



**Town of Troy
Planning Board Meeting Minutes
Wednesday June 26, 2024**

Members Present:

Kyle Smith (Chairman), Henry Underwood (Vice Chairman), Jack Gettens (Secretary), Michael Leclerc, Matthew Meacham.

Members Absent:

Curtis Hopkins (Select Board Representative), Andrea Thackston (Planning Board Alternate).

Planning Board Consultant:

Carol Ogilvie.

Planning Board Clerk:

Elizabeth Watson

Public Present:

Herb Drugg, Sharon Batchelder, Ruth Batchelder, James Landry, Jacob Landry, Tammy Landry, Katherine Sandman, John Liimatainen, Elizabeth Wallace Butts (Via Zoom), Jacob Adams, Kristy Adams, Zachary Farkes (Rewild Renewables, Inc.), Jeff Read (Sevee & Maher Engineers, Inc.)

1 **Call to Order**

2 Chairman Smith called the meeting to order at 7:07pm

3 **New Business**

4 **Conditional Use and Site Plan Applications:** Submitted by Sevee & Maher Engineers, Inc. on
5 behalf of Bigelow Hill Road Solar, LLC, Dort Street East Solar, LLC, and Dort Street West,
6 LLC, Solar.

7 Ms. Ogilvie reported that she and Mr. Gettens reviewed the three conditional use and site plan
8 applications for solar systems. Based on the review, Ms. Ogilvie submitted a Staff Report to the
9 Planning Board on June 25, 2024. She indicated that the plans are complete for the purposes of
10 moving forward with the public hearing noting that her report included three exceptions: (1)
11 whether the lot coverage requirements are met, (2) that a waiver is requested for the setback
12 requirements for the Dort Street West application, and (3) that the applicant has requested that
13 three requirements for the Conditional Use Permit application be submitted prior to construction
14 rather than at the time of application (the interconnection agreement with the applicable utility,
15 the operation, maintenance and decommissioning plan, and the plan for the safety of the system).

16 **MOTION** to accept the applications as complete, Mike Leclerc. **SECOND**, Mr. Meacham. The
17 motion passed with all members other than Mr. Underwood voting in favor. Mr. Underwood
18 abstained.

19 **Start of Public Hearing:**

20 Chairman Smith read the following public notice:

21 Notice is hereby given in accordance with RSA 676:4 and 675:7 the Planning Board will
22 act on an application from Rewild Renewables, LLC to construct a solar array and
23 associated site improvements at the following properties: Bigelow Hill Road, Tax Map 9
24 Lot 1 in the Rural District; Dort Street, Tax Map 19 Lot 71 in the Light Industrial
25 District; and Dort Street, Tax Map 11 Lot 5 in the Light Industrial District. This meeting
26 will be held at 7:00 P.M. on Wednesday, June 26, 2024 at the Samuel E. Paul
27 Community Center, 61 South Street, Troy, NH. Should the Planning Board vote to accept
28 the applications as complete, it will either move into public hearing on the merits of the
29 proposal or schedule a time and date certain for the public hearing. This application will
30 stay on the Board's agenda until it is either approved or disapproved. All materials
31 related to the application are available at the Town Hall during regular business hours.
32 Anyone needing assistance to attend this meeting should contact the Selectmen's Office
33 one week prior to the scheduled meeting. For any questions or assistance, please contact
34 Elizabeth Watson, Administrative Assistant, by phone at 603-242-7722 or by email at
35 ewatson@troy-nh.us.

36 Mr. Farkes, Rewild Renewables, Inc, provided a brief history of solar power in NH and noted
37 that recent changes in NH law (SB168 and HB281) made it more favorable for utility-size
38 projects to sell power and this made the Troy projects feasible. The selection of the Troy
39 locations was based on proximity to existing electrical infrastructure where solar could be
40 interconnected to the grid and the ability of the projects to meet the requirements of the Troy
41 solar zoning ordinance.

42 Mr. Farkes provided a description of the three proposed three solar system projects. The Bigelow
43 Hill Road project is proposed for the 83 acre parcel identified as Lot 1, Map 9. The solar array
44 coverage will be approximately 31.64 acres. The Dort Street West project is proposed for the
45 37.65 acre parcel identified as Lot 71, Map 19. The solar array coverage will be approximately
46 6.39 acres. The Dort Street East project is proposed for the 42 acre parcel identified as Lot 5,
47 Map 11. The solar array coverage will be approximately 21.83 acres.

48 Mr. Farkes' presentation included the following seven exhibits: Solar Site Overview Map,
49 Bigelow Hill Aerial View, Bigelow Hill Layout, Dort Street East Aerial View, Dort Street East
50 Layout, Dort Street West Aerial View, Dort Street West Layout View.

51 Ms. Bachelder asked about the noise impact of the solar system. Mr. Farkes responded that the
52 source of noise will be the Inverter intermittent cooling fan. The sound level will be 67 dB at 3
53 meters (sounds like an air conditioner) and 23 dB at 1,600 feet (below a whisper and below
54 ambient noise levels in a rural area). The fan only runs during the day and turns on when needed
55 to cool the Inverter.

56 Ms. Sandman asked about lot coverage. Mr. Farkes responded, Bigelow Hill coverage is 38%,
57 Dort Street East is 52%, and Dort Street West is 17%. They are requesting a waiver for Bigelow
58 Hill and Dort Street West because the coverage exceeds the 35% zoning ordinance limit.

59 Mr. Liimatainien asked about the Bigelow Hill Class VI Road upgrade from the end of the Class
60 V Road to the access road for the solar system. Mr. Farkes responded that they will upgrade the
61 road to a specification that is appropriate for the vehicle types that will be using the road during
62 the construction of the solar system.

63 Ms. Batchelder asked why they would be allowed to use the road because the signs indicate the
64 road is closed. Mr. Farkes responded that they will have the same rights as any other landowner
65 on the road.

66 Ms. Sandman asked if the road would be upgraded to class V. Mr. Farkes responded ‘Yes, if
67 required.’

68 Ms. Batchelder asked how much traffic would occur. Mr. Farkes responded that during site
69 preparation there will be heavy equipment transported to the property and it will be on site for 3
70 to 4 months. After that, smaller equipment will be transported to the property for the installation
71 of the solar equipment and the installation will take approximately 3 months. Once the solar site
72 is operational there will not be anyone that is on site daily, the traffic will include a couple of
73 people in a pickup a couple times a year.

74 Ms. Batchelder asked that if the road is upgraded, will other people have an incentive to build on
75 the road? It is a major intrusion to the small road. Ms. Ogilvie responded that the upgrades will
76 not change the legal status of the Class VI Road.

77 Mr. Liimatainien stated that it was intrusive to clear trees for solar panel and indicated that the
78 solar system should be installed somewhere other than the Bigelow Hill location.

79 Ms. Batchelder expressed concern about the environmental impact of because of toxic materials
80 in the solar panels. Mr. Farkes responded that the system is almost entirely recyclable and there
81 are no toxic materials that can be leached from the panels on site. The only oil on site is the
82 mineral oil in the transformer and it is a small amount.

83 Ms. Sandman asked about the impact on wildlife. Mr. Farkes responded that there are no
84 threatened or endangered species in this area. Wide link agricultural fence will enclose the solar
85 array. There will be a 6 inch gap at the bottom of the fence to allow smaller animals to move
86 throughout the lot. Large animals will be impacted by fence. A native seed mix will be used for
87 ground cover that is advantageous to pollinators.

88 Ms. Batchelder expressed concern about the use of diesel fuel construction vehicles noting that
89 vehicles breakdown and risk leakage of diesel fuel. Mr. Farkes responded that there is nothing
90 unique about construction of a solar system compared to other construction projects and they will
91 follow any guidelines specified by the Planning Board.

92 Ms. Batchelder indicated that Bigelow Hill is a place of beauty and sanctuary. We have a choice.
93 Perhaps it can be put somewhere else. Why are we adding an eyesore? Mr. Farkes responded that
94 they try to be as responsible as possible for the sitting project and for managing sound and visual
95 impacts.

96 Mr. Landry: What are the benefits to the town? Mr. Farkes stated that there are economic and
97 financial impacts. The economic benefits are payments to the landowners and P.I.L.O.T,
98 Payment in Lieu of Taxes (approximately \$110K per year or \$4 million over 35 years). The
99 projects together will generate about 20.8 megawatt hours per year (equivalent to the electricity
100 utilization of 3000 homes). The Eversource rate is approximately \$0.15 per kilowatt hour and
101 Rewild will sell power (via credits) to municipal governments at approximately a 10% discount.
102 The environmental benefit is not burning coal or gas and not having nuclear waste. Using the
103 EPA calculator for greenhouse gas emissions, it would take approximately 17,000 acres of
104 mature forest to sequester the carbon emissions equivalent to 20.8 megawatt hours, generated by
105 fossil fuels, per year. This is in comparison to the approximately 70 acres of trees that will be cut
106 for these projects. .

107 Mr. Liimatainien asked about the solar panel efficiency. Mr. Farkes answered that the efficiency
108 is about 20%; that is, if 100 UV rays hit it, it gets about 20.

109 Mr. Landry stated that he originally had many of the same concerns that have been described, for
110 example the effects on animals and non-native types of groundcover. He insisted on the use of
111 plants that support pollinators. Regarding decommissioning concerns, Rewild has to clean
112 everything up and restore it back to what it is now.

113 Mr. Drugg asked about the \$110K annual pilot payment and indicated that it was roughly
114 equivalent to an \$11 million assessed value. Mr. Farkes responded that it is hard to use a home
115 assessment analogy because solar projects depreciate very quickly. His estimate of \$110K is
116 estimated at \$10k per megawatt AC.

117 Mr. Drugg asked, what is the construction cost? Mr. Farkes answered that Bigelow Hill and Dort
118 East will be approximately \$12 million each and Dort West will be approximately \$4 million for
119 a total of \$28 million.

120 Ms. Batchelder asked if the project would be stripping all trees at the Bigelow Hill site. Mr.
121 Farkes answered that the first step is that the trees are cleared within the fence, approximately 30
122 acres of the 85 acre total. The second step is the stumps are removed. The third step is the topsoil
123 is moved and the site is graded, and then the topsoil is re-spread. The site is graded to a specific
124 design that meets storm water standards in the state, and after that, the project is built on top of
125 this, what we call meadow or pad. At the end of the life, the panels are removed, and the
126 meadow is left.

127 Ms. Batchelder asked about the effect on the animals. Mr. Farkes answered, it will absolutely
128 impact the environment while we are doing it, and then it will stabilize again.

129 Chairman Smith commented that the application process was at the Public Hearing phase and
130 that the application was not yet approved. There is an opportunity to review the application
131 documents at the Town Hall. No decisions were being made tonight and the purpose of the
132 Public Hearing was to receive public comments and to answer questions from the public.

133 Mr. Drugg asked about the criteria for waivers to provision of the solar zoning ordinance? Ms.
134 Ogilvie answered that the conditional use permit gives the planning board the flexibility to adjust
135 based new information that may be in the public interest. The criteria are basically for good
136 cause shown as long as the board determines that the waiver would still be in keeping with the
137 spirit and intent of the zoning ordinance. Ms. Ogilvie added that if an applicant meets all of the
138 rules, the planning board does not have discretion to say no.

139 Ms. Batchelder asked if copies of the solar project plans are available to landowners? Chairman
140 Smith answered that the public is welcome to view the application documents are Town Hall.
141 Ms. Watson indicated that she could print a paper copy.

142 1:20 Ms. Batchelder asked if was a procedure that Rewild does not give a heads up to the people
143 who are going to be directly involved in such a big project, even before it goes to the Planning
144 Board. Mr. Farkes responded that Rewild followed Troy zoning ordinance and put this material
145 together, not the board. Rewild believes their proposal meets or exceeds the written bylaws from
146 the Town of Troy, with the very specific exception of a few waivers that they requested. They
147 sent the certified letters to abutters with Mr. Farkes' cell phone number and email address on the
148 letters.

149 There was a discussion of what will be required to upgrade Bigelow Hill Road from the end of
150 the class V section, where the pavement ends, to the entry point of the solar system on the class
151 VI section of road. Mr. Farkes indicated that, at the direction of the Town, they will either
152 upgrade the road up to the solar system access point to class V standards or upgrade the road to
153 necessary to handle the construction vehicles, without a change in the current class VI
154 classification.

155 Ms. Sandman stated that she prefers the upgrade to Class V.

156 Mr. Adams asked if the power lines would be changed to three phase. Mr. Farkes indicated that
157 Eversource will upgrade the power lines on Bigelow Hill Road from one phase to three phase.
158 This will result in larger diameter wires and bigger utility poles.

159 Mr. Adams asked if the power would be sold to Eversource. Mr. Farkes answered that the
160 power goes to Eversource. Rewild gets credits and will sell the credits at a 10% discount to
161 public entities (schools, municipalities, etc.).

162 Mr. Farkes discussed items in the Staff Report.

- 163 • Rewild proposes to submit the Interconnection Agreement prior to requesting the
164 building permit.

- 165 • Rewild proposes to submit the Operations and Maintenance Plan, including any
166 specific town, state, or federal requirements, prior to requesting a building permit.
- 167 • Rewild will submit an New Hampshire Department of Environmental Services
168 Alteration of Terrain Application and receive approval prior to requesting a building
169 permit.
- 170 • Rewild will submit the New Hampshire Department of Environmental Services
171 Standard Dredge and Fill Wetlands Permit Application and receive approval prior to
172 requesting a building permit.
- 173 • After permits are received, Rewild will update and resubmit the application to the
174 Planning Board.
- 175 • Decommissioning Plan: The plans are site specific and provide the itemized costs to
176 ‘unbuild’ the system. Rewild will provide a bond in the amount of 125% of the
177 estimated decommissioning costs.
- 178 • Safety protocol; Rewild will meet with Town Departments prior to construction and
179 prior to operations. A sample plan is included in the application. Rewild will submit
180 the final plan prior to requesting the building permit.
- 181 • Inspection: Rewild will pay for inspections, if requested by the Town.

182 Mr. Gettens asked for explanations for the lot coverage waiver requests: Mr. Farkes answered
183 that the criteria are good cause and meeting the spirit of law. The addition of 2 acres for Bigelow
184 Hill was to support the proper design of the solar array. With respect to the Bigelow Hill Class V
185 upgrade waiver, Rewild did not know the Town’s preference so that waiver could be accepted or
186 rejected. For Dort Street East solar array coverage waiver, it is a small parcel. The purpose of the
187 coverage limits is to protect individuals from visual impact. The reason for the lot coverage
188 waiver is economic hardship. With respect to the spirit of the law, there are a total of 80 acres for
189 the two Dort Street sites and the combined lot coverage is less than 35%. The final waiver
190 request is the Dort Street West setbacks. The Rewild design makes the best and least impactful
191 use of the site given the location of the wetlands.

192 Mr. Gettens requested that the waiver explanations be provided in writing. Mr. Farkes answered
193 that the lawyers will draft memos for each site. There is legal precedent for each of the waivers.

194 Mr. Gettens requested dimensional drawings for structures on the site (solar panels, mounts,
195 inverters, etc.) Mr. Farkes answered that he would provide addresses of projects that can be
196 viewed in-person, and he verbally described the structures.

197 **MOTION** to table and continue the public hearing at the Town Hall on July 17, 2024 at 7 p.m.,
198 Chairman Smith. **SECOND**, Mr. Meacham. Passed, all members voted in favor.

199 **New Business**

200 There was a discussion of how to engage other Town Departments about the proposed solar
201 projects. Mr. Read reported that he sent information to the Police Chief, Fire Chief, and Road
202 Agent. The Road Agent called Mr. Read and discussed the project.

203 There was a discussion on the need to engage the Select Board on the following topics: pilot
204 payments, inspection fund, and decommissioning bond.

205 **Old Business**

206 Mr. Gettens discussed the Master Plan Survey Report Draft. An updated draft was distributed to
207 the Planning Board and Chairman Smith drafted the 'Message from the Planning Board.' Mr.
208 Gettens will add the draft message to the Master Plan Survey Report Draft and email it to
209 members for their review.

210 Next Meeting: July 3, 7 p.m. at Town Hall

211 **Adjournment**

212 Chairman Smith adjourned the meeting at 9:23 p.m.

Note, the video of this meeting is available on You Tube at
https://www.youtube.com/watch?v=AETOFOIkL_g