



## TOWN OF NORTHBRIDGE

### ZONING BOARD OF APPEALS

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NORTHBRIDGE TOWN CLERK  
DOREEN A. GEORNE

Approved on 10-10-19

## ZONING BOARD OF APPEALS

### MINUTES OF MEETING

**September 12, 2019**

This meeting was called to order at 7:02 P.M. by Chairman Thomas Hansson. Other members present were:

Bill Corkum, Randy Kibbe, Cindy Donati, Doug Curing & Damian Planas-Merded

Town Council, David Doneski

Also present was Deborah Rosebrooks, Administrative Assistant.

First order of business was the Meeting Minutes from July 11, 2019. Motion was made by Bill Corkum to accept the minutes as written, motion was seconded by Cindy Donati, vote 6-0 in favor.

#### **CONTINUED PUBLIC HEARING: (07-V-2018) Northbridge McQuade LLC, APPLICANT**

This hearing was held to reconsider the variance application of Northbridge McQuade LLC, McQuade Lane, Northbridge, MA 01534 for a Variance (07-V-18) for the development of a solar power facility on both Industrial & Residential zoned piece of property that does not have the required frontage and only has access on a residential street known as McQuade's Lane, pursuant to Article V, Section 173-9, 10, 11, 12 and Article VI, section 173-19 of the Town of Northbridge Zoning By-laws, Table of Area Regulations. The property, shown on Assessor's Map 25 as Parcel 44 is located in the Residential -2 & Industrial -1 zoning districts and is owned by Colleen M. Labelle. This hearing was denied by the ZBA in September of 2018 with the grounds that the ZBA does not allow "use variances". Northbridge McQuades Appealed the decision in Land Court.

This hearing has been sent back to the ZBA from the Land Court and the opening Statement was read By Attorney David Doneski.

Attorney Henry Lane representing Northbridge McQuades LLC, spoke to the board and explained they have no other access to this property, the only way is through McQuades Lane. The owner has been doing some logging at this property and it looks terrible and it has caused drainage issues on the road, But he has no control over that, however, they will if they are allowed to put in the

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Access road to build the solar facility. There are wetlands on the property so they are limited to where they can put the road, the panels etc. The topography is steep and there is erosion, the trucks that are needed will be a hug impact on the road that is only wide enough for one car at a time. First Phase – earth work – trucks, loggers & skidders, Phase ii- More earth work , bull dozer , excavation., Phase iii – pickup trucks and larger, panels electricians. They have NO plans to alter McQuades Lane, If there is damage, insurance will cover it. There will also be more electrical poles to be put in for the Three Phase power that is required.

There is a facility not far from this one; however it is a competitor, so there is no communication for an alternative access.

Tom Hansson opened the meeting up to the public. There were many residents there with the same concerns.

First resident was Walter Warchol of 48 McQuades Lane and his attorney Eli Leino, Mr. Warchol is a direct abutter and has many concerns, this is a residential neighborhood and a small dead end dirt road. The proposed drive way is 60' away from his property, the poles are right there, this is a residential neighborhood...this is not for the residents and it will affect the welfare of the residents. This is his "home", this is going to affect and impact the neighborhood, not to mention depreciate the value of their homes. He has a list of conditions that he feels are reasonable. (The list will be addressed by October 3, 2019 per representative from McQuades LLC)

Nathan Gauthier of 46 McQuades Lane worried about the safety of the children, this is a small road that has never had any traffic, and then are they using smart meters? They give off radiation... that is not ok. Also the water run off now from just the land clearing is a huge problem. He said the water is rusty and oil is in it. Don't we have enough solar in town already?

Gene Keith , 42 McQuades Lane has concern with the rusty oily water, he has sent pictures to the Board of Health and Conservation. This is a huge concern and just the beginning. Health issue.

Gail Catanese, 51 McQuades Lane, she is concerned with the road being small and if there should be a Medical Emergency what if they cant get in or out, also the run off , the oil and rust..its going down to Rt 122.

Damian Planas-Merced stated that they needed to be in compliance with the regulations for the safety of the public, they are asking to go through the forbidden zone for themselves NOT The safety of the residents.

A motion was made by Randy to close the Public Hearing and take it under advisement, Seconded by Bill Corkum. All in favor vote 6-0

The board has tabled this hearing decision until the October 10, 2019 meeting.

With no further business the board adjourned.

Attested by,

Deborah M. Rosebrooks  
Administrative Assistant

**THESE MINUTES ARE SUBJECT TO THE APPROVAL OF THE ZONING BOARD OF APPEALS (Approved on \_\_\_\_\_)**