

Town of Franklin



Zoning Board of Appeals

**Thursday, January 21, 2021
Meeting Minutes**

Chair Bruce Hunchard called the above-captioned **Remote Access Zoom Virtual Meeting** to order this date at 7:30 p.m. Members in attendance: Philip Brunelli, Meghan Whitmore, Christopher Stickney. Members absent: Robert Acevedo. Also in attendance: Gus Brown, Building Commissioner; Casey Thayer, Administrative Assistant.

This meeting is being conducted as a **Remote Access Zoom Virtual Meeting** as allowed by the Governor's Order relating to the COVID-19 outbreak. The Zoom Meeting link and the Zoom Meeting call-in number are provided on the agenda. The meeting is being televised and recorded for the public's information.

27 Forge Parkway - John A. Bertuzzi

Abutters: None.

7:30 p.m. Applicant is seeking to construct four steel canopy structures to support solar PV modules that are 20' in height at the higher end where 15' is required. The building permit is denied without a variance from the ZBA. Applicants present: Ms. Julia Magliozzo and Ms. Brittany Friese, both of Ecogy Energy, representing the applicant. Ms. Magliozzo stated that Ecogy Energy is a small commercial industrial solar developer working with Thermo Fisher Scientific, owner of the property, to install solar canopies over the parking lot to provide covered parking. The project will be functioning as a community solar project in the Massachusetts Smart Community Solar Program. She stated they have received their interconnection approval from the utility. She explained that the project will be open to subscribers within Franklin and other neighboring communities. Subscribers can sign up to receive a portion of the electricity credits on their utility bill at a guaranteed 10 percent discount. She stated that the only outstanding items for this project are the permitting requirements. She reviewed that the allowed height for the canopies is 15'; they are requesting a variance to allow 20'. She described the tilt and height of the canopies for the solar panels and reviewed the proposed Site Plan. She stated the installation will not eliminate any parking spaces. She explained that accommodating fire trucks and other emergency vehicles requires the low-end clearance to be approximately 14'. She read aloud the provided Supporting Statement for a Variance. Chair Hunchard stated there was recently a zoning change because there had been many solar farms proposed for residential districts. He thinks the intent of that bylaw was to limit those particular projects to not have a height higher than 15'. However, the zoning change may have not taken into account commercial and industrial districts. Ms. Magliozzo stated the building is taller than the canopies. Mr. Stickney asked for the fire department's standard on height clearance. Chair Hunchard stated that highway signs are usually a standard height of 14'; however, there is nothing in zoning that he is aware of that indicates a 14' clearance for a fire truck. Ms. Friese noted that she reached out to Franklin's Fire Chief and stated that is where she got the 14' number. Mr. Brown thanked the applicants for doing their homework on this situation and for giving a great presentation.

Motion made by Philip Brunelli to close the public hearing. Motion seconded by Christopher Stickney. Unanimous by Board.

Motion made by Philip Brunelli to grant the Variance for John A. Bertuzzi for 27 Forge Parkway to construct four steel canopy structures to support solar PV modules that are 20' in height at the higher end where 15' is required, giving 5' relief, as shown on a drawing dated August 11, 2020, titled "Thermo Fisher Scientific Site Plan Modification, 27 Forge Parkway, Franklin, MA" prepared by Guerriere & Halnon, Inc., dated January 16, 2020. Seconded by Meghan Whitmore. Unanimous by Board.

Mr. Philip Brunelli left the meeting.

General Business

Lakeview Terrace-Earth Removal Permit Letter

Chair Hunchard noted the applicant was not present at the meeting. Mr. Brown stated that he spoke with the applicant and is prepared to answer any questions ZBA members may have. He referenced his letter to the Zoning Board of Appeals dated January 11, 2021. He stated there were a lot of challenges with the initial earth removal. Some of the neighbors had concerns; however, he thought their questions were answered well. The site now has a well germinated lawn around where everything was removed. He stated that he monitored the earth removal; he was out there weekly because of the concerns of the neighbors. He said it was a well-done project, and it turned out the way it was proposed. Chair Hunchard referenced a letter from Mr. Richard Mainville of Andrews Survey & Engineering, Inc. to the Zoning Board of Appeals dated December 30, 2020. Chair Hunchard reiterated that Mr. Brown stated everything is accounted for, and the applicant lived up to the permit that was approved.

Motion made by Meghan Whitmore to release the \$40,000 cash bond for Lakeview Terrace that was deposited on December 11, 2014, in a Town of Franklin account, with any accrued interest that there may be. Seconded by Christopher Stickney. Unanimous by Board.

Meeting Minutes December 17, 2020

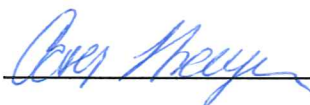
Motion made by Chair Hunchard to approve the Meeting Minutes as presented for Thursday, December 17, 2020. Seconded by Meghan Whitmore. Unanimous by Board. (Mr. Stickney noted that he was not in attendance at the December 17, 2020 meeting.)

Motion made by Meghan Whitmore to adjourn the Remote Access Zoom Virtual Meeting. Seconded by Christopher Stickney. Unanimous by Board. Meeting adjourned at 7:54 p.m.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Signature



Date

2/5/21