

PLANNING BOARD  
TOWN OF NORTHFIELD

www.northfieldma.gov  
69 MAIN STREET  
NORTHFIELD, MASSACHUSETTS 01360-1017

P: (413) 498-2901  
F: (413) 498-5103

RECORD OF PROCEEDINGS, FINDINGS AND DECISIONS

HEARING NO: 2021-0721 A DATE OF DECISION: 7/21/2021  
APPLICATION TYPE: Special Permit/Array A SUBMISSION DATE: 1/14/2021

APPLICANT				PROPERTY OWNER			
NAME:	BWC Pine Meadow Brook LLC			NAME:	Bonnie & Eugene L'Etoile		
ADDRESS:	111 Hunting Ave STE 650			ADDRESS:	486 Pine Meadow Rd		
TOWN:	Boston	STATE:	MA ZIP: 02199	TOWN:	Northfield	STATE:	MA ZIP: 01360
PHONE:	814-815-7248			PHONE:	413-498-2968		
EMAIL:	jfirsty@bluwavesolar.com			EMAIL:	gene@fourstarfarms.com		

SITE INFORMATION

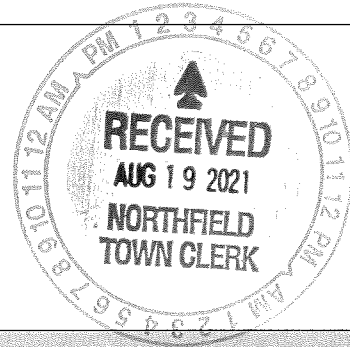
STREET ADDRESS: o Pine Meadow Rd SITE ZONING DESIGNATION: R/A

MAP R/A LOT 53E1 & 54B7

REGISTRY OF DEEDS BOOK 2948 PAGE 194 PLAN BOOK PAGE

RELEVANT SECTION OF ZONING BYLAW:  
Large scale solar bylaw

ACTION TAKEN:  
Approved



NATURE OF PROPOSED WORK:

Dual use solar/agricultural

DATE APPLICATION FILED IN ACCORDANCE WITH M.G.L. CHAPTER 40A: 1/4/2021

PUBLIC HEARING

Notice for the public hearing regarding this application was posted at Town Hall, 69 Main St.; published in The Recorder on 2/4 and 2/11; mailed before the public hearing to all abutters, abutting towns and the Building Inspector for the Town of Northfield and distributed to town boards, commissions and committees. The public hearing on this special permit was opened on 5/20/2021 and closed on July 21, 2021.

The following members were present at the hearing and constituted a quorum:

Stephen Seredynski; Homer Stavely; Tammy Pelletier; Meg Riordan; Joe Graveline



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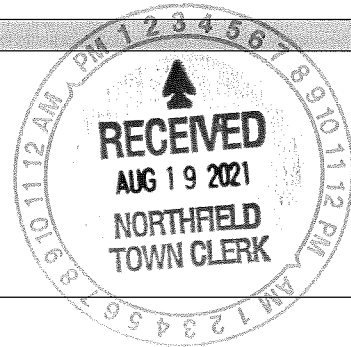
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**FINDINGS**

Finding that all applicable provisions of the Planning Board and all applicable rules and regulations of the Planning Board HAVE BEEN complied with, the Board GRANTS approval of this Special Permit based on the following findings and with the following conditions. Findings are based on the Special Permit Application and testimony from the applicant and abutters.

**GENERAL FINDINGS**

See Attached Conditions



**FINDINGS: THE FOLLOWING WERE CONSIDERED IN RELATION TO SECTION 3.4 OF THE NORTHFIELD ZONING BY-LAWS, "SPECIAL PERMITS DECISION CRITERIA":**

1. The use is a harmony with the general purpose and intent of this Zoning By-Law;

See Attached Conditions

2. The use is in an appropriate location and is not detrimental to the neighborhood and does not significantly alter the character of the zoning district;

See Attached Conditions

3. Adequate and appropriate facilities will be provided for the operation of the proposed use;

See Attached Conditions

4. The proposed use will not be detrimental or otherwise offensive to the adjoining zoning districts and neighboring properties due to the effects of lighting, odors, smoke, noise, sewage, refuse materials, or visual or other nuisances;

See Attached Conditions

5. The proposed use will not cause undue traffic congestion in the immediate area;

See Attached Conditions

6. To the maximum extent possible, the proposed use conforms to the Principles of Rural Design in Section 8.1.1 of the Bylaw; and

See Attached Conditions

7. The proposed use is consistent with the Northfield Master Plan.

See Attached Conditions



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CONDITIONS OF APPROVAL:

SEE ATTACHED CONDITONS

In light of the above findings, the Planning Board reached consensus that the criteria for approval set forth ins Section 3.4 of the Zoning By-law HAVE] been met and, therefore, the proposed use WILL have adverse effects which overbalance its beneficial effects on the Town as measured by the Purpose of this By-Law. The Planning Board VOTED to APPROVE the use WITH conditions, based on the application and public testimony.

MOTION: to GRANTa Special Permit WITH conditions based on the preceding findings and in accordance with Section 3.4 of the Zoning By-Laws

Table with 4 columns: MEMBERS PRESENT, VOTE, VOTE DETAILS, DECISION. Contains names of board members, voting results (4 ayes, 1 nay), and the decision: SPECIAL PERMIT Granted with CONDITIONS.

I, Stephen Seredynski, as chair of the Northfield Planning Board, certify this is a true and accurate decision made by the Planning Board.

Signature, Planning Board Chair: [Handwritten Signature] Date: 8/19/2021

Signature, Town Clerk: [Handwritten Signature] Date filed with Town Clerk: 8/19/2021



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Issuance of this Special Permit does not relieve the applicant of their responsibility to comply with any state, federal, local or other regulation that may apply. For this Special Permit to be valid and in force, the applicant must record it with the Franklin County Registry of Deeds and submit a copy of the registered permit to the Building Inspector. The Building Inspector shall certify below that the permit has been registered and provide a copy of the signed page to the Planning Board.

Date of Registration:

Deed Book:

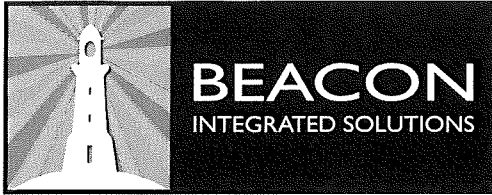
Page:

Signature, Building Inspector

Date

**NOTICE OF APPEAL**

An appeal from the decisions of the Planning Board may be made by any person aggrieved pursuant to M.G. L. Chapter 40A Section 17 as amended within twenty (20) days after the date of filing of a notice of decision in the Office of the Town Clerk. Notice of the appeal and a copy of the complaint shall be given to the Town clerk within the twenty day appeal period.



P.O. Box 320325  
Boston, MA 02132  
Voice: 617. 469 .2172  
eFax: 617. 419. 1163  
Cellular: 617. 308. 2172

**Beth S. Greenblatt**  
Managing Director

July 19, 2021

Town of Northfield  
Mr. Stephen Seredynski, Chair  
Northfield Planning Board  
69 Main Street  
Northfield, MA 01360

RE: Special Permit Conditions for Pine Meadow Road Solar Array "A", Assessor Map 54, Lot B7 and Map 53, Lot E1

Dear Chairman Seredynski :

Beacon Integrated Solutions ("Beacon") was engaged by the Town of Northfield, Planning Board to develop Conditions in connection with the Decision approving the Special Permit and Site Plan filed by BWC Pine Meadow Brook, LLC. The Special Permit Conditions presented herein pertain to Pine Meadow Road Solar Array A.

**Background:**

On February 8, 2021, and as revised on March 17, 2021, Beacon submitted its findings resulting from its review of the Special Permit application and Site Plan submitted by Field Engineering on behalf of BWC Pine Meadow Brook, LLC ("Applicant") to construct a large-scale, dual-use ~6-megawatt DC/3-megawatt AC solar photovoltaic array, paired with 3-megawatt DC-coupled lithium-ion battery (the "Project"). The Project seeks classification as a Dual-Use (solar and agricultural) Project under the Solar Massachusetts Renewable Target ("SMART") Program.

On May 20, 2021, the Northfield Planning Board conducted its deliberative session following three Public Hearings. The initial Public Hearing was held on February 18, 2021, followed by two continued Public Hearings on March 18 and April 15, 2021.

In the aforementioned report to the Planning Board, Beacon noted several Conditions for the Planning Board's consideration. Additional considerations were offered during the various Public Hearings, Planning Board deliberations and follow-on comments from Planning Board members.

We present the following recommended Conditions for consideration by the Planning Board.

**Administrative:**

1. Throughout the entire operation of the Project, Applicant shall notify and provide documentation to the Planning Board within sixty (60) days of any assignment, transfer or sale of BWC Pine Meadow Brook LLC. Such documentation shall include the then-current identification information of the owner/operator, along with a Certificate of Good Standing from the Commonwealth of Massachusetts.
2. No less than sixty (60) days after naming the Engineering, Procurement and Construction ("EPC") firm it selects to construct the Project, Applicant shall provide the Planning Board all required identification information, along with a Certificate of Good Standing from the Commonwealth of Massachusetts.
3. Within sixty (60) days prior to applying for the Building Permit, Applicant shall provide to the Planning Board a Decommissioning Plan which fully addresses the procedures Applicant will undertake to remove and restore back to agricultural use the entire area impacted by the Project.

Such Decommissioning Plan shall at minimum address:

- a. the approach and methods to be deployed for equipment removal that minimizes disturbance, damage and/or degradation of the vegetation, soils and landscape,
  - b. the type of replacement soils and proposed revegetation plan,
  - c. seasonal timing considerations that impact agricultural prosperity,
  - d. a decommissioning budget specific to the scope of work defined. Such budget shall include a contingency of fifteen (15) percent and an annual cost-of-living escalator for the entire life of the Project,
  - e. the form of decommissioning assurance which shall be limited to a funded escrow account, an irrevocable bond or letter of credit from a financial institution lawfully authorized to do business in Massachusetts and having a rating no lower than A- (Excellent), and
  - f. documentation that the Decommissioning Plan has been accepted by the Property Owner.
4. Within sixty (60) days of the issuance of the Special Permit Decision, Applicant shall amend, and provide to the Planning Board, its Post Construction Stormwater Operation and Maintenance Plan to include annual monitoring of the catch basins along Pine Meadow Road in the vicinity of the Project and annual snow management requirements.
  5. Within sixty (60) days prior to applying for the Building Permit, Applicant shall provide to the Planning Board written documentation from the Northfield Fire Department approving the fire protection and suppression systems, in addition to any protocols required to mitigate and/or address any fluids release in connection with the lithium-ion battery storage system.

### **General:**

1. All work on the site, excluding agricultural operations, per Paragraph 1 of Massachusetts General Laws Chapter 40A Section 3, shall be permitted during the Work Hours defined as 7:00 AM through 5:00 PM, Monday through Friday. Any desired change of Work Hours shall be requested in writing to, and approved by, the Town Administrator at least forty-eight (48) hours prior to such desired change. The Town Administrator shall have full authority to temporarily modify the Work Hours.
2. Deliveries of major equipment and supplies, and deliveries made by tractor-trailers or other large vehicles shall only be allowed during Work Hours.
3. Year-round access to the equipment pads shall be provided to Town public safety officials.
4. Applicant shall use general industry best practices to minimize dust, debris and noise during the construction and operations/maintenance periods.
5. Applicant shall provide support to Town Department of Public Works for cleaning out catch basins on Pine Meadow Road in the vicinity of the Project in advance of construction.
6. Vehicle idling shall be kept to a minimum.
7. Whenever possible, local labor and materials shall be used.

### **Zoning and Setback:**

1. The Large-Scale Ground Mounted Solar Photovoltaic Installation cannot be closer than 110' from the property line, but that the fence, as proposed, which is sited as such for the agricultural use on the site (and, thereby, an agricultural fence) can exist as proposed; an updated Site Plan evidencing the relocation of the array to comply with this condition shall be submitted to the Planning Board prior to submission of any Building Permit application

### **Agricultural Preservation:**

1. Applicant shall undertake all pre-construction, construction and post-construction activities in accordance with the SMART Program Pre-Determination Application Agricultural Plan as approved by the Massachusetts Department of Energy Resources ("DOER"), in consultation with the University of Massachusetts Center for Agriculture, Food and the Environment and Clean Energy Extension, and the Massachusetts Department of Agricultural Resources ("MDAR"), and shall provide the Planning Board with any reports prepared, or inspections conducted as required by the above entities documenting compliance with the Agricultural Plan.

2. Soil excavation, trenching and grading shall be minimized. Soils excavated shall be properly stored and redistributed on the site. Any added soils brought to the site as a result of excavation or vegetation disturbance shall be replaced with similar soils.
3. Construction methods shall be undertaken to minimize compaction of the soils, including the use of low compaction impact equipment. Decompaction of soils shall be required post construction as needed.

### **Vegetation and Visual Mitigation:**

1. All equipment sited on equipment pads that are visible from Pine Meadow Road shall be screened with native species to New England including, but not limited to 7 to 8-foot eastern red cedar junipers (*Juniperus Virginiana*) vegetation, or equivalent.
2. Utility poles and aboveground wiring shall be sited to minimize visual impacts from abutters. Tree removal shall be minimized.
3. A vegetative screening buffer comprised of 7 to 8-foot eastern red cedar junipers (*Juniperus Virginiana*) shall be installed at the main entrance in the locations identified on the approved Site Plan. Replacement vegetation shall be required over the life of the Project if needed to maintain a healthy buffer.
4. All vegetative screenings shall be warrantied and properly maintained during the growing season, and throughout the entire operating term of the Project.
5. Pollinator habitats shall be considered in areas under Applicant's control where existing vegetation has been disturbed provided that such pollinator habitat does not diminish or limit the on-going intended agricultural use of the soil. If a pollinator habitat is not feasible, a seed mix comprised of low growing cool and warm seasonal grasses and legumes shall be considered.
6. Applicant shall collaborate with the landowner to support additional pollinator habitats in areas not subject to the Site Plan review, provided that such pollinator habitat does not diminish or limit the agricultural use of the soil.
7. No less than sixty (60) days prior to applying for the Building Permit, Applicant shall provide to the Planning Board a Pollinator Habitat Feasibility Report addressing the feasibility and approach to integrating a pollinator habitat into the Project and/or surrounding land.

### **Archaeological Impact:**

1. Within sixty (60) days of issuance of the Special Permit Decision, a copy of the fully executed agreement between the Atowi Project and Applicant shall be provided to the Planning Board.



2. Within forty-five (45) days of issuance of the Special Permit Decision, an archaeologist shall be engaged by Applicant to:
  - a. prepare all documents and conduct all required studies and sampling in connection with the filing with the Massachusetts Historical Commission (“MHC”), including Phase 1A and 1B studies, and
  - b. serve as a technical advisor to the Northfield Historical Commission.
3. A Project Notification Form (“PNF”) shall be submitted to the MHC to support the filing requirements with MHC.
4. Applicant shall provide the Planning Board with a copy of the Phase 1A and 1B findings and/or any Response or Advisory issued by MHC within thirty (30) days of issuance by MHC, or the archeological consultant.
5. Applicant shall comply with the Northfield Archaeology Accountability Policy.

**Eversource Interconnection Siting:**

1. Applicant shall pursue the utility interconnection design provided by Field Engineering on April 13, 2021, entitled “*Alternative Interconnection Point 2 – Existing Pole #WMEC 16*”.
2. Applicant shall obtain Planning Board approval prior to applying for the Building Permit for any material changes to the utility interconnection design and construction plan, as updated on the April 13, 2021 Site Plan and approved by the Planning Board, including location, material disturbance of vegetation or soils, pole placement, overhead wiring and underground conduits.

**Project Modifications:**

1. Applicant shall obtain Planning Board approval prior to applying for the Building Permit for any material changes to the Project, including but not limited to:
  - a. capacity, location, area or equipment height,
  - b. equipment changes impacting noise or contaminants and ground disturbance,
  - c. changes required as a result of any additional geotechnical studies, and
  - d. changes required to comply with the findings from the archaeological studies and sampling, or in connection with any findings of the MHC.

**Post-Construction:**

1. Applicant shall demonstrate on an annual basis compliance with its Post Construction Stormwater Operation and Maintenance Plan, as amended.

2. No less than (60) days prior to Commercial Operations, Applicant shall provide safety and emergency training to Town staff, public safety and first responder personnel.
3. On an annual basis, Applicant shall document the continued agricultural use of the property by providing a copy of the Annual Report filed with the DOER as required under the Massachusetts SMART Program. Such documentation shall, at minimum, include the productivity of the crop(s) and herd, including pounds harvested and/or grazed, herd size growth, success of the crops, and potential changes. Such documentation shall be provided to the Planning Board within sixty (60) days of the filing submission to the Massachusetts SMART Program.:
4. Within sixty (60) days of receiving the Certificate of Occupancy from the Building Inspector, Applicant shall provide to the Planning Board:
  - a. as-built documentation stamped by a Massachusetts licensed engineer
  - b. safety manuals and emergency protocols
  - c. documentation from the Northfield Fire Department approving fire suppression systems and emergency protocols
  - d. proof of insurance in amounts as required by the Town
  - e. decommissioning surety instrument in amounts and form approved by the Planning Board

Beacon very much appreciates the opportunity to support the Northfield Planning Board in its review of the Project. If you have any questions or need additional information, please do not hesitate to contact me directly at 617-469-2172.

Best regards,

*Beth S. Greenblatt*

Beth S. Greenblatt

NOTHFIELD PLANNING BOAD

MAY 20,2021

MOTION TO APPOVE ARRAY A WITH CONDITIONS.

MEG RIORDAN: AYE

HOMER STAVELY: AYE

JOE GRAVELINE: NAY

TAMMY PELLITIER: AYE

STEPHEN SEREDYNSKI: AYE

4 AYES 1 NAY

SPECIAL PERMIT GRANTED WITH CONDITIONS

**NORTHFIELD PLANNING BOARD**

**JUNE 24, 2021**

**MOTION TO APPROVE CONDITIONS FOR ARRAY A**

**MEG RIORDAN: AYE**

**HOMER STAVELY: AYE**

**JOE GRAVELINE: ABSTAIN**

**TAMMY PELLITIER: AYE**

**STEPHEN SEREDYNSKI: AYE**

**4 AYE 1 ABSTAIN**

**CONDITIONS APPROVED**