

Town of Uxbridge
Planning Board
 21 South Main Street
 Uxbridge, MA 01569
 (508) 278-8600 ext. 2013

Received by
 Uxbridge
 Town Clerk

DECISION
 SPECIAL PERMIT APPLICATION
 SOLAR ELECTRICAL GENERATING FACILITY
 FY17-01, 183 & 197 PROVIDENCE ST

Date: September 14, 2016

Name of Applicant: ZPT Energy Solutions, LLC

Address of Applicant: 309 East Country Road
 Rutland, MA 01543

Owner: March Property Management, LLC

Address of Owner: 12 North Avenue
 Mendon, MA 01756

Location of Property: 183 & 197 Providence Street
 Uxbridge MA 01569

Assessors Map/Parcels: Map 51, Parcels 2052, 1244

Deed Book/Page: Deed Book 366401 Page 268, 272

Site Plan Dated: June 23, 2016; Last revised September 7, 2016

Engineer or Land Surveyor: Meridian Associates
 500 Cummings Center Suite 5950
 Beverly, MA 01915

Zoning District(s): Agricultural

BACKGROUND/SUMMARY

On July 27, 2016 the application for a Special Permit to construct a 3.0±MW^{AC} (megawatt) Large-Scale-Ground-Mounted Solar Photovoltaic Installation (LGSPI) pursuant to the Uxbridge Zoning Bylaws §400-10, §400-20, and §400-50 and Chapter 290, Stormwater Bylaw, at 183 & 197 Providence Street was duly filed with the Uxbridge Town Clerk, and submitted to the Planning Board. The named Owner of record is March Property Management, LLC. The Applicant of record is ZPT Energy Solutions, LLC. Notice of the Public Hearing was scheduled and published in the "Worcester Telegram & Gazette" for July 13, 2016 and July 20, 2016, posted in the Uxbridge Town Hall, and abutters were notified by way of certified mail.

The property contains approximately 35.2± acres of land and is shown on the Uxbridge Assessor's Map 51, Parcels 2052 & 1244. The deed for said parcels are recorded in the Worcester Registry of Deeds Book 366401, Pages 268 & 272 and said land is free from encumbrances. The site lies within the Agricultural zoning district.

FILINGS

The Planning Board has received the following written materials:

1. The application submitted by Meridian Associates consisted of a Special Permit Application Form, Project Narrative, a copy of the Deed & affidavit, a copy of the Application for Certified Abutters List, a copy of the Abutters List Report, Locus Map, Stormwater Narrative and Management Report, associated fees, and a Site Plan.
2. Plans, titled Project No. 5850, prepared by Meridian Associates, dated June 23, 2016 and revised July 18, 2016, August 25, 2016, & September 7, 2016, included the following plan sheets:
 - Sheet 1 of 11 Cover Sheet
 - Sheet 2 of 11 Record Conditions Plan of Land 1
 - Sheet 3 of 11 Record Conditions Plan of Land 2
 - Sheet 4 of 11 Permit Site Plan of Land 1
 - Sheet 5 of 11 Permit Site Plan of Land 2
 - Sheet 6 of 11 Erosion & Sedimentation Control Plan 1
 - Sheet 7 of 11 Erosion & Sedimentation Control Plan 2
 - Sheet 8 of 11 Erosion & Sedimentation Control Plan 3
 - Sheet 9 of 11 Site Detail Sheet 1
 - Sheet 10 of 11 Site Detail Sheet 2
 - Sheet 11 of 11 Site Detail Sheet 3
3. File Correspondence:
 - dated 6/23/2016 & Revised 08/25/16 Stormwater Narrative & Management Report
 - dated 8/9/16 from Graves Engineering
 - dated 8/26/16 from Meridian Associates
 - dated 9/7/16 from Graves Engineering
 - dated 9/7/16 from Meridian Associates
 - email 9/7/16 from Graves Engineering
 - dated 9/21/16 from Graves Engineering

Aforementioned materials are on file in the Planning Department, available for review during regular business hours.

The Public Hearing was opened on July 27, 2016. The Planning Board members in attendance were Chair James Smith, Vice Chair Barry Desruisseaux, Clerk Peter Pavao, Member Joseph Leonardo, and Member Justin Piccirillo. The Chair read the notice of the hearing into the record, and then asked the Applicant to make a presentation. Present on behalf of the March Property Management, LLC, was Scott Lindgren of Meridian Associates.

Mr. Lindgren presented the Special Permit application. March Property Management, LLC proposes to construct a 3.1±MW^{AC} rated solar electric generating facility at 183 & 197 Providence Street on a parcel of land owned in the same aforementioned name. The site is located on a 35.2± acres of land owned by March Property Management, LLC (Owner) along the northwestern side of Providence Street, west of River Road, north of the Massachusetts/Rhode Island state border, and located in the southern part of Uxbridge, Massachusetts. The project area is comprised of an excavated gravel pit and wooded land. Portions of the site to remain include an abandoned 20' wide Standard Oil Company Easement, a 270' New England Power Association Easement, a dwelling and associated access, wooded areas, paths, and impervious surfaces. The western portion of the site slopes northwesterly towards 197 Providence Street and the eastern portion of the site slopes northerly and easterly towards the Blackstone River Bikeway.

The applicant is proposing to install a 3.0± Megawatt (AC) Large-Scale Ground-Mounted Solar Photovoltaic Installation (LGSPI). Proposed Array #1 and 2 consists of a 2.0± Megawatt (AC) system on a 14.5± acre portion west of the 270' New England Power Association Easement, 7.5± acres of which are solar panels. In addition, Proposed Array #3 consists of a 1.0± Megawatt (AC) system on a 10.0± acre portion east of the 270' New England Power Association Easement, 3.5± acres of which are solar panels. The solar panels will be installed using a racking system elevated above the ground utilizing ground screws. This installation method limits the need to regrade the area within the proposed array minimizing impact. Access to and from the proposed LGSPI shall consist of a proposed 15-foot wide gravel access drive and associated vehicle turnaround area. This shall provide direct access to the system for

scheduled maintenance and emergency access from Providence Street. The LGSPI will also include, but not limited to, the installation of inverters and transformers on concrete pads, new utility poles and risers adjacent to the Right-of-Way at the point of interconnection, fencing, gates, and associated seeding and stabilization. Evergreen shrubs (arborvitaes) have been proposed along the southwestern portion of the project adjacent to the Providence Street Right-of-Way to limit visibility into the site.

The applicant and owner are proposing to swap land between Lots 2052 and 1244 in conjunction with this development. An ANR Plan shall be submitted to the Planning Board accordingly at a later date pending approval of the Special Permit. The proposed realigned property lines are depicted on the Permit Plans.

The proposed activities within the project area will result in a slight increase in stormwater runoff. In order to mitigate the increase in runoff rate and volume, four (4) infiltration basins with overflow weirs have been proposed within the project area. FilterMitt, temporary sedimentation basins, temporary sedimentation swales, stone level spreaders, and a construction entrance/exit tracking pads have been proposed throughout the project to ensure sedimentation control. Following the installation of the LGSPI, the area within the array and all disturbed areas shall be seeded with a "Solar Farm Seed Mix". This seed mix contains a variety of low-growing, low-maintenance fescues that will stabilize the ground surface.

The Chair opened the Public Hearing for public comment. Several abutter topics and/or concerns included the culvert at the end of the driveways, runoff, road ditching, and the Blackstone Valley bike path.

The Public Hearing was continued through a span of meetings and ultimately closed on September 14, 2016.

DECISION

MOTION: By Barry Desruisseaux to grant the Special Permit for 183 & 197 Providence Street, Uxbridge for March Property Management, LLC. Seconded by Joseph Leonardo The motion carried 5-0-0. This decision is granted based on the following findings and conditions as noted herein. No waivers were sought for this Special Permit application. The conditions of approval are set forth below.

FINDINGS

In granting the Special Permit with conditions, the Board determined that any adverse effects of the proposed use of land will not outweigh its beneficial impact to the Town, in view of the particular characteristics of the site and of the proposal in relation to that site. The Board has also taken into consideration the following:

1. The social, economic and community needs which are served by the proposal are positive.

The proposed photovoltaic solar energy project based on the submitted materials together with all associated parking, facilities and infrastructure has been located in a manner consistent with the Uxbridge Zoning Bylaw, §400-10, §400-20, Appendix A Table of Use Regulations, and Article X Definitions of the Uxbridge Zoning By-Law, including but not limited to, minimum applicable zoning setbacks, and open space and buffer requirements.

2. There is little to no impact on traffic flow and safety, including parking and loading.
3. There is no impact on utilities and other public services.

The Applicant has submitted information to the Board which indicates that there will be minimal demands placed on Town services and infrastructure.

4. There is little to no impact on the neighborhood character and social structures.

The project is located in an Agricultural zoning district. The Board has determined that noise and air quality associated will meet applicable standards. Further, under the Revised Plans and this Board's conditions enumerated below, the project provides significant buffer areas to neighboring properties. The Board finds that the Development will not be injurious or detrimental to the neighborhood and such use is in harmony with the general purpose and intent of the Bylaw.

5. There will be a positive impact on the natural environment.

The proposed project will have a positive impact on the natural environment by producing approximately 3.0-MW^{AC} of electricity from a renewable resource on a portion of an undeveloped parcel of land.

6. The potential fiscal impact on town services, tax base and/or employment is positive.

The project will provide revenue for the Town with no impact on Town services or the school system.

CONDITIONS

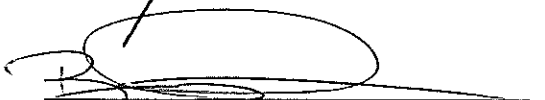
1. The Applicant shall comply with all applicable laws, regulations, and permit conditions required by the Conservation Commission, Board of Health, Building Department, Fire Department, and all other departments and agencies for this project.
2. The Applicant shall adhere to the conditions noted on the approved Plan.
3. The Applicant shall install and maintain all plantings shown on the site plan or deemed necessary by the Planning Board for the duration of the lease.
4. Prior to applying for an occupancy permit from the Building Inspector, the Applicant must notify the Planning Board to schedule a post-construction evaluation of the vegetative screening.
5. In the event the property is no longer used primarily for photovoltaic solar energy generation, the Applicant is responsible for the removal and disposal expenses of all installed equipment when the lease expires or terminates, whichever comes first. The land shall be restored to a useable condition. This work shall be completed within two (2) years after the facility is no longer used for solar energy generation. Work shall be completed to the satisfaction of the Town of Uxbridge. The use of the property will be governed by the then existing zoning and other applicable laws and regulations.
6. The Special Permit, including any attachments or appendices thereto shall be recorded at the Worcester Registry of Deeds within six (6) months or this Special Permit will become null and void. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L. Chapter 40A, Section 17. The Applicant shall submit evidence of such recording to the Planning Board.
7. This Special Permit shall lapse in two (2) years on October 13, 2018, the filing date of the Special Permit approval, if a substantial use thereof has not commenced, except for good cause, or in the case of a permit for construction, if construction has not begun by such date except for good cause. Said time shall not include such time required to pursue or await the determination of an appeal referred to in M.G.L Chapter 40A, Section 17.

SAID SPECIAL PERMIT APPROVAL IS GRANTED PURSUANT TO M.G.L. CHAPTER 40A, SECTION 9. APPEALS FROM THIS DECISION SHALL BE MADE PURSUANT TO MASSACHUSETTS GENERAL LAWS CHAPTER 40A, SECTION 9.


UXBRIDGE PLANNING BOARD

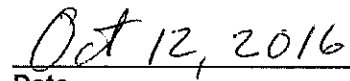


James Smith, Chair

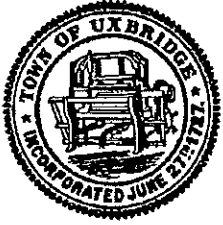
Joseph Leonardo, Member

Barry Desruisseaux, Vice-Chair

Justin Piccirillo, Member

Peter Pavao, Clerk

Date



SPECIAL PERMIT DECISION

DECISION
SPECIAL PERMIT APPLICATION
FY17-01 MARCH PROPERTY MANAGEMENT, LLC

I hereby certify that twenty (20) days has elapsed from the date this decision was filed and that no appeal has been filed in this office.

A true copy: ATTEST

Town Clerk/Assistant Town Clerk
(Town Seal Affixed)

Date