

**WARREN PLANNING BOARD
MINUTES OF February 3, 2020**

PRESENT: Mr. Derick Veliz Chairmen: Mr. David Dufresne-Vice Chair Mrs. Susan Libby; Mr. Gary Norton; Mrs. Drue King

Absent: All Present

ATTENDEE: See List

Meeting was called to order at 7:18 PM in the Selectman's Meeting Room

Meeting started late due to a camera being set up by the Cable Access Channel WCAT12 (Marc Richard asked the Cable Channel to tape) The Board wasn't aware Mr. Richard requested it.

The Pledge of Allegiance

Discussion with Borrego seeking a field change.

Archie Adams spokesman for Borrego Solar.

Borrego is asking to move the fence from the bottom of the Berm to the top of the Berm.

The Board during the Special Permit and Site Plan Review asked for the fence to surround the entire Facility in concerns for all-terrain vehicle riding in the area. The fence was done before the Board was asked for the field change. The Board had concerns that a Fire Truck would not be able to drive along the fence and if a maintenance truck and or equipment be able to reach the bottom of the berm to maintain.

Mr. Veliz had concerns with erosion. Mr. Veliz addressed his concerns to Mr. Demetrius and Mrs. Eichacker members of the Conservation Committee seated in the audience. The Conservation Committee does have an Erosion Specialist who does do site visit and has had a few issues corrected.

Mr. Demetrius also had concern with the Basins not emptying within 72 hours of a rain fall.

All 5 Board members agreed to ask the Fire Chief and Conservation to visit the site to see if they have concerns on the placement of the fence before the Board decides to leave the fence as is or have it moved.

The decision will be continued to February 24, 2020.

Memo from the Board of Selectmen (Dt: January 7, 2020) to all Boards and Committees.

Effective immediately, employee will no longer be able to bring their children into the workplace during work hours. Employee have always been allowed to bring their children to the office, the building has always been Family Friendly. This has caused chaos in the building and hard feelings that the Selectmen had not discussed this with all employees.

Email from Dario Nardi (DT: January 23, 2020 @ 6:43 PM) directed towards Kathleen Czub and Rachael Carney.

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I, Kathleen Czub had made it known that I believed that the Memo from the Selectmen was toward Rachael Carney and her daughter.

Rachael and myself then received an email from Mr. Nardi (private email) about our office hours.

Mr. Nardi informed us that he will not sign our payroll if we are working behind closed doors, take work home or work on Fridays.

Both the Assessor's Office and Planning Boards Office are closed to the public one day a week to have uninterrupted work time. We both have time-imposed datelines and not having the staff or hours to get all the office work done our Boards had voted to close the offices one day per week. The Planning Board voted on December 10, 2018 to close the office on Tuesdays, Assessors on April 4, 2019 to close on Thursdays.

Rachael had started working on Friday to make up the hours that she lost because she had to leave at 3pm to be with her daughter after school since she is not allowed in the building.

Many employees have worked on Fridays also behind closed door including the Selectmen's Office.

I Kathleen Czub then had a conversation with Mr. Richards on Monday January 27, 2020 while working in the Building Department about the Email from Mr. Nardi. I was told this is not from the Selectmen's Office which I knew. I then told Mr. Richard that I **do not** work Mr. Nardi or the Selectmen, I work for the Planning Board and the Building Department. The following Monday (February 3, 2020 @ 12:56) sent by Becky in an email instructed from the Chairmen of the Board of Selectmen.

"The Chairmen of the Board of Selectmen has instructed me to send out the following portion of the Personnel By-Law to all Department, Boards and Committees. He is requesting that you share our by-law with your staff and elected officials. This is a very important part of our town and everyone should understand the by-laws and its functions."

This is referring to Section II- Management Rights

I have told all offices if they need me just knock on the door or call me on the phone. Also, if someone needs me from the Public just call me and I will come out of the office to help them.

Krista Virchow did state to the Board that she had come on a Tuesday and had gone into Nancy's Office (Town Clerk) looking for me. Nancy did call me and I told Nancy to send her over that the door is not locked, 90% of the time the door is unlocked on Tuesdays it's only been locked when I had a deadline to meet.

Most of the staff in the Building are working Mothers and have taking these positions because it was a Family Friendly Building and we could bring our children and or grandchildren to the office when they were not in school or if we needed to close the office for Family business we could. This was a tradeoff for lower salaries. Most of the Office are part time and under paid and would be hard to fill if it wasn't for this convenience.

The Planning Board supports us 100% and the Residents that Attend our meeting also support us 100%.

We are very Thankful for the support the Board; our Colleagues and the Residents have given us.

Payroll/Bills/Budget

Motion to approve and sign payroll in the amount of \$273.11 x 2, \$ 246.68 x 4 and \$ 264.30 made by Mrs. Libby: second Mr. Norton- 5 yes votes.

Minutes

Minutes tabled to next meeting.

Public Hearing for Special Permit No. 293 & 293A & Site Plan No.60 & 60 A for Sunpin Solar Development, LLC. The Applicant is requesting to construct and operate a Ground-Mounted Solar Pv Installation. The Property is owned by Richard & Madelyn Monaco and is located at 170 Brookfield Rd also known as Assessors Map 12 Lots 32 & 35: second Property is owned by Krista Virchow located at 260 Brookfield Road also known as Assessors Map 12 Lot 31 both are located in the Rural District. A copy of the application may be inspected in the Office of the Planning Board or Town Clerks Office during normal business hours.

Chris Nolan (BETA Group, Inc), Stephen Borgotti, William Barley and Jim Martin ESQ Representatives.

Abutters notification and publication was done in accordance with the provision of Chapter 40A, 11 of the Massachusetts General Laws.

Document submissions on June 19, 2019 included the Zoning Review, Special Permit Application and Site Plan Review, Application Fees, Plans (Dt: May 2019), Site Plan Approval Waiver Form w/ Letter, Certificate of Liability Insurance, Additional Insured- Managers or Lessors of Premises, Interconnection Service Agreement, Forgesolar Glare Analysis, Town of Brimfield Abutters List, Decommissioning Plan, Operation & Maintenance Plan (Dt: May 17, 2019), Lease Option Agreement, Stormwater Management Report (Dt: May 17, 2019).

Document submissions on July 10, 2019 included Amendment to add Zoning Review for the Access Driveway Special Permit and Site Plan Review, Application Fees.

Document submissions on February 3, 2020 included Stormwater Management Report (Dt: February 3, 2020), Revised Plans (Dt: February 3, 2020) Summary of the Project, Invert Sound Analysis (Dt: April 2012) Operation & Maintenance Plan (Dt: February 3, 2020) Landscaping Sections Maps (10A 10 B 10C).

Mr. Nolan and Mr. Borgotti presented the project.

Mr. Nolan started the presentation stating they are no longer going to use Krista Virchow Property for the Access Road (we asked for this in writing). They have a new access in the Town of Brimfield. They are in Hearing with the Brimfield Planning Board. The Board asked Mr. Nolan what if the access Road is denied what will they do next. Mr. Nolan said they have another option. The Board asked Mr. Nolan to Withdraw without Prejudice and re-apply when they are finished with the Town of Brimfield Planning Board. They declined to do so.

The Array will be 6.5 MW, No Battery Storage Box. The Parcel is 97 Acres, 27 Acres will be cleared, 22 Areas will be the Array. Lot 32 and Lot 35 have been combined into 1 Lot with an ANR Signed December 10, 2018. The Project will take approximately 4 months to construct. A waiver filed requesting to clear to the property line. The array is situated within a low area between two hills. There is 500 + ft of existing woodlands and a steep, hilly slope between the Abutters and the Site.

The Board had concerns if the Abutters would see the Array if they were hiking near the property lines. Answer is yes.

The Board and Abutters have many concerns once the trees are clear cut, the area is mostly ledge and once the ground is disturbed the water will start weeping. This area is on Septic and Wells, no Public Utilities.

Also, if the waters natural flow is diverted away from the Abutters Properties will their Wells go dry.

During construction Abutters have concerns with Truck entering and exiting the site with heavy volume of traffic in the morning and afternoon having a School in the area.

Concern about the Test Pits, the areas where they were tested.

The Abutters do not want any Trespassing on their Properties.

Question on what an ANR really Freezes in the Town Zoning By-laws. Mr. Blake said he will look into this and get back to the Board.

With the end of the Hearing the Board and Mr. Nolan discussed what date works best to continue Hearing to. The Decision was April 27, 2020 giving Sunpin time to get a Decision from the Town of Brimfield Planning Board.

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Next Meeting Date: February 24, 2020 @ 7:15pm

Motion was made to enter into Executive Session during open session and will not enter back in open Session made by Mrs. Libby: second Mr. Dufresne- Roll Call Vote Mrs. Libby yes- Mr. Veliz yes- Mr. Dufresne yes- Mr. Norton yes- Mrs. King yes @ 9:40

Respectfully submitted,

Kathleen M Czub
Secretary

02/24/2020
Date Approved