

PLANNING BOARD
TOWN OF WILBRAHAM
240 Springfield Street
Wilbraham, Massachusetts 01095

Jeffrey Smith, Chairman
John McCloskey
James Moore
Tracey Plantier
James Rooney
Gordon Allen, Associate



John Pearsall, Planning Director

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MINUTES OF THE WILBRAHAM PLANNING BOARD
WEDNESDAY, OCTOBER 23, 2019

In attendance: Chairman Jeffrey Smith
James Moore
Tracey Plantier
James Rooney
Gordon Allen, Associate

Staff: John Pearsall, Planning Director

Chairman Jeffrey Smith called the meeting to order at 5:30 PM and asked those assembled in the room to proudly join the Planning Board in the recitation of the Pledge of Allegiance.

1. Executive Session

Board Member John McCloskey has recused himself due to potential conflict of interest concerns as a residential abutter to the project and was not present at the meeting. Associate Member Gordon Allen continued to serve as the Alternate Voting Member with regards to this matter.

Chairman Smith stated the following: *As Chairman of the Planning Board, I hereby announce that the Planning Board will hold an executive session pursuant to M.G.L. c. 30A, § 21(a) (Reason #3) to discuss strategy with respect to pending litigation of the Planning Board regarding the complaint of ASD Three Rivers Solar, LLC, filed in the Land Court Department of the Trial Court of the Commonwealth of Massachusetts based on my declaration that an open meeting may have a detrimental effect on the litigating position of the Planning Board, and that following the conclusion of the Executive Session the Planning Board shall reconvene in open session.*

MOTION (PLANTIER, MOORE): I move to hold an executive session pursuant to M.G.L. ch. 30A, § 21(a) (Reason #3) to discuss strategy with respect to pending litigation of the Planning Board regarding the complaint of ASD Three Rivers Solar, LLC, filed in the Land Court Department of the Trial Court of the Commonwealth of Massachusetts whereas an open meeting may have a detrimental effect on the litigating position of the Planning Board as declared by the Chairman, and that the Planning Board shall reconvene in open session. Approved (5-0) by Roll Call vote: Chairman Smith - yes, Mr. Moore - yes, Ms. Plantier - yes, Mr. Rooney - yes, Mr. Allen - yes.

The Planning Board convened in executive session at 5:35 PM. Following the conclusion of the Executive Session, the Board reconvened in Open Session at 6:45 PM.

2. **Approval of Planning Board Meeting Minutes – October 2, 2019**

Chairman Smith called for a motion to approve the minutes of the October 2, 2019 Planning Board meeting and asked if there were any comments or revisions.

MOTION (MOORE, ROONEY): I move that the Board approve the minutes of the October 2, 2019 Planning Board meeting as submitted. Approved (4-0).

Materials referenced: Draft of the Minutes of the October 2, 2019 Planning Board Meeting (3 pages) as prepared by John Pearsall.

3. **Citizens Open Forum**

No citizens took advantage of the open forum opportunity.

4. **Miscellaneous Information**

A. CPTC Fall 2019 Workshops

B. Zoning By-Law Supplement #28 – October 2019

The Board reviewed the documents without any issue.

Materials referenced: As listed above.

5. **Public Hearing - Special Permit Application (SP19-06)
Detached Garage – Pietras Residence, 592 Ridge Road**
(Digitally Recorded)

Chairman Smith opened the public hearing at 6:48 PM, read the legal notice into the record, acknowledged the absence of member John McCloskey, and designated Associate Member Gordon Allen to serve as the Alternate Voting Member on this application. Michael and Christina Pietras of 592 Ridge Road appeared before the Board and presented plans to construct a proposed detached accessory residential building for use as a garage/carriage house. The proposed detached structure will be located to the rear of the single-family home under construction on the property, will comply with all setback requirements, and will be designed to be architecturally compatible and in scale with the principal structure. The proposed detached structure will be 38 feet wide and 26 feet deep with a footprint area of approximately 988 square feet and a maximum building height of 26 feet which requires special permit approval from the Planning Board under section 4.4.8 of the Zoning By-Law. The home under construction has an attached garage with three doors and a garage parking space area of 933 square feet. The proposed detached garage will have three doors and a garage parking space area of approximately 930 square feet resulting in a combined total of six garage doors and a total combined garage parking space area of approximately 1,863 square feet which requires special permit approval under section 3.9.2.2 of the Zoning By-law. Chairman Smith noted that the Pietras property is located in the Ridgeline and Hillside Overlay Zoning District and that the proposed home and detached accessory structure have already been reviewed and approved by the Planning Board acting as the Ridgeline and Hillside District Review Board [see Planning Board minutes of May 22, 2019]. Tony Gomes, an abutter residing at 601 Ridge Road spoke in favor of the proposal, no one appeared to speak in opposition to the proposal, and the Planning Board determined that the location of the proposed detached garage appeared to be suitably sited and to be appropriate and consistent with the intent and requirements of sections 3.9.2.2 and 4.4.8.

MOTION (PLANTIER, ROONEY): I move that the Board close the public hearing. Approved (5-0).

The hearing was closed.

MOTION (PLANTIER, ROONEY): I move that the Board authorize the Planning Director and Chairman to prepare a draft decision granting approval with conditions for special permit application SP19-06 for further consideration at the next meeting. Approved (5-0)

Materials referenced: Special Permit application submitted on 9.18.19; Site Plan prepared by Engineering & Land Solutions, Inc., dated 5.2.19; Building Plans prepared by prepared by Engineering & Land Solutions, Inc., dated 9.4.19 (3 sheets); Digital rendering prepared by Engineering & Land Solutions, Inc., dated and submitted on 10.23.19 (1 page).

**6. Appointment – Attorney Thomas Reidy and Project Manager Matt Parlon
Large-Scale Ground-Mounted Solar Energy System Modification**

Special Permit (SP18-05) – BWC East Brook, LLC – Land of Krajewski –126V Beebe Road

Attorney Tom Reidy and BlueWave Project Manager Matthew Parlon appeared on behalf of the applicant, BWC East Brook, LLC, requesting administrative approval from the Planning Board for proposed modifications to the site plan approved under Special Permit (SP18-05) issued by the Planning Board on November 14, 2018 pursuant to sections 3.4.3.7 and 10.7 of the Wilbraham Zoning By-Law which authorized the construction and operation of a proposed Large-Scale Ground-Mounted Solar Energy System with a generating capacity of approximately 2.35 MW AC on approximately 9.6 acres of land to be leased from owner James Krajewski located at 126V Beebe Road. Attorney Reidy presented revised site plans and explained that the proposed modifications involve increasing the total solar equipment area by expanding the equipment pad area and reducing the solar panel row spacing distance thereby “densifying” the solar array configuration. Attorney Reidy pointed out that there are no changes to the perimeter fence shown on the approved site plan and that all modifications occur within the area defined by the perimeter fence. Attorney Reidy provided calculations performed by PurePower Engineering that determined that the expanded equipment pad area and denser solar array configuration increased the building coverage taken as a percentage of the total lot area slightly from 17.59% to 18.08% which remains well below the maximum building coverage requirement of 25%. It was estimated that the proposed modifications would increase the generating capacity of the facility to approximately 3.00 MW AC (3.76 MW DC). The Planning Board reviewed the proposed modifications and determined that they were minor in nature and could be approved administratively without the need for a public hearing for a special permit amendment.

Attorney Reidy also provided the Planning Board with an update on the recording status of the Form A survey plan adjusting the property lines, the Chapter 61B Lien release, the driveway access easement and the PILOT agreement. Attorney Reidy stated that BlueWave hopes to begin construction in the fall after conducting the required pre-construction conference with Town officials.

MOTION (PLANTIER, ROONEY): I move that the Board grant by administrative approval modifications to the solar array configuration shown on the approved site plan referenced in the Large-Scale Ground-Mounted Solar Energy System Special Permit (SP18-05) issued November 14, 2018 as described in information and revised plans presented at the October 23, 2019 Planning Board meeting based on a determination that the proposed site plan modification represents a *de minimis* change which does not require a public hearing for a special permit amendment. Approved (4-0)

Materials referenced: Letter from Attorney Reidy(1 Page) dated 10.3.19 submitted with Solar Area Design Calculations prepared by PurePower Engineering (2 pages) dated 9.16.19; Revised Site Plan (3 pages) prepared by PurePower Engineering, various dates and received 10.3.19.

7. Performance Security Reduction Request

A. Willow Brook Subdivision

Per the recommendation of the Engineering Department the Planning Board took no action on this request.

B. Samble Estates Subdivision

The Planning Board reviewed the recommendation of the Engineering Department that the performance security in the Samble Estates Subdivision, which is currently being held in the amount of \$71,470, be reduced to \$21,150.

(ROONEY, PLANTIER): I move that the Board approve the recommendation of the Wilbraham Engineering Department to reduce the amount of the performance security being held to guarantee the completion of the Samble Estates Subdivision from to \$71,470 to \$21,150. Approved (4-0).

Materials referenced: Samble Estates Performance Security Estimate Spreadsheet prepared by the Wilbraham Engineering Department undated (1 page).

8. **Deadline Extension Request - Special Permit (SP17-04)**

Accessory Residential Building – Frisk Residence, 1329 Tinkham Road

The Board reviewed a letter from Jason and Jennifer Frisk requesting an extension of the two-year completion deadline for the special permit granted on October 18, 2017. The Frisks' letter stated that work has not yet begun on the project because of funding constraints due to the unanticipated size and complexity of the project. The Planning Board agreed to extend the completion deadline for two additional years from October 18, 2019 to October 18, 2021.

MOTION (PLANTIER, ROONEY): I move that the Board approve a two-year extension of the completion deadline for Special Permit SP17-04 from October 18, 2019 to October 18, 2021.

Approved (4-0)

Materials referenced: Letter from Jason & Jennifer Frisk dated 10.15.19 (1 page); Special Permit SP17-04 dated 10.18.17 (4 pages).

9. **Nonsub Plan 19-05 – Land of Main Street Rentals, LLC, 309-311 Main Street**

The Planning Board reviewed a plan to divide an existing parcel of land consisting of 2.58 acres located in the Residence-26 (R-26) Zoning District and known as 309-311 Main Street into four conforming frontage lots as follows: Parcel A (34,384 sq. ft.) fronting on Main Street and containing an existing residence and detached garage with an address to remain 311 Main Street; Parcel B (26,086 sq. ft.) a vacant corner lot fronting on Main Street and Whitford Place with an address to remain 309 Main Street; Parcel C (26,038 sq. ft.) a vacant lot fronting on Whitford Place with an address to become 2 Whitford Place; and Parcel D (26,462 sq. ft.) a vacant lot fronting on Whitford Place with an address to become 4 Whitford Place.

MOTION (PLANTIER, ROONEY): I move that the Board approve Nonsub Plan 19-05 as submitted and authorize the Chairman to endorse the plan with the Board's determination that approval under the subdivision control law is not required. Approved (4-0).

The plan was endorsed by Chairman Smith.

Materials referenced: Approval Not Required Plan of Land prepared by Anderson Associates, dated April, 2019 (1 sheet).

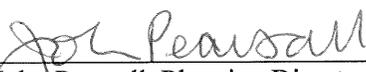
10. **Planning Director's Report and Planning Board Updates**

The Planning Director and the Planning Board shared brief oral reports on the following topics: the Pioneer Valley Planning Commission (PVPC) Solar Working Group meeting on October 1, 2019; pending Housing Choice Legislation filed by Governor Baker; the PVPC Regular Meeting of October 10, 2019; and the Massachusetts Municipal Association Breakfast Meeting on September 20, 2019

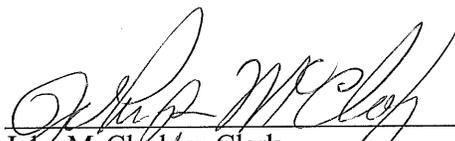
Having no further business, the meeting was adjourned by unanimous consent at 8:25 PM. The Board will reconvene at its next meeting on **Wednesday, November 13, 2019 at 6:00 PM.**

Submitted:

Approved As To Form And Content:



John Pearsall, Planning Director
Date: 11-8-2019



John McCloskey, Clerk
Date: 11/13/19