

Minutes of Planning Board Meeting  
Town of Whately  
Town Offices Building, 4 Sandy Lane  
June 27, 2017

Members Present: Don Sluter, Judy Markland, Nicholas Jones, Sara Cooper, Helena Farrell  
Members Absent: none

Attending: Dan Denehy, 330 Haydenville Rd.; Margaret Christie, 175 Chestnut Plain Rd.;  
Scott Jackson, 340 Haydenville Rd.

Call to Order, 7:04 p.m.  
The meeting was not recorded.

I. NEW BUSINESS

1. Site Plan Application

Whately Renewables Solar Facility , 134 Christian Lane  
Tony Wonseski, of SVE Associates, submitted six copies of the site plan which include a revision dated today, June 27, 2017 (occasioned by a Conservation Commission adjustment involving wetlands boundaries) as well as six copies of the site plan application, six copies of the storm water management book, and six copies of the noise analysis.

Asked about the planned placement of five utility poles in highly visible positions next to the road, and what might be done to mitigate this, Mr. Wonseski answered that pole placement is determined by Eversource and that SVE Associates has no control over that aspect of the design. He did say that he would ask SVE's client, project owner Nexamp, Inc., to push Eversource to place the poles further back to a less visually prominent location.

In answer to another question from the board, Mr. Wonseski said he would ask his coworker, Kelley Fike, to email the board an updated landscape plan for the Long Plain Solar Array project, which received site plan approval at the May 30 planning board, meeting. He also said he will have Nexamp send the board the other item requested at the May 30, 2017 meeting: a letter confirming both a Nexamp liaison and direct mail notification of Whately residents about the 15% discount net metering credits.

Nicholas Jones moved to schedule site plan review of the Whately Renewables project for July 25, 2017. Sara Cooper seconded the motion, and the board voted unanimously to hold the review on that date.

2. Legal Ads Website Discussion

Don Sluter distributed a copy of Massachusetts House Bill No. 1566, “An Act relative to electronic publication of certain legal notices”, as well as an email exchange about the topic that included Don’s question to The Recorder about the newspaper’s handling of legal notice electronic publication and The Recorder’s reply that “All of our legal notice go online”. It was decided that from now on, the Planning Board legal notices will end with the words, “This notice is also published electronically on [www.recorder.com/publicnotices](http://www.recorder.com/publicnotices) and [www.masspublicnotice.org](http://www.masspublicnotice.org).”

3. Discussion: Multi-Department Joint Planning for Possible Zoning Updates

At 7:30 Margaret Christie, of the Agricultural Commission, and Scott Jackson, of the Conservation Commission, arrived. The board reviewed Judy Markland’s “Background for Agricultural Zoning Strategy Session” document. To assist in handling future business projects, topics discussed by the board and commission members included:

- What is a farm business?
- Greenhouses, and the need for additional triggers that mean oversight is required.
- Processing y Production in determining uses of agricultural land. For example, it was noted that a boarding stable is not agricultural because no horses are bred and raised there – they are simply housed and used there. Scott Jackson will send Judy a guidance document about this .
- Marijuana’s removal by legislators from the list of agricultural activities allowed by right, the difficulty of making marijuana-related decisions with state guidelines delayed until next summer, and the suggestion to drop references to “medical” marijuana in favor of “licensed” marijuana.
- Fields of Large Solar Panel Arrays. It was noted that the board has supported solar power plants as good for the environment but that their increasing location close to homes, and their occupation of agricultural land, has raised objections among some residents. On the other hand, it was also noted that solar fields can eventually be removed and the land returned to agricultural use. The means of power production remains good for the environment, while the loss of agricultural use is only temporary (as long as the land is not out of agricultural use for an overly long time).

III. Other

There were no other items.

3.

IV. Approve Minutes of May 30, 2017 Planning Board Meeting

Nicholas moved to accept the minutes, Helena seconded, and the board voted unanimously to accept them.

Judy asked that the minutes of tonight's meeting reflect that the Historical Commission had had concerns about the depth, penetration, and volume of ground disturbance due to the mounting of the solar panels

V. Planning Board Mail

The board discussed the mail.

VI. Next Meeting Date, July 25, 2017

(Site Plan Review for Whately Renewables Solar Array)

VII. Adjourn

Don adjourned the meeting at 9:30 pm

The board kept one set each of the site plan, site plan application binder, storm water management binder, and noise analysis. Nicholas took these home for review. Don removed the "Application for Site Plan Approval" page from the application binder and completed it. He will email Town Clerk Lynn Sibley that five sets of site plans and documents, plus Tony Wonseski's \$75.00 application fee check, have been put in the copy room for her to retrieve in the morning.

*Documents reviewed (kept in the Planning Board files)*

1. A set of plans originally dated 12-JUN-17 in the lower right corner, then updated and signed by Anthony Wonseski, Jr. on June 27, 2017. Below Mr. Wonseski's signature is a triangle containing the letter B, followed by these words: "Revised per Com Comm Mtg Comments 27-JUN-17". The plans are headed: Special Permit and Site Plan Review for:

Whately Renewables Array  
134 Christian Lane  
Whately, MA

2. A coil-bound book of application materials titled, "Site Plan Review with Special Permit Application, Whately Renewables, LLC, 134 Christian Lane, Whately, MA, dated June 12, 2017 and stamped by the Town Clerk on June 13, 2017.
3. A coil-bound book titled, "Storm Water Management Plan, Whately Renewables, 134 Christian Lane, Whately, MA", dated June 12, 2017.

4.

4. A one-page email exchange RE: MA House Bill, that includes Don Sluter's question of June 26, 2016 to Suzanne at The Recorder, and her reply, concerning legal notice electronic publication.
5. A four-page document titled,

HOUSE DOCKET, NO. 1948      FILED ON: 1/15/2015  
**HOUSE.....No. 1566**  
**The Commonwealth of Massachusetts**

6. A 3-page document by Judy Markland dated June 17, 2017 and titled, "Background for Agricultural Zoning Strategy Session".

Mary McCarthy,  
Secretary  
Planning Board  
Town of Whately