

Mansfield Municipal Light Commission Minutes
November 19, 2014

Present: Jess Aptowitz, Chair; Olivier Kozlowski, Vice Chair; Frank DelVecchio, Clerk; George Dentino, Doug Annino
William Ross, Town Manager; Gary Babin, Director, Mansfield Municipal Electric Department

1. Meeting Called To Order at 7:00 PM

Chairman Aptowitz called the meeting to order and reminded everyone the meeting is being broadcast live and taped for future broadcast.

Mr. Babin told the Board about the retirement of Gary D'Ambra, who worked for MMED for 36 years. He said Mr. D'Ambra was a big part of the reason MMED has such a good safety and reliability record and wished him well in his retirement. Mr. Dentino said Mr. D'Ambra was a very hard working employee and helped to train a lot of others. Mr. Aptowitz said Mansfield is fortunate to have had someone like Mr. D'Ambra serving its residents. Mr. Annino said he appreciates Mr. D'Ambra's leadership throughout the years. Mr. DelVecchio said he has only heard positive things about Mr. D'Ambra and wished him well in his retirement. Mr. Annino suggested sending Mr. D'Ambra a commendation.

2. Director's Report

Review and discussion of FY14 MMED Audit Report - Jim Bazinet, Bob Krentzman and Jess Aptowitz presented the 2014 MMED audit. Outside auditors have reviewed the books and the results are very positive; Mr. Bazinet said that no significant issues came out of the audit. Mr. Annino said he is pleased the audit was successful. Mr. Dentino said he did not see any negative issues in the audit. Mr. Kozlowski thanked the Audit Committee for completing this so quickly. Mr. Aptowitz said the current audit company's contract is up soon, so the town will be putting out an RFP.

Motion: To adjourn the Audit Committee (Bazinet-Krentzman) All in favor. **PASSES**

Motion: To accept the 2014 MMED audit as presented
(Annino-Kozlowski) All in favor. **PASSES**

Proposed Branch Street Solar Development - Discussion of a proposed residential and solar development on Branch Street at former site of Compo Chemical - Attorney Edward Valanzola; Katherine Martin, landscape architect; Dan Russell and Joe Lynch, proponents; and Johnathan Abe, Blacksmith Solar were present.

Attorney Valanzola noted that this site is zoned industrial and would allow a number of industrial uses, including bulk material storage and sales. This is a Brownfield site and the owners have cleaned it up. He stated that while it may be vacant land, it will not stay that way. He said he thinks the solar proposal is consistent with the town's Master Plan. He said his client

is sensitive to the fact that the property is in a residential area, but they think it would be a good use for the site.

Mr. Lynch said the site was owned by Compo Chemical Co., which closed in the 1980s. The owners have been cleaning it since the 1990s. The industrial portion has been cleaned to industrial standards and a residential use would not be allowed on the industrial portion. Mr. Lynch said there are two Activity and Use Limitations (AUL) on the site, and they are not proposing any excavation for this project, which is a condition of the AUL. There is also an AUL near the wetland area. Mr. Lynch said the entire site is 32.8 acres and includes two parcels; 26 acres owned by IRG Mansfield and the six-acre ISPO parcel. The property has approximately 1,400 linear feet of frontage on the bike path.

The plan shows a 1.35-megawatt solar field with a small parking area. There would be a landscaped buffer across front of the site to enhance existing vegetation, the existing fence would be replaced and gaps in landscaping along the street would be filled in. Mr. Lynch said their intent is to have a fully-landscaped exterior along the front of the site and along the bike path. He said out of the 1,500 lf of frontage, they would work in the first 500 to 600 feet and leave the rest as is.

Mr. Lynch said they propose to include educational signage and benches in a parking area to tell the story of the benefits of solar power to customers and the community.

Ms. Martin explained the landscape features, including the parking area in the northwest corner of the site for five cars, benches and signage that would be available for passive recreation. The north and west sides of site would have a 20-foot vegetated buffer with a four-foot chain link fence behind it. They would like to fill in the existing buffer with additional indigenous plantings to create a vegetative screen.

Mr. Abe explained his company was asked to prepare a summary on the project's benefits and key issues as follows:

Inverter noise: A typical inverter gives off about 58 dB from 10' away, similar to the sound of a loud conversation. He said the inverters will be located as centrally on the site as possible, hundreds of feet away from the property line, and their noise will be consistent with background noise.

Glare: Solar panels have anti-reflective glass and reflect only about 2% of the sunlight that hits them; the project will be oriented to the south, so there will be no glare to abutters.

EMFs: The solar project is a low-voltage system generating power at about 600 volts DC and converting it to about 208 volts AC, equivalent to household electrical equipment. The power lines on Branch Street produce significantly more EMFs than this equipment.

End of Life: The useful life of this equipment is 30-40 years. This would be a ballasted system composed of solar modules, silicone cells in plastic and glass, aluminum mounting and concrete ballasts. At the end of the equipment's life, there will be recyclable materials and solid waste.

Benefits: The energy that goes into manufacturing the product would take a couple of years to offset, but after that, it would offset 1,400 tons of carbon, or around 1,000 acres of forest.

Power purchase agreement benefits: The applicant believes the project would generate enough electricity to power about 175 homes, around 1% of MMED's total usage and save rate payers \$1.5-2 million.

Mr. Lynch showed the board a rendering of a typical double-thickness panel on a ground-mounted system with poured-in-place concrete bases. The bottom of the panel would be 24" above the ground and the top would have a 6'5" peak height.

Mr. Lynch distributed a tax calculation. Currently, the 32.8-acre undeveloped parcel generates about \$9,868 in tax revenue. The projected residential and solar taxes would generate about \$39,382 in tax revenue, including the solar equipment and four Form A residential lots could be created on Branch Street.

Mr. Kozlowski said he has seen the panels arranged at different angles on different installations and asked why that is. Mr. Abe said optimal production in this area would use a 35% angle. He said when a solar project is designed, the costs of mounting and cost density have to be figured, and a 20% tilt would maximize construction and keep the cost of the material down. Mr. Kozlowski said this would be close to the airport, but if it is not reflective, it should not be a problem for pilots. Mr. Abe said he would look into that.

Mr. Kozlowski asked about ownership of the two parcels. Mr. Lynch said he has a purchase and sales agreement on the property. Mr. Kozlowski said if there is an AUL preventing excavation on the site; the possible industrial uses would be limited. Mr. Valanzola said any construction could use slab foundations; he said there have been several parties interested in the property who have not moved forward. He said construction would be limited because of the AULs, but there are a number of allowed industrial uses. He said the owner has spent a lot of time cleaning and marketing the site, and it will eventually be developed in some way. Mr. Valanzola said one of the advantages of this project is that it will not penetrate the ground.

Mr. Lynch said the AUL on the Compo site goes to the property line. The Ispo site has an AUL at the back, but not at the front; their intention is to leave the portion with the AUL intact.

Mr. Kozlowski asked what the view from the bike path would be. Mr. Lynch explained there will be a 20-foot landscaped buffer along Branch Street with benches. Mr. Valanzola said his client owns both sites, including the small parcel that abuts the bike path, and will be able to limit what other property owners could do as far as removing the existing landscaping.

Mr. Dentino asked if the photograph Mr. Lynch distributed shows a 14-panel installation. Mr. Abe said it is; he said each panel is about 6'x3' at a 20% tilt. Mr. Dentino asked about the wrap around the concrete base; Mr. Lynch said it is a plastic tub used to form the concrete. Mr. Dentino asked if the legs are stainless; Mr. Lynch said they are galvanized steel. Mr. Dentino asked about the fence; Ms. Martin said the one in the picture is 6' high. Mr. Dentino asked about

putting high-growing shrubs around the fence; Ms. Martin said the intent is for the landscaping to cover the fence. Mr. Valanzola said they are not trying to create a wall effect, but rather a more natural effect. Ms. Martin said they would use a mixture in keeping with what is there.

Mr. Dentino asked if the project would satisfy the 25-foot wetland buffer. Mr. Lynch said it would. Mr. Dentino asked why the 100-foot buffer was not used; Mr. Lynch said the 25-foot buffer would be a no-touch zone.

Mr. DelVecchio asked how the payment in lieu of taxes was calculated. Mr. Lynch said they looked at a PILOT payment based on the finances of the specific project.

Mr. DelVecchio asked at what point he would be able to see the panels on the property. Mr. Lynch said the landscaping on Branch Street and the bike path would prevent views into the site. In the parking area, the idea is to include public spaces where the bike path could be accessed and the equipment could be viewed. Mr. DelVecchio asked if there is anyplace the site could be seen; Mr. Lynch said the area is relatively flat, but the equipment may be visible from the second floor of a house. Mr. Valanzola said this is a horizontal site, so will be relatively flat. He said any industrial use on this site could be visible from a second floor.

Mr. Annino said he likes the idea of the black four-foot chain link fence rather than a more industrial type fence; he said he likes Austrian pines mixed with rhododendron for lower coverage and the idea of the parking and viewing areas.

Mr. Annino said he was concerned about the electric lines on Branch Street; Mr. Lynch said an internal inverter will be connected via overland piping to the lines on Branch Street. Mr. Babin said a transformer would be needed. He said the lines will tie into the transformer at the Branch Street end, which will convert electricity to 13,800 volts. Conduit will be run underground across the street to a pole; there will be a pipe on the side of the pole with high voltage cables, similar to any other installation where underground service is provided. The padmounted transformer would have to be on private property. Mr. Valanzola said they can provide additional screening.

Mr. Annino asked about site lighting; Mr. Abe said the only reason for lighting would be security. Mr. Valanzola suggested a couple of small spotlights inside the site.

Mr. Annino asked if the broken pavement and other material on the site would be removed. Mr. Lynch said it would not be because there would be so much more involved with removing that material because of the AUL, but the site would be leveled.

Mr. Annino asked about the fence line and Mr. Lynch said the fence would border the solar panels and that they want to retain the existing access. Mr. Annino said he would not want to see a new access installed that might impact neighbors. Mr. Lynch said the access would have to be about 14 feet wide to accommodate trucks. Mr. Valanzola said most of the southern part of the site will not be developed and the east side would have four or five house lots. Mr. Annino asked where the landscaping would stop; Mr. Lynch said it would stop at the end of the industrial zone and they plan to leave the natural existing buffer.

Mr. Aptowitz said the applicant expects the equipment will bring \$1.5-2 million in revenue over 25 years, so it would be \$50-60,000 a year. He said the Light Commissioners have to look at that savings in the cost of power to MMED versus cost to neighborhood. Mr. Babin said the project would generate about 1% of MMED's total requirements. Mr. Valanzola said they would like the commission's guidance tonight on how to move forward.

Mr. Aptowitz said this is an allowed use but their only customer to purchase the output of the facility is MMED, so the applicant would not spend money constructing a facility if there is no customer. Mr. Valanzola said if Mansfield did not have its own electric department, the power produced at this facility could be sold to any customer. He said there will not have to be any public hearings with the Planning Board or Zoning Board for the use.

Public Comment

James Farley, 18 Lincoln Road, distributed a binder with copies of his findings and explained his concerns, including: notice of meetings with the developer to be posted on the town's website; notice to abutters within a mile; information about the financial benefits; the impact of the development if there are changes to the law; what will happen to the material at the end of the project's life; if the proposed facility will be tax exempt; impacts on loss of value on surrounding properties; unintended consequences of the facility on the town's budgets and duties; environmental issues; public safety on Branch Street and the bike path; number of aircraft; number of homes within a one-mile radius; health impact analysis; impacts on workers and local residents; contaminants stirred up during construction; groundwater contamination; mitigation in case of any contamination; danger to public safety personnel; release of dangerous chemicals during a fire; the developer's fire prevention strategy; the storage and amount of excess power; glare; FAA approval; noise; light pollution; heat islands.

Michelle Farley, 18 Lincoln Road, said she is concerned about electromagnetic fields causing childhood leukemia and low birth rates; bike path safety; what chemicals and herbicides would be used and stored on the site; pest control; protection of wetland areas; and plans for expansion; small animals in facility and the type of pest control.

Sergio Martin, 10 Lincoln Road, asked if the tax calculation shows the differential tax benefits to the town. Mr. Lynch said his calculation is simply for property taxes. Mr. Martin said with four new houses, most of the property taxes would come from those houses. He asked what the loss in value would be to the surrounding properties if the new houses are assessed for less than the developer estimates and with solar panels in the middle of a residential area. He said he cannot see the benefit for residents, who could lose value in their homes. He said most people's most important asset is their home and this development would immediately impact the value to the homeowners and the town. He said he was concerned about the town being responsible for the equipment if this company fails.

Sam Houseman, 4 Griffin's Way, said this project would supply about 1% of the town's electrical needs, and said one of the things that makes this profitable is subsidies for the developer and asked what would happen if those subsidies are lost. Mr. Houseman said if the

company is not viable after a few years, there is a lot of infrastructure on the site and asked if there would be a bond, the amount, contingencies, and what company it would come from.

Allison Vitonis, 12 Noonan Street, asked if there is any guarantee the existing tall trees will be left in place within the 20-foot buffer. Mr. Valanzola said they would be.

Julia Camp, 14 Lincoln Road, said her house backs up to bike path so she would see the panels, which would face and reflect toward her house. She said she is concerned about security on the bike path and doesn't think a four-foot fence would keep teenagers out. She said there are a lot of children in the neighborhood.

Robert Camp, 14 Lincoln Road, said the models used to figure out how much power will be produced may overestimate and asked that the modeling be checked. He said a 2% reflection from such a large field of solar panels will impact his property.

Mrs. Peishan Snyder, 42 Branch Street, asked why the applicant would chose to build a solar site here rather than someplace with a lot of sunny days.

Kristin Phillip, 8 Griffin Way, security bond underwriter, said there are bonds that should be in place to ensure the job will be completed, including a performance bond, maintenance bond, site improvement bond, street opening bond and reclamation/decommissioning bond.

Mr. Valanzola said a number of the residents' points would be covered in the purchase power agreement, including the bonds. He said many of the issues brought up were based on misinformation or fear, but said his client takes the neighbors' comments seriously and they would be addressed. He said the solar project would not cause harm to the groundwater or people walking on the bike path. He said his client would develop the site in accordance with Massachusetts law and would like to continue working with the town on the purchase power agreement. He noted this property is industrial, and while the future is uncertain, the site will eventually be developed.

Mr. Aptowitz said residents have the right to voice their opinion. Mr. Valanzola said he agrees, but said he would like to deal in facts. Mr. Aptowitz said the commission would have to work with staff to find out the facts.

Mr. Annino said the residents have done a lot of research and he would like some time to review the information presented.

Mr. Dentino said this is going to be a slow process; he said he is happy with the information both the developer and the residents have provided.

Mr. Kozlowski said there is a lot of information for the commission to look at and both sides have raised valid points. He said he understands the site is industrial, but future use will be limited by the AULs.

Mr. DelVecchio said he appreciates the research the residents have done and thanked them for their time.

Mr. Aptowitz said this site has been undeveloped for 20 years and said he is struggling with whether the dollars the town would get would be worth the project's impacts to the residents. He said he understands the developer would like direction from the commission, but he doesn't think they are in a position to do that tonight. He suggested scheduling a meeting specifically for this topic. Mr. Valanzola said the details of the purchase power agreement would take time to work out, but he said his clients would like more basic direction about whether the discussion will even go forward. He said he would reply to those issues brought up in the residents' document that are relevant.

Mr. Dentino asked if the applicant has a timeframe. Mr. Lynch said he has contracts that need to be addressed shortly but said he understands the board's need to review the material.

Mr. Annino suggested a workshop with MMED staff to talk about these issues.

Mr. Ross said the town can respond to the items in the residents' document that affect electric issues, but items like pest control may be more appropriately addressed by the applicant. He said the purchase power agreement speaks to the purchase of power and the issues that go along with it, but the site may also need a development agreement.

The Light Commissioners will have a workshop with MMED staff on December 3 and invite the applicant back on December 10.

3. Adjournment

Motion: To adjourn at 9:20 PM (DelVecchio-Dentino) All in favor. **PASSES**



Signature of Clerk

1-21-15

Date of Approval