. ONE ISSUE IS SOLAR PANELS ARE NOT RECYCLABLE AS OF RIGHT NOW THEY GO INTO THE GROUND, WE HAVE NO ASSESSORS POLICY IN PLACE, NEED TIME TO DO THAT, VOLUNTEER FIRE DEPT NEEDS TIME TO PUT IN PLACE AN EMERGENCY ACTION PLAN WITH THE SOLAR PANELS. ONLY WAY COMMERCIAL USE IS WITH SPECIAL PERMIT, SITE PLAN APPROVAL, SET ASIDE BONDS TO PROTECT TOWN IF BUSINESS GOES OUT OF BUSINESS AND LEFT WITH THIS BEHIND, NEEDS MORE THAN THE FOUR OF YOU TO MAKE A DECISION ON SOMETHING LIKE THIS.

BOB T - I AGREE WITH JENNY, DO WE KNOW IF OUR MEETING ON THE 12TH, DID WE GET THE INFORMATION OUT TO ALL THE BOARDS?

MARK S - IN JUNE THEY ALL RECEIVED A COPY OF THE SITE PLAN (MARK THEN REALIZED THE APPLICATION AND SITE PLAN WERE GIVEN TO BOARDS ON MAY 25TH

JENNY C - YOU ENDED JUNE 12TH MEETING AND HAD TO SPEAK TO TOWN COUNCIL OR BUILDING INSP, SELECT BOARD

MARK S - THEY (THE APPLICANTS) DECIDE ON THEIR OWN TO SUBMIT A SPECIAL PERMIT APPLICATION.

JENNY C - IF THAT IS THE SITE PLAN, IT IS NOT A LEGAL SITE PLAN, THIS IS DONE BY A SURVEYOR

MARK S - ANYONE CAN SUBMIT ANY SITE PLAN AND IT DOES NOT NEED TO BE UP TO SNUFF, THE BOARD DOES HAVE A TIMELINE ONCE ANYTHING IS SUBMITTED

MR. BENNETT SPEAKS ON THREE KEY POINTS

- * RECYCLING-50 YEARS- ALUMINUM SILICON, GLASS, WITHIN 30 YEARS SOMEONE WILL COME UP WITH IT.
- * SAFETY- EVERY MODULE HAS A BOX ON BACK IN SOLID STATE, BIG RED HANDLE TO SHUT POWER OFF, VERY SAFE TECHNOLOGY
- * TAXES - HOW TO ASSESS FOR TAXES, TOOK A YEAR TO FIGURE OUT HOW TO TAX, THIS DOES NOT NEED TO BE IN PLACE BEFORE ARRAY IS BUILT

STEVE H - ASST FIRE CHIEF - SOME KIND OF TRAINING, EXPECT TO BE TRAINED ON SITE.

MR BENNETT - YES THAT DEFINITELY WILL HAPPEN

MR SILVERNAIL - SPEAKING TO MR BENNETT, YOU SAID 3 YEARS AGO THIS TECHNOLOGY WAS VERY DANGEROUS COMPARED TO KNOW VERY SAFE, HOW HAS THAT CHANGED

MR BENNETT - FULLY CODE COMPLIANT, WE HAVE FOUND A WAY TO MAKE THEM SAFE.

MR SILVERNAIL - THE PROJECT IN MARTHA VINEYARD WAS IN 2012 CORRECT? 4 YEARS OF EXPERIENCE IS ALL YOU HAVE?

MR. BENNETT - I AM A MASTER ELECTRICIAN

ART P - POINT OF ORDER, OBJECTIONABLE IF MR SILVERNAIL ATTACKS MR BENNETT, BOARDING ON ATTACKING, MR SILVERNAIL SHOULD GO THROUGH THE BOARD ONE QUESTION AT A TIME IF CONTINUES.

MARK S - I AGREE , BUT DON'T MIND IF WE SPEAK DIRECTLY TO ONE ANOTHER, AND I WAS NOT SURE HOW MUCH OF A TURNN OUT THIS WAS GOING TO BE, BUT YES NEED TO KEEP SOME ORDER

ART P - SPEAKING AS A RESIDENT AND SELECTMAN, SELECTMAN WAS APPROACHED AND ASKED ABOUT PERMIT, SPECIAL PERMIT, 3 OF US DID MEET WITH BUILDING INSPECTOR AND HIS COMMENT WAS THAT THIS REQUIRES A SPECIAL PERMIT, IN REGARDS TO 35 DAYS I THINK IT WILL BE APPROPRIATE TO CONTINUE A HEARING AND NOT CLOSE AND VOTE. YES WE DO NEED TO DO MORE HOMEWORK AND DISCUSS ANY CONDITIONS, THIS HAS BEEN DONE IN MANY COMMUNITIES, WORKING WITH SOUTHAMPTON NOW IS LARRY SMITH, BEEN WITH THE PIONEER VALLY PLANNING COMMISSION.

STEVE ST MARIE - 15 EASTHAMPTON RD, JUST INSTALLED SYSTEM BEING TALKED ABOUT, ALL DONE UNDER THE ELECTRICAL CODE, DISCONNECTS ON EVERY PANEL WITH THIS SYATEM, DONE ALL THE TIME

BILL S - N-WEST RD, QUESTION IS WHO PAYS FOR ALL OF THIS, IS THERE A TIME CONSTRAINT ON THIS PROJECT

MR BENNETT - WE FINANCE IT OURSELF, WE GET THE FED TAX CREDIT, ESREC PROGRAM IS ANOTHER SUBSIDY, THE CURRENT ROUND OF THIS ENDS JAN 7TH 2017 BUT THERE WILL BE ANOTHER ROUND

MR TRACY - CONCERNED THAT SO MUCH ANIMOSITY FOR THIS PROPOSAL, TRYING TO PROVIDE ELECTRICITY AT A LOWER RATE TO PEOPLE WHO MAY NOT BE IN A LOCATION THAT THEY CAN GET ENOUGH SUN, ASSESSORS HAVE INDEED LOOKED INTO AND ARE REVIEWING AS IN OTHER TOWNS, TOWN DOES

NOT GET LEFT HOLDING THE BAG, MATERIAL BELONGS TO MR BENNETT AND ARE TAKEN AWAY WHEN AND IF DONE , ALL LAID OUT IN THE LEASE.

Anco
ANAC J - TO THE BOARD, IF THIS PASSES AND ALLOWED CAN OTHERS BE AUTOMATIC AFTER THIS ONE, HOW WOULD I BENEFIT FROM THIS .

MARK S - NO IT WOULD NOT BE AUTOMATIC

MR BENNETT- NET METERING IS WHAT AND HOW YOU WOULD BENEFIT

BARRY B - 181 N-WEST RD, FOR MR BENNETT, IS THIS A MICRO INVERTER

MR BENNETT- NO IT IS NOT A MICRO INVERTER IT IS SIMILAR

JINNY C - NEED TO GET BACK TO LAND USE- AND IF WE ARE GOING TO ALLOW COMMERCIAL USE ON FARMLAND

BOB T - THE FINANCIAL INFORMATION IS GOOD INFORMATION , IF I AM GOING TO PAY THE SAME, THEN IT DOES NOT SEEM TO BE A BENEFIT ONLY THAT IT IS GREEN ENERGY

MR DEVINE - CONCERNED ABOUT RURAL CHARACTER OF THE TOWN, MOST SOLAR IS ON CUSTOMERS ROOF

DIANE G - 220 MAIN RD , I HAVE 31 QUESTIONS BEFORE WE CAN GO FORWARD, ALSO SETTING A PRECEDENCE, SUBMITTED QUESTIONS TO THE BOARD

MARK S - ANYTHING GIVEN TO US TONIGHT I WILL LEAVE THEM WITH THE TOWN CLERK FOR ALL TO SEE

WAYNE P - 60 MAIN RD HAS THE BOARD DECIDED THAT THIS IS THE CORRECT APPLICATION.

MARK S - THE BOARD HAS NOT MADE ANY DECISION ON THIS AT ALL. NO FORMAL COMMUNICATION WITH TOWN COUNCIL JUST SELECTMAN AND BUILDING INSPECTOR.

WAYNE P - HOW BIG IS THIS PROPERTY

MR TRACY - 145 ACRES

PATRICIA L - CHESTERFIELD RD SINCE 1970'S JUST PUT IN A SOLAR ARRAY ON MY PROPERTY- THIS IS A WONDERFUL IDEA AND IT MAKES SO MUCH SENSE, THIS HELPS MANY FARMS AND MR TRACY COULD EASLY TURN THIS LAND INTO HOUSE DEVELOPMENT AND TAKE AWAY FROM FARMLAND

MR TRACY - LAND USE IS WHAT WE ARE TALKING ABOUT, 2 ACRES OF LAND TO KEEP THE OTHER 143 ACRES LEFT AS FARMLAND. THERE IS A PROVISION OF THE LEASE THAT THE FARM CAN BUY INTO THIS IF WANTED TO, WE HARVEST SUNSHINE TO SELL CORN NOW WE HARVEST SUNSHINE TO PRODUCE ELECTRICITY, LAND WILL BE AND USED AND CONTINUE TO BE USED AS AGRICULTURAL. STATE BY LAWS SECTION 9B, ENCOURAGE THIS TO HAPPEN, THIS IS A SMALL SYSTEM.

BOB T - BIG FAN OF SOLAR AND FARMING, POPING UP EVERYWHERE, WHO IS GOING TO STOP ANYONE FROM PUTTING UP SOLAR ANYWHERE IN TOWN.

MR TRACY - EVERY APPLICATION IS DIFFERENT AND NEEDS TO BE INDIVIDUALLY ACTED ON

BOB T - CORRECT BUT I WOULD NOT HAVE NOTHING TO BACK ME UP ON SAYING YES OR NO TO SAY A 3 ACRE ONE.

JINNY C - CORN GETS TILLED UNDER EVERY YEAR, PERMANENT STRUCTURE FOR THE NEXT 20-25 YEARS, TRUE STATE HAS MADE LAWS THAT EVERYONE CAN PUT A ROOFTOP AND GROUND MOUNT UP TO 250KW- THIS IS A LARGE SCALE ONE AND SO REGULATIONS WILL NEED TO BE LOOKED AT, NO ONING IN PLACE TO PROTECT OUR VALUES *Nothing*

WAYNE P - IF THERE WAS A HOLD PUT ON THIS FOR SIX MONTHS TO HASH THIS OUT AND IF IT NEEDS TO BE DONE WE CAN DO THAT

ART P - NEED TO ADDRESS A LOT WITH OUR ZONING BYLAWS, I THINK WE MAY HAVE TO GO TO TOWN COUNCIL, THIS APPLICATION CAN NOT BE PUT ON HOLD SO TO TAKE THE TIME TO CHANGE AND ADDRESS OUR BYLAWS, PLANNING COMMISSION CAN HELP, DON'T THINK THE APPLICANT WILL WAIT WHILE WE FIGURE THIS OUT.

JOHN Z - 4 ITEMS LACKING IN BYLAWS, CELL TOWER, WINDMILL, PV, SUB DIVISIONS, GLAD TO WORK ON THIS, THERE IS A CLOCK RUNNING, SREC 2 DOES END.

CHERYL M - GOT WILLIAMSBURG APPLICATION AND WORKED ON PLAN

BARBARA P - S-TON RD- GRAVEL PIT FOR EXAMPLE, NOT POPING UP ALL OVER SINCE EACH HAS TO BE LOOKED AT.

BARRY B - THE ARTICLE THAT THIS IA APPLIED UNDER , CAN YOU READ THAT OUT LOUD?

MARK S - READS FROM BY LAWS SECTION 3.075

STEVE ST M - THIS IS LESSOR THAN WHAT IS IN THERE, SPIRIT OF INTENT.

CHERYL M WHOLE SET OF CRITERIA. 1,2,3,4,5,6,7,8,9, EX NUMBER OF CRITERIA.

A LONGTOW- RT 66 - LOT OF OBJECTIONS BUT LIKE TO HEAR MORE FROM MR BENNETT OR BILL HOW THIS BENEFITS NEIGHBORS.

MR BENNETT - \$1 ELECTRICAL CSA MEMBER SELL TO BILL FOR .90 HE SELLS FOR \$1, THAT MONEY IS HIS, IF YOUR CSA , PROFIT MARGIN IS TBD

BILL T - LEASE, BILL LEASE TO MR BENNETT

JINNY C - SOLAR GOES OFF , NO BATTERY BACK UP, SUBMITTED A FORM TO THE BOARD

MR BENNETT - WHEN POWER GOES DOWN , NO POWER FROM SOLAR SYSTEM

MR TRACY - LOT OF GOOD INFORMATION, NOT OPPOSED TO ANY, STATE UPDATE , UPDATE BYLAWS, LOOK AT WHAT YOU HAVE AND IF YOU CANT FIND ANYTHING THAT IS WRONG I WOULD SAY TO CONTINUE WITH GOOD CONSCIOUS WHILE THE TOWN UPDATES THERE BYLAWS

MARK S - WOULD AN OUTSIDE CONSULTANT BE OBJECTIONABLE

MR BENNETT - NO I WOULD WORK WITH THEM.

JINNY C - ONE MORE QUESTION, ANY DIRECT MONITORING AND WHICH CORPORATION WILL THIS BE UNDER?

MARK S - SUGGEST THAT WE SPEAK TO SELECTMAN TO SPEAK WITH TOWN COUNCIL

MARK S - MOVES TO MAKE A MOTION TO GO TO SELECTMAN SPECIFICALLY PHILL DOWLING TO GET PERMISSION TO SPEAK TO TOWN COUNCIL ON APPLICATION 3.0.42, 3.075.

2ND BOB T , 3RD TOM H, 4TH BOB D , SO VOTED , UNANIMOUS.

MARK S - MOVES TO SUGGEST THAT TOM H CONTACT LARY SMITH TO SEE IF HE WOULD CONTACT AND INVITE TO OUR NEXT REGULAR MEETING THE 13TH TO FEILD QUESTIONS

2ND BOB T , 3RD TOM H, 4TH BOB D , SO VOTED , UNANIMOUS

MARK S - MOVES TO KEEP THIS PUBLIC HEARING OPEN

2ND BOB T , 3RD TOM H , 4TH BOB D , SO VOTED , UNANIMOUS

MARK S - MOVES TO CONTINUE THIS PUBLIC HEARING TO SEPT 20TH 2016

2ND BOB T , 3RD TOM H , 4TH BOB D , SO VOTED , UNANIMOUS

MARK S - MOVES TO ADJOURN THIS MEETING

2ND BOBT , 3RD TOM H , 4TH BOB D , SO VOTED UNANIMOUS