

**JOINT PUBLIC HEARING OF APRIL 9, 2018**

Monday evening, April 9, 2018. Joint Public Hearing of the City Council and Planning Board held in the Community Room, Police Headquarters, 200 Main Street, Gardner.

CALL TO ORDER

Council President Scott Graves called the Public Hearing to order at 7:00 o'clock p.m.

CALL OF THE ROLL

City Clerk Alan Agnelli called the Roll of City Councillors. Ten (10) members were present, including President Scott Graves and Councillors Nathan Boudreau, Craig Cormier, Ronald Cormier, Edward Gravel, Karen Hardern, Christine Johnson, James Johnson, Elizabeth Kazinskas, and James Walsh. Councillor James Boone was absent.

The City Clerk called the Roll of Planning Board Members. Four (4) members were present including, Robert Bettez, Sr., Laura Casker, Mark Schafron, and Robert Swartz. Allen Gross was absent.

President Graves read aloud the Public Hearing Notice, as follows:

Pursuant to G.L. c. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a Joint Public Hearing on **Monday, April 9, 2018 at 7:00 P.M.** in the Police Headquarters Meeting Room, 200 Main Street, to consider amending the Code of the City of Gardner, Chapter 675: Zoning, by adding a Solar Photovoltaic Overlay District off Lovewell Street. The complete amendment is available for viewing in the City Clerk's Office; the Department of Community Development & Planning; or on the City's website at www.gardner-ma.gov. All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

GARDNER CITY COUNCIL
ALAN L. AGNELLI, City Clerk

President Graves asked if any person in attendance wished to speak in favor of the proposed Ordinance amendment.

Bill Hannigan, Hannigan Engineering

- Principal proposal submitted by Dubzinski Family Trust.
- Joint filing with other property owners.
- No real engineering work completed – used MassGIS data for submitted plans and aerial to depict tree line and dam/dike – not surveyed. Illustration to show area only. Buffers can be moved and tree lines, as well 100' swath proposed to create from the

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tree line to the work line. Keep existing vegetation around Wright's Pond and Lovewell Street houses.

- Site walk recently conducted – height and depth of vegetation appears sufficient to provide a buffer – any gaps could be infilled with vegetation.
- Solar arrays are seen as low-impact types of developments – provides “green energy.”
- Original plan showed that the array is too close to the lake – Public Welfare Committee suggested moving the array – only a concept plan.

Ernie Mello, Zero-Point Development

- During recent site walk, noticed that existing vegetation matches the height of the dike – about 10' from the base of the water - which would block view of the array from across the lake.
- Efforts would be taken to provide buffer zones for Lovewell Street abutters.
- Maintain vegetation on unused areas of Dubzinski property.

Bill Hannigan, Hannigan Engineering

Slides of Cherry Valley (Leicester) solar array similar to the proposed Lovewell Street solar array – Cherry Valley array abuts a drinking water reservoir.

CD&P Director Trevor Beauregard - The Planning Board voted to refer the zoning proposal back to the City Council and to schedule a joint public hearing.

Councillor Christine Johnson - She participated in the site walk and videotaped the site. She stated that 30 acres of woodland would have to be cleared to install the solar array.

Joseph Jandris, Jr., 160 Minott Street – Noted that it is a scenic area with no public access. Advocated for allowing the owner to build the solar array.

Christine Gosselin, 363 Temple Street - Questioned whether the property could be used for some other type of development.

Bill Hannigan, Hannigan Engineering - The properties are residentially zoned and noted that in the 1980's a study was conducted that showed a 300-unit housing development proposed for the property, which would require infrastructure and permitting. He said that it is fair to say that a considerable development could be placed on the property and added that in speaking with the Dubzinski Family, should the solar array be permitted, then the rest of their land would not be developed. On a question from the audience, he stated that approximately 100 acres would remain in an undeveloped state.

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Christine Gosselin, 363 Temple Street - Asked who would benefit from the solar array.

Ernie Mello, Zero-Point Development – They would plan to qualify this solar electric for community-shared solar which means that credits and discounts from the array would be spread out among small businesses in the community, not specific to Gardner, but specific to Central Massachusetts. In other cases, if it is not qualified under community solar, you could sell the credits from the solar array to one large business. If you are qualified for community-shared solar, only one off taker who consumes the electricity can only take one-half of the capacity or 250 kilowatts of the capacity. The rest of the production would be spread out to small businesses, municipalities, schools, and various off takers within the town. He said that the town would obtain a benefit by signing up for the program. He added that there are tax benefits to the City – the property would be removed from Chapter land, thus increasing the property taxes. Also, it is typical for solar developers to enter into a “PILOT Agreement” (Payment-in-lieu-of Taxes) with the town. He noted that in the past “Zero Point has paid roughly \$10,000 per megawatt in taxes to the town.”

On a question from the audience, Mr. Mello stated that if you’re a National Grid customer, you can benefit from consuming net-metering credits from an array like this. He said that for his firm, they would [seek to] qualify for community-shared solar and plan to do the same with the proposed array which would involve feeding the benefits and the discounts on the electricity generated from the array back to the community – Central Massachusetts.

Paul Spano, 33 Adams Street – Questioned which Chapter [of the General Laws] that the land is classified.

Ernie Mello, Zero-Point Development – The Dubzinski parcel is under Chapter 61B, Recreational Land. Of 127 acres of Dubzinski property, 30 acres would be cleared for the solar array with shade trees providing buffers. Plan is to leave the existing access dirt road to the dike and the water line. The array would have to be fenced in compliance with national electric code, but plenty of room remaining for wildlife to move around the property and a gap at the bottom of the fencing so that smaller animals could get under the fence in order to move around.

Paul Spano, 33 Adams Street –Noted that the area is full of wildlife, citing deer that would be affected by the fencing.

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Bill Hannigan – The land has not yet been surveyed by the developers, so that the 127 acres is an estimate based on deeds and Assessors records and the 30 acres for the array is only an estimate until the survey is completed. He added that it could be possibly less or more, but the actual acreage is unknown at this time.

Susan Belliveau, 197 Lovewell Street – Questioned the intentions of the other five owners of the lots that would be part of the overlay district.

Bill Hannigan - Zero Point reached out the neighbors to see if they wanted to be included in the overlay district and that they expressed interest, which is the reason that there are multiple parcels within the proposed overlay. Only the Dubzinski parcel is being considered at this time and that there are limits to developing solar arrays. If the Rabbit Club, for example, decided to pursue a solar array on its property, it would have to seek a permit from the Planning Board – the same process would be necessary for the Bazydlo and Hunt parcels. He said that the total generated from all the parcels, with Dubzinski array generating 5 megawatts, just north of 10 but less than 15 megawatts as part of an overall project. Each would require clearing of land and Planning Board approval.

Council President Scott Graves - The underlying zoning would not change if the overlay district is approved.

Denise Fournier, 115 Lovewell Street – Asked for clarification with respect to the process should the Rabbit Club decide to pursue installing solar arrays on its property.

Council President Scott Graves - Any owner would have to seek a permit from the Planning Board, but not have to seek the City Council's approval.

Bill Hannigan – Restated that the property owners must go through the permitting process with the Planning Board and that abutters are required to be notified if the Club applies for a permit, especially with respect to Conservation (Commission).

David Beauregard, 24 Mayfield Road – It is his understanding that Zero-Point will remove the solar array when the contract expires.

Ernie Mello, Zero-Point Development – Prior to construction, the developer is required to file a bond or financial surety in order to pay to decommission the array at the end of its lifetime, typically from 20 to 40 years for an array. The developer is required to remove all equipment, but if the developer does not act within a certain amount of time, then the town

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can seize the bond in order to pay to decommission the array and to restore the land to its original state, or as close as possible. He added that it is a requirement of the City.

Bill Hannigan – A bond/surety is required by the City, adding that he has never worked on a solar array project that did not have such a requirement.

Pam LeBlanc, 196 Lovewell Street – Questioned whether she would be able to see the array from her property since the plan shows that there isn't a tree buffer alongside the portion of the land that abuts her property. She added that there are elderly residents that live near the proposed site of the array that have lung problems. She would not mind some of the array, but would desire a larger buffer.

Bill Hannigan - The proposed 100' buffer would include screening and that new vegetation would be added to fill in any gaps. Concerning breathing issues, he said that he cannot address it; however, during construction of the array, dust control measures are instituted such as watering of the road way. The project typically takes from 4 to 6 months to complete. When completed, the area would be loamed and seeded with varietal grasses which allows for growth under the solar panels, would require very little watering, and would be cut to around 6" depth. The cart path would become a gravel road. He added that the fencing on the property would only surround the solar panels and would be 6" from the ground, allowing for smaller animals to pass.

Christine Gosselin, 363 Temple Street - Questioned actions to be taken to address wetlands surrounding the proposed solar array site.

Bill Hannigan – Noted that the plan is only conceptual and that wetlands issues would be addressed during the design process. A botanist would flag the wetlands and the Conservation Commission would approve the wetland lines, which must meet MassDEP storm water management regulations and local ordinances. Per City Regulations, there is a 30' "no touch zone" to any wetlands and a 60' "no building zone."

Erich Kaiser, 184 Minott Street – Questioned panel rainwater runoff and the impact that it would have by adding water to the pond due to vegetation removal. He asked whether any studies have been conducted concerning water runoff from solar panels and the impact.

Bill Hannigan – Citing DEP's storm water management program, all pre and post-development analyses are required. Take the existing site conditions and then run a drainage model on-site, most notably the lake and possibly other design points. From the initial analysis, they would then overlay with the proposed site design based upon actual survey

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conditions. The proposed design would then take into account the anticipated tree clearing, the soil structure and topography that the pond is going to see. From there, they would design detention basins and swales to divert the water to be held back so that the release drain of the water mimics or is less than the pre-development rate. All done by DEP standards, then Planning Board, Conservation, and City Engineer would review. With regard to solar panel, DEP has issued guidelines as how to address runoff from solar panels and that that guideline would also be followed.

RECESS

President Graves declared a brief recess at 7:45 p.m. in order to open the second Hearing.

President Graves read aloud the Public Hearing Notice, as follows:

Pursuant to G.L. c. 40A, § 5, notice is hereby given that the City Council and Planning Board will conduct a Joint Public Hearing on **Monday, April 9, 2018 at 7:45 P.M.** in the Police Headquarters Meeting Room, 200 Main Street, to consider amending the Code of the City of Gardner, by Deleting and Repealing Chapter 675, Zoning, and Replacing it With a New Chapter 675, Zoning. The complete amendment is available for viewing in the City Clerk's Office; the Department of Community Development & Planning; or on the City's website at www.gardner-ma.gov. All persons interested in this matter and desire to offer testimony are invited to attend the hearing.

ALAN L. AGNELLI
CITY CLERK

President Graves reconvened the Hearing at 7:46 p.m.

Matthew Bettez, 269 Lovewell Street – Questioned whether the Dubzinski family would retain ownership of the land or be transferred with the project; would the remainder of the land be developed for solar arrays at a later date, beyond the currently proposed 30 acres; and, is the land usable for residential purposes.

Mr. Hannigan - He spoke with the Dubzinski family and questioned their plans for future development of the property and was informed that beyond the solar array, there are no plans for further development for the remainder of their 127-acre parcel.

Ernie Mello, Zero-Point Development – Concerning additional solar arrays proposed at a later date, the Department of Environmental and Energy Resources has regulations that dictate the installation of solar arrays, saying that the maximum on a single parcel is 5 megawatts, which is the amount proposed for the Dubzinski property. He said that his firm is working from a Letter of Intent to lease with an option to purchase the parcel.

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Paul Spano, 33 Adams Street – Requested clarification of the impact of the zoning amendment, questioning whether the 127-acre parcel would be reclassified from Rural Residential 2 to Commercial.

Council President Scott Graves - Reiterated that that the underlying zoning would not change if the overlay district is approved.

Paul Spano, 33 Adams Street – Stated that current rules for Rural Residential 2 allows for commercial activity.

President Graves - Restated that whatever exists at the time that the overlay district is adopted remains that way. The overlay would allow for solar arrays.

Building Commissioner Roland Jean - The Council President's explanation "was spot on."

Bill Hannigan - Reaffirmed that the underlying zoning does not change and that the overlay district would allow solar arrays in the designated area.

Louise Russell, 218 Lovewell Street – Stated that construction of the array would result in 6 months of trucks traversing the cart road which is in terrible condition. She asked if someone will pay to offset the cost of road repairs.

Bill Hannigan - The Planning Board will address all of the issues during the permitting process, including all construction (tree removal) and installation of the solar panels.

Louise Russell, 218 Lovewell Street – Stated that she already has water problems in her backyard and the addition of water runoff from the panels will end up in her backyard and that she already had to install drainage.

Bill Hannigan – The firm utilizes drainage models issued by the United States Soil Conservation Services for their analyses and that the City Engineer and Planning Board utilize them for their review of the developer's analyses. He added that her particular property may be a design point, which would require further analysis.

Louise Russell, 218 Lovewell Street – She noted that the cart path that would be used to access the site of the array is located in front of her house and that the street corner serves as a school bus stop for elementary and middle school students. She expressed opposition to the proposed solar overlay district.

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Bill Hannigan - Suggested that the access road [to the array] be relocated.

Alisha Griffin, 24 Metcalf Street – Stated that there have been studies that show that people are affected by electromagnetic forces emitted by solar panels/electrical arrays and that there is an increase in childhood leukemia resulting from living near the panels. She asked if they would be responsible for persons whose health is affected by the electromagnetic forces or pay to relocate them.

Ernie Mello, Zero-Point Development - The solar is an industry that is being incentivized by state.

Bill Hannigan - Is aware of studies that these health concerns are more associated with high tension wires than with solar arrays. He said that they would seek clarification on this matter, but that the issue may have to do more with the Planning Board than with the Council.

Councillor Christine Johnson – Citing the discussion that only focused on the Dubzinski property, said “we remember that we do not have ‘spot zoning’ in Gardner,” and that she thought that the other property owners included in the overlay might be present to talk about whether they really do agree. She said that during the Public Welfare Committee meeting, the developer said that they had signed statements from the other property owners. Without testimony that they are interested, then it does not convince her to vote for the overlay. She recognized that another property owner is present, but added that she is unsure if they are willing to speak – that “you claimed to sign a form.”

Ernie Mello, Zero-Point Development – He he has forms signed by all of the property owners that are to be included in the proposed overlay district and that copies will be provided to the City Council.

Councillor Christine Johnson – Stated that the developer promised to provide copies of the forms to the Welfare Committee at its last meeting, which was over a month ago.

Ernie Mello, Zero-Point Development – Said that he could not speak as to whether any of the other property owners plan to pursue solar arrays. The focus has been on the Dubzinski property and that DOER looks at it as one contiguous parcel and placed restrictions on developments limited to a single parcel and 5 megawatts. He also noted that it would be another year before they could consider any of the other parcels for a solar array.

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Councillor Christine Johnson - The request is for an overlay with more than one property, which is her point. So, as a City Councillor, she said that she is looking for documentation from the people from those properties to be part of the solar overlay and that she has not received any.

Bill Hannigan - He would immediately provide the requested documents to the Council. He added that the concern was to bring in more parcels to address a concern of “spot zoning.”

Council President Graves – The process [of establishing an overlay district] is in the early stages and premature, since no decision has been made by the Public Welfare Committee or the City Council. He said that the full Council will meet to discuss the proposed zoning amendment.

Susan Belliveau, 197 Lovewell Street – Questioned if the same access road would be used if the other five owners decided to pursue a solar array. She added that she lives across the street from the access road.

Bill Hannigan - The Planning Board would not allow the others to use the same cart path. He added that each of the remaining parcels have frontage on a public way that would provide separate and distinct access. What “may be” jointly utilized is a power connection where there is Phase 3 power on Lovewell Street. He wasn’t sure if there is Phase 3 power near the Rabbit Club.

Susan Belliveau, 197 Lovewell Street – Questioned whether any studies have been completed concerning the impact that solar arrays animals such as bears and deer– before and after installation.

Mr. Hannigan – Not typically.

Susan Belliveau, 197 Lovewell Street – Questioned the impact that solar arrays have on property values.

Mr. Hannigan - None that he is aware of, adding that solar is a pretty innocuous use and that solar is one of the allowed uses under the State Zoning Act that the preference is to allow solar than to not allow it.

Joan Gould, 104 Princeton Street – Questioned whether the Dubzinski’s 127-acre parcel is zoned Rural Residential 2.

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Bill Hannigan (via a colleague sitting in the audience) - The parcel is split-zoned – RR1 and RR2. He reaffirmed that the underlying zoning does not change.

Joan Gould, 104 Princeton Street – Expressed concern about health, citing solar panels on roofs of Clark Street homes and said that it has been determined that there are a lot of cancer patients from that area.

Daniel Quinn, 7 Bancroft Street – Questioned the reason that the site was chosen for a solar overlay district and no other areas. He said that the array will affect wildlife and that the 100’ buffer will not deflect the solar panels – there is solar glare and you will see it.

Ernie Mello, Zero-Point Development – The specifications for solar panels require absorption of the sunlight and not to deflect it and that the small amount remaining will be directed toward the direction that the panels are aimed. He noted that the panels are directed toward the south and said that most abutters are not be directly south of the proposed solar array. As far as choosing a location, electrical characteristics – enough room on the electrical lines near the property to accept/handle the generation and the substation has to be equipped. Also look for flat land – the topography – not to have to work around wetlands. Challenges include open fields – how do you screen an array that is off the side of a street? Land with trees offers natural screening but require cutting. He added that Zero Point was approached by the Dubzinski Family about a solar array on their property.

David Beauregard, 24 Mayfield Road – Questioned when the project would commence if the amendment is passed.

Ernie Mello, Zero-Point Development - In late summer and fall of this year, best case scenario.

Councillor Nathan Boudreau questioned whether construction would continue into winter in the event that the project was not completed in the fall.

Bill Hannigan – It would depending on winter conditions and that the project could not start until agreements with National Grid are in place.

Councillor James Walsh requested that comments provided by Alan N. Rousseau, 211 Betty Spring Road, be entered into the Record (appended hereto).

Trevor Beauregard – Responding to a question from the audience as to how many solar arrays are allowed, Mr. Beauregard stated that there is no limit. With respect to the

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Heywood Hospital solar array, Mr. Beauregard stated that they did not have to go through the large-scale photovoltaic permitting because it is an accessory use – all power is being used by the Hospital.

Brenda Robinson, 84 Banner Road – She can view the land from her back yard and she is in a flood zone – water runoff will affect her. She asked if the walk-through included land across the lake.

President Graves – The walk-through did not include a viewing from across the lake.

Bill Hannigan – Would perform a site cross section – draw lines through the array to show visual aspects from different vantage points – buffer lines and panel grades. The engineering would have to be done first as part of the Planning Board permitting process.

Alisha Griffin, 24 Metcalf Street – Cited the City's Open Space and Recreation Plan, August 2015 – 2019 and referred to the area for conservation and recreation. She questioned how the proposal would impact Wright's Reservoir.

Trevor Beauregard - Is unsure if the parcels were included for acquisition, but the City has been actively pursuing the implementation of the plan. He added that without the plan in front of him, he could not comment on this particular parcel.

Ernie Mello, Zero-Point Development - The Dubzinski property is a large piece of property and the Dubzinski family has generously allowed people to pass through their property, but that it is private property and not subject to an open space plan. He added that they have other options for use of their land which may be looked at [for something] not as beneficial as solar.

Bill Hannigan - Noted that certain parcels were targeted in the Open Space Plan.

Trevor Beauregard - The parcels were targeted but that they are not one of the Plan's top priorities and not in the corridor.

Planning Board Member Laura Casker - Added that all Chapter 61 and 61A parcels are targeted in the Open Space Plan.

There being no others asking to testify, President Graves declared the first Hearing closed at 8:24 p.m.

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President Graves reconvened the second Hearing at 8:33 p.m. and read aloud the Public Hearing Notice.

CD&P Director Trevor Beauregard outlined the process of planning and updating the City's Zoning Code, which was last revised in 2006.

Russell Burke, Director of Planning, BSC Group – Outlined his role in the planning of updating and reorganizing the City's Zoning Code, such as its Organizational structure.

Council President Graves – The Council, in Committee of the Whole, would continue to solicit information and comments from the public. The process, at this juncture, is very preliminary, he added.

Mr. Burke - Outlined the proposed changes:

- 2 new additions – Recreational marijuana (adult) and Senior Residential Development.
- Changes to the Schedule of Use Regulations.
- Minor changes to non-conforming uses contradictions (create internal consistency).
- Dimensional Regulations – one provision changed.
- Change in building coverage to lot coverage (no longer limited to building footprint).
- Addendum to parking requirements at the request of the City Engineer. Parking requirements to be based on the building's square footage versus number of employees.
- Commercial Districts and Residential Districts changes.
- Authorizes waivers under Site Plan Review.
- Some pre-submission requirements deleted for open space development.
- Changes to home occupation requirements and on-site retail restrictions.
- Addition of Senior Residential Development. Special Permit required from the Planning Board as SPGA.
- Changes to signage regulations due to U.S. Supreme Court Decision – sign regulations cannot be content-based – should be content-neutral.
- Provisions included for temporary sandwich boards on sidewalks with permission.
- Deletion of Section 1010, Scheduled Development Moratorium (“floating moratorium”). Was thrown out in Court – considered arbitrary.
- Deletion of Planned Unit Developments.
- Deletion of Section 570 – Route 140 Corridor Overlay District.
- Site Plan Review tweaked – decreased floor and parking area and added all forms of marijuana establishments.
- Require concept plans accompany zoning map amendments.

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- Repeal and replace current medical marijuana provisions.

Council President Graves - Questioned the origin of the Senior Housing Development provisions in the rewrite.

Mr. Burke - The request was included in the RFP that was issued by the Planning Board. He said that there are various ways that Senior Housing can manifest that incorporates all levels into a Senior Residential Development over age 55, such as:

- Single family/townhouse living/independent flat.
- Assisted living housing with services (health care, hair, meals)
- Memory care - more oversight and supervision
- Continuing care – nursing home component.

President Graves - The new marijuana regulations are due to a recent change in State law.

Joan Gould, 104 Princeton Street – Questioned the reason that a contractor was part of the Advisory Committee, as well as Jim Bellina from the Chamber of Commerce.

Mr. Burke - The Committee was formed to include a cross section of zoning users – the Planning Board, Building Inspector, City Engineer, and business representatives. The ZBA was not included since it is separate from the Planning Board and serves as a quasi-judicial board and has no place at the table of the zoning rewrite.

Joan Gould, 104 Princeton Street – Stated that the Planning Board is the appropriate board as the Special Permit Granting Authority (SPGA) for Flood Plain, Surface and Groundwater Protection, Drive-throughs, and Marijuana, since it has better staff support, experience, and advisors.

Councillor James Walsh - Requested that comments provided by Alan N. Rousseau, 211 Betty Spring Road, be entered into the Record (appended hereto).

Joan Gould, 104 Princeton Street – Asked that Senior Residential Development section be deleted from the proposal.

Bruce Wahl, 75 Willis Road – Commenting on Alan Rousseau’s letter, he stated that the proposed development would be in his backyard and that the lot is elevated compared to other parcels. He said that he is concerned with the traffic impact that a development would have on Willis Road and Chapel Street, citing the traffic flow from his experience living on

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Woodland Avenue. He noted that there are other options for this type of development in Gardner without impacting a beautiful area.

Sue Rousseau, 211 Betty Spring Road – Noting that Betty Spring Road is a winding and dangerous road, such a development would change the character of a nice quiet road and [put an] end to a peaceful area. She added that it could also affect property values.

Bruce Wahl, 75 Willis Road – Stated that there is other commercial property along Route 140 side of the railroad tracks and asked to not disturb nice areas.

There being no others asking to testify, President Graves declared the Hearing closed at 9:22 p.m.

Accepted by the City Council: *May 7, 2018*

Date: April 8, 2018.

From: Alan N. Rousseau
211 Betty Spring Rd.
Gardner, MA

To: Gardner City Councilors and Planning Board Members

Subject: CITY OF GARDNER JOINT PUBLIC HEARING ZONING AMENDMENT SOLAR PHOTOVOLTAIC OVERLAY DISTRICT OFF LOVEWELL STREET

Due to job related commitments, I am unable to attend this public hearing on Monday April 9th. The following is my input on the proposed zoning amendment for the Solar Photovoltaic Overlay District off Lovell Street in South Gardner. I am opposed to this amendment. From my experience with land conservation in North Worcester County since 2005, I believe this approach to solar energy development will present more harm than good for the citizens of Gardner.

I offer the following points for consideration relative to your decision on this amendment.

1. Solar panels are best suited for roof tops, parking lots, capped landfills, airports, and previously developed land or vacant brownfields. Solar panels should not be installed in Gardner's forests and agriculture lands.
2. Forested land adds tremendous value to our community. Trees are a source of clean air. Forest land is a natural filter that protects ground water ultimately flowing to private wells used for drinking water. Gardner's forested land is as much a part of our community as the Furniture Industry had been in the past. While the Furniture Industry is largely gone, our Forested Land is still here. As we develop Gardner in the future, we must take every measure possible to protect and conserve our forests. Referencing Gardner's 2015 Open Space Plan: ***"Enhancing the quality of life in a community must maintain a careful balance between equity, environment and economy."***
3. Large-scale Ground-Mounted Solar Photovoltaic Systems are forest killers.
 - a. At a high level, the construction process includes: (1) Clear cutting of all trees. (2) Extensive excavation of the land contours and top soil. (3) Installation of a massive number solar panels. (4) Installation of a chain-link perimeter fence. and (5) Planting of a few trees and scrubs to form a minimal boarder in an attempt to camouflage the solar panels from street view.
 - b. Wildlife habitat is totally destroyed, including the natural shelter and food supply! According to Gardner's Open Space Plan, Gardner's forests are home many species of birds, amphibians, and mammals. Among those species are deer, bear, moose, otter, weasels, foxes, coyotes, raccoons, beaver, muskrat, skunks, possums, porcupines, rabbit, turkey, red tail hawks, woodland hawks, osprey, bald eagles, loons, wood ducks, and ruffed grouse. When habitat is destroyed, wildlife either dies or migrates to other places. Often, the migration is to abutting residential neighbors where gardens and pets become a new source of food.
4. Gardner already has two large Solar Photovoltaic Overlay Districts. One is located in West Gardner and the other is the Summit Industrial Park. In West Gardner, there are three projects that have yet to be constructed on properties to the north of West Street. In addition, a 20 acre

Large-scale Solar development was constructed at the Wildwood Cemetery Forest. I suggest taking a walk around Wildwood Cemetery Forest if you want to see the end result of Large-scale Solar project.

5. Large-scale Solar developments are industrial developments that should not be sited in Rural Residential neighborhoods. These developments adversely impact the property values of residential abutters. How many real estate agents advertise home sales with the message: This house is near a massive solar development? Zoning must protect the property rights and values of residential neighborhoods.
6. Once a Solar Photovoltaic Overlay District is established, it becomes “As-of-Right Siting” and therefore solar projects cannot be prohibited on properties within the district. Otherwise, the solar developer must obtain a special permit, variance, waiver, or other discretionary approval. The absence of an overlay district significantly “raises the bar” for obtaining approval for a Large-scale Solar project.
7. Gardner has recently been inundated with out-of-town solar developers that have been inquiring on nearly every private large parcel and even city-owned forested land. The public is not aware of the extent of these many inquiries. The city needs to develop an overarching strategy on the development of solar energy rather than approving zoning amendment requests on a piecemeal basis.

In conclusion, my view is that the City should not approve this amendment. Furthermore, I recommend that the City halt any further changes to Solar Photovoltaic Overlay Districts at this time. The City should wait until the three proposed West Gardner solar projects are constructed, study the environmental impact, and then develop an overarching strategy on the development of solar energy in Gardner.

Thank you for your consideration of my input.

Sincerely,

Alan N. Rousseau

Date: April 8, 2018.

From: Alan N. Rousseau
211 Betty Spring Rd.
Gardner, MA

To: Gardner City Councilors and Planning Board Members

Subject: CITY OF GARDNER JOINT PUBLIC HEARING COMPREHENSIVE ZONING CODE UPDATE

Due to job related commitments, I am unable to attend this public hearing on Monday April 9th. The following is my input on the proposed Comprehensive Zoning Code Update.

I am opposed to the new provision for Senior Residential Development, **675-840, Senior Residential Development.**

1. The Senior Residential Development is described as a commercial facility. It includes a retail business component, personal services, and a medical office or clinic. It should not be sited in General Residence 3 or Rural Residence 2 districts.
2. Gardner's current zoning ordinance has already provided for ample opportunities for senior housing. We already have senior housing throughout the city that had been built under the current zoning ordinance.
3. This amendment appears to have come about through one out-of-town developer's proposal for a facility on Betty Spring Road. This is a prime example of why this type of development should not be done in General Residence 3 or Rural Residence 2 districts. In this case, it would have a significant negative change to the character of this area. This would forever ruin one of Gardner's most notable scenic roads.

In conclusion, my view is that the City should not approve this amendment to the Zoning Ordinance.

Thank you for your consideration of my input.

Sincerely,

Alan N. Rousseau