

Buckland, MA Planning Board Meeting Minutes

October 26, 2023

Hybrid Meeting - Buckland Town Hall, 17 State St., Buckland and Zoom

Meeting Agenda

1. Consultation meeting re: solar project at the WWTP. Guests Jim Bauer, Issac Baker and Andreas Schmid
2. Review and approve prepared meeting minutes
3. Info sharing -- all boards meeting held in Sept. & pollinator workshop held 10/19
4. Debrief on comments received on floodplain bylaw, next steps
5. Debrief on comments received on trailer bylaw, edits and next steps
6. Debrief on comments received on short term rental bylaw, discuss potential edits. Guest Megan Rhodes, FRCOG
7. Process for drafting general bylaw, thoughts on language
8. Other topics unanticipated by Chair(s) 48 hours in advance
9. Adjourn meeting

Attendees: Town Hall

Michael Hoberman, co-chair (departed meeting as noted below)

John Gould, co-chair

Jon Wyman, member

Andrea Donlon, member

Mariel Olcoz, member

Adriana Isaza-Geary, member

Daniel Fleuriel, 19 Monroe Ave., Buckland, WWTF/retired

Heather Butler, Town Administrator

Chris Drury, Chief Operator, WWTF

Attendees: Zoom

Jim Bauer, Business Development Manager, Resonant Energy

Megan Rhodes, FRCOG

Co-chair John Gould opened the meeting at 6:34 pm.

Items

1. Consultation meeting re: solar project at the WWTF

Jim Bauer presented the details for a proposed solar project at the Shelburne Falls Wastewater Treatment Facility (WWTF).

- Project will be paid for by a grant
- Three ground-mounted arrays, with most connections made underground (small amount of conduit above ground)
- The proposed array would provide approximately 50% of the power

- required for operating the plant
- Installer will be Solect Energy, which is the same company that completed the installation at Mohawk Trail Regional High School (MTRHS)

Mr. Bauer reviewed the requirements from which the applicant is seeking relief (for more details, see document, Presentation to the Town of Buckland Planning Board in support of the ground-mounted solar installation proposed for the Shelburne Falls Wastewater Treatment Plant)

- 14-5 (b) 1-n, tree mapping requirement, as there is one small ash tree which must be removed, but no other tree work anticipated
- 14-5 (b) 7, before and after photographs
- 14-5 (b) 8, landscape plan
- 14-5 (b) 9, acoustical engineer (discussion about whether “by the installation” refers to during the construction or new conditions created by the project)
- 14-7 (b), landscape plan, as no landscaping is necessary
- 14-12 (c), annual reporting: as this is a town facility, annual reporting by the town is assumed. Heather Butler, Town Administrator explained that the sewer district is not a legal entity; the land, treatment plant, (and future solar panels) are owned by the Town of Buckland, managed by the sewer commissioners (presently the Select Board), and that reports of the WWTF are generated, filed and shared with the public in the town’s annual report. Daniel Fleuriel added that continuous monitoring of power used is available.

Planning Board members noted a difference between “seeking relief” from certain requirements, and identifying items that will not apply to a particular project, and directed the applicant to both Section XII, Site Plan Review and Section XIV, which details the waiver process.

Ms. Butler asked if the Planning Board was requesting two separate applications. PB members responded that the special permit should be addressed separately, and that Zoning Bylaws IX, XII and XIV all need to be addressed in the application.

PB feedback to the presentation:

- Before and after photographs would be appreciated, and can be done by drone. It would be important to have a sense of what the installation will look like from the street as there is a nearby recreation area.
- A map with full perimeter lot lines to document setbacks from the proposed arrays is needed.
- Concern that seeking relief from the requirement of the acoustical engineer could set a precedent.
- A question about whether there are any trees, flagpoles, or other high structures that could affect the panels if they fell

2. Review and approve prepared meeting minutes

Member Andrea Donlon moved to approve the minutes of meetings September 7, September 23, October 16, October 17 (with edits), 2023; member Jon Wyman seconded the motion; all voted in favor.

3. Info sharing -- all boards meeting held in Sept. & pollinator workshop held 10/19

All Boards Meeting review tabled to November meeting.

Member Mariel Olcoz reported on the pollinator workshop hosted by FRCOG

- Effort to create "corridors" for pollinators to move through town, and identify likely/possible locations
- Plant and seed sharing possibilities, but requires a volunteer to manage
- Biodiversity is deeper than native plants
- Reviewed maps indicating different issues for the town

Questions from the PB:

- What constitutes a corridor?
- Does the group have any power or authority to make things happen?
- Could the group deter herbicide spraying?

4. Debrief on comments received on floodplain bylaw, next steps

There were no substantive comments received on the floodplain bylaw during the public hearing in October, and no edits are needed. It's ready to go to the November 27, 2023 Special Town Meeting (STM).

5. Debrief on comments received on trailer bylaw, edits and next steps

Based on the comments received at the hearing, one small change was made (see underlined) , resulting in the following final text:

8-4 OTHER REGULATIONS

c) No trailer or mobile home, for the purpose of living quarters, may be set up except as follows:

A trailer designed for camping, recreational, or business purposes provided the trailer is not used for living purposes for a period longer than sixty days in any 12-month period at any location or locations within the geographic limits of the Town of Buckland. Extended use may be granted by the Board of Appeals.

A trailer or mobile home may be placed by the owner or occupier of a residence

destroyed by fire or other natural holocaust for a period not to exceed twelve (12) months while the residence is being rebuilt.

Motion made by co-chair Hoberman; seconded by member Wyman; all voted in favor. This item is ready for November 27, 2023 STM.

(Co-chair Hoberman departed the meeting at this point)

6. Debrief on comments received on short term rental bylaw, discuss potential edits. Guest Megan Rhodes, FRCOG

PB members reviewed questions and suggestions from Megan Rhodes, FRCOG

- What if there really isn't any parking available? Discussion of language such as "designated parking space shall be provided" or "unless alternate parking plan is provided" or "provided through a special permit process"
- Who is an owner? While looking at different models and definitions, decision to leave as is for the time being.
- Would using "neighborhood character" throughout be more accurate than "rural character?"
- Are the decibel designations realistic, or would "loud noise/music" suffice?
- Several items referencing licenses, inspections, registration, etc. have been consolidated into one paragraph. Discussion about what length of time "non-conforming" is acceptable, and how long is granted to come into conformance: 6 months? At the effective date of the bylaw? Legally operating (and permitted) for x period of time? In existence as of the date of notice of public hearing?

The Planning Board next discussed whether it would be possible to include the short term rental bylaw for vote at the November 27, 2023 STM. The group felt there is not adequate time to have a public hearing before the warrant closes in early November, and it is not advisable to have a public hearing after the warrant is published, as that makes amendments at Town Meeting a stronger possibility. The Planning Board has not yet drafted the general bylaw, and the PB hopes to bring both a zoning bylaw and general bylaw to a vote as a package. The group decided it was best to proceed drafting the general bylaw at the next Planning Board meeting; the group decided to meet next on November 15.

Next meeting (November 15) agenda:

- General bylaw
- Sunsetting
- Clean up paragraphs on pre-existing STRRs

7. Adjourn meeting

Member Donlon moved to adjourn the meeting; member Olcoz seconded the motion; all voted in favor. Meeting adjourned at 9:30 pm.

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Respectfully submitted, Alison Cornish, Boards Clerk

Documents Referenced

Presentation to the Town of Buckland Planning Board in support of the ground-mounted solar installation proposed for the Shelburne Falls Wastewater Treatment Plant

Buckland Short Term Residential Rentals (proposed additions to the Zoning Bylaws),
Public Information Session Draft (amended 10-24-23)