

TEL: (413) 436-9312 x260
FAX: (413) 436-9754

TOWN OF WARREN

PLANNING BOARD

WARREN, MASSACHUSETTS 01083

WARREN PLANNING BOARD

MINUTES OF August 24, 2020

PRESENT: Mr. David Dufresne-Vice Chair Mrs. Drue King; Mr. Edward Londergan; Mr. Richard Eichacker

Absent: Mr. Derick Veliz-Chairmen

ATTENDEE: See List

Meeting was called to order at 7:15PM in the Gymnasium of the Shepard Building

The Pledge of Allegiance

Decision for Special Permit # 295 & Site Plan # 60 for the Warren water District.

Motion made to accept the Special Permit & Site Plan for the Warren Water District made by Mrs. King: second Mr. Eichacker- Roll Call Vote; Mr. Dufresne- yes; Mrs. King- yes; Mr. Londergan- yes; Mr. Eichacker- yes; 4 yes votes; 1 absent (Mr. Veliz) motion passes.

Discussion with Borrego to finalize detention basin fence location.

Because of all the Electrical components on Site the fence was put up at the top of the basin. In the Decision (dated 3/11/19) the fence placement would be on the outside of the basin. The Board was not notified of the change. The Board decision was to move the fence to where it was agreed upon in the Decision (fence on the outside of the detention basin). Borrego agreed to move the fence to the outside of the basin.

Motion was made to move the fence back to outside of the basin where it was decided on in the Decision made by Mr. Eichacker: second Mrs. King; Roll Call Vote; Mr. Dufresne- yes; Mrs. King-Yes; Mr. Londergan- yes; Mr. Eichacker-yes; 4 yes votes; 1- absent (Mr. Veliz) motion passes

Discussion on Violations on the Coy Hill Solar Project, ZPT Energy Solutions, LLC.

The Board has received many complaints from Resident on Coy Hill Road also from the Police & Fire Chief.

Complaints

- 1. No Police detail was requested or provided**
- 2. Parking vehicles alongside of road**
- 3. Working pass allowed hours**

Ken Lacourse Director of Civil Development attended for ZPT.

Mr. Lacourse was apologetic for the complaints on the Site. Mr. Lacourse was notified of the violation prior to tonight's meeting and had corrected the issues.

- 1. The Police Chief was called to set up the details for traffic control.**

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2. An area was developed on site for vehicles to unload materials. Vehicle waiting to unload will wait off Coy Hill Road. Must have permission from Owner of the waiting area.
3. Work will end by 5pm.

The Board thanked Mr. Lacourse for addressing the complaints and attending our meeting.

Continued Public Hearing for Special Permit No. 293 & Site Plan No. 60 for Sunpin Solar Development, LLC. The Applicant is requesting to construct and operate a Ground-Mounted Solar Installation. The Property is owned by Richard & Madelyn Monaco and is located on 170 Brookfield Rd also known as Assessors Map 12 Lots 32 & 35 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.**

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

Mr. Jim Martin ESQ Representatives for Sunpin. Christopher Nolan for BETA Group.

Sunpin asked to continue the Hearing in email dated 8/3/20 on 8/11/20 email was sent to Mr. Nolan that the Board denied their request to continue the Hearing.

Mr. Dufresne asked if Sunpin was prepared to present their project? Mr. Martin replied they could show the plans that they have, as I trust all of you know that Brimfield has sent the entire project to Peer Review including Warren. Sunpin is working to address issues & concern, this is a work in progress right now.

The Board did receive the Peer Review from the Town of Brimfield. TEC The Engineering Corp did the Peer Review.

Mr. Dufresne asked if Sunpin had time to review? Mr. Nolan, yes.

Mr. Dufresne thought TEC did a very good job, Mr. Nolan agreed.

Mr. Nolan replied they can revise the Site Plans and the Stormwater do the additional work that is required to meet the Peer Reviewers comments.

Mr. Dufresne asked Mr. Nolan if they are ready to present the project tonight? Mr. Nolan response was no.

Mr. Dufresne so, your project is not complete and have nothing new to present tonight. Mr. Nolan response we have already presented a substantial portion of the project. Mr. Nolan continue with we already indicated we did not have an Access Route and are negotiating an alternative Assess Route. Mr. Nolan believe they can meet the Peer Review requirement and will meet with Brimfield on September 2, 2020. The Project has had substantial delays due to Covid-19. The Project has mainly come down to three (3) issues, Stormwater, Test Pits(test pits will be done in the next week to 10 days) then we will have the additional data that will be required and will revise the Stormwater Management Report and will revise the Site Plan appropriately. To perform the correct Stormwater Management without changing any of the footprint, may change some of the edges to the access road in Brimfield. Warren would have changes in the Stormwater Management and some layout changes to satisfy the Peer Reviewer.

Mr. Dufresne so you do not have a completed Project at this point? Mr. Martin, No

Mr. Dufresne what I am going to ask you to do is, I respectfully ask you to Withdraw without Prejudice. Mr. Martin, we decline to do that. Mr. Dufresne: you decline to do that.

Mr. Dufresne, at this point we do not have an Access Road we have continued long enough. We all have reviewed Tec and there is significant amount of changes that need to be done which are well beyond the original scope of the Plans. We have giving you the opportunity to Withdraw without Prejudice you have declined that correct. Mr. Martin there is no legal basis that I'm aware of a petitioner that is working with a Board and with an adjacent Town to have their Plan voted on against their will right, now if there is a legal basis that you can cite to me.

Mr. Dufresne, I am not going to argue with you. Mr. Martin, I 'm not arguing with you. Mr. Dufresne, you will have your chance to appeal whatever the decision is. Mr. Martin, now that sounds like fait of accompli, I will have the chance to appeal. That was not a fair statement. So, if there is a legal basis to share with us.

Mr. Dufresne: Do I have a motion to close the Public Hearing.

Motion to close the Public Hearing for Sunpin Solar Development made by Mr. Eichacker: second Mrs. King- Roll Call Vote- Mr. Dufresne: Yes- Mrs. King, Yes- Mr. Londergan- Yes- Mr. Eichacker- Yes. – 4 Yes Votes- 1 Absent- Motion Passes

Mr. Dufresne so are we ready to take a vote. Mrs. Czub: No, we need a Decision, we have Ninety (90) days to decide. Mr. Dufresne, we will have our Decision in Ninety (90) days. Mr. Martin, you need to vote at an open meeting and give notice of the open meeting to vote within the ninety (90) days. Mr. Londergan, we can do that. Mr. Dufresne, the meeting is now closed. Mr. Martin, the Hearing is closed. Mr. Dufresne, I mean the Hearings is closed the Meeting is still on going.

Let us continue with the Meeting.

Hearing date set for Special Permit No. 297 for James Allard on September 28, 2020.

Payroll/Bills/Budget

Motion to approve and sign payroll in the amount of \$311.44 and \$ 256.48 made by Mrs. King: second Mr. Londergan- 4 yes votes- 1 absent (Mr. Veliz).

Motion to approve invoice for Turley in the amount of \$185.05 made by Mr. Eichacker: second Mr. Londergan – 4 yes votes- 1 absent (Mr. Veliz)

Minutes

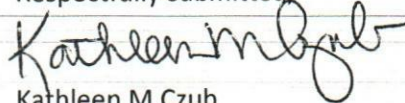
Tabled

Other Business

Residents were happy to see the Board smiling and working great together.

Next Meeting Date: September 14, 2020 @ 7:15pm

Respectfully submitted,


Kathleen M Czub
Secretary

Sept 28, 2020
Date Approved

Members of the Board Signatures

