



**Town of Troy
Planning Board Meeting Minutes
Wednesday September 18, 2024**

Members Present:

**Kyle Smith (Chairman), Henry Underwood (Vice Chairman), Jack Gettens (Secretary),
Mike Leclerc.**

Members Absent:

Matthew Meacham, Curtis Hopkins (Select Board Representative).

Planning Board Consultant:

Carol Ogilvie

Planning Board Clerk:

Elizabeth Watson (absent).

Public Present:

Katherine Sandman, Zachary Farkes of ReWild Renewables.

1 **Call to Order**

2 Chairman Smith called the meeting to order at 7:01 p.m.

3 **New Business**

4 **MOTION** to amend the amend and approve the Minutes of September 4, 2024 adding add line
5 numbers, changing 'were immediate health impacts' to 'were no immediate health impacts' in
6 the reference to Mr. Whooley's letter, and changing date of next meeting to September 18, 2023
7 by Chairman Smith. **SECOND**, Jack Gettens. Motion passed 4-0-0.

8 Ms. Sandman asked why Mr. Farkes provided supplemental property value impact analysis. Mr.
9 Underwood responded that initial information was cursory, and Mr. Farkes provided more
10 information.

11 Ms. Ogilvie will provide additional information to the Planning Board regarding the Surell
12 subdivision application.

13 **Correspondence**

14 A letter was received from Fire Chief Mark Huntoon indicating that the road and gate widths are
15 sufficient for emergency vehicle access on the solar projects.

16 Three amended Conditional Use Permit (CUP) Application Forms were received from ReWild.
17 Each form was amended to add the ‘Uses within the Water Resources Protection District’
18 application type.

19 Three letters were received from the Conservation Commission indicating their support for the
20 work proposed for the three solar projects on sites that include the identified wetland areas.

21 Solar Project Deliberation

22 Board members had a broad discussion on the solar projects; topics included: (a) Troy Master
23 Plan goals and objectives, (b) the impact of the solar arrays on views, (c) the items that would be
24 reviewed as the as part of the Planning Board’s deliberation, including ReWild’s application
25 documents and their adherence to the requirements of the Solar Zoning Ordinance, the Water
26 Resources Protection District (WRPD) Ordinance, the Site Plan Review Regulations, and the
27 CUP criteria, (d) waivers to the Solar Ordinance and the criteria for hardship, (e) the health, fire
28 and hazard materials risks of solar arrays, (f) the effects of solar arrays on property values, (g)
29 how to consider the impact analyses in the deliberation, and (g) the types and quality of
30 wetlands in the project areas.

31 The deliberation process was discussed. It was decided that deliberation and motions would
32 occur first on the WRPD CUP applications, followed by the Solar Energy CUP applications, and
33 finally, the Site Plan applications.

34 WRPD Conditional Use Permit Application Deliberation

35 Board members reviewed the September 11, 2024 Memorandum from John H. Sokul, Esq.,
36 Hinkly Allen to Zackary Farkes, ReWild Renewables, Subject: WRPDO Applicability for Site
37 Plan Applications (the “Applications”) for Solar Energy Systems at Map 9, Lot 1, Map 11, Lot 5,
38 and Map 19, Lot 71. The Memorandum describes the Rewild project compliance with WRPD
39 Ordinance Section I, Authority and Purpose and Section V, Dimensional Requirements. The
40 Board is satisfied with the applicant’s compliance response and has not received evidence that
41 contradicts the information.

42 The Board noted that Section VI.B, Conditional Uses of the WRPD Ordinance indicates that a
43 CUP may be granted by the Planning Board for activities including but not limited to
44 construction of roads and forestry and tree farming. Activities to construct solar projects would
45 be an allowable activity if consistent with the purpose of the WRPD ordinance.

46 The Board also noted that ReWild will be submitting applications to the New Hampshire
47 Department of Environmental Services (NHDES) for an Alteration of Terrain (AOT) Permit and
48 for a Standard Dredge and Fill Wetlands Permit, and that the NHDES experts will determine if
49 wetlands are adequately protected as a condition of approval. The NHDES permits must be
50 obtained prior to construction. The Board also noted the Conservation Commission Letters that
51 were in support of the three projects.

52 Dort Street East
53 The Board reviewed and discussed the Dort Street East ReWild Wetlands Report and the Site
54 Layout relative to the identified wetlands.

55 **MOTION** to approve the Dort Street East WRPD Conditional Use Permit given that the use is
56 consistent with the purpose of the ordinance, that the Board is satisfied with the compliance
57 information provided in the ReWild Memorandum, that the Conservation Commission supports
58 the project, and that NHDES Permits for AOT and Wetlands are required prior to construction,
59 by Mr. Underwood. **SECOND**. Chairman Smith. Motion passed, 4-0-0.

60 Dort Street West
61 The Board reviewed and discussed the Dort Street West Wetlands Report and the Site Layout
62 relative to the identified wetlands.

63 **MOTION** to approve the Dort Street West WRPD Conditional Use Permit given that the use is
64 consistent with the purpose of the ordinance, that the Board is satisfied with the compliance
65 information provided in the ReWild Memorandum, that the Conservation Commission supports
66 the project, and that NHDES Permits for AOT and Wetlands are required prior to construction,
67 by Chairman Smith. **SECOND**. Mr. Underwood. Motion passed, 4-0-0.

68 Bigelow Hill
69 The Board reviewed and discussed the Bigelow Hill ReWild Wetlands Report and the Site
70 Layout relative to the identified wetlands.
71 **MOTION** to approve the Bigelow Hill WRPD Conditional Use Permit given that the use is
72 consistent with the purpose of the ordinance, that the Board is satisfied with the compliance
73 information provided in the ReWild Memorandum, that the Conservation Commission supports
74 the project, and that NHDES Permits for AOT and Wetlands are required prior to construction,
75 by Mr. Underwood. **SECOND**. Chairman Smith. Motion passed, 4-0-0.

76 Mr. Leclerc provided a Water and Sewer Department update.

77 **Next Meeting:** September 25, 2024

78 **Adjourn**

79 Chairman Smith adjourned the meeting at 10:06 p.m.

Respectfully Submitted by
Jack Gettens
Planning Board Secretary