

**EGREMONT PLANNING BOARD
MINUTES: SPECIAL PERMIT HEARING
MCGEE ROAD SOLAR ARRAY
FRIDAY NOVEMBER 18, 2016**

The meeting opened at 7:03 PM

Present: Helen Krancer, Greg Cherin, Lucinda Vermeulen, Don Pulfer, Mark Holmes

Also:

Brett Goldberg

Eve Goldberg

Bernard Stollman

Eileen Vining

Bob Lea

Marj Wexler

Nelson Alford

Alix von Auenmueller

David Pott

Christian Deckert

Del Kinney

Peter Barrett

Fred McAllister

Mary Jean McAllister

Ruel Sheldon

Keila Sheldon

Ed Ivas

Perry Cousseau

Karen Granger Butler

Tom Palivoda

Pat Murtagh

Bob Coons

Vicki Coons

Laura Whyte

Evers Whyte

Bob Climo

Frederick Beinecke

Candace Beinecke

Richard Allen

Diane Sorrell

Abigail Rogers-McKee

Julien McKee
Donald Peck
Nancy Fay Hecker
Henry Granger
Marilyn Granger
Elisabeth Goodman
Thomas Berkel
Jocelyn McGrath
Henry Barrett
Andrew Bernstein

The Chair read the following: *The official record of this meeting is being kept via written minutes. The Planning Board is recording this meeting. Anyone else wishing to record this meeting must inform the Chair prior to the meeting.* Eileen Vining stated she was recording the meeting.

The Clerk read the official notice of the meeting.

Helen Krancer pointed out the procedures to be followed in the hearing.

Briony Angus of Tighe and Bond introduced the team from Tighe and Bond and Kearsarge who would give the presentation:

Brian Huntley, Tighe and Bond
Andrew Bernstein, Kearsarge Solar LLC
Henry Barrett, Kearsarge Solar LLC

Robert Coons introduced a handout to the board titled “Clean Energy Results.” Coons also gave a brief history of how he and his family came to need to divide up his farmland to raise money. He said his farm cannot support his family any more, and his options were to subdivide and sell lots or develop a solar array similar to what is being proposed.

Briony Angus and Brian Huntley introduced the project scope and details, with charts and maps showing the property on McGee Road. Huntley explained where the array was to be located, the size of the array, and how he thought it related to the town zoning. Huntley exhibited a map of the property showing all the arrays on the parcel. Angus pointed out the vegetative screening and the chain link fence. Huntley showed a new map showing a proposed driveway access to McGee Road which now enters the property to the north of the original plan. Huntley also explained the details of the electrical grid and the solar panel racking system and poles. The surfaces under the modules will be mowed on a regular basis. He said that the storm water runoff should be no different from how it is presently. The

vegetative screening around the arrays is proposed to be red cedar, to screen the project from McGee Road. He pointed out that there is a rise in the center of the property and it drops off at the edge of the road and at the far side of the lot.

Don Pulfer asked about traffic analysis, as it concerned the visibility of the array from the road. He had taken some measurements at the top of the array from the point of view of a driver on McGee Road and a pedestrian on the road. He calculated that at some points the solar panels would be 23 feet above the eye.

Bernard Stollman interjected that from his house at 26 McGee Road, he would be able to see every panel. He also asked about the visual effect of the whole solar array.

Bob Climo asked how many power poles would be on the property. The answer was four or five poles, each about 40' high.

Elisabeth Goodman asked if the panels had changed in number or size from the original plan to the one presented tonight. The answer was no—only the driveway configuration had changed.

Laura Whyte asked if there was a time limit on the lease of the land by Kearsarge. The answer was that the lease would be for twenty years from the Coons family.

Pulfer asked if the array will be decommissioned at twenty years or after the twenty-year lease has expired. Andrew Bernstein answered that the decommission would take about three to four weeks to complete.

Bernard Stollman asked what the setback of the fence would be from his property at 26 McGee Road. The fence will be 50' from the property line, and the arrays will be a varying distance from the fence, as described by Bernstein.

Richard Allen asked if the lease was renewable past twenty years – he did not see that in the documents. Bernstein answered that Kearsarge had no plans past the twenty-year date.

David Potter asked how much electricity would be generated by the array. Huntley answered that it would produce 2.8 megawatts per year.

Briony Angus addressed the special permit application and how it related to the Egremont Zoning Bylaw. She itemized the sections of 6.2.4, and stated her conclusions:

- 6.2.4.1: in harmony
- 6.2.4.2: in harmony
- 6.2.4.3: in harmony
- 6.2.4.4: in harmony
- 6.2.4.4: in harmony

The application was prepared to address the solar bylaw section of the Town Bylaws, even though the application will not be applied under that clause, Angus stated.

Bernstein explained that the solar is passive: no noise, no chemicals, no pollution. He explained the local benefits of the array: property taxes assessed to the solar array will total approximately \$500,000 over twenty years. He gave a history of Kearsarge Solar's projects and said that they have good references across the Commonwealth.

Vermeulen and Krancer both asked if Kearsarge had built large-scale solar arrays in small towns in Massachusetts, and Bernstein answered that they had built similar projects in Barre, Chester, Southwick and Concord.

Krancer asked what the potential effect would be on local real estate values. She read a letter into the record from realtor Lance Vermeulen, which also asked how property values would be affected by such an array. Bernstein answered that the D.O.E.R (Department of Energy Resources) had done a study that showed no impact of solar arrays on real estate values.

Pulfer asked about sound transmission from the solar arrays: how audible would the panels be from 50'-150' away. He had done some research on sound transmissions from solar panels, and his study had agreed with Kearsarge that the array would be very quiet. He also questioned if taking state-designated farmland out of commission for twenty years was a good idea. Bob Coons answered that the farmland was not prime land and had limited use for farming.

Krancer asked about setbacks, noting that the setbacks should be for commercial structures, not residential.

Huntley addressed the future tillability prospects of the land under the solar panels. He stated that the soil should be improved after 20 years. Krancer pointed out that the soil would not be amended each year, but Huntley argued that the plant matter will not be taken off each year, removing nutrients.

Richard Allen asked if the 2.8 megawatts per year of produced electricity was an accurate figure. Bernstein answered that there would be a 3.5% degradation per year.

Christian Deckert addressed the real estate affect of these solar arrays; he felt they were a detraction and that they were visually ugly.

Bernard Stollman suggested that there would be noise from the inverters.

Elisabeth Goodman of Cain, Hibbard and Myers and her associate Jocelyn McGrath, said they were representing the abutters Eve and Brett Goldberg. Goodman read from her letter hand delivered to the Planning Board on November 18, 2016. The letter will be entered into the public record. She summarized the letter by saying that issue is about siting, not solar. She also asked for the Planning Board to request a balloon test and also to ask for a peer review. She said that views of this array would affect property values , according to realtors in the area.

Diane Sorrell asked what the financial benefits would be to the town of Egremont? Krancer answered that she could not give an accurate answer to that question.

Peter Barrett addressed the prime farmland issue. He said that if the Coons family is forced to sell and houses get built on the property, and then it will not be farmland any more.

Krancer asked about the impact on the Great Barrington Airport. Huntley answered by handing the Board a map and a report titled "FAA Guidance for Solar PV Installation." Tighe and Bond have done a study on the effects of the proposed McGee Road solar installation on local air traffic.

Evers Whyte asked about the toxic affect of the building of the panels. Could these toxins be leached into the soil in case of storm or wind damage to the panels? Huntley answered that the panels would be able to resist 110 mile per hour winds and hail. He said that there will be no trees nearby to fall on the panels, and that the panels are of solid-state construction and inert, and follow Massachusetts building codes in construction. Whyte asked if there was a "solid guarantee " for no chemical damage to the soil under the panels.

Bill Wood asked if abutters in Great Barrington had been notified. He also wanted to know what the amount of the lease being paid to Coons would be. Krancer told him that it was an inappropriate question. Neither Coons nor the Planning Board gave him an answer. He then asked why Kearsarge did not apply to build their solar array

on the town-owned land covered under the LGSPI bylaw. Bernstein answered that they had looked at all available appropriately sited land in town.

Karen Granger Butler stated that the issue on the table is not solar, but the location of the panel array. She mentioned the new proposed state solar ground-mounted restrictions. She felt that since the farmland has been planted in corn in the past, it qualifies as farmland. She also said that she believed that the company that is supplying the panels has them built in China, as well as other countries.

Paul Turner, who is a framer in Egremont, stated that the Coons farmland on McGee Road was not good farmland. He has farmed the land in the past and in his opinion it was “not prime farmland.”

Ed Ivas of 1 Pumpkin Hollow Road spoke to the resiliency of the solar panels on his roof, and he also mentioned that he flies all over the country and has noticed a proliferation of solar arrays and a reduction in the number of windmills.

Jean McAllister said that she and her husband had purchased their house on McGee Road recently, but she stated that she would never have bought it if they knew there would be a solar array in their view.

Frederick Beineke, who is an abutter to the north and east, said that he feels that there are no standards for the Planning Board to grant a permit for a solar photovoltaic array.

Krancer disagreed, pointing out the language in the zoning bylaws, which outline special permit granting procedures.

Beineke said that he felt that it was not an appropriate place for a solar PV array. He and his wife bought their land to preserve open space, he said, and feels it is inappropriate to site a solar array of this size there. He made an informal offer to purchase the property from the Coons.

Laura Whyte said she was concerned about the effects on the human body of solar PV arrays. Huntley answered that the power transmission lines on McGee Road carry as much electro-magnetic fields as the solar array will produce in the future.

Nancy-Fay Hecker asked if possibly the solar industry is on the brink of a breakthrough in technology that would allow the production of much smaller panels in the near future, making these solar panels at the proposed site out of date.

Bernard Stollman stated that he thought the EMF figures and specifics about the inverters are self-serving to Kearsarge.

Elisabeth Goodman brought up the possibility of vandals doing damage to the panels, and also mentioned that the application made no mention of clean-up at the site after twenty years.

Richard Allen said that he thought the decommissioning calculations put forth by Kearsarge were not sustainable. He also referenced the whole process the town went through when the cell tower overlay district was created and adopted.

Georgette Kinney spoke in opposition to the solar panel array, saying that she was "horrified" when she heard about it.

Candace Bienenke spoke in sympathy for the situation that the Coons family was in, but she also spoke for the love she and her husband have for their property and felt that a commercial use of that land should not be permitted.

Krancer spoke about the possibility of a site visit to the property by the members of the Planning Board.

After some discussion it was agreed that the hearing be continued to Tuesday November 29, 2016.

Bob Climo asked where the Town Counsel stood on the question of whether the Planning Board has a legal reason to grant or deny the special permit. Krancer said that she would ask Town Counsel Jeremiah Pollard to give an opinion on whether the Board could grant the permit.

Special Permit Hearing will be continued to November 29, 2016 at 7:00 PM in the Egremont Town Hall Meeting Room.

The hearing was adjourned at 9:50 PM

Respectfully submitted,

Mark Holmes, Planning Board Clerk