

Walpole Planning Board Minutes
Tuesday, July 13, 2021
Town Hall
7 pm

Roll Call: Present: Board members Chair Jeff Miller, Vice-Chair Dennis Marcom, Clerk Jason Perron, Jeff Harrington, Joanna Andros, Select Board Representative Steve Dalessio, Alternate Trevor MacLachlan. Board member Bill Carmody was absent so alternate Trevor MacLachlan was asked to fill in for him and he agreed.

Recording: Secretary Marilou Blaine. **This meeting is being recorded. These minutes are unapproved and will be reviewed at the August 2021 meeting for corrections, additions and/or omissions.**

Call for meeting to come to order: Mr. Miller called the meeting to order at 7 pm.

Minutes: Corrections. Page 1, paragraph 4. Correct Mr. Harrison to Mr. Harrington. Page 4, paragraph 4 omits Mr. Dalessio's request of Mr. Hill to provide references to what he was saying about the 30 percent open space. It was not reflected in the minutes, Mr. Dalessio said. Page 2 under new business, Ms. Andros thought it should say Stormalong owners and on the same page she referred to spelling of the Massachusetts town at the bottom of the page should be Natick. Page 2, paragraph 8, Mr. Marcom said he thought Mr. Edgar said he "might" pave the road instead of "would" pave the road. Page 5, paragraph 4, Mr. Perron said Mr. Clifford said they wanted to build the whole thing at one time. Mr. Marcom made a motion to accept the amended minutes, Mr. Perron seconded the motion and the motion carried.

Old Business:

Public Hearing: Site Plan. Installation of 1 mega watt solar array on about 6 acres, Tax Map 12, Lot 55, Commercial District. Presenting: Jim Clifford of applicant NGP Management of North Reading, MA; Jason Hill agent with TF Moran presenting information on the stormwater management plan and screening of the solar array; Ned Raynolds and Steve Dzubak of Revision Energy, builder of the solar installation; Peterborough Attorney Michael Atkins representing NGP.

The format of the meeting was that the presenters would explain their part of the project and when they were finished the public would make comments and ask questions. All seats in the Town Hall were taken with about six or seven people having to stand throughout the meeting.

Mr. Clifford said the reason he postponed the retail portion of this project was because he was unable to get all the information from NHDOT regarding what he thought the Board might want to hear about traffic. He hopes to have that information for next month's meeting. Tonight Mr. Clifford wanted to address some of the concerns that residents seemed to have that he's gleaned from letters, comments at the last meeting and the from the Clarion. These regard landscaping, how a solar project work, real estate taxes and zoning questions.

He also said he has looked into two side projects that the public might find beneficial and make the project more positive to a solar array. He's been trying to contact the superintendent of schools regarding a school program that provides information to teachers on how to teach students about solar power, information on weather, etc. Also, he said solar power arrays can be fantastic for growing wild flowers so he got in touch with the NH Beekeepers Association and is thinking that potentially a small portion of land could be set aside for beehives on the site. We're looking at programs like that that might be a nice benefit for the town.

Next up was Jason Hill whose addressed some of the comments made at the previous meeting and wanted to update the public on information on the solar project. His topics were the stormwater management plan as well as the hydraulics and runoff water plan. These must be submitted to the state and the town has copies of the plan. He said a solar array works much as an umbrella works – it protect what’s underneath it. In this project the solar panels are driven directly into the ground, which will be vegetated with grass, which absorbs a lot of water, into the ground. Any runoff is directed to the two points on this property where it naturally flows that’s where two infiltration ponds or basins will be. One is at the top of the map on the northern perimeter on the east side of Upper Walpole Road. There’s another basin on the western boundary along Route 12 just south of the Savings Bank of Walpole. Both are shown on the Grading & Drainage Plan. The basins are a couple feet deep and look like swales and these basins mitigate the flow of water. Mr. Hill is waiting to receive an Alteration of Terrain permit from the NH Department of Environmental Services.

Mr. Hill said that the town said it also requires 30 percent open space. Mr. Hill disagreed and said this actually doesn’t apply to commercial projects but to multi-family developments. But even with the solar panels, this solar array project meets the 30 percent criteria. Mr. Hill referenced Section 6, VI B 8b of the commercial permitting process.

Mr. Dalessio asked Mr. Hill what he calculated as the percent of green space. Mr. Hill said more than 30 percent. Mr. Dalessio asked for an exact number. Mr. Hill said it didn’t matter because the 30 percent rule only applies to multi-family development. Mr. Dalessio said he didn’t thing that was true.

Regarding screening, the project previously had a combination of vegetation including forsythia, which was criticized as inappropriate because it lost its leaves in the winter. The project now will be all arbor vitae that will be planted entirely along Route 12 and intermittently on Upper Walpole Road. There will also be some spruce along Upper Walpole Road that will provide a secondary level of screening and grass where the previous ball field parking lot was. Plants four or five feet high will mature at about 10 feet or more. Arbor vitae is a dense, drought resistant shrub that requires low maintenance, he said. There will be 160 of them planted six feet on center. He showed on the large screen 3D projections of the how the proposed array would look like from different angles of the solar array. He also showed several photos of different New Hampshire locations that use arbor vitae as screening.

Ned Raynolds of Revision Energy was up next and his company will be building the solar array. There was a photo showing how the legs of the frame holding the solar panels would go directly into the surface of the ground, which will be planted with grass and a pollinator mix, as required in New Hampshire. Revision Energy is an employee-owned company. Its headquarters are in Portland, ME and the company has offices in Brentwood and Enfield NH. All together in New Hampshire there are about 90 employees or owners. The company is 18 years old, started in 2003, and it has completed more than 10,000 different clean energy projects, both residential and commercial. Chamberlain Machine in Walpole has a solar array built by Revision Energy, as does Badger in Gilsum, McDowell Colony in Peterborough and lots of projects at Dartmouth College and in Hanover. The company is mission-driven and its purpose is to decrease this country’s reliance on fossil fuel and make its environment and quality of life better for our children. Mr. Raynolds said climate change is certainly here and has real effects on our everyday life. The prediction in New England is that if climate change goes unchecked that by mid-century our climate will be like that of Virginia and by the end of the century, it will be like that of North Carolina. That prediction and study was conducted 14 years ago.

The solar project planned is low-impact, he said. The panels are 11 feet high. Walpole’s zoning ordinance allows buildings up to 35 feet high. There is no asphalt, no lighting and is low-impact on the land, no impervious surface. About 10 percent of the power generated will go towards the retail buildings and 90 percent will go along the wires to the next place where there is a need or demand.

The credits will go to the owner of the property. It is clean energy. The cost of the installation is 2.3 million dollars.

There is concern that this electric power will be sent out of town. That's isn't so, Reynolds said. It is contrary to the laws of physics and how electricity works. A solar power array collects power during the day and it is sent into a meter at Dunkin'. Ninety percent is exported to the grid and it follows the path of least resistance and goes to the next place where there is electricity demand. That would most likely be a commercial business nearby. Liberty Utilities will pay NGP for the electricity and sell it to customers locally. The numbers of this array are that it will produce 1.8 million kilowatt hours per year, with 10 percent goes to Dunkin'. That leaves 1.65 000 kilowatt hours sent to the grid. An average household uses 7500 kilowatt hours a year and this project has enough to power 212 households. There are 1,677 household in Walpole and that's theoretically 12 percent of households powered by clean energy.

Michael Atkins, an attorney from Peterborough, was at the meeting representing NGP Management and its solar application for this site plan. A site plan is required to ensure that the project meets an authorized use and that it is appropriately designed and used, he said. He commended the town for its foresight contained in its ordinances and regulations. A lot of thought was put into these documents and frankly, he said, the town is ahead of its time compared to the state and other regions. One of the town's site plan regulations states the purpose of the project requires sound utilization of property and should avoid propositions that negatively affect the environmental impact the town. Site preparation should be conducted with minimal disturbance to existing vegetation and a landscaping plan that will enhance the property is required. In order to control pollution, the Board considers noise, smoke, soot and odors at the site as well as what is discharged into ground water. The proposed site is an authorized use in a commercially zoned district. This project will have minimal impact to the ground and visually. He has walked the site and he feels the solar array will make the site better. The goals of the Master Plan were developed after surveying townspeople. It supports home-based occupations as well as a diversity of companies. The town wants to make sure the land better utilizes its natural resources. According to the survey, your effort is to promote development in careful ways that are in harmony with the natural environment.

Mr. Reynolds stepped in and said he forgot to address two things – glare and noise. He referenced a graph on the large screen illustrating glare from different objects in nature. He said this array would cause the least amount of glare. Solar panels absorb about 98 percent of sunlight. The highest object on the glare scale was fresh snow. Next was flat water and forests. One picture showed the Denver Airport. In the background you could see the tent-like structure that the terminal and represents the Rocky Mountains and in the foreground were two solar arrays. One was a 2 mega watt installation and the other a 1.6 mega watt installation. The glare from these installations at the airport was insignificant, he said. Regarding noise, solar array transformers do hum but the noise is inaudible at 50 to 150 feet from its boundary.

With the presentations concluded, the meeting was opened up to comments and questions. Tim Lester said he's lived in town 26 years. Regarding the talk about bee colonies, he's been a beekeeper and doesn't see anything positive about that location. Secondly, a lot of the talk about this project is that all the excess energy will be sold back to the grid and he hasn't seen anything that will benefit Walpole. He's driven in rural areas and seen solar. He's not against solar, but he said it has its place. He doesn't think people want to see these solar panels while going up to the plaza everyday or traveling through town.

Walpole does not need a solar array, said Frank Sibley. To take seven acres of our very limited commercial property is not a good idea. He'd much rather have a dozen Dunkin's. He asked how much more commercial land does Walpole have left? Someone else wanted to know more about

taxes on the property. Can you fill me in? he asked.

Mr. Miller said the town still has commercial property left along Route 12. He added that there is another potential area away from the village that fits the profile for commercial property that the town is looking into. Mr. Dalessio added that the Select Board has submitted the issue of taxes to our town attorney in order to get clarification of a warrant article that passed a couple of years ago. He also said Avitar, the company that does our evaluation of property and taxes, says that the array is taxable with the exception of the energy that is used on the property. "Stay tuned. It's still with our attorney for review."

Eric Merklein thanked the group for their presentation. He said that after sitting on the Planning Board for about nine years, you're the first company who has listened when someone from the public has made a comment and listened when someone from the town said we don't want to see a building in that space. This company could put up a Taco Bell or another Family Dollar store. That would mean more traffic, more pavement, more noise. When you see this project when it's completed, all you're going to see are trees. The owners can build whatever they want on this property. This project means no more lights and far less traffic.

Diane Nichols asked the Board to reject the proposal for this project. She said that from what she learned at the last meeting, the project doesn't have the required 30 percent green space. She wanted to make sure NGP was not considering what is under the panels as green space. She fully supports the concept of solar energy, however she finds this situation quite different. This project is not for Walpole. She also thinks the company is deceptive because this energy would not go to our homes. It would go toward energy credits for the property owner. Across from the proposed site is Hubbard Park. It is much more than a beautiful park, it is a real credit to our town. The proposed solar array presents a stark contrast. It cannot be called beautiful or even attractive. It will be surrounded by a chain link fence and it's hard to imagine the array before many years have passed. "Walpole, you can make better choices than this."

A person living on Wentworth Road asked, "Are are in you guys in the donut business or in energy generation." Mr. Clifford answered, "We are in both businesses." The company's primary business is Dunkin' Donuts but in doing that and in a lot of towns in New Hampshire, the company does additional development as well. Certain projects have excess land and the company tries to find the best uses for it. That's how this proposal came about.

Leo Carrigan identified himself. His question was if the Board approves this project, would this open up the possibility of all the other businesses along that stretch of road if they wanted to put solar on their rooftops, would that be possible. He mentioned as an example, all the businesses in Shaw's Plaza. Mr. Miller said that those businesses have the right to do that now. All residents have a right to do use solar energy and get tax credits for it. If the town has a valuation of 35 million dollars, take a million off that for solar panels. Everyone that doesn't have solar panels is paying for that.

Sue Fillion, who lives on Bookseller Road, made a couple of points and had a couple of questions. She was curious why this project was divided into two parts or separate issues – solar array and retail space - when it's on one piece of property. It seemed to her that it should be one project.

The she asked why a solar array of this scale is not actually categorized as a utility and if it were, it would be considered industrial and need a Special Exception?

She did not consider the arbor vitae hedge as very attractive. There is more attractive screening available. If the solar array is approved, why not celebrate the solar array? Why does it need a chain

link fence around it?

Her last comment was about the snowmobile trail that crosses that property. A lot of people use the trail in the winter to go to restaurants or to get gas along that stretch of road. Has anyone given any thought to that or about rerouting the trail?

Mr. Miller said the company wanted to do this as a two-phase project and it was submitted as two separate applications. The Board considered a Special Exception, but it really doesn't meet the criteria of an industrial project. The definition of manufacturing is changing one compound into another form and this doesn't do that. The Board also doesn't have to consider pollution problems with things like noise and odor. Regarding the snowmobile trail, he had forgotten about that, but it will be discussed.

A gentleman asked if 10 percent of the power generated is used on the property, does that have to be taxed and the other 90 percent will not be taxed. Is that the case?

Mr. Clifford said when the company decided on this project it was actually not clear that it would be tax exempt and it's not clear to us now whether or not that will be so. The project is ongoing regardless.

Tim Lester spoke again asking if anybody had tried to exit the Plaza lately? If you tried you might have to spend five minutes trying to get back on the road. The reason for that is because Route 12 is a state highway and the state has, despite Walpole's request to have a light there, the state will not put a light there. Now you're adding another commercial development. The town will now have two routes out to Route 12 that are a hassle. Mr. Lester thanked Sue Fillion for mentioning the snowmobile trail. He said he didn't even think about that. His main question is what is the benefit to this town for this project?

Another resident said he knows that there will be a group that will loosing its baseball field and he would prefer that the area would remain green space. But he was thinking long term and if something is going to go there, he would prefer that it be something that he could tolerate like solar. There are enough other stores and things on the flats and the town doesn't need any more. In a few years we won't even know the solar array exists.

Mr. Merklein said he spoke with DOT and to the man who is in charge of Walpole and he said NHDOT would absolutely put in a stop light whenever they think it is needed. So this thing about not having any traffic lights is fairy tale stuff. Having the solar array is going to have the least impact on traffic.

Some else pointed out that there are going to be other businesses going in there besides the Dunkin' business. Mr. Merklein repeated what he said before about the solar array - no cars, no noise, no more pavement.

Joanne Summers has lived here for seven years and she and her family are from Long Island. They often came to Walpole. She said the future does change. She said her family cannot drive on eastern Long Island because there are solar panels and there are taco bells and more and more stores. They, meaning communities, change the regulations to accommodate more growth, she said. So this is the future that we have to think about. What is allowed? This does happen. The Summers left a beautiful farming community and look what happened. "We thought we had control." They have seen this happen. There must be something that will prevent it. Otherwise it will keep snowballing. There's no need for it.

Another person reminded the people that there would be more retail businesses in that spot. I want to know what they are. What's going there, she asked. Mr. Clifford said there's a Dunkin' Donuts and

about 7,000 or 8,000 thousand square feet of other retail space. We do not know what the businesses are yet. Mr. Miller said what goes in there is not something the Board cannot dictate.

Ben Daviss reminded the people gathered at the meeting that the hearing is about the solar array, not Dunkin' Donuts.

Marilyn Wilson was concerned about the financial impact of the solar array and wanted an answer to the question as to how a major investor could use town land to make money. Her question was are there any examples where a corporate entity has installed a large solar array in the middle of town. Does all the money go to private owner of that property? "I resent the fact that a large corporation is going to make money on our land in this location," she said. If they want this array on some forested area where no one could see it, that's different. But she resented the fact that they are making money off of our land, she repeated. She said she knows the planning board has rules and regulation but she thinks our planning board has all the rights to say no. This a commercially zoned piece of land and the way the town would benefit financially would be through property taxes.

Mr. Raynolds said this is property that was privately owned piece of commercial land and it's been for sale for some time. The way the town would benefit is through property taxes. My understanding is that NGP purchased the property and wanted to use a portion for a commercial use, but that commercial use only took up a small portion of the property. So they also wanted something on the rest of the property that was low impact, and a solar array is about the lowest impact you can think of. No impervious land, no light pollution, no traffic.

Bill Allen lives on Prospect Hill and he has solar panels on his property and he's proud of that. That makes me responsible for taking care of it, he said. He receives electricity and sells a little back to the grid. If that lands available, somebodies going to buy it. The reality is that this could look like West Leb. These people, I congratulate them. This is very clever. But the town has to make sure it regulates that property properly. The town is not going to make one penny on that enterprise and that's free enterprise. The town regulates it and if they do it right, it's got to be it's neat and clean it will look good.

Steve Varone said I'm not against the solar array as long as they pay property like the rest of us.

Mr. Lester wanted to revisit the traffic issues. Mr. Miller reminded the audience that this hearing is about the solar array, not about the retail business and traffic is not an issue. The state regulates all curb cuts on Route 12 and all traffic lights.

Sheila Lennon said she understands that the property is in the commercial zone and Dunkin' is a commercial entity. But, she said, solar is an industrial use and it should be in the industrial district.

Another person mentioned the aesthetics of a chain line fence and wondered why they even needed to surround a solar array with one. They are ugly, he said. And, he asked, are the panels so dangerous they have to be protected by a chain link fence?

Mr. Dzubak said that there is group in this country that set electrical standards called the National Electric Code. The state of New Hampshire has adopted these standards. So the state requires us to put up a fence there. There is nothing dangerous there, but there could be some vandalism. If someone were to punch a rock through a panel, then that panel would become dangerous.

Are these recyclable? someone else asked. Mr. Dzubak said it is up to the owner of the property to dispose of all the parts of a solar array. The lifetime of solar is such that we have some from the '70s that are still producing today. That's 50 years. He said everything in a solar array is recyclable and

there are industries across the globe that use all the solar array parts – the glass, aluminum, cables, silica.

When the public had no more questions, Mr. Miller said the Board needs to get some more information so the planning board will continue this hearing next month.

Mr. Dalessio asked Mr. Hill if there are drip edges along the bottom of the panels that channel the water. Mr. Hill said no that is just a standard aluminum panel. Mr. Dalessio asked where the water line was. Mr. Hill said it goes through the Dunkin site. He also said that the town needed to look at the snowmobile trail and he suggested that Mr. Hill get in touch with the Hooper Hill Hoppers who take care of the snowmobile trail in town.

Mr. Miller asked Mr. Reynolds about developing solar array on property other than on commercial property, which he called “premium property.” He suggested two sites in Walpole favorable for solar arrays - the former land fill and Connecticut River Gravel. Mr. Reynolds said it’s more expensive to put solar on a land fill because it has a covering and you don’t have land to put the legs of the panels in. You have to create a cover of cement to anchor the panels. Mr. Reynolds said he already working with the town of Exeter on a 1.7 mega watt array to build one on their land fill and also one in Derry.

Mr. Miller asked Mr. Reynolds how many land-based solar arrays has he built on commercial land. Mr. Reynolds said he would have to research that and would get back to him at the next meeting.

Mr. Reynolds said there's also the question of legislation. The NH legislature has been trying to allow the size of installations to go from one to five mega watts. A bill allowing increase mega watts passed last year, but was vetoed by the governor. If this passes it will be a compromise where net metering is allowed up to five mega watts but the beneficiary must be a municipality or a sewer or water district.

Mr. Dalessio said if this gets passed he is encouraging Mr. Clifford to consider group net metering with some benefit to the town to help the town offset its water and sewer costs. He also asked Mr. Hill to have Mark Houghton do a safety review of the solar installation.

Mr. Perron made a motion to adjourn. Mr. Marcom seconded the motion and the motion carried.

Respectfully submitted,
Marilou Blaine
WPB Secretary

cc: WPB, ZBA, Town Offices, The Walpolean.

Posted: Inside the town offices, on bulletin board outside the post office, www.walpole.nh.us

Next meeting: Tuesday, August 10,2021.