

Hampden Solar Bylaw Review Committee

Meeting Minutes

February 26, 2019 [APPROVED 3/12/19]

Members: Donna Hatch, Chair
Caroline Cabrini
Donald Davenport
John Matthews
Maura Ryan

Next meeting: Tuesday March 12, 2019 at 6:00 PM
Melville Room at the Hampden Town House
625 Main Street Hampden, MA 01036

Agenda

1. Meeting Schedule
2. Review/Discuss Chapter 40A
3. Review/Discuss Hampden Bylaws
4. Discussion: Frame work for Final Deliverable

1. Minutes

1. Meeting Schedule

Discussion of tentative future meetings: March 12 & 26; April 9 & 23; May 7 & 21. There will be a need for a public hearing prior to the fall town meeting. Looking to complete bylaws by August 2019.

2. Review of Chapter 40A, Section 3. Paragraph 10 and the potential constraints.

“No zoning ordinance or by-law shall prohibit or unreasonably regulate the installation of solar energy systems or the building of structures that facilitate the collection of solar energy, except where necessary to protect the public health, safety, or welfare. ”

3. Review and discussion of Hamden Bylaws

John Matthews advised how bylaws have been adopted in the past.

Donald Davenport noted a change should be made to paragraph one on page 112, changed from “may” to “shall”.

Proponents of Solar Energy System may be required to provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal and disposal of the Solar Energy System and landscape remediation to stabilize and re-vegetate the site as necessary to minimize erosion, in the event the town must remove the System. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, disposal and landscape remediation, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal, disposal and landscape remediation, costs due to inflation. The Planning Board shall make the final determination of a reasonable amount and form of the surety which **may** be reviewed and adjusted every three (3) years. (Paragraphs 10 & 11 added April 25, 2016)

Other topics suggested to be added to the bylaws include:

- Large scale and free space to be zoned within the same parcel.
 - Continuity in measurement in small residential area.
- Per 7.16 Solar Energy Systems, paragraph 1, discussion to consider reviewing and changing the wording.

Solar Energy System(s) are permitted as an accessory use to the principal use subject to the following requirements. Solar Energy Systems with solar energy collector panels occupying a total footprint of more than 3,500 square feet of land area shall require special permit approval from the Planning Board and the Planning Board may impose conditions reasonably appropriate to improve site design, protect the public health, safety and welfare and/or otherwise serve the purpose of this section. For the purpose of this regulation, such footprint shall be measured as the total area of the vertical projection on the ground of all panels in the installation's most horizontal tilt position including all spaces between the panels.

- Electrical storage devices and the need for them to be reviewed with the local fire protection agency.
- Pad mount equipment versus the use of aerial.
- Interconnect agreement. Requirements for large scale solar.
- Tree removal and site remediation.
- Sale of solar property and the need for this to be included in the surety.
- Maintenance compliance in and around the panels.
- Setbacks – define as set back from road.
- Site remediation and reforestation plan.
- Calculation of decommission and surety; the need for a mechanism for calculating.
- Storm water.

4. Frame work for Final Deliverable

Donna Hatch suggested a spreadsheet format deliverable to be developed over the next few months. To be used as the development for the bylaws.

Having no further business, Donald Davenport made a motion adjourn. John Matthews seconded to the motion. All in favor so adjourned at 7:45PM.

CC: Planning Board