

Wareham Solar By-Law Study Committee
Minutes of the Meeting
Wednesday, February 9, 2022
Time: 4:00pm – 5:30pm
<https://us02web.zoom.us/j/86496957835>
Meeting ID: 864 9695 7835

1. CALL MEETING TO ORDER

The Meeting was called to order by Chairperson McHale at 4:03 P.M.

2. ROLL CALL

Members Present: Nancy McHale (Chairperson)
Carl Schulz (Clerk)
Jacqui Nichols
Linda Rinta (4:08)
Denise Wolk
Ronald Besse

Members Absent:

Also present: Ken Buckland, Director of Planning
Annie Hayes, Citizen
Jim Eacobacci, ZBA Member
Dave Pichette, Conservation Administrator
Pralhad Ramesh, Solar Industry Rep. Blue Wave

3. ZOOM PROTOCOL

Chairperson McHale reviewed the operating protocols for our ZOOM meetings to ensure an orderly exchange:

- Please use the “RAISE HAND” tool to request to speak
- Please speak one-at-a-time

4. BOARD MEMBERSHIP UPDATE

Chairperson McHale noted that the ZBA has not appointed a member as yet. Mr. Eacobacci would be attending this week to represent the ZBA.

5. MINUTES TO APPROVE

MOTION: Motion made and seconded to approve the amended minutes of:

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Minutes of the January 26, 2022 meeting

Motion passed (4-0-0)

Pending: Minutes of the February 2, 2022 meeting

6. TIMELINE

The Committee discussed the need to make decisions on how we are going to move forward given that the deadline is fast approaching. The Committee discussed our ability to meet the deadline and the approaches that we could take. The final DRAFT text needs to be submitted to both the Select Board and the Planning Board for review.

The Planning Board will need to vote to recommend and then hold public hearings. The last Planning Board meeting before the March 1 deadline for submitting articles for the Spring Town Meeting is February 28th. Following that we still need to hold a Public Hearing – this will require 2 week notice.

There is the possibility for submitting to the Special Town Meeting which might give us another week or two.

It was noted that we still do not have feedback from the Attorney General on the June 12, 2021 Article 17 amendment.

Approach

Chairman McHale summarized a recommendation:

Finish option is to finish a draft that includes all of the items that are agreed upon and hold off on the items that remain open and submit that version to the Town. Also leave in Article 17 as amended. This will allow us to make improvements to the language of the current by-law.

Areas of Agreement Include:

- Avoid previously disturbed areas
- No alterations to topography
- Require archeological, cultural and historical surveys

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- Clarify / confirm that Canopies are ground-mounted arrays
- Increasing set backs
- Create animal traffic corridors
- Protect contiguous space

Open Items:

- Location
- Size limitation (minimums and maximums, caps)
- Tree cutting
- Mitigation

A second option is to request an extension until Fall Town meeting.

This approach would afford us the ability to have the AG response as well as information on current legislation being considered.

The Committee discussed the recommendations:

The Committee was not sure that we have large gaps remaining.

There was a concern expressed that picking and choosing parts of the improvements without creating a new “whole” could create issues.

The Committee reviewed the gaps.

It was noted that the Committee has not VOTED on the CORE CONCEPTS.

Concern was expressed how the Town citizens will perceive a piecemeal approach.

The Committee discussed the importance of having the AG decision before finalizing the document. Some members felt that it was critical. Other members felt that the June 12th amendment was a stop-gap measure not intended to be a hard line.

Many members felt that the purpose of the Committee is to propose a new by-law. Not everyone agreed that the June 12th language was subject to review.

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The Committee does not agree that we must have a 10 acre cap as included in the June 12th amendment. It was noted that previous consensus building was setting a size around 25 acres.

The Committee discussed a straw siting document prepared by Mr. Buckland. There was not general agreement on the sizing presented. There was discussion on the meaning of the project area / parcel size. The question is are we setting the size cap based on area under the panels vs. the total area including buffers, setbacks, no activity zones. It was agreed that a definition of and clarity on terms was needed. Lot shape affects the area of the project.

The Committee took a straw vote on setting the cap at 25 acre “project area”. The majority supported this size. Term needs to be defined:

Project area: All components of the system including all supporting structures, buffers.

The Committee does not want to use Rt. 28 as a delineation for siting.

It was proposed adding a qualifier / preface that says “in areas that require 50,000 square feet of tree cutting”. There was some support for requiring an applicant to get a Special Permit from the Select Board for cutting the trees as well as the Special Permit for Solar from the SPGA.

The Committee reached consensus supporting the following language:

“ Siting of Large-Scale Ground-Mounted Photovoltaic Arrays:

Ground-mounted Photovoltaic arrays of greater than 250KW

Project area maximum size 25 acres

Allowed in the following districts: Those sections of the R-130, R-60, CG, CS, IND, CR districts ”

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7. PUBLIC COMMENT

Ms. Hayes offered the following comment:

Knowing the some of the petitioners who signed the June 12 bylaw petition she cannot see how this by-law will pass.

8. ADJOURNMENT

MOTION: Motion made and seconded to adjourn the meeting at 5:40 pm.

Motion passed (6-0-0)

9. NEXT MEETING

Date: Wednesday, February 16, 2022

Time: 4:00 PM

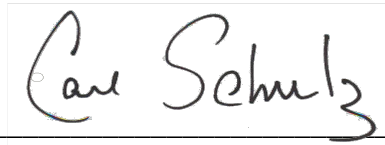
Place: **ZOOM**

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Date Signed

By Carl Schulz, Apr 1, 2022 at 12:39

Date signed: _____



Attest: _____

Clerk Wareham Solar Study Committee

Date Submitted

By Carl Schulz, Apr 1, 2022 at 12:39

Date copy sent to Town Clerk: _____