

**Town Of Orange  
Planning Board Minutes  
1-10-12**

Present: Bruce St. John, Jim Basford, Patricia A. Smith, Bruce Scherer, Kathy Reinig, Michael Moore

Absent:

Visitors: Lindsey Washburn, Athol Daily News; Rob Babcock, EPG Solar; Matthew Randall, Talmage Solar Engineering

Meeting opened at 7:00 pm

**Review of Mail:**

- Memo from FRCOG re FRPB rep—*Pat moved to re-appoint Jim Basford; Michael Moore 2<sup>nd</sup>; unan. approved.*
- Elizabeth Mason letter requesting continuance
- 12-1-11 Memo from Chris Forgey re budget worksheets

**ANR from Brian and Debra Linstad at 193 East Road:**

Two lots with existing homes, both of which are conforming as to frontage and non-conforming in regard to acreage. Chair spoke with Ed Berry, Engineer. Creating outlot to be conveyed for septic maintenance to the Linstads, which is allowable under MGL Chapter 41, 81P.

*Kathy Reinig moves to approve the Linstad ANR Plan; Jim Basford 2<sup>nd</sup>; unanimously approved.*

**Mail Reviewed:**

- DCR: 128 South Shore Dr.—property is exempt.
- Memo from Sheri re Annual Report—due by February 2. Clerk took copy and will file report.
- Interim Town Administrator—budget worksheets for 2 scenarios: level service and cut by 3%; due February 1.

**Special Permit Review of Sungen Orange Solar Engineering Proposal at 380 East River Street:**

Matthew Randall of Talmage Solar Engineering was present to discuss the application. Binders have been provided for each member of the Board. Property is located at 380 East River Street. The property is located in two zoning districts: B and C. There is an abutters list in the file. An aerial map has been presented showing the abutting residential properties and a landscape plan, as requested at the last meeting. A list of exhibits is provided at the beginning of the binder. Applicants are planning to go before the Conservation Commission and are expecting a negative determination. Inverters will be purchased from a Massachusetts company. Pat pointed out that the project is not subject to Site Plan Review and so the requested waivers of those provisions will not be necessary. Mr. Randall pointed out that the application letter now includes a paragraph agreeing to apply for a Special Permit, but not conceding that they are not required to do so. Kathy asked if the narrative directly addresses the six Special Permit criteria, which he said it does. Members of the Board agreed that the application is complete.

***Jim Basford moves to set the Public Hearing for the Sunken Orange Solar Engineering Proposal at 380 East River Street on February 14, 2012 at 7:15 pm; Michael Moore 2<sup>nd</sup>; approved unanimously.***

At this point in the meeting, Michael Moore departed as he is not able to participate in the EPG Solar Public Hearing due to previous absences.

**Continuation of the Public Hearing on the Special Permit Application from EPG Solar, LLC – 235 Daniel Shays Highway, Orange, MA 01364**

Continued Public Hearing was opened at 7:30 pm. Mr. Babcock was present to discuss the proposal and passed out copies of materials including a memo regarding Special Permit Additional Information dated January 4, 2011. He also provided some resource information for the benefit of the Board. Kathy asked about the longest period of time during which the panel monitoring would not occur and Mr. Babcock reported that it would probably be the Thanksgiving holiday of 4 days, but that alarms that are linked to Blackberrys will go off at any time there is a problem. There will be regular inspections at least twice per year, according to the need. Wind test data indicated that Orange is in Zone 1 (70 mph) and Athol is Zone 2. Kathy suggested that given the changes in the weather, it might be to their advantage to plan for the more severe environment. Mr. Babcock indicated that the mounting systems are engineered to meet double the calculated requirement for Zone 1.

The Chair suggested that we begin by reviewing the Special Permit Criteria. Pat passed out copies of the CTC Electric SP to serve as an example. Board reviewed the Special Permit considerations presented by EPG Solar.

Social, economic or community needs: Little or no impact from the proposed use. It poses no hazard to the water supply or to the surrounding properties. The energy generated would be enough energy to meet the annual energy needs of about 350 homes. When it is lit up and operational during the daytime it provides enough power for about 3000 homes, but at night it is serving 0 homes. Solar follows the load profile, generating electricity when the demand is greatest, particularly in the Northeast. Being more self-sufficient generally as to power generation is a benefit.

Traffic flow and safety: No impact.

Adequacy of utilities and other public services: Adequate; none needed.

Neighborhood character and social structures: Closest residence is 450 feet so it will have no impact. There are no negative impacts to abutting residences that need to be offset by identifying positive effects.

Qualities of the natural environment: There is no threat to the groundwater so it will have no impact. The impact will be less than that with farming as the primary use of the land.

Fiscal impact: Mr. Babcock presented a memo dated December 13, 2011 detailing the tax information that shows that they will be paying a one-time payment of \$1,536 to pull the 17 acres out of Chapter 61(A) and will be paying \$390 additional taxes per year. The building permit fees are estimated to be \$100,000. In addition, there are few if any services required from Town Departments.

***Kathy Reinig moves that the applicant EPG Solar has met the six Special Permit criteria based on the information provided; Bruce St. John 2<sup>nd</sup>; unanimously approved.***

The Board proceeded to review the conditions that were attached to the CTC Electric Special Permit as an example of those that could be imposed on this applicant. The Clerk marked up a hard copy with the Board's suggested deletions and additions.

In regard to the question of decommissioning and the posting of a bond with the Town, Pat suggested that Town Counsel has recommended that a performance bond be posted. Since it would be a nominal amount compared to the cost of the project, the posting of the bond would be a cost of doing business. Applicants will contact Town Counsel to develop an acceptable approach to the bond and will present an approved agreement at our next meeting. The Clerk will notify Town Counsel to expect to hear from them.

*Jim Basford moves to close the Public Hearing; Bruce Scherer 2<sup>nd</sup>; unanimously approved.*

The Board will finalize the draft Special Permit to be voted on for the next meeting.

**Review of Minutes:**

Minutes of 12-27-11 were reviewed.

*Jim Basford moves to approve the minutes of 12-27-11; Bruce St. John 2<sup>nd</sup>; unanimously approved.*

**Materials reviewed at meeting:**

- ANR Plan from Brian and Debra Linstad at 193 East Road, prepared by Ed Berry
- Sungen Orange East River Street, Town of Orange, Massachusetts, Town of Orange-Planning Board Special Permit Application, prepared by Talmage Solar Engineering, Inc., dated December 2011
- Memo from EPG Solar regarding Special Permit Additional Information dated January 4, 2011
- Minutes of 12-27-11
- *Potential Health and Environmental Impacts Associated with the Manufacture and Use of Photovoltaic Cells, Technical Report*, prepared by Public Interest Research Program (PIER) and EPRI, dated November 2003

*Jim Basford moves to adjourn at 8:30 pm.; Bruce St. John 2<sup>nd</sup>; unanimously approved.*

Respectfully submitted by Patricia A. Smith, Planning Board Clerk

