

GREENFIELD TOWN COUNCIL

Regular Meeting Minutes

September 19, 2012

GCTV-15

7:00 pm

CALL TO ORDER: Meeting was called to order at 7:05 p.m. by President Singer.

President Singer stated this meeting was being recorded. If any other person present was doing the same, they must notify the chairperson at this time. It was noted the Town Council was audio recording and GCTV-15 was video recording the meeting for future broadcast.

ROLL CALL OF MEMBERS: Roll Call was taken. Councilors Allis and Vicencio-Rasku were absent.

ALSO PRESENT: Mayor William Martin; Director of Municipal Finance and Administration Marjorie L. Kelly; Town Council Administrative Assistant Kathryn Scott; Retirement Administrator Marianne Fiske; Retirement Board Chairman William Devino; Town Accountant Elizabeth Braccia; School Superintendent Dr. Susan Hollins; Assistant to the Mayor for Economic Development and Marketing Robert Pyers; Director of Planning Eric Twarog; Energy; Sustainability Coordinator Carole Collins; GCC Executive Director of Resources Development and GCC Foundation Regina Curtis; GCTV-15 staff; Anita Phillips, *the Recorder*; and members of the public.

MOTION: On a motion by Councilor Wisnewski, second by Councilor Hoffman, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL WAIVES THE RULES OF PROCEDURE, RULE 8, ORDER AND DISPOSITION OF BUSINESS IN ORDER TO CONSIDER AN APPOINTMENT TO THE VACANT AT-LARGE TOWN COUNCIL SEAT.

President Singer reviewed the process since the resignation of Tracey Sutphin. Six letter of interest were received and all candidates were considered. He recommended the appointment of “the other” Mark Maloni. The committee chairpersons voted in favor of the President’s recommendation.

Order no. FY 13-023

MOTION: On a motion by Councilor Wisnewski, second by Councilor Devin, it was unanimously, **VOTED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, PURSUANT TO CHARTER SECTION 2-11, APPROVES THE APPOINTMENT OF MARK MALONI TO FILL THE AT-LARGE TOWN COUNCIL SEAT, VACATED BY TRACEY SUTPHIN, UNTIL JUNE 30, 2013.

Mrs. Scott administered the Oath of Office to Councilor at Large Mark Maloni.

ACCEPTANCE OF MINUTES: On a motion by Councilor Wisnewski, second by Councilor Devlin, it was unanimously,

VOTED: TO ACCEPT THE TOWN COUNCIL MINUTES OF AUGUST 15, 2012.

PUBLIC HEARINGS: Councilor Wisnewski read the Public Hearing notice: In accordance with Home Rule Charter, the Greenfield Town Council will hold a public hearing on Wednesday, September 19, 2012, beginning at 7:00 p.m. at GCTV-15, 393 Main Street to receive public input on the following:

- Appropriate \$27,300 from the Fire Department Revolving Fund #1580 for a replacement vehicle for the Fire Prevention Officer

The Town Council will consider the same at their meeting on Wednesday, September 19, 2012 which begins at 7:00 p.m. at the GCTV-15 Studio, 393 Main Street. Materials in alternative format and copies can be obtained from the Town Clerk’s Office, 14 Court Sq. from 8:30 a.m.-5:00 p.m., Mon. - Fri. or phone 413-772-1555, xt. 113.

President Singer opened the Public Hearing at 7:12 pm. He asked if anyone from the public wished to speak. Seeing none, the Public Hearing would remain opened.

COMMUNICATIONS: Ms. Collins gave a presentation regarding the attached Municipal Aggregation. Ms. Collins, Mr. Pyers and Mr. Twarog responded to questions from Councilors regarding the same.

MAYOR: Mayor Martin, Ms. Braccia, and Ms. Kelly reviewed the attached Town of Greenfield General Fund Revenues, Cherry Sheet, Parking Meter Revenues, and Local Receipts Estimated vs. Actual.

Councilor Wisnewski held the following second reading: Appropriate \$27,300 from the Fire Department Revolving Fund #1580 for a replacement vehicle for the Fire Prevention Officer

COMMUNICATIONS:

SCHOOL SUPERINTENDENT: Superintendent Hollins discussed the following:

- The opening of School.
- Student population.
- Improvements to School buildings.

TOWN OFFICERS: None.

President Singer closed the Public Hearing at 8:27 pm.

MOTIONS, ORDERS, AND RESOLUTIONS

Order no. FY 13-022

MOTION: On a motion by Councilor Wisnewski, second by Councilor Hoffman, it was, **MOVED:** THAT IT BE ORDERED THAT \$27,300 BE APPROPRIATED FROM THE FIRE DEPARTMENT REVOLVING FUND #1580 FOR A REPLACEMENT VEHICLE FOR THE FIRE PREVENTION OFFICER.

DISCUSSION: Councilor Wisnewski stated the Ways and Means Committee forwarded a unanimous positive recommendation for approval.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -022.

Order no. FY 13-029

MOTION: On a motion by Councilor Wisnewski, second by Councilor Devlin, it was, **MOVED:** THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD HEREBY PETITIONS THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS TO PASS SPECIAL LEGISLATION AS FOLLOWS: AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES. NOT WITHSTANDING SECTION 17 OF CHAPTER 138 OF

THE GENERAL LAWS OR ANY OTHER GENERAL OR SPECIAL LAW TO THE CONTRARY, THE LICENSING AUTHORITY OF THE TOWN OF GREENFIELD MAY GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES NOT TO BE DRUNK ON THE PREMISES UNDER SECTION 15 OF SAID CHAPTER 138 TO SANDRI COMPANIES, LOCATED AT 416 FEDERAL STREET WITHIN THE TOWN OF GREENFIELD. THE ACT SHALL TAKE EFFECT UPON ITS PASSAGE.

DISCUSSION: Councilor Wisnewski stated the Economic Development Committee and the License Commission forwarded unanimous negative recommendations. It was noted there was a license available for purchase. However, who ever purchased that license would be required to buy the business. Councilors Devlin and Athey would not vote in favor of this order. It was pointed out that the Mayor had sent a memo in favor of this special legislation for Sandri Co.

It was unanimously,

DEFEATED: TO APPROVE ORDER NO. FY 13 -029

Order no. FY 13-030

MOTION: On a motion by Councilor Wisnewski, second by Councilor Hoffman, it was, **MOVED:** THAT IT BE ORDERED THAT THE TOWN OF GREENFIELD HEREBY PETITIONS THE LEGISLATURE OF THE COMMONWEALTH OF MASSACHUSETTS TO PASS SPECIAL LEGISLATION AS FOLLOWS:

AN ACT AUTHORIZING THE TOWN OF GREENFIELD TO GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES.

NOT WITHSTANDING SECTION 17 OF CHAPTER 138 OF THE GENERAL LAWS OR ANY OTHER GENERAL OR SPECIAL LAW TO THE CONTRARY, THE LICENSING AUTHORITY OF THE TOWN OF GREENFIELD MAY GRANT AN ADDITIONAL LICENSE FOR THE SALE OF WINE AND MALT BEVERAGES TO BE DRUNK ON THE PREMISES UNDER SECTION 12 OF SAID CHAPTER 138 TO GREENFIELD COMMUNITY COLLEGE, LOCATED AT ONE COLLEGE DRIVE WITHIN THE TOWN OF GREENFIELD.

THE ACT SHALL TAKE EFFECT UPON ITS PASSAGE.

DISCUSSION: Councilor Wisnewski stated the Economic Development Committee and the License Commission forwarded a unanimous positive recommendation. GCC had suggested the college would not hold events for groups smaller than 150 persons.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13-030.

Order no. FY 13-024

MOTION: On a motion by Councilor Wisnewski, second by Councilor Hoffman, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL ACCEPT SECTIONS 63, 64, AND 65 OF CHAPTER 139 OF THE ACTS OF 2012 WHICH WOULD

INCREASE THE BENEFITS PAYABLE TO SURVIVORS OF ACCIDENTAL DISABILITY
RETIREES WHO RETIRED PRIOR TO NOVEMBER 1996.

DISCUSSION: Councilor Wisnewski stated the Ways and Means Committee forwarded a unanimous positive recommendation. There were three survivors who would receive benefits from this.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13-024.

Order no. FY 13-025

MOTION: On a motion by Councilor Devlin, second by Councilor Wisnewski, it was,
MOVED: THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #1 - NON-COMMERCIAL SCALE SOLAR ENERGY INSTALLATIONS”, ATTACHED HERETO AS EXHIBIT A.

EXHIBIT A

Note: Text with a ~~strike through~~ is text to be deleted and ***black bold italic*** text is proposed new text.

Zoning Amendment #1 - Non-Commercial Scale Solar Energy Installations

Amend Section 200-2.1, Terms and Words, of the Greenfield Zoning Ordinance by adding the following new definition:

NON-COMMERCIAL SCALE SOLAR ENERGY INSTALLATIONS-- *Non-Commercial Scale Solar Energy Installations shall mean any accessory solar energy facility for the capture and storage of heat or the generation of electricity with twenty-five (25) kilowatts or less nameplate capacity or which exceeds twenty-five (25) kilowatts nameplate capacity but is less than 250 kilowatts and is designed to produce fifty (50) percent or more of its energy for the principal on-site use.*

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM-- *A solar energy system shall be considered to be building integrated if it is designed to be permanently mounted on a building or other structure. This definition applies to solar energy systems of any capacity that are designed to be operated in direct contact with a building.*

Amend Section 200-4.2(C), Rural Residential District (RC), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by special permit.

Amend Section 200-4.3(C), Suburban Residential District (RB), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by special permit.

Amend Section 200-4.4(C), Urban Residential District (RA), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by special permit.

Amend Section 200-4.5(C), Semi-Residential District (SR), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by special permit.

Amend Section 200-4.6(B), Health Service District (H), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.7(B), Central Commercial District (CC), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.8(B), Limited Commercial District (LC), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.9(B), General Commercial District (GC), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.10(B), Office District (O), of the Greenfield Zoning Ordinance by adding Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.11(B), General Industry District (GI), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend Section 200-4.12(B), Planned Industry District (PI), of the Greenfield Zoning Ordinance by adding “Non-Commercial Scale Solar Energy Installations” as a use permitted by right.

Amend the Table of Uses to state that “Non-Commercial Scale Solar Energy Installations” is a use permitted by special permit within the RC, RB, RA, and SR Districts, and allowed by right within the H, CC, LC, GC, O, GI, and PI Districts.

Table of Uses

Town of Greenfield
Ch. 200, Zoning
(cont'd)

Industrial Uses (Cont.)	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Contractor’s yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP ¹¹	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7.15	N	N	N	N	N	N	N	N	N	Y	Y
Renewable/alternative energy R&D facility	N	N	N	N	N	N	N	SP	N	Y	Y
Renewable/alternative energy manufacturing facility	N	N	N	N	N	N	N	N	N	Y	Y
<i>Non-Commercial Scale Solar Energy Installations pursuant to ~ 200-7.16</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>SP</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>

Other Uses											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town of Greenfield Soil Removal Ordinance	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP ¹²	SP ¹²	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

⁽¹¹⁾Medical research and development only.

⁽¹²⁾Mixed residential/office use only in accordance with § 200-7.10.

Amend the Greenfield Zoning Ordinance by adding the following new Section:

~ 200-7.16. Non-Commercial Scale Solar Energy Installations

A. Purpose

The purpose of this ordinance is to allow orderly development of non-commercial scale solar energy installations and facilities and to minimize the environmental impact of such facilities.

B. Accessory Installations, Building-mounted

Building-Integrated Solar Energy Systems are permitted in all zoning districts. The installation shall have an automatic and manual means of shutdown with clear instructional signage.

C. Accessory Installations, Ground-mounted

Ground-mounted solar energy installations are permitted by right within the Health (H), Central Commercial (CC), Limited Commercial (LC), General Commercial (GC), Office (O), General Industry (GI), and Planned Industry (PI) Districts and by special permit from the Zoning Board of Appeals within the Rural Residential (RC), Suburban Residential (RB), Urban Residential (RA), and Semi-Residential (SR) Districts subject to the following requirements:

- (1) *All installations shall have an automatic and manual means of shutdown with clear instructional signage.*
- (2) *The solar installation shall meet the setback and dimensional requirements of the Zoning District for accessory structures.*
- (3) *The total surface area of all accessory ground-mounted solar energy installations on the lot shall not exceed twenty-five(25) percent of the minimum open space requirement of the Zoning District in which it is located as specified in the Table of Dimensional Requirements.*
- (4) *Dimensional exceptions may be allowed by Special Permit from the Zoning Board of Appeals.*

D. General Requirements for all Non-commercial Scale Solar Energy Installations.

- (1) *Compliance with Laws, Ordinances and Regulations. The construction and operation of all non-commercial scale solar energy installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar energy installation shall be constructed in accordance with the State Building Code.*

- (2) ***Building Permit and Building Inspection. No non-commercial scale solar energy installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.***
- (3) ***Site Plan Review. Ground-mounted non-commercial scale solar energy installations with more than twenty-five (25) kW but less than 250 kW of rated nameplate capacity shall undergo site plan review by the Building Inspector prior to construction, installation or modification as provided in this section and Section 200-8.4, Site Plan Review, of the Zoning Ordinance.***
- (4) ***All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.***

DISCUSSION: Councilor Devlin noted some new information had been brought forth that should be discussed with the Planning Board. President Singer stated this amendment was for non-commercial scale solar. He reviewed the zoning amendment process. He would like to obtain citizen opinions through the Public Hearing process. Questions arose as to whether the Town Council could amend the language and the time line for the process to amend zoning bylaws. Councilor Zaltzberg had met with “local experts” in this area and he suggested substantial amendments to the language should be made before a public hearing was held.

MOTION: On a motion by Councilor Hirschfeld, second by Councilor Wisnewski, it was unanimously, **TABLED:** THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #1 - NON-COMMERCIAL SCALE SOLAR ENERGY INSTALLATIONS”, ATTACHED HERETO AS EXHIBIT A.

Order no. FY 13-026

MOTION: On a motion by Councilor Devlin, second by Councilor Wisnewski, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #2 - LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS” ATTACHED HERETO AS EXHIBIT A.

EXHIBIT A

Note: Text with a ~~strike through~~ is text to be deleted and ***black bold italic*** text is proposed new text.

Zoning Amendment #2 - Large-Scale Ground-Mounted Solar Photovoltaic Installations

Amend Section 200-4.2, Rural Residential (RC) District, Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations” as a use permitted by special permit.

Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations” is a use permitted by special permit in the Rural Residential (RC) District.

Amend Section 200-4.3, Suburban Residential (RB) District, Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations” as a use permitted by special permit.

Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations” is a use permitted by special permit in the Suburban Residential (RB) District.

Amend Section 200-4.9, General Commercial (GC) District, Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations” as a use permitted by special permit.

Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations” is a use permitted by special permit in the General Commercial (GC) District.

Amend Section 200-4.10, Office (O) District, Subsection C, Uses permitted by special permit, of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations” as a use permitted by special permit.

Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations” is a use permitted by special permit in the Office (O) District.

Table of Uses
Town of Greenfield
Ch. 200, Zoning
(cont'd)

Industrial Uses (Cont.)	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Contractor’s yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP ¹¹	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7 15	SP	SP	N	N	N	N	N	SP	SP	Y	Y
Renewable/alternative energy R&D facility	N	N	N	N	N	N	N	SP	N	Y	Y
Renewable/alternative energy manufacturing facility	N	N	N	N	N	N	N	N	N	Y	Y
Other Uses											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town	SP	N	N	N	N	N	N	N	N	SP	N

of Greenfield Soil Removal Ordinance											
Mixed residential/business uses	N	N	N	SP ¹²	SP ¹²	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

⁽¹¹⁾Medical research and development only.

⁽¹²⁾Mixed residential/office use only in accordance with § 200-7.10.

Amend Section 200-7.15, Large-Scale Ground-Mounted Solar Photovoltaic Installations, so that it reads as follows:

~ 200-7.15. Large-Scale Ground-Mounted Solar Photovoltaic Installations. [Added by the Town Council on March 17, 2010]

- A. Purpose. The purpose of this ordinance is to promote the creation of new large-scale ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate financial assurance for the eventual decommissioning of such installations. The provisions set forth in this section shall apply to the construction, operation, and/or repair of large-scale ground-mounted solar photovoltaic installations.
- B. Applicability. This section applies to large-scale ground-mounted solar photovoltaic installations proposed to be constructed after the effective date of this section. This section also pertains to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.
- C. General Requirements for all Large Scale Solar Power Generation Installations.
 - (1) Compliance with Laws, Ordinances and Regulations. The construction and operation of all large scale solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.
 - (2) Building Permit and Building Inspection. No large scale solar photovoltaic installation shall be constructed, installed or modified as provided in this section without first obtaining a building permit.
 - (3) Site Plan Review. Large-scale ground-mounted solar photovoltaic installations with 250 kW or larger of rated nameplate capacity ***allowed by right*** shall undergo site plan review by the Planning Board prior to construction, installation or modification as provided in this section. ***Large-scale ground-mounted solar photovoltaic installations with 250 kW or larger of rated nameplate capacity allowed by special permit shall undergo site plan review by the Zoning Board of Appeals.***
 - (4) All plans and maps shall be prepared, stamped and signed by a Professional Engineer licensed to practice in Massachusetts.
 - (5) Required Documents. In addition to the submittal requirements under ~ 200-8.4 of the Zoning Ordinance, the project proponent shall provide the following documents:
 - (a) Blueprints or drawings of the solar photovoltaic installation signed by a Professional Engineer licensed to practice in the Commonwealth of Massachusetts showing the proposed layout of the system and any potential shading from nearby structures;

- (b) One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices;
- (c) Documentation of the major system components to be used, including the PV panels, mounting system, and inverter;
- (d) Name, address, and contact information for proposed system installer;
- (e) Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
- (f) The name, contact information and signature of any agents representing the project proponent;
- (g) Documentation of actual or prospective access and control of the project site;
- (h) An operation and maintenance plan;
- (i) Zoning district designation for the parcel(s) of land comprising the project site (submission of a copy of a zoning map with the parcel(s) identified is suitable for this purpose);
- (j) Proof of liability insurance; ~~and~~
- (k) Description of financial surety that satisfies Subsection (13)(c) of this ordinance.
- (l) *A list of any hazardous materials proposed to be located on the site in excess of household quantities and a plan to prevent their release to the environment, as appropriate;***
- (m) *Documentation by an acoustical engineer of the noise levels projected to be generated by the installation;***
- (n) *Documentation of soil types on all land involved with the project;***
- (o) *Locations of wetlands and Priority Habitat Areas defined by the Natural Heritage & Endangered Species Program (NHESP);***
- (p) *Locations of floodplains or inundation areas for moderate or high hazard dams;***
- (q) *Provision of water including that needed for fire protection; and***
- (r) *Existing trees 6" caliper or larger.***

The ~~Planning Board~~ **Reviewing Authority** may waive documentary requirements as it deems appropriate.

- (6) Site Control. The project proponent shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.
- (7) Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the large- scale ground-mounted solar photovoltaic installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- (8) Utility Notification. No large- scale ground –mounted solar photovoltaic installation shall be constructed until evidence has been given to the Site Plan Review Authority that the utility company that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- (9) Dimension and Density Requirements.
 - (a) Setbacks. For large - scale ground-mounted solar photovoltaic installations, front, side and rear setbacks shall be as follows:
 - i Front Yard: The front yard depth shall be at least 10 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the front yard shall not be less than 50 feet.

- ii Side Yard. Each side yard shall have a depth at least 15 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the side yard shall not be less than 50 feet.
 - iii Rear Yard. The rear yard depth shall be at least 25 feet; provided, however, that where the lot abuts a Conservation-Recreation or Residential district, the rear yard shall not be less than 50 feet.
 - (b) Appurtenant Structures. All appurtenant structures to large- scale ground-mounted solar photovoltaic installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.
 - (c) ***Height of Structures. The height of any structure associated with a Large-Scale Ground-Mounted Solar Electric Installation shall not exceed 20 feet.***
- (10) Design ***and Performance*** Standards.
 - (a) Lighting. Lighting of solar photovoltaic installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
 - (b) Signage. Signs on large-scale ground-mounted solar photovoltaic installations shall comply with ~ 200-6.7. A sign consistent with ~ 200-6.7 shall be required to identify the owner and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation.
 - (c) Utility Connections. Reasonable efforts, as determined by the Reviewing Authority, shall be made to place all utility connections from the solar photovoltaic installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.
 - (d) ***Control of Vegetation. Herbicides shall not be used to control vegetation at the solar electric installation. Mowing, grazing or using geotextile materials underneath the solar array are possible alternatives.***
 - (e) ***Noise. Noise generated by Large-Scale Ground-Mounted Solar Electric Installations and associated equipment and machinery shall conform to applicable state and local noise regulations, including the DEP's Division of Air Quality noise regulations, 310 CMR 7.10. A source of sound will be considered in violation of said regulations if the source:***
 - i. ***Increases the broadband sound level by more than 10 db(A) above ambient; or***
 - ii. ***Produces a "pure tone" condition, when an octave band center frequency sound pressure level exceeds the two (2) adjacent center frequency sound pressure levels by three (3) decibels or more. Said criteria are measured both at the property line and at the nearest inhabited residence. "Ambient" is defined as the background A-weighted sound level that is exceeded 90% of the time measured during equipment hours, unless established by other means with the consent of the DEP. Noise generated shall further comply with Section 200-6.8 of the Greenfield Zoning Ordinance.***

- (f) ***Impact on Agricultural and Environmentally Sensitive Land. The facility shall be designed to minimize impacts to agricultural and environmentally sensitive land and to be compatible with continued agricultural use of the land whenever possible.***
- i. ***If documentation of soil types under Subsection C(5)(o) above identifies any Prime Agricultural soils on the property or the property is being actively farmed, then a copy of all application materials shall be forwarded to the Agricultural Commission for their review and comment. Failure to comment within 30 days after receipt shall be deemed as no objection to the proposal.***
- (g) ***Screening. Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be screened from view by a minimum fifteen (15) foot wide staggered and grouped planting of shrubs and small trees. Such plantings shall use native plants and a mix of deciduous and evergreen species and may be located within the setback area.***
- (11) Safety and Environmental Standards.
- (a) Emergency Services. The large scale solar photovoltaic installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Greenfield Fire Chief. Upon request the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
- (b) Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the large – scale ground-mounted solar photovoltaic installation or otherwise prescribed by applicable laws, regulations, and bylaws.
- (12) Monitoring and Maintenance.
- (a) Solar Photovoltaic Installation Conditions. The large - scale ground-mounted solar photovoltaic installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Greenfield Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar photovoltaic installation and any access road(s), unless accepted as a public way.
- (b) Modifications. All material modifications to a solar photovoltaic installation made after issuance of the required building permit shall require approval by the Reviewing Authority.
- (13) Abandonment or Decommissioning.
- (a) Removal Requirements. Any large-scale ground-mounted solar photovoltaic installation which has reached the end of its useful life or has been abandoned consistent with Subsection (13)(b) of this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Reviewing Authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
- i Physical removal of all large- scale ground-mounted solar photovoltaic installations, structures, equipment, security barriers and transmission lines from the site.
- ii Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- iii Stabilization or re-vegetation of the site as necessary to minimize erosion. The Reviewing Authority may allow the owner or operator to leave landscaping or

designated below-grade foundations in order to minimize erosion and disruption to vegetation.

iv. Soil decompaction in areas where Prime Agricultural Soils have been identified or areas that are or have been actively farmed prior to the installation of the facility.

- (b) Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one year without the written consent of the Reviewing Authority. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may enter the property and physically remove the installation.
- (c) Financial Surety. Proponents of large-scale ground-mounted solar photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Reviewing Authority, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

MOTION: On a motion by Councilor Devlin, second by Councilor Wisnewski, it was unanimously, **TABLED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #2 - LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS” ATTACHED HERETO AS EXHIBIT A.

Order no. FY 13-027

MOTION: On a motion by Councilor Devlin, second by Councilor Wisnewski, it was, **MOVED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #3 - LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS ON MUNICIPALLY OWNED LAND”, ATTACHED HERETO AS EXHIBIT A.

EXHIBIT A

Note: Text with a ~~strike through~~ is text to be deleted and ***black bold italic*** text is proposed new text.

Zoning Amendment #3 - Large-Scale Ground-Mounted Solar Photovoltaic Installations on Municipally Owned Land

[Please Note: Zoning Amendment # 3 is only proposed if Amendment #2 does not move forward.]

Amend Section 200-4.2(C), Rural Residential District (RC), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by special permit.

Amend Section 200-4.3(C), Suburban Residential District (RB), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by special permit.

Amend Section 200-4.9(C), General Commercial District (GC), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by special permit.

Amend Section 200-4.10(C), Office District (O), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by special permit.

Amend Section 200-4.11(B), General Industry District (GI), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by right.

Amend Section 200-4.12(B), Planned Industry District (PI), of the Greenfield Zoning Ordinance by adding “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” as a use permitted by right.

Amend the Table of Uses to state that “Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15” is a use permitted by special permit within the RC, RB, GC, and O Districts, not allowed within the RA, SR, H, CC, and LC Districts; and allowed by right within the GI and PI Districts.

Table of Uses
Town of Greenfield
Ch. 200, Zoning
(cont'd)

Industrial Uses (Cont.)	RC	RB	RA	SR	H	CC	LC	GC	O	GI	PI
Contractor’s yard	N	N	N	N	N	N	N	SP	N	Y	N
Open storage of raw materials, finished goods, or equipment	N	N	N	N	N	N	N	SP	N	Y	SP
Light industry, manufacturing or processing plant	N	N	N	N	N	N	N	SP	N	Y	Y
Research and development facilities	N	N	N	N	SP ¹¹	SP	SP	SP	SP	Y	Y
Salvage/junkyard	N	N	N	N	N	N	N	N	N	SP	N
Waste hauling establishment	N	N	N	N	N	N	N	SP	N	SP	N
Large-Scale Ground-Mounted Solar Photovoltaic Installations pursuant to ~ 200-7.15	N	N	N	N	N	N	N	N	N	Y	Y

<i>Large-Scale Ground-Mounted Solar Photovoltaic Installations on municipally owned land pursuant to ~ 200-7.15</i>	<i>SP</i>	<i>SP</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>N</i>	<i>SP</i>	<i>SP</i>	<i>Y</i>	<i>Y</i>
Renewable/alternative energy R&D facility	N	N	N	N	N	N	N	SP	N	Y	Y
Renewable/alternative energy manufacturing facility	N	N	N	N	N	N	N	N	N	Y	Y
Other Uses											
Conservation area	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Processing of earth authorized for removal under the Town of Greenfield Soil Removal Ordinance	SP	N	N	N	N	N	N	N	N	SP	N
Mixed residential/business uses	N	N	N	SP ¹²	SP ¹²	Y	SP	SP	N	N	N
Private club or membership organization	N	N	N	SP	N	Y	Y	Y	N	N	N

⁽¹¹⁾Medical research and development only.

⁽¹²⁾Mixed residential/office use only in accordance with § 200-7.10.

DISCUSSION: Councilor Wisnewski was willing to initiate this zoning amendment proposal. President Singer suggested all three proposed amendment be kept on the same timeline.

Councilor Devlin urged the community to be involved in this process because it could affect many areas of town.

MOTION: On a motion by Councilor Hoffman, second by Councilor Devlin, it was unanimously, **TABLED:** THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL, IN ACCORDANCE WITH M.G.L.c. 40A SECTION 5, HEREBY INITIATES THE PROPOSED ZONING BYLAW AMENDMENT TITLED “ZONING AMENDMENT #3 - LARGE-SCALE GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS ON MUNICIPALLY OWNED LAND”, ATTACHED HERETO AS EXHIBIT A.

Order no. FY 13-028

MOTION: On a motion by Councilor Wisnewski, second by Councilor Devlin, it was, **MOVED:** THAT IT BE ORDERED THAT IT BE ORDERED THAT THE GREENFIELD TOWN COUNCIL AMEND THE CURRENT TOWN COUNCIL RULES OF PROCEDURE § 1261-8. RULE 8, ORDERS AND DISPOSITION OF BUSINESS. A. AGENDA BY INSERTING “4. PUBLIC COMMENT” AND RENUMBER THE AGENDA ITEMS NUMBERS THAT FOLLOW:

- § 1261-8. Rule 8, Order and Disposition of Business.
- A. AGENDA

(1) At every regular meeting of the Town Council order of business shall be as follows:

1. Call to Order
2. Roll Call
3. Approval of Minutes from Previous Meeting
- 4. Public Comment**
5. Public Hearings
6. Communications from Mayor, Town Officers and Employees
7. Communications from Superintendent of Schools and School Committee
8. Motions, Orders, and Resolutions
9. Presentation of Petitions and Similar Papers
10. Reports of Committees
11. Unfinished Business
12. Old Business
13. New Business
14. Motions for reconsideration
15. Public Forum
16. Adjournment

(2) The above shall not be departed from except by vote of the majority of members present.

Posted Council agendas shall state this order of business.

DISCUSSION: Councilor Wisnewski suggested the “Public Comment” section of the agenda should be limited to three minutes per person on any topic of concern.

It was unanimously,

VOTED: TO APPROVE ORDER NO. FY 13 -028.

PRESENTATION OF PETITIONS AND SIMILAR PAPERS None.

REPORTS OF COMMITTEES

APPOINTMENTS AND ORDINANCE COMMITTEE- Vice-President Wisnewski noted the committee had agreed to propose amending the Town Charter election schedule to four year terms for the election of Councilors, School Committee members, and Mayor.

ECONOMIC DEVELOPMENT COMMITTEE – Chairman Devlin noted a Public Hearing would be held relating to Municipal Aggregation. The committee would discuss the solar amendments which were tabled this evening.

COMMUNITY RELATIONS AND EDUCATION COMMITTEE – Chairman Hoffman announced the committee intended to schedule Precinct Meetings at the end of October.

UNFINISHED BUSINESS: None.

OLD BUSINESS: None.

NEW BUSINESS: Vice-President Wisnewski held the following first reading: That \$75,000 be appropriated for the repair of the Greenfield Middle School Roof.

Councilor Athey requested the attached resolution be forwarded to a subcommittee for consideration

President Singer will forward the resolution to a subcommittee at the October meeting of the Committee Chairpersons.

Vice-President Wisnewski requested the following be moved to committee for discussion: That the Town Council considers a CIP (Commercial/Industrial/Personal) tax rate of 1.1 for the Town of Greenfield. He would make a presentation in support of the split tax rate at the EDC and Town Council meetings.

MOTIONS FOR RECONSIDERATION: None.

PUBLIC FORUM: Lawrence Cramer, member of Citizens for Emergency Preparedness, invited the Town Council to attend a Forum on Monday, September 24, 2012, titled “Vermont Yankee Meltdown: What Will We Do/ Lessons from Fukushima” which was shown on the attached handout.

ADJOURNMENT: On a motion by Councilor Allis, second by Councilor Devlin, it was unanimously **VOTED:** TO ADJOURN THE MEETING AT 9:08 P.M.

A true copy,

Attest: _____
Maureen T. Winseck, Town Clerk

GREENFIELD TOWN COUNCIL MEMBERS

GCTV-15
Regular Meeting
September 21, 2012

1. Kelner, Marian	P						
2. Zaltzberg, Keith	P						
3. Allis, Brickett	A						
4. Ronhave, Steven	P						
5. Singer, David	P						
6. Hoffman, Hillary	P						
7. Renaud, Karen	P						
8. Vicencio-Rasku, Iris	A						
9. Hirschfeld, Norman	P						
10. Athey, Dalton	P						
11. Wisnewski, Mark	P						
12. Devlin, Patrick	P						
13. Maloni, Mark	P						