



## Deerfield Selectboard/Planning Board

Monday 10 July, 2023, 6:30 pm

8 Conway Street, South Deerfield MA 01373

### Deerfield Planning Board Minutes

Pursuant to a notice duly filed with the Town Clerk, a meeting of the Planning Board was held on July 10, 2023 at 6:30 at the Town offices, 8 Conway Street, Deerfield, MA and remotely on Zoom. Meetings normally held at the Municipal Offices are being held remotely, with adequate, alternative means of public access and, where required, public participation provided, in accordance with the Governor's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, M.G.L. c.30A § 20. Meetings are typically broadcast on Frontier Community Access Television (FCAT). Meeting available on YouTube:

<https://www.youtube.com/watch?v=QVIMsrPHU6g>

**Location:** Hybrid – Zoom and Main Meeting Room, 8 Conway Street, South Deerfield MA

**1. Call to order – 6:31pm Introduction read by Leibson** - *(Refer to Deerfield website for the state-mandated introduction on the agenda)*

#### **2. Identify Board members in attendance**

Members Present: Denise Mason (chair), Andrea Leibson, Kathy Sylvester, Rachel Blain, Kathy Watroba, Analee Wulfkuhle, Emily Gaylord (remote).

Also Present: Amy Hahn, Building Assistant (remote); Bob Walden (remote), Building Commissioner; Henry Barrett, Nexamp, Robert Bukowski, Weston & Sampson

#### **4. Review minutes:**

Minutes of April 3, 2023. - Ammend date in header from February 6<sup>th</sup> to April 3rd.

**Motion to approve minutes as amended, Wulfkuhle**

**Second Sylvester.**

**Vote: Gaylord—aye, Leibson—aye, Mason—aye, Sylvester—aye, Watroba—aye, Wulfkuhle—aye; (6-0-0)**

#### **5. Old Business**

- Old Frontier III/Nexamp Solar  
The Fire Department has approved a lock for purchase, but not installed. The Fire Department has been given a link to online training from NFTA, but no onsite training. Denise will investigate.
- Planner  
The Planner/Economic Developer position has been approved by the Personnel committee and will be posted, if not posted already
- Chapter 179 Review Update

The Planning Board has had one meeting with Peggy Sloan to go over proposed changes to Deerfield Bylaws c 179. The next meeting is slated for July 17, a second draft will be distributed before the meeting.

## 6. New Business

- Public Hearing 567 River Road Special Permit Application: Hearing convened at 6:45 with notice read into the record by Mason. Notice is hereby given that the Deerfield Planning Board will hold a Public Hearing on Monday, July 10, 2023 at 6:30 pm on an application filed Peter Barley Chidsey for a Special Permit for property located at 567 Greenfield Road, Assessors Map 66 Lot 2.2 to construct a driveway in excess of 500 feet in length, pursuant to Zoning Bylaws c.179 §3400. Application documents available for review at the Municipal Offices or online at [www.deerfieldma.us](http://www.deerfieldma.us) in the calendar event

Applicant Peter Barley Chidsey (remote) stated the reason for the long driveway is to preserve farmland at the front of the property. RFP responses from both the Building Commissioner and the Fire Chief indicate no issues with the special permit application. DPW response from Kevin Scarborough states that the first 10 feet must be paved. Bob Walden expressed general approval of application. Conditions: pave first 10 feet

**Motion to approve Special permit application 567 River Road driveway in excess of 500 feet: Watroba                      Second: Leibson**

**No discussion**

**Vote: Gaylord—aye, Leibson—aye, Mason—aye, Sylvester—aye, Watroba—aye, Wulkuhle—aye; (6-0-0)**

- Street Acceptance, Condominiums at Sugarloaf  
Mark Wightman, developer of Condominiums at Sugarloaf subdivision, stated that the roads were designed to town standards from initial planning in anticipation of road acceptance by the town. Mark gave a description of the road acceptance process.

The Planning Board agreed that the roads have been constructed to town standards.

**Motion to endorse the roads of Sugarloaf Condominiums as meeting requirements and to send their endorsement to the Select Board for public hearing; Kathy Sylvester                      Second Rachel Blain**

**Vote: Gaylord—aye, Leibson—aye, Mason—aye, Sylvester—aye, Watroba—aye, Wulkuhle—abstain; (5-0-1)**

- Public Hearing Nexamp Site Plan Review: Hearing convened with notice read into the record by Mason: Notice is hereby given that the Deerfield Planning Board will hold a Public Hearing on Monday, July 10, 2023 at 6:30 pm on an application filed by Deerfield Renewables, LLC for Site Plan Review, for property located at 42 Lee Road, Assessors Map 110 Lots 20 & 21 to construct a 2.95 MW Solar PV Array on the existing Deerfield Landfill, work to include minor regrading , additions to the existing gravel road; a battery energy storage system; and infrastructure to support utility interconnection pursuant to

Zoning Bylaws c.179 §3800, §5300 §5400 and c.155. Nexamp Solar, 42 Lee Road- Site Plan Review Application

Presenting: Henry Barrett, Nexamp; Robert Bukowski, Weston & Sampson.

Henry Barrett gave a general introduction to Nexamp and the proposed project. The project is a joint partnership with the Town of Deerfield. Nexamp will construct and be the owner/operator of a 2.9 megawatt solar array on the town landfill site at 42 Lee Road. Nexamp will operate the array for up to 40 years before decommissioning and restoring the site to its original state.

Mr. Bukowski provided a description of the building process. Nexamp has met with both the DPW and Fire Chief and agreed to build a construction access road in order to maintain DPW and emergency vehicle access to the transfer station during construction.

The installation will be built to state specifications. Battery storage is required by the state.

Following is a list of concerns expressed by members of the planning board and the applicant's responses to the Planning Board's concerns:

Siting and fire safety of battery storage - The batteries will be Tesla Megapack, manufactured to OSHA standards and located. Batteries have alarms and will be monitored 24/7 by a live operator. Batteries cells are isolated, contained and designed to burn themselves out through top vents with no intervention. Tesla specifies a 100-foot radius from the container as safe and will give in person training to town emergency personnel. No fires have been reported in installations using these batteries. Batteries are warranted for 15 years.

Fence containment and possible danger to animals or humans entering the enclosure. - The fence is designed to allow small animals to enter and exit. All high voltage equipment is enclosed and presents no danger to human trespassers or wildlife.

Stormwater drainage and runoff –The site is currently vegetated and vegetation won't be disturbed by construction. There will be minor tree clearing of trees overgrown onto landfill cap to improve drainage. Trees are not allowed on the cap and will not be stumped to avoid cap penetration.

Abutters – the closest abutter to the east is 400' feet from the enclosure fence. The existing trees will be left in place and will act as a visual screen. The closest neighbor to the west is separated from the installation by a wooded area.

Safety and security – As per state law, a health and safety plan must be approved by the state before construction can begin. Nexamp will monitor operation of the array 24/7. The entry gate into the array is locked. The town will be given access information.

Historically there have been no issues with trespassing at other Nexamp sites and no health issues for surrounding residents have been reported.

Construction – Nexamp will draw up an agreement with Eversource to begin construction this fall, depending on the weather. 3 months of heavy construction will be followed by 2 months of ongoing wire management and connection. Construction oversight by third party monitors is required by the Mass DEP.

Liability – Nexamp will provide Workmen’s Compensation Insurance during construction and liability insurance throughout the life of the project. Yearly proof of liability insurance will be provided to the town.

Peer Review - The equivalent of peer review is provided through Mass DEP technical review for a Post Closure Use Permit, as required by the state. The Planning Board will receive a copy of the DEP Post Closure Use Permit decision letter.

Bond requirement – Bond requirement is addressed in Appendix 4, p. 32 of the Site Plan Review Application. The bond will be negotiated with the initial RFP & PILOT agreement with the town through the manager’s office during the permitting process.

Invertor noise – Sound pressure calculations show 71 decibels at 10 meters. The sound at the distance of the closest abutter is calculated to be ~25-34 db. This is comparable to leaves rustling and happens only during the day, not at night. Placement of batteries and inverters is dictated by proximity to Eversource and cannot reasonably be changed.

Benefits to town – Nexamp’s lease with the town provides a minimum of 20 years’ revenue. There is no up-front cost to the town. Nexamp will maintain the array, reducing grounds maintenance costs for the town, the town will receive annual tax revenue, and energy tax credits. Power generated by the array goes to the Eversource SMART program, which makes energy credits available to local homeowners. The power generated by the proposed array stays local.

Public Comment:

Roy Gregor expressed concern regarding noise levels and safety of the battery storage, evacuation concerns in case of battery fire and suggested construction of a sound mitigation barrier.

Decommissioning-Blain expressed concern on decommissioning plans, would like to see a report from the selectboard regarding decommissioning.

**Motion to continue Blain.**

Discussion – Reports from the DEP and Selectboard will be available for the next regular Planning Board meeting on August 7. Applicant suggests that health and safety plan and decommissioning plan be conditions of approval before receiving building permit.

A site visit was arranged for July 19.

**Motion to continue the hearing to the August 7 Planning Board regular meeting,  
6:30pm, Blain Watroba second**

**Vote: Gaylord—aye, Leibson—aye, Mason—aye, Sylvester—aye, Watroba—aye,  
Wulkuhle—aye; (6-0-0)**

7. Other business not reasonably anticipated 48 hours prior to the posting of the meeting

- No Other Business

9. Reports (committees, seminars, etc.)

- The Open Space Committee will meet with a representative from Eaglebrook School in May to discuss access to Rices Ferry Road and the potential for building a public walking trail.
- The Ad Hoc Senior Housing Committee is exploring sites for Senior Housing to be built. Sites on the Town Campus that are being considered are constrained by wetlands. Discussions are available for viewing on the town website.
- CCI has obtained funding through a Complete Neighborhood grant. They are working with the Ad Hoc Senior Housing Committee to come up with different scenarios. Requests for funding are being sent to state representatives.

10. Review Mail

- No Mail

11. Next Meetings:

12. Adjourn

Move to adjourn Rachel Second ??

Unanimous

Adjourned at 8 16 P.M

Respectfully Submitted,

Amy Hahn, Planning Board Administrative Assistant

Documents List:

- The Condominiums at Sugarloaf Street Acceptance plan dated 3/10/2023
- Special Permit Application and plan dated 6/24/2023
- Nexamp Site Plan Review Application & Plans dated June 2023