

**TOWN OF MARION
PLANNING BOARD
September 21, 2015
Main Conference Room
Marion Town House
Two Spring Street**

MEMBERS PRESENT: Rob Lane, Chairman
Norm Hills, Clerk
Jennifer Francis
Steve Gonsalves
Eileen Marum
Mike Popitz

MEMBERS ABSENT: Rico Ferrari Vice-Chairman

BOARD ASSISTANT: Maureen Murphy

ALSO PRESENT: Bill Saltonstall
Steve Kokkins
Mathew Bernat
Bob Rogers
Richard Serkey
Andy Kotsatos
Greg Carey
Jean Perry
John Garcia
Bart Nourse

Commencement – Chairman Lane called the regular meeting to order at 7:00P.M.

Approval of Minutes
None to Approve

Approval of Bills
None to Approve

Correspondence

It was noted that a copy of the order of conditions for the Solar Farm were in the packet.

Comments to the ZBA – 359 Delano Rod, Dale M. Allison

After discussion it was decided to not comment.

Site Plan Review and special Permit Solar Farm, Clean Energy Collective off Tucker Lane c/o GAF Engineering

Chairman Lane noted that the public hearing was closed and no additional documents could be submitted. Chairman Lane explained that the documents provided in the Board's read-ahead package have been superceded. A set of three documents were provided to the Board: a draft which was done based on last meetings comments labeled Latest Draft, a draft with comments that Clerk Hills and Member Francis provided and a draft with Jon Witten's input. Also provided was a draft of the Decommissioning (Escrow) Agreement which Jon Witten and the Applicant had agreed on other than an amount for decommissioning.

Clerk Hills addressed a previous resident comment about environmental impact. He noted that the non-specific comment was baseless, providing four specific technical reasons that "environment impact" unknowns are simply not a consideration.

Chairman Lane and Member Gonsalves supported the need for a maintenance contract. Clerk Hills responded that it was extraneous based on the Plan of Record notes.

The Board discussed the drafts and provided minor changes based on Jon Witten's redraft of the Site Plan and Special Permit language.

Chairman Lane introduced the escrow subject noting his position that it should be \$75K and that the Applicant position was \$60K.

Clerk Hills had an analysis to present but it could not be accepted. He summarized that (1) the significant majority of comparative escrows averages to approximately \$50K, (2) research of the high value examples provided revealed that they were for significantly different solar installation designs and when corrected for comparable construction also fell within the \$50K range. An escrow of \$75K is not supported.

Member Francis reported that she had also done research since the last meeting, finding (1) that the \$75K estimate is a statistical outlier, not based in fact and jeopardizes the project, (2) we should agree on a lower number noting that paragraph 3.b includes words to recover any shortfall, (3) we can always put a lean on the property. A high number is penalizing the first project and ignoring the preponderance of evidence.

Member Marum questioned the data used to arrive at the \$110K value. The escrow should be closer to \$30K, the proposed amount represents an onerous bar for the project that is important to our future.

Member Gonsalves considered solar a young industry and that \$75K was not unreasonable.

Chairman Lane referred to all the numbers as estimates and preferred a number based on the estimate for 7 years in the future. He didn't believe in scrap value, was concerned that

CEC may not be around in the future, and thought that if the escrow turned out to be too high, the remainder would be returned. He would consider an escrow of \$67.5K.

Clerk Hills responded that inclusion of scrap value is a standard accounting practice for professional cost estimates and that the Marion Bylaw paragraph 16.12 requires the escrow estimate be prepared by a qualified engineer; which was done.

Chairman Lane terminated the discussion.

Motion made by Member Popitz that in the spirit of getting this done that we agree to a number of \$67,500 for an escrow number, seconded by Member Gonsalves.

VOTE: 6-0-0

Motion made by Chairman Lane to adjourn, seconded by Member Marum at 7:50P.M.

VOTE: 6-0-0

List of Documents Received:

Comments to the ZBA – 359 Delano Road, Dale M. Allison
Application - Site Plan Review and Special Permit Solar Farm, Clean Energy Collective
off Tucker Lane c/o GAF Engineering
Order of Conditions received September 15, 2015 Marion conservation commission
Escrow Agreement Draft Changes
Draft Language Solar Farm titled latest draft, draft of comments of Clerk Hills and
Member Francis and Jon Witten's draft.

Note: The documents, reports, correspondences, submittals, notices, exhibits are a part of the official record along with these minutes.

Respectfully Submitted,

Norm Hills, Clerk