

Worthington Planning Board Meeting Minutes 12/22/2025

In-person Attendance:

Nestor Mathews
Bart Niswonger
Kate Bavelock
Kathy Ford
Anna Maunz
Mike Dondiego

Virtual:

Beth Greenblatt
Charley Rose

Agenda

- Discussion of large scale solar project proposed for 190 Ridge Road
- Conversation with Beth Greenblatt, peer reviewer

Kate: We deemed the application complete- will we still hear back answers from them.

Bart: We assume they are working on their responses.

Kathy and Anna would like pictures from the balloon test.

Blue Wave asked via email about moving the pad out of the water district.

Kate: Attended webinar in California. In CA asking for 300' setbacks/ 100' setbacks from the battery. There is question if this would be possible in MA

Nestor: Question about water supply and protection.

They typically try not to site batteries in the water district.

Question of what is the line?

More clarification from PVPC to get an actual line - if we can't get that - asking Blue Wave to give us documentation that they are definitely outside of the protected water shed.

Wells are bedrock wells. What happens when the posts are pounded into an area with bedrock wells?

Kate: Looked into helical posts - question if that would help alleviate concern. And then monitoring wells/ water supply down stream.

Question about what is in the panels and how them being broken could effect the water supply. Assuming no PFAS is that correct.

Nestor: Would like an overview to what kind of conditions usually get put on projects like this.

Beth: A lot of the questions that she asked will help us assess the type of conditions that we can ask for from them.

Beth recommends that once they provide more information we will be able to ask more detailed questions.

Agrovoltaic: hard to know if they have an application with MDAR for 20 years

Since the state is going to be addressing battery issues - why wouldn't we be addressing those now?

Pictures from balloon test

Noise: batteries will be enclosed- noise analysis.

Nestor: MA DOER: very clear noise line - that is going to be adopted.

Beth: Conditions: Prior to commercial operation that they are meeting the DOER future standards. We would have to ask Town Counsel about the legality of this- but it makes sense to her that is a legitimate ask.

If things are a requirement of the permit, than they need to adhere.

Nestor asks:DOER: Prohibited on Grades greater than a 15 degree slope.

Beth: This is a draft guideline

Nestor: He believes it is due to soil erosion.

Beth: Slope may have to do with the type of system.

Nestor: Solar glare: One major abutter - will really affect them.

Possibility: if there is a problem they can mitigate it.

Beth: Glare could also effect the golf course.

Nestor: Reviewing the equipment they're using. Aaron mentioned that he would be bringing someone to our January 8th meeting. Ultimately we are going to have to review their equipment 2 years from now.

Beth: One of the conditions can be that the final equipment selection chosen has to adhere to all the conditions that have been raised by the Planning Board.

Currently they are talking about a water based bio-suppression program

We can put a condition in our permit that they have to come back to us before the final specs.

You can put safety conditions that address specific concerns that we have. But if you put specific conditions, it is harder to move forward with technological innovations.

You can put Minimum Standard Conditions. Must meet safety provisions.

Nestor: We need to frame our conditions out of concerns

Bart: We should do both:

State clearly our concerns.

Final Specs.

What do we do if they come back if they have a whole other technology that we have no provisions for.

Beth: Specifications that address the concerns. We need a battery situation that does the following.... ex.

Any out flow (in the event of emergency)- if they come back with its a fully dry system.

Beth: We try to frame the conditions around the solutions we're looking for. If they're going to specify in two years - if its different than whats in our approval then they would have to come back - at some point they may have to resubmit.

Kate: In regards to their decommissioning bond/ their insurance numbers are low - are you able to present us with a reasonable range?

Beth: Yes. She can look at similar decommissioning range.

Northfield was initially woefully insignificant, and they cam back with a different number.

Nestor MA DOER: de-commisioing amount- 2.5% and can hire a consultant. An outside consultant would review that.

Beth: They've used their engineering firm to provide an estimate

- they're removing the assets and re- claiming the land

The board could require a more detailed analysis.

Require a Safe Removal not just the removal.

2.5% has been around for a really long time. A number of planning boards rely on. But not particularly current.

Bart: Technical Review Engineers are confident that they can help with those numbers as well.

Questions about Liability Insurance:

10 million dollar umbrella on top of the 1-2 million

Kate: Moss Landing

Beth: There are other types of insurance we can require for them carrying. I.e. pollution insurance etc.

Beth: Reminder: You are approving an agrovoltaic project. If the state incentives leaves then the property would come out of 61A.

They build the projects using construction capital. The agrovoltaic project is guaranteed for 20 years.

Possible Condition: They have to provide copies of their annual reports to MDAR and DOER.

When Conditions aren't met they can be made liable. If the current plan they got approved and they want to change their plan. They would have to propose the change to their plan.

Nestor: We don't have a person to review all this documentation.

Beth: The annual report should supply a form that they are meeting their obligations. and if they aren't they lose their state incentive.

Kathy: How do we compile a list on things we need to be tracking on a year to year basis.

Beth: In Northfield the annual report filed with DOER and MDAR

- bond is actually renewing.
- public safety training - that could be renewed every 5 years
- snow removal training had to take place annually.
- safety
- security
- insurance report.

A trigger date can be established.

Bart: Who is scheduled to receive the reports?

Beth: Believes the town administrator.

Mike Dondiego: NFPA 855: Been looking at the regulations.

Depending on the battery

What is the requirement for replacing the batteries, what is the schedule for changing the batteries

what is the battery maintenance schedule.

Fire and smoke detection for alerting and alarming.

Containment and suppression plans.

Bart: Is there a mechanism to recognize the overhead administrative impact that this project is having on our town?

Beth: in Ma DOER: Whole part about community engagement- and there being a fee.

Is there an increase in policing?

Fire department preparedness and readiness- if equipment is necessary - then they would need to help procure it.

These will help set the conditions.

Why more communities are looking at a bylaw specifically addressing BESS.

If there is any annual testing/ inspection required- then Blue Wave would be charged for that inspection.

You may need to amend your bylaw to Board of Health/ Building Inspection: fees associated with those inspections.

Check with Town Counsel.

Beth recommends requiring: Annual water quality test done by an outside licensed firm that they are responsible for paying.

Very specific conditions on monitoring and testing. Town should choose the firm that the town engages. They will then compensate. They will want to limit it.

Charley Rose: Water department is a third party in Worthington.

Mike: Currently the permit for solar is residential. There is currently no fee from the fire department. Which may want to be considered - as a difference between residential and commercial solar.

A desire to demonstrate every 3-5 years that their connections are still working.

Bart: Conversation with Town Counsel about a way for the town to recoup these annual costs that will be building up on the town.

Beth: It is the Planning Board's job to protect the health of its town. The community needs to be prepared.

Beth: Annual tax payment, they're adding to the town's general fund. But if there are things that the town is needing to do specifically for Blue Wave then those are extra asks.

Solar arrays usually function pretty quietly - the issue here is the battery arrays and the water district.

Bart: Community benefit plans - how that is set up?

Beth: Under Mass General Laws the personal property is taxable.

Community Engagement Agreements - there's going to be a combination between these agreements and taxation. Sometimes monetary compensation.

Once the asset is built the ongoing maintenance will not be a strain on our roads

Noise: Could have them use a meter, decibel requirement. Can be done by a professional

HVAC system is like an outdoor air conditioner

It can't be any more than this decibel at this number of feet.

Building inspector can require the noise test is done at the time of inspection.

Kate: Can require that there is an agreement that the battery supplier is required to take the batteries back.

Beth: Not normal - but we can certainly ask.

Nestor: Can we require the same setback for the house on the landowner's property?

Beth: To the extent that you can argue as abutter to the asset, rather than abutter to the property. More concerned about the property owner's well. Not sure that Worthington bylaws are able to address this. Thats tricky. From a noise perspective its a good question.

Make the noise question more generic: "From any dwelling" vs "abutter's property"

Getting the power lines from this property - is going to require changes on Buffington Hill, and there have been concerns around that.

Beth: A desire to minimize with pad mounted equipment.

Blue Wave's comment was that Eversource hadn't been out on site yet. The town has some rights about Eversource placing poles in front of the Selectboard. The Planning Board can control from the property to the street.

Nestor asks about underground infrastructure.

Beth: 7 poles are more than she usually sees. Definitely worth discussing more with them.

Its easier for Eversource to put in a pole. Visual impact on roads and abutters. We want them to pursue alternative avenues with Eversource. As long as its not affecting the water district.

Kate: Homeowner - needs access around the entire perimeter. If there is a battery fire they are stuck.

Mike Dondiego: An example he came across in Farming: If the tractor catches fire under the solar panels? The Fire Department needs access.

Beth: Could require additional gates.

Nestor: Setbacks- we have a 50' setback

Hadley has 300' from batteries to residential unit

Ma DOER max: 75'

The current situation: the abutter is downslope from this solar array
Blue Wave has already taken away 1 row of solar panels - which puts it at 75'. Request that the fence is moved back to 50' - which would also push back the solar panels.

Beth: Whatever is in your bylaws- it reverts to the setback.

Fencing is required by the solar array, doesn't specify the type of fence. Fencing is something that could be in discussion.

Idea of raising fencing 6" for small wildlife movement.

In Northfield they changed the fencing to allow for wildlife passage - allowing for the access roads.

They're going to be worried about shading on the solar panels, but that shouldn't be an issue with rotating solar panels.

Mike Dondiego: Whose responsible for contacting Mass State Forest, forestry department, DEP, DCR - where do we get some of these other stakeholders involved?

Beth: The applicant needs to contact those departments if they are in those departments jurisdiction. Because this is in the water district they may need to comply with DEP 3.10CMR22

Mike: Is there someone else contacting DEP from the permitting perspective.

Mike or Bart can contact DEP. Never heard back from the state about being abutters.

Bart: DEP is only interested in wetlands.

Beth: Many developers will go to Conservation Commission

Bart: Board of Health is our personal connection to the DEP

Beth: Board of Health should trigger that connection/ necessity. If the Board of Health doesn't know, than we can require that Blue Wave gets a written assessment from DEP.

Bart: This is a good idea.

Mike asks about a wind study. Bart says hopefully we'll get a sense from engineers.

High Wind Zone.

Mike: Aaron want to get together with Mike before the January 8th and the BESS expert. Mike wants it to be open to the larger group.

Kate: Could help inform conditions.

Beth: Guess is they're doing this is connection with the questions we asked regarding the battery. Any verbal conversation should be supported by imperial data.

Kate: The Building Inspector/The Electric Inspector- what the conditions are.

Beth: How do all the pieces coming together overall effect the whole community. An engineers perspective is really important.

Wind is a big concern- the equipment needs to be appropriate for the site.

We can't unreasonably regulate. Direct impacts on health and safety are where the Planning board can regulate.

How to ensure once its built that design of system is specific to an agrovoltaic system. Under SMART system

Broad understanding of the project.

What are you planning to do:

Planning Board is not unreasonably regulating - as you move forward, asking more specific questions.

Expect once you engage an engineer - incorporating the engineers concerns should be incorporated into conversation with Beth.

6 months of review is appropriate to assume. Time needed to make sure this project is not negatively impacting the community as a whole.

Bart is asking about time line for technical review: is 1 month appropriate assumption for time line.

Beth: depends on data and data availability.

Climate control system - if there is a problem with a system, there may be a problem with the battery safety.

Blue wave has tried to be as responsive as they can be with her in past experiences. There's a long window on this project. They get antsy if you try to step out of your lane.

*Push back on high imperical data.

The DOER drafts provide some good guidance.

Mike: Different storage systems for this type of electricity

-Fly wheels: smaller side of things.

-Compressed air energy storage system: higher side of things

Bart encourages Mike to ask these questions at the public hearing.

Kate expresses: its going to be really hard to write bylaws that can move forward with the technologies.

- **Proposals for Technical Review of application, if available**
- Still only have 2 of 3

- **Discussion of All Boards meeting:**

Question of when? To convene on this issue.

After the 8th, before the 20th. January 13th

- **Opportunity for Public Comment**

- **Discussion of potential bylaw changes**

- **Possible solar moratorium petition**

- **Alternate solar moratorium language**

- **Changes to the Site Plan Review process**

- **Opportunity for Public Comment**

- **Other business**

To Dos:

Contact PVPC about map clarification

Nestor: Will check on the degree of slope. Have PVPC do map to show property lines

Bart: Conversation with Town Counsel about a way for the town to recoup the annual costs that will be building up on the town.

• Approval of past minutes





