

BOARD/COMMITTEE: Sustainability Committee

MEETING DATE: March 10, 2021

TIME: 7:00pm

PLACE: Video conference

Members Present: Frances Nolde, Chair; Barbara Salzman, Member; Palmer Moore, Member; Larry Grossman, Member; Richard Garrison, Member; Suresh Jasrasaria, Member.

Members Absent: None

Other Attendees: Bob Stemple, Select Board Liaison; Robin Delise, resident; Chris Delise, resident; Owen Neville, Chair of the Agricultural Commission.

Roll call: Chair Nolde took roll call. Liaison Stemple: present; Member Grossman: present; Member Moore: present; Member Salzman: present. Member Garrison: present; Member Jasrasaria: present.

Summary of discussion of each topic:

Chair Nolde thanked everyone for their extensive work over the past month on multiple initiatives including: work on solar bylaw; promotion and completion of Emojot Survey and compilation of results; work to bring MassEnergize to Boxborough; writing the Sense of the Meeting Bylaw.

February minutes: Garrison made a motion to accept the minutes from the February meeting. Jasrasaria seconded. Approved: 6-0 *unanimous vote by roll call.*

Vote on Solar Bylaw and write recommendation for Warrant (due March 10, 2021): Moore received a Word copy of the final March 9 proposed solar bylaw and compared this with the March 4 draft and recommendations which were sent to the Planning Board:

The latest version of the bylaw is more restrictive than we had hoped for:

**Definitions-*

-Small-Scale Ground-Mounted- because it is limited to 1750 square feet it does not allow for the 15kW LELD maximum (Planning Board did not accept proposal of defining Small-Scale as .1 acre/4,350 square feet)

-definition of “agrivoltaics or dual use”- if this definition is used in the bylaw, it will need more explanation or it may be confusing to applicants.

-Neville questioned which districts are residential vs. agricultural residential and how do you know residential applicability.

**Setbacks-*

-the Planning Board was requested to recommended 100 ft. setbacks only be used for Large-Scale Ground-Mounted; the new final solar bylaw requires 100 foot front, side and rear yard setbacks for Medium-Scale and Large-Scale Ground-Mounted Systems.

-for Medium-Scale Ground-Mounted Solar Systems setback requirements, the Planning Board was requested to make a distinction between projects serving onsite electricity use (Accessory Uses) and those that do not (Primary Uses); recommendations were given for these instances, which the Planning Board did not adopt.

Discussion: when we have more projects of larger than 1750, customers will need more flexibility for where to locate; C. Delise wondered if this would affect community solar; Neville and C. Delise stated that 100 foot setbacks were too much; C. Delise suggested a “buffer zone” which could be measured differently; Moore stated that large-scale projects are massive and that at least 100 foot setbacks are appropriate, that large-scale projects can cause conflict in communities, that the community needs to strike a holistic balance between various factors in order to achieve our sustainability needs; Neville voiced disagreement stating that we must support alternative forms of energy and that we may have to see them; Grossman stated that 1750 sq. feet is pretty big and that typically you would see a smaller array on a roof; Neville believes that the setbacks are unreasonable for agricultural residential.

**Landscaping, Screening-*

-orientation/tilt language was eliminated from most recent version as requested.

-Moore commented that the bylaw sets a very high threshold by requiring all ground-mounted structures be “hidden” from sight by providing a “sight-impervious screen” of evergreen foliage and/or “solid fenced screening”, and stated that solid fencing could be an eyesore; rather than a requirement of invisibility, a sensible visual buffer was suggested-- Moore noted that Towns have been sued and lost on setting such a restrictive requirement.

**Utility Connections-*

-unclear language (“in adverse conditions”).

-comments that utility connections such as inverters and transformers cannot be put underground.

**Protection of Forest Land-*

-It was noted that if not more than 1 acre can be deforested, Boxborough may not have the opportunity to build a large-scale solar system.

-Also noted as positive was that solar systems are no longer prohibited on active or prime farmland.

**Use Table-*

- No ground-mounted solar is allowed in Town Center, several present found this problematic.

- Medium-Scale and Large-Scale not allowed in AgRes district, several of those present found this problematic, Neville disagreed with this limitation and stated that having a solar system on their property might allow a farmer to continue farming.

Discussion of whether our Committee would be able to support this zoning bylaw at Town Meeting; Moore commented that the Committee needs to consider what the effect would be of not having this bylaw in place; there was discussion that because Boxborough had no solar bylaw, the Green Street Solar System was As of Right; particular problems of Use Table “Not Allowed” for AgRes Medium- and Large-Scale Ground-Mounted, and 100 foot setbacks were noted; Salzman asked if the Planning Board changed the Use Table AgRes restrictions, would the Committee be able to support this; those present stated that there were too many problems with the bylaw to approve it.

Motion: To Not recommend to the Town this Solar Bylaw as written, and a commitment from the Sustainability Board to work with the Planning Board and other related Committees to present to the Town a more suitable bylaw.

Approved: 6-0 *unanimous vote by roll call.*

Warrant Article: Sense of the Meeting, Due March 10, 2021: Chair Nolde read aloud the text of the Sense of the Meeting Article; Garrison articulated that this article will help 1) give us a platform to educate Town Meeting attendees about the Emojot Survey and Municipal Vulnerability Preparedness Study, and to 2) establish Town leadership support to adopt the Sustainability Policy.

Motion: To accept the Sense of the Meeting Warrant Article

Approved: 6-0 *unanimous vote by roll call.*

Further discussion: Chair Nolde will present the warrant article at Town Meeting; Jasrasaria will do the slides for the presentation.

MassEnergize: Nolde informed the Committee that the Finance Committee has agreed to include the fee for MassEnergize in the budget if LELD does not cover the costs; we will ask LELD for the funding; funding will begin 7/1/2021; comment that Mass Energize would be a tool for engaging kids and families; Grossman stated that this could be a platform for doing outreach, that finding the people to get it done and implement might be challenging, and that it will continue to change over time; Moore expressed that MassEnergize communities are of a demographic that are well off with a critical mass of people to engage; Nolde stated that our survey is helpful in this effort; Salzman commented that it will be important to bring more people in from the community to work on the platform; C. Delise said that people in the community want more information and that this is a good platform to provide that.

Motion: To move forward with MassEnergize. Approved: 6-0 *unanimous vote by roll call*

Climate Change Survey:

Jasrasaria shared that a few more businesses responded after February 1, but the overall results remained the same; the survey results will be presented at the Select Board on March 29.

Municipal Vulnerability Preparedness Study (MVP): Emily DiFranco of CEI presented the MVP report to the Select Board; Nolde suggested that we invite Dr. DeFranco to present the report to the Town and talk about the impact of climate change on Boxborough.

Action Items:

Garrison and Nolde- talk about Sustainability Policy

Nolde- will send Committee members Dr. DiFranco's presentation

Nolde- will post meetings for March 15 and March 29

Nolde-will send Sense of the Meeting Article to Ryan, Cheryl, and Jennifer

Nolde- will send slides and report to Cheryl

Moore- will send to Cheryl, Jennifer, and Ryan our recommendation about the Solar Bylaw

Upcoming Dates:

Sense of the Meeting bylaw will be presented at the Select Board meeting on March 15

Emojot Survey and Sustainability Policy will be presented at the Select Board meeting on March 29

Town Meeting on May 10

Next Committee meeting: April 14, 2021