

New Braintree Planning Board Minutes Monday, May 15, 2023

Present: Jason Ayer, Chair; Jody Kablack, Genevieve Stillman, Stephen Thomas

The meeting was called to order by the Chair at 7:14 pm.

Barre Solar Decommissioning Agreement:

J. Kablack informed the Board that she had contacted Quinn Engineering about completing a peer review of the decommissioning plan, as they had previously reviewed the special permit application. They provided their comments on the decommissioning plan in a memo dated May 10, 2023.

Palmer Moore was present representing NexAmp . The Chair asked if he had any comments on the Quinn recommendations. Mr. Moore noted that NexAmp had just revised the decommissioning agreement, as required in the agreement, for their other projects in New Braintree, using a slightly different CPI number, and they would like to make all the their projects standard.

J. Kablack stated that she is in favor of using Quinn's #s. The Planning Board did not review the revised figures for the other fields so cannot compare those with Quinn's numbers.

G. Stillman stated that the Board should approve the higher numbers (Quinn's), based on the current cost of goods and services.

S. Thomas had several questions about the agreement, and Board members stated that the decommissioning agreement meets the bylaw and had been reviewed by Town Counsel previously. The version NexAmp is using is one that has been used for several different solar fields.

Mr. Moore questioned the addition of language regarding "no longer producing power". He requested that a time period be included, such as 12 months, which can be extended for good cause by a vote of the Plan Bd. He also commented on Quinn's comment (d) regarding making removal of equipment the responsibility of the property owner if NexAmp fails to do so. The Board voted to leave (d) as is.

A motion to approve the decommissioning agreement, with the inclusion of all the Quinn recommendations in the letter dated 5/10/23, was made by G. Stillman, seconded by J. Kablack, and voted unanimously.

Summit Solar Settlement Agreement:

J. Kablack reviewed the history of the project, the court actions and the settlement discussions that have been on-going since spring of 2022. The settlement agreement and site plan/special permit are very similar to what was approved by the Planning Board and Select Board in June 2022. One additional recommendation is to have NexAmp's counsel submit a letter to Land Court confirming the dismissal of 2 outstanding motions, which they have agreed to do.

The Board also reviewed the decommissioning agreement submitted by NexAmp, which was also peer reviewed by Quinn Engineering. The document is the same as the one for the Barre Solar application.

A motion was made by J. Kablack to approve the decommissioning agreement with the inclusion of the Quinn Engineering recommendations contained in a memo dated 5/10/2023, seconded by T. Thomas and voted unanimously (G. Stillman abstaining). J. Kablack will hold the signature page until the settlement agreement and site plan special permit are issued.

J. Kablack made a motion to accept Louise Garwood's proposal for landscape architecture services regarding the Summit Solar application, seconded by T. Thomas and voted unanimously.

The Board could not approve the site plan/special permit application for Summit Solar this evening due to a lack of a super majority for voting purposes. This will be taken up at a future meeting.

Gravel Permits:

The Board reviewed the draft application prepared by J. Kablack. The Board wants to strongly urge property owners to fill out application and submit a plan showing property boundaries. This application will be sent with a cover letter indicating applicants should fill out to the best of their ability/knowledge in preparation for the upcoming public hearing (to be scheduled).

Other business:

New Braintree Airport – T. Thomas wants to have further discussion.

Regional planning – T. Thomas wants to collaborate with adjoining towns. He was encouraged to look at the CMRPC website for possible discussions.

Meeting Schedule: 5/22/23 with BOS to finalize the Summit Solar settlement agreement and site plan special permit

T. Thomas moved to adjourn at 8:39 pm, seconded by J. Kablack and voted unanimously.