



Deerfield Selectboard/Planning Board

Monday 7 August, 2023, 7:00 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 August 7, 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 – 6:30pm Emily Gaylord reads the introduction - *(Refer to Deerfield website for the state-mandated introduction on the agenda)*

2. Identify Board members in attendance

Denise Mason, Emily Gaylord, Kathy Sylvester, Andrea Leibson, Kathy Watroba, Analee Wulkuhle. Absent: Rachel Blain

Also present: Bob Walden, Building Commissioner; Amy Hahn, Building Department Assistant; Henry Barrett, Nexamp; Nick Granata, Weston & Sampson, Inc.; Jose LaSalee, florrent, Inc.; Alex Nichols, florrent, Inc.; members of the public.

4. Review minutes:

5. Old Business

- Clarification of Street acceptance endorsement

Motion to clarify language of motion made at July 7 Planning Board meeting to endorse Street Acceptance Plan for Snowberry Circle and Gray Lock as follows: The Planning Board finds that the plans titled Street Acceptance Plans: The Condominiums at Sugarloaf prepared by SVE Associates dated March 3, 2023 Snowberry Circle and Gray Lock Lane, located in the village of South Deerfield, meet the requirements and standards for public roads pursuant to By-Law c. 197, Public Roads- Watroba

Second: Andrea Liebson

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

- FRCOG Ch. 179 reviews: next focus group meeting will be August 21, 5:30 pm
- Public Hearing Continuation Nexamp Solar 42 Lee Road: Hearing continuation 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

In attendance: Henry Barrett, Nexamp; Nick Granata, Weston & Sampson.

Henry Barrett confirmed that the DEP Post Closure Use Permit for the project has been approved. Denise Mason, Chair, confirmed that DEP Post Closure Use Permit serves as peer review for this application.

Public comment period was opened

Roy Gregor, 45 Lee Road expressed concerns about inverter noise and the danger of Li-ion battery fire. Mr. Gregor submitted a copy of MA Noise Regulations DEP 310 CMR 7.10, a chart of inverter noise level from a distance comparison, and an excerpt from the NIH (national Library of Medicine on toxicity of emissions from Li-ion battery fires. Public comment included concerns about construction disturbance and length of construction, operating noise and fire danger posed by on-site battery storage to the Planning Board

Marie Nault, 6 Ducan Drive inquired as to length of construction period and impact of construction, and what benefits are derived by the town.

Nexamp representatives replied that construction disturbance will be minimal and will last ~ 3 months. DEP permit conditions include construction monitoring and monthly inspections for a minimum of 1 year. Ongoing operating noise is calculated to be negligible. Noise levels must conform to DEP standards. DEP will conduct third party inspections on completion, as per management plan submitted, and noise in excess of MGL 310 CMR 7.10 will be abated. Fire risk is historically minimal and designed to be contained to one unit.

Motion to close Public Hearing- Gaylord

Second: Watroba

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

Planning Board deliberation followed with discussion of the benefits of the project to the town, including making good use of an otherwise unbuildable brownfield site and energy credits available to citizens. Further discussion centered on issues of noise, fire hazard and construction impact.

Motion to approve Site Plan Review application submitted by Deerfield Renewables, LLC Site Plan with the following conditions -Gaylord

1. : Comply with any and all performance and payment bonds in accordance with state law.
- 2 A removal bond is required for decommissioning assurance.

Second: Sylvester

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

6. New Business

- ANR 255 Hawks Road, Map 35, lots 1 & 3
In attendance: Joan W. Herron, Landowner

Bob Walden, Zoning Enforcement Officer confirms that plan presented is not a subdivision and does not require approval.

Motion to endorse plan: Sylvester

Second: Gaylord

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

- Public 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, August 7, 2023 at 6:30 pm on an application filed by florrent, Inc. for Site Plan Review for property located at 10 Greenfield Road (Map 175 Lot 6) to operate a research and manufacturing facility pursuant to Zoning Bylaws c.179. Application documents available for review in foyer of Municipal Offices or online at www.deerfieldma.us in the calendar event

In Attendance: Jose Lasalle, CEO, florrent, Inc; Joe Hastry, COO/CFO, florrent, Inc.
Presenting: Alex Nichols, Chief Engineer, florrent, Inc

Public Comment Period opened

Sara Allium, 14 South Main Street inquired about emissions, especially in phase two, manufacturing, the number of people employed and the location of operation in the existing building.

Discussion of carbon sequestration vs emissions, amount and quality of emissions and hazardous waste disposal followed. Emissions are CO₂, ~2 kg/hour of operation. Research facility will only be in operation ~6-10 hours per week and will employ up to 5 people. Emissions will increase tenfold for manufacturing. More carbon is sequestered than released in the manufacturing process. Hazardous waste is less than 100 kg and will be shipped to DEP approved facility in East Brookfield or a different DEP approved facility

Applicant agrees to come before the Planning Board before commencing Phase Two, manufacturing.

Special Permit application has been submitted to the ZBA for relief from c.179 §2230 and variance from c.179 §4131

Motion close hearing- Gaylord

Second: Watroba

Vote: Gaylord—aye, Leibson—aye, Mason—aye, Sylvester—aye, Watroba—aye, Wulkuhle—aye

Motion to approve Phase One of Site Plan Review submitted by florrent, Inc. for a Research facility at 10 Greenfield Road with the following conditions--with waiver from c179 §4131 and the following conditions: no objection from Fire Chief -Wulkuhle

1. No objections from the Fire Chief

Waiver- the Planning board waives applicant from requirements of Chapter 179 section 4131: All cinders, dust, fumes, gases, and electromagnetic interference shall be effectively confined to the premises.

Second: Sylvester

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.)

- Connection Community Initiative: The next meeting has been changed from August 8th to September 12th-- Mason

- Community Preservation Committee: The CPC met briefly to discuss accepting the return of the money awarded to the town for the park project which is now canceled-- Sullivan
- Deerfield has received both of the MVP grants that were applied for this year, including a two-year MVP Action Grant for \$237,823 and a two-year MVP 2.0 grant for \$95,000— Wulkuhle.

10. Review Mail

- No Mail

11. Next Meetings: September 11, 2023

12. Adjourn

Motion to adjourn -Gaylord

Second: Wulkuhle

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

Adjourned at 8 16 P.M

Respectfully Submitted,

Amy Hahn, Planning Board Administrative Assistant

Documents List:

- Deerfield Landfill Post-Closure Use/Solar Array Authorization No. 23-SW36-004
- florrent, Inc. Site Plan Review Application 7/25/2023
- florrent, Inc. supplement to application
- florrent, Inc. chemical inventory
- Existing Conditions Building D 10 Greenfield Road