

**FRANKLIN PLANNING BOARD
PUBLIC MEETING
December 16, 2020
6:00 p.m.**

Due to the COVID-19 pandemic, and Executive Orders from the Governor, this meeting of the Franklin Planning Board was conducted virtually via the following link:

<https://us02web.zoom.us/j/83878572251> Meeting ID: 83878572251

Minutes

Call to Order:

- ☐ Reading of the Virtual Meeting Authorization
- ☐ Roll Call – Present: Library Director Rob Sargent [office alone], Councilor Jo Brown [home alone], Christine Sheedy [home alone], Chairman Dave Liberatore [home alone], Tim Flaherty [home alone], Donna Tully [home alone], and Councilor Ted Starkweather [home alone]. Member Tully was seated from Member Dzujna for voting purposes. Also present: Planning Director Richard Lewis [home alone] and Admin. Assistant Cheryl Fisher [office alone].
Absent: Mayor Anthony Giunta, Kathy Lauer-Rago, and David Testerman. James DeBernardo and Christine Dzujna joined the meeting around 7:50 pm.
- ☐ Pledge of Allegiance
- ☐ Approval of November 18, 2020 Planning Board Minutes – A motion to approve the minutes was made by Councilor Starkweather and seconded by Councilor Brown. The motion carried with a 5-0-1 roll call vote with Member Sheedy abstaining since she wasn't present at the meeting.

Old Business: None

New Business:

P20-09: Mojalaki Holdings, LLC, owners and Chris Nadeau, P.E. agent, are requesting a conceptual hearing on improvements to and expansion of the existing parking area for the event venue at 321 Prospect Street, Map/Lot 119-402-00 in the RR/C [Rural Residential/Conservation] zoning districts.

Chris Nadeau P.E. with Nobis Group acted as agent for the property owners Mojalaki Holdings LLC. Mr. Nadeau screen-shared the following documents: an GIS map showing the property boundaries, an aerial shot of the property, and the proposed site plan for the parking. To the south of the main building there will be a row of parking along the retaining wall, and a row of overflow parallel parking spaces along the edge of Prospect Street. On the lower level there will be additional overflow parking. In all seventy-five new parking spaces will be created between the two levels with an additional 25 overflow spaces. A couple of handicap spaces will be added at the top level and one handicap at the lower level. There are three driveways into the property, a service drive on the north side, the main drive south of that and a third drive on the far southern side of the parking area. The owners have asked if the Board would consider either crushed stone or ledge pack instead of paving.

Planner Lewis asked if the entrance on the south side of the parking lot would be a one-way drive exiting left onto Prospect Street. Mr. Nadeau said that due to the angle and the grade a 90-degree drive isn't possible. The Planner raised the issue of there being sufficient parking for staff. He felt that one space for every four persons would be overly optimistic, especially since there is no on-street parking. Mr. Nadeau said that there could be some parking in the grass on the lower level. Planner Lewis suggested that the decision language could address a re-evaluation of additional spaces after a year or so of operation. Planner Lewis asked if lighting was going to be installed. Mr. Nadeau said that the fixture that is out there now will be upgraded and more lighting is likely.

Member Flaherty asked about establishing parking spaces without painted parking spaces. Mr. Nadeau said that concrete curb-stops could be used to delineate parking spaces. Chairman Liberatore said that lawn paving might not be wise during spring and winter. He went on to ask what the shed would be used for. He suggested it might be relocated to allow for more parking spaces. Councilor Starkweather asked if they were going to be cutting into the bank in order to create the parking parallel to Prospect. He questioned the tightness of the parking. He also asked if there was a definite figure from the fire department regarding the occupancy rate. After asking if the lower parking lot might not be extended along the western edge of the maintenance building, Planner Lewis asked where the 299-occupancy figure came from. Mr. Nadeau said that he wasn't sure.

The meeting was open to the public. George Dzujna said that as an event area this is a great property, however there is nowhere near enough parking planned. Steve Adams said that he lives across the street from Mojalaki and has done so for many years and in the past the whole road gets loaded with cars on both sides of the road when there is an event. Another resident said she felt that this application was just a segue to sliding in a larger solar installation. Chairman Liberatore responded by stating that the property owner would have to come back to the Board for approval of additional solar. Carolyn Hurst commented about the parking of staff, adding that the area needs to be reconfigured and a plan needs to be presented to the Board before any approval. She also asked about the proposed capacity of the event building, since in the past there was never that large a number of people. Planner Lewis said that he recommends that the developer/owner nails down some of the event stuff with the fire department. April Bunker, Ward 3 councilor, said she received phone calls from residents in that area and they are concerned about the property values with a solar farm installation. Chairman Liberatore said that there were studies done for the Mark/Duffy/Sanborn Streets solar that might be of use and suggested that those figures be supplied at the next meeting. Ms. Bunker also mentioned that the residents felt they hadn't been well consulted during this pandemic and that she wanted to make sure there was transparency for the homeowners for the whole project.

Councilor Desrochers asked three questions: if the Board paid any attention to the email sent in by Margaret Copeley; if any permits were issued for the log cutting on the property; and if all the abutters were notified. Planner Lewis answered that an intent to cut permission was given through the Assessing office. That permit application form listed the board feet of the trees along with other information. As for the abutter notification, a list was sent in by the applicant which is checked by the Administrative Assistant and all abutters were sent a certified letter. Planner Lewis said that State statute spells out which abutters need to be notified and those abutters were duly sent notification. Mr. Adams said that they only knew of the tree cutting when they started taking the trees down. Planner Lewis said that an intent to cut doesn't trigger abutter notification. Mr. Adams stated that that wasn't right.

With the end of public comment, Chairman Liberatore brought the discussion back to the board. There were no further questions and he asked Mr. Nadeau to take into consideration all the concerns and comments when they submitted the formal application.

P20-10: Mojalaki Holdings, LLC, owners and GSSG New Hampshire, LLC, applicant are seeking site plan approval for the installation of a 1 megawatt (AC) photovoltaic solar panel array over approx. 6.5 acres of the 96.5-acre site. The property is located at 321 Prospect Street, Map/Lot 119-402-00 in RR/C [Rural Residential/Conservation] zoning districts.

Member Tully made a motion to accept the application as complete. That was seconded by Library Director Rob Sargent. The motion carried with a roll call vote of 6-0-0.

Michael Redding, GSSG [Granite State Solar Gardens] NH Vice-President of Engineering, presented the application to the Board. He stated that his company has seven solar projects under construction and another 20 slated for next year. Two of the seven are located at the Mark/Duffy and Sanborn Street locations. This project consists of 6.5 acres in the southwest corner of the existing parcel of 96 acres. The location is approximately 1200 feet from Prospect Street and approximately 1600 feet from the event venue entrance. The project will be accessed through the existing driveway and the existing gravel golf cart paths which will be upgraded. This will be a 1-megawatt solar array. Under the current net metering rule, they are allowed to do up to 1-megawatt per parcel. Initially they had planned for a larger system which anticipated the 5-megawatt bill passing, but that has been vetoed several times. The array will be a fixed tilt system, configured in an east-west direction. The panels stay at the 25-degree angle all the time. It is designed in this way to target the sun at its lowest elevation, typically the solstice in December. The racking system is typically a mono-pole pier that is driven into the ground with different support beams attached underneath to hold the panels. There will be a bit of minor grading and the slope will be modified to adhere to the current DES alteration of terrain to achieve an 8% slope. After some minor landscape gradings the site will be restored to meadow grass.

They are working with NH Fish and Game to develop a seed mix specific for solar installations. By creating the meadow area, they can create benefits for wildlife and bees and pollinators. Once the racking is installed and the panels in place, they connect the array with wiring on the back side of the panels to a cable face at the end of the row. The wiring then travels underground to the transformer and switch gear pad. All electricity converted to the AC current gets regulated to meet the 60 hertz cycle so that it can be put on the grid. The underground cabling will go up from the site to a location near the road where four poles [required by Eversource] will be installed. The plans show two configurations, option one, parallel to Prospect Street in front of the maintenance building and option two perpendicular to Prospect Street along the south property line. The poles are comprised of an initial connection pole, a meter pole, a transformer pole and a recloser pole to serve as a remote disconnect from the grid during an emergency. This ensures that no electricity gets out from the solar array if Eversource has to work on their lines. There is an existing power line that starts at the street and ends in a connection to the pump room which was used for the irrigation system. However, that line can't be utilized for the solar installation.

For security reasons, the whole array will be fenced in. They are proposing a knot wire fence which will not only create a more rural impression, but will allow for the passage of certain animals that are key for biodiversity and yet keep larger animals out. The fencing will be 8 feet tall with wooden posts. The fencing grid is 4"x4" with additional gaps of 8"x12" to allow for the passage of fox, fisher cats, porcupine and racoons to keep the ecosystem in balance. Granite State Solar Gardens has hired a wildlife biologist to evaluate all their solar projects and they are introducing a hibernaculum in the area where some tree removal will be necessary to create hiding and nesting places for wildlife. Storm water and erosion control are being managed to weather the two-, ten- and twenty-five-year storms. All water will be retained for the 2-year storm during construction. Both of the retention basins introduced for construction will help with infiltration.

GSSG NH will use a directional drilling technology to avoid disturbing any wetlands. Everything else will be traditional trenching. The gravel access routes will have two hammerheads to allow for emergency services to

enter the site. The site for the solar installation has been chosen to help minimize the view impacts of abutters. Mr. Redding said they might arrange for a site walk for the Board.

Mr. Redding accepted questions from the Board. Planner Lewis said that he had spent some time studying the plans and visiting the site yesterday afternoon. In review, he stated that there was a general question about zoning and how it interacts with solar projects. As of now, the City doesn't have any ordinance language on the books, but the Planning Board has relied up RSA 672:1.3a which addresses solar, agriculture and forestry. Referencing solar, the RSA reads, "Therefore the installation of solar, wind or other renewable energy systems, or the building of structures to facilitate the collection of renewable energy shall not be unreasonably limited by the use of municipal zoning powers or by the unreasonable interpretation of such powers where necessary to protect the public health, safety and welfare." Seven solar projects were approved in 2015. Five of those were on City property, well away from the residential areas. Two others were in the Industrial zone. Only the Mark and Duffy Streets and Sanborn Street projects are within the residential zoning district.

Planner Lewis emphasized the need to address the viewscales. He recommends that the Board request plans, documents or representations of what the abutters will see from their home. The Planner asked about the tree cutting that has already occurred and the location of any additional cutting. Mr. Redding said that the tree clearing would occur on the northside and the northeast corner of the array, along with the southeast corner to about a 10-foot offset from the boundary line to the south [currently the Hurst Property]. The area to the west will only need some scrub cleared off. Regarding the pole issue, the Planner felt that option two, where the poles ran perpendicular to Prospect Street, would probably be the better received option. Mr. Redding said that they would have to evaluate that option to make sure it follows any OSHA issues with the maintenance building. Planner Lewis asked if the new poles would have a lot of equipment or just wiring and whether they could be located further down the property. Mr. Redding said it would just be wiring on the poles, but that the pole locations need to be close enough to the Eversource lines for maintenance purposes. Planner Lewis mentioned that the pole placement at the Mark and Duffy site were never shown on any plans and their placement came as a surprise to the abutters and as well as himself. He urged that on this project, these details be supplied.

Member Flaherty said that screening might be achieved with the planting of Arborvitae, as they did up on Webster Avenue with the Daniel Substation. Mr. Redding said that was definitely a possibility. He added that he likes to use a green mesh as opposed to the green vinyl slats in the fencing because it offers a greater impairment of view and then do tree and shrub planting in front of that. Councilor Starkweather asked about the improvements of roads that were previously used for golf carts. He is concerned that fire trucks could get stuck down there if the road wasn't built to standards. Mr. Redding stated that the road would be built to fire standards. Councilor Starkweather strongly recommended that the solar array be hidden. He went on to ask three other questions, if the Eversource infrastructure up there is sufficient for the power being generated; what the sound would be like; and who would own the solar array (who is going to operate it and who do you contact if there is an issue). Mr. Redding said that they were currently working with Eversource to connect with their lines. Eversource requires that the GSSG NH upgrade any lines that can't manage the power load. As for the sound generated, it is just a hum of about 50-60 decibels directly at the source. He equated the noise to that of an automobile engine or a commercial air conditioner. He further stated that at 100 feet the sound from an inverter is almost indistinguishable. He added that GSSG can agree to adding notes to the plan that they will adhere to a standard level of noise and if that level is exceeded, they will mitigate that sound issue. Mr. Redding said that GSSG is the current owner. Once the site is commission it will be sold to Aligned Climate Capital a renewal energy holding company. They have a large financial backing to support the project costs along with the long-term operation and maintenance. Aligned Climate Capital will hire an O&M [Operations & Maintenance] Contractor who will provide a long-term contract for service and maintenance. All of these assets are managed through the internet and they are able to monitor the functioning of the solar array. Councilor Starkweather asked about decommissioning and

Mr. Redding said that they supply a decommissioning guarantee to the landowner that requires them to completely remove all elements, all underground wiring, and restore all ground water basins. The warranty is either a bond or some other financial security held by a bank.

Rob Sargent asked for a rendering of the view from the abutters' view from the southwest side of the installation, along with the abutters' views along Prospect. He also asked if the maintenance shed was removed for additional parking, would that change the placement of the poles. Mr. Redding said it would improve their options, since they wouldn't have OSHA issues with the roofline of the shed. Mr. Redding suggested that he flag the area where the panels will be and then organize a site trip for the Board Members.

With no more comments or questions from the Board, Chairman Liberatore opened the discussion to the public. Carolyn Hurst asked about the poles up near the maintenance shed and what tree cutting would be done around that area. Her second question was about the view from her house after the additional tree removal. She stated that she is concerned about the impact of the solar array on the community. Chairman Liberatore said that the Hurst property will be the main property affected by the installation. Mr. Redding said that they will be cutting to within 10 feet or so of the property line. He said that he looked at the view from the Hurst residence and he thinks that it would be difficult to see the array from there, but he thinks the site walk would help to address the view issues. Mrs. Hurst asked about the installation of solar in a rural residential zoned district. Planner Lewis said that in the past the solar installations have been in Industrial or commercial districts, but the Mark Duffy project in a residential area came into view. He wonders if the point has come when some regulations need to be put in place. This is something the Board needs to discuss in 2021. Unfortunately, it is too late to block this application. Chairman Liberatore said that he won't be making any decisions until he sees the area flagged. The chairman feels that with the money that the property owner is investing in the event venue, he will be putting in some nice landscaping which will actually improve the current view which has deteriorated over the years that the golf course has been closed.

Larry Anderson says that it is beautiful up there and it would be a shame to see it cluttered with industrial equipment. He asked if the site visit would be open to the public. The Chairman said that he would be more comfortable if the abutters were notified. Mr. Redding said that this would have to be a public meeting. Mrs. Anderson asked if the Aligned Climate Capital was a New Hampshire company. Mr. Redding said that it is an entity out of California, but that they are very invested in New Hampshire. He added that he can gather together their details to share at the next meeting. Mr. Anderson asked about the cost associated with decommissioning and asked if that would be passed along to Aligned Climate Capital. Mr. Redding stated that it would and that he could provide a copy of the agreement.

Councilor Bunker asked if the company could also provide a sample of the sound that people would hear. She added that the City Council should also be provided with the walk-through time and date. Mr. Redding said he would try to come up with a recording of the sound. Mrs. Hurst asked if there would be any lighting on the solar array. Chairman Liberatore said that the only lighting would be in the parking area. The councilor then asked about the heavy equipment impact especially with the problems that occurred at the Mark and Duffy site. Mr. Redding said that this site was half the size of the Mark Duffy site and that site had a lot of tree clearing and stump removal. As far as placement of the piers, for about two weeks there will be a device on site that will hammer the poles in. After that, there will only be people with small equipment getting the panels assembled.

Councilor Paul Trudell, Ward Three, said that he can appreciate the project since solar and wind is the direction the world is moving to, but dropping a commercial operation into a residential area is a great concern. Even though all the abutters have been notified by law, all those impacted have not been notified. There are some

people that will be significantly impacted by this project and he would like these people to be notified. He had three more questions, comments, and concerns that he said he will be sending to the Planning Board.

Steve Adams asked if this was a stepping stone from the one megawatt to a five-megawatt array on this acreage. Is there a way to say that this will be a one-megawatt system only with no expansion? Mr. Redding stated that the land is leased only from Mojalaki Holdings. They have no rights to future areas of the land. From what he gathered, the property owner doesn't want to do any solar development elsewhere to avoid impacting the view from the event venue. Nancy asked what would stop them from adding more solar in the future. Chairman Liberatore said they would be addressing those items in the future. Mrs. Hurst said that the landowner is moving the solar out of the view of the event venue by putting it in her view.

Chairman Liberatore asked for a motion to table the discussion for the next meeting. Member Dzujna made that motion which was seconded by Member Flaherty. Mr. Redding asked when the Board wanted to set up the site visit. Planner Lewis said that they should co-ordinate that. It was agreed that the site visit would be set up at the next meeting and that the public would be notified. The motion to continue carried by a vote of 8-0-0. Chairman Liberatore informed those members of the public in attendance that the Board is listening to them and will be taking their comments and opinions into consideration.

Planner Lewis made a formal announcement that the next meeting of the Planning Board is January 27th at 6:00 pm.

Public Comment:

Other Business:

Planner's Update: The City Council decided to sign the lease with Cumberland Farms and the city will be moving ahead with the acquisition of the Birke property. There is still some environmental assessment that needs to be done on the property before the City acquires it. Cumberland Farms will start their permitting process and their due diligence before the City actually acquires the property.

Adjournment: Motion made by Member Dzujna and seconded by Councilor Starkweather. By a vote of 10-0-0 the motion carried and the meeting ended at 8:18pm.

- The next Planning Board regular meeting is scheduled for January 27, 2021 at 6:00 p.m. and the application dead line date is January 6, 2021.

Minutes recorded by Cheryl Fisher, Administrative Assistant, Planning & Zoning