

Minutes of Planning Board Meeting  
Town of Whately, MA  
Town Offices Building, 4 Sandy Lane  
September 25, 2018

Members Present: Don Sluter, Judy Markland, Nicholas Jones, Sara Cooper  
Missing: Helena Farrell

Attending:

Dennis Adler, Hill Engineers, Architects, Planners, 50 Depot St., Dalton  
Scott Remer, Hexagon Energy, 722 Preston Ave., Suite 102, Charlottesville, VA  
Meredith Savage, SWCA Environmental Consultants, 15 Research Dr., Amherst

I. Call to Order, 7:01 p.m.

The meeting was not recorded.

II. Approval of Minutes

Minutes of 8/28/18 – Approved as amended, unanimously

Minutes of 7/31/18 – Approved as amended, unanimously

Minutes of 6/26/18 – Approved as amended, unanimously

III. New Business:

a. North Street Site Plan Review Submission

Meredith Savage, of SWCA Environmental Consultants, submitted the application, a set of plans dated 9-25-2018, and the application fee check to Don. She said the application narrative needs a few changes, which she will submit to the Town Clerk tomorrow. She will also send a digital copy to Don.

Scott Remer, of Hexagon Energy, LLC, explained the project. Points covered included:

- The land will be leased from Chester Wroblewski
- Solar panels will be removable at the end of their use. The bar sits 5 ft from the ground, and the panel height maximum is 8 ft to 9 ft from the ground, at maximum tilt. Panels will be mounted on a north/south bar and will use a single axis tracker to track the sun east to west.
- Existing grass will remain under the panels, with a pollinator seed mix added.

Meredith Savage described the project further. Points included:

- total acreage will occupy 5.77 acres, from the outside of the fence and 10 ft maintenance corridor.
- The access road will be gravel, and this will be the only item requiring grading.
- Solar panels will occupy 4.5 acres.

- Her company is working with the Natural Heritage Program, because of priority habitat status for endangered species. State environmental review won't be necessary; she expects final word on that tomorrow. They will file Notice of Intent with the Conservation Commission. No wetlands will be involved, since all three sections of panels will be placed in open hay fields.
- A security fence will be raised 6 inches off the ground, to allow small animals to pass. It will have a locked gate.

The board asked where on the plan the local snow mobile trails are located. Ms. Savage showed how snowmobiles could navigate the property. She said she would add this information to the narrative, and would make changes to the site plan itself after she has learned at the public hearing about any additional changes that might be required. She noted that the facility won't be going in this winter, and said she would work with the applicant, the fire department, and with the snowmobile club.

The board then explained the need to consider views and screenings, especially since a historic district is involved. Judy recommended that Ms. Savage talk with the Whately Historical Society since the view from their location will be impacted. It was noted that the distance from the road is 400 ft. Ms. Savage showed the board the location of the four utility poles involved. She said that no plantings are yet planned, adding that no existing trees will be cut. Regarding fence material, she said chain link is planned but that the company will work with the town and with abutters.

It was decided that the public site plan hearing will be held on October 30, 2018, at 7:30 pm (after the public site plan hearing for the Urban Grown INC/Hutkoski marijuana cultivation facility, already scheduled to start at 7:00 pm). Ms. Savage will bring seven full copies of all materials to the Town Clerk.

b. Covestro expansion work – site plan application submission

Dennis Adler, of Hill Engineering, explained that Covestro LLC, of 8 Fairview Way, is going to begin 24 hours/day operations, and that he had come to the board to discuss the proposed project's site plan. He said that the expansion they had applied for previously had never been built and that in case the previously approved site plan had expired, he was submitting another site plan, which he presented.

The board discussed whether to waive the review in this case, but then recalled previous concerns that had involved water drainage and overflow, dry wells, and a lot of impervious surface. Mr. Adler said that this project uses a temporary gravel road, does not involve any wetlands, and won't cause objections from the Conservation Commission. The plans and the application fee check were given to Don. The site plan approval public hearing was scheduled for 10/30/2018 at 7:15 pm.

#### IV. OLD BUSINESS

The board discussed the Hutkoski/Urban Grown INC marijuana cultivation facility, scheduled for a hearing on October 16, 2018. It reviewed:

- a copy of MGL Chapter 59, Section 8A, Excise Tax on farm machinery and equipment and

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farm animals; abatement; collection; voter approval not to impose excise.

- Whately Marijuana Zoning relative to greenhouses, indoor and outdoor cultivation (Section 171-8. Table of Use Regulations.
- Draft Letter to the Zoning Board of Appeals, re: Whately zoning for indoor and outdoor cultivation of marijuana.

#### V. OTHER

The board briefly discussed adult entertainment.

#### VI. Next Meeting – October 30, 2018

#### VII. Adjournment: At 9:00 pm, the board voted to adjourn.

#### *Documents Reviewed (kept in the Planning Board files)*

1. Application for Site Plan Approval
2. A large-format set of plans dated 9/25/2018 and titled “Juniper Solar, LLC, Whately MA, North Street”, prepared by SWCA Environmental Consultants for Hexagon Energy.
3. A bound set of documents titled, “Application for Site Plan Approval Hearing with the Planning Board, Covestro LLC, Temporary Gravel Parking Lot, 8 Fairview Way, Whately MA 01093”.
4. A large-format set of plans dated 9/19/2018, Titled “Master Plan Study, 24/7 Operation Transition, Overall Existing Conditions Site Plan”, prepared by Hill Engineers, Architects, Planners
6. a copy of MGL Chapter 59, Section 8A, Excise Tax on farm machinery and equipment and farm animals; abatement; collection; voter approval not to impose excise.
7. Whately Marijuana Zoning relative to greenhouses, indoor and outdoor cultivation (Section 171-8. Table of Use Regulations.
8. Draft Letter to the Zoning Board of Appeals, re: Whately zoning for indoor and outdoor cultivation of marijuana.

Mary McCarthy  
Secretary  
Planning Board  
Town of Whately, MA