

HANCOCK
ASSOCIATES

Wetlands Notice of Intent Application
For
A Solar Panel Facility
1291 Broadway
Haverhill, MA

Prepared By:
Hancock Associates
#19168

Prepared For:
Clean Energy Collective, LLC

October 13, 2016

DANVERS OFFICE
185 Centre Street, Danvers, MA 01923
Phone: (978) 777-3050 Fax: (978) 774-7816

MARLBOROUGH OFFICE
315 Elm Street, Marlborough, MA 01752
Phone: (508) 460-1111 Fax: (508) 460-1121

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MWPA FORM 3

Notice of Intent



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number

Document Transaction Number

Haverhill

City/Town

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

<u>1291 Broadway</u>	<u>Haverhill</u>	<u>01832</u>
a. Street Address	b. City/Town	c. Zip Code
<u>Latitude and Longitude:</u>	<u>N 42d 47m 23s</u>	<u>W 71d 09m 37s</u>
	d. Latitude	e. Longitude
<u>540-445</u>	<u>4-3</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Joseph</u>	<u>Shanahan</u>	
a. First Name	b. Last Name	
<u>Clean Energy Collective, LLC</u>		
c. Organization		
<u>146 West Bolyston Street, Suite 201</u>		
d. Street Address		
<u>Worcester</u>	<u>MA</u>	<u>01606</u>
e. City/Town	f. State	g. Zip Code
<u>978-888-4088</u>	<u>joe.shanahan@easycleanenergy.com</u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

<u>Janet</u>	<u>Donovan</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>1305 Broadway</u>		
d. Street Address		
<u>Haverhill</u>	<u>MA</u>	<u>01832</u>
e. City/Town	f. State	g. Zip Code
<u>978-372-8888</u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Ann</u>	<u>McMenemy</u>	
a. First Name	b. Last Name	
<u>Hancock Associates</u>		
c. Company		
<u>185 Centre Street</u>		
d. Street Address		
<u>Danvers</u>	<u>MA</u>	<u>01923</u>
e. City/Town	f. State	g. Zip Code
<u>978-777-3050</u>	<u>978-774-7816</u>	<u>amcmemey@hancockassociates.com</u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$1,950.00</u>	<u>962.50</u>	<u>987.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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A. General Information (continued)

6. General Project Description:

Construction of a solar panel facility with an access road crossing of BVW, and solar panels, electrical conduit, detention basins, grading and fencing in the 100 ft Buffer Zone.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

10.53 (3)t - construction of a new roadway where reasonable alternative means of access is unavailable to upland for a renewable energy project

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex South

a. County

33967

c. Book

b. Certificate # (if registered land)

377

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	8,290 1. square feet _____	8,340 2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____ 3. cubic yards dredged _____	2. square feet _____

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____ 3. cubic feet of flood storage lost _____	2. square feet _____ 4. cubic feet replaced _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet _____ 2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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Provided by MassDEP.

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
----------------------	------------------------------------	--------------------------------------

a. Designated Port Areas Indicate size under Land Under the Ocean, below

b. Land Under the Ocean

1. square feet _____

2. cubic yards dredged _____

c. Barrier Beach Indicate size under Coastal Beaches and/or Coastal Dunes below

d. Coastal Beaches

1. square feet _____ 2. cubic yards beach nourishment _____

e. Coastal Dunes

1. square feet _____ 2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
--	------------------------------------	--------------------------------------

f. Coastal Banks 1. linear feet _____

g. Rocky Intertidal Shores 1. square feet _____

h. Salt Marshes 1. square feet _____

i. Land Under Salt Ponds 1. square feet _____

2. cubic yards dredged _____

j. Land Containing Shellfish 1. square feet _____

k. Fish Runs Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above

1. cubic yards dredged _____

l. Land Subject to Coastal Storm Flowage 1. square feet _____

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

_____ a. square feet of BVW

_____ b. square feet of Salt Marsh

5. Project Involves Stream Crossings

_____ a. number of new stream crossings

_____ b. number of replacement stream crossings



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C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

2008
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area _____
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

(a) Project description (including description of impacts outside of wetland resource area & buffer zone)

(b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_fee_schedule.htm).
Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
-
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Permit Site Plans, Solar Panel Facility, 1291 Broadway, Haverhill, Clean Energy Collective

a. Plan Title

Hancock Associates

b. Prepared By

10/13/16

d. Final Revision Date

project narrative

f. Additional Plan or Document Title

Vaclav V. Talacko, PE

c. Signed and Stamped by

1"=30'

e. Scale

10/13/16

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1830

2. Municipal Check Number

1832

4. State Check Number

Clean Energy Collaborative, LLC

6. Payor name on check: First Name

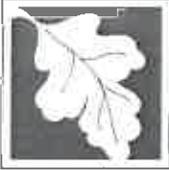
10/11/16

3. Check date

10/11/16

5. Check date

7. Payor name on check: Last Name



WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

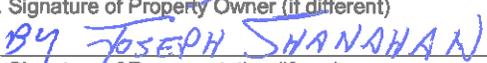
Haverhill

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	<u>10/12/2016</u>
1. Signature of Applicant	2. Date
	
3. Signature of Property Owner (if different)	4. Date
	<u>10/12/2016</u>
5. Signature of Representative (if any) <i>AUTHORIZED REPRESENTATIVE</i>	6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

MWPA Stormwater Memo

HANCOCK

ASSOCIATES

October 13, 2016

Mr. Robert E. Moore, Jr.
 Haverhill Conservation Department
 City Hall Room 300
 4 Summer Street
 Haverhill, MA 01830

*Subject: Stormwater System Revisions for Revised Access Road Location
 Solar Panel Facility, 1291 & 1305 Broadway (Mass DEP File No. 033-1379)*

Dear Mr. Moore,

Clean Energy Collective, LLC (CEC) proposed to install a solar energy system at 1305 Broadway in Haverhill, Massachusetts, which was approved by the Commission under MassDEP file number 033-1379. The solar energy system is to be accessed by a proposed driveway that connects to Broadway. The location of the driveway has been revised so that it is located entirely within the property containing the solar array.

The gravel access road will continue to drain to an infiltration trench that runs along the length of the road, as proposed in the previous submission. The infiltration trench will detain stormwater runoff and promote infiltration. The recharge volume is provided is the volume of void spaces within the crushed stone infiltration trench that runs along the gravel access road. The required recharge volume is calculated per 1' length of road. The road will run through soils classified as Hydrologic Soil Groups B, C, and D. The recharge volume is calculated based on the requirements for Hydrologic Soil Group B because it is the most stringent requirement.

Required Recharge Volume, HSG B = Target Depth * Impervious Area =

$$0.35'' * 18' \text{ road width} * 1' \text{ Length of Road} = 0.5 \text{ CF}$$

Recharge Volume Provided = Volume of Crushed Stone * 0.40 Void Space =

$$1' \text{ Infiltration Trench Length} * 2' \text{ width} * 1' \text{ height} * 0.40 = 0.8 \text{ CF}$$

Since the recharge volume provided (0.8 CF) is greater than the required recharge volume (0.5 CF) per 1' length of access road, the standard is met for the access road.

The Massachusetts Stormwater Handbook states that the recharge volume must drain within 72 hours. The following "drawdown" calculations assumes a Rawl's Rate associated with the texture class and Hydrologic Soil Group of the soils in the area of the recharge volume. These rates are listed in Table 2.3.3. of Volume 3, Chapter 1 of the Massachusetts Stormwater Handbook. The drawdown time is calculated using the following equation:

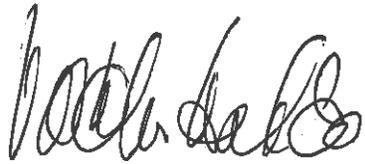
Drawdown Time = Storage Volume / (Rawl's Rate * Bottom Area)

Recharge BMP	Recharge Volume (Cubic Feet)	Bottom Area (Square Feet)	Hydrologic Soil Group	Rawl's Rate (Inches/Hour)	Drawdown Time (Hours)
Infiltration Trench at Gravel Access Road (Calculated per 1' Road Length)	1	2	C	0.17	28

The remainder of the site will continue to drain to the detention ponds per the previous design. Note the proposed culverts under the access road that will allow the drainage patterns to remain the same.

Please feel free to contact us if you have any questions or comments.

Sincerely,



Vaclav Talacko, PE

Municipal Ordinance Application Agreement



Haverhill

Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

MUNICIPAL ORDINANCE-CHAPTER 253 NOTICE OF INTENT (NOI) APPLICATION AGREEMENT

I, Joseph B. Shanahan, have read the Department of Environmental Protection's
(NAME OF APPLICANT)

"Instructions for Completing Application" and the City's Municipal Ordinance under Chapter 253, with all applicable regulations and policies, for the filing of an Notice of Intent with the Haverhill Conservation Commission and agree to its terms and conditions, as amended. As required by the Commission, the wetland resource area(s) are flagged, the corners of proposed structures and leaching systems are staked, and the centerlines of proposed roadway(s) and/or driveway(s) are marked, as appropriate, to facilitate site inspections by Commissioners and Conservation Staff.

Signed: _____

(APPLICANT)

Joseph B. Shanahan, Community Solar Manager, Clean Energy Collective, LLC

10/12/2016

(DATE)

I, Janet P. Donovan, hereby grant the Haverhill Conservation Commission and its
(NAME OF PROPERTY OWNER)

officials permission to enter upon my property at 1291 and 1305 Broadway (map 445, parcel 4-3)
to

(STREET ADDRESS AND ASSESSOR'S MAP, BLOCK, LOT) review

the filed Notice of Intent and future site conditions for compliance with the issued Order of Conditions. The sole purpose of this document is to allow Commissioners and their officials to perform their duties under the Wetlands Protection Act (M.G.L. c. 131 s. 40) and the City's Municipal Ordinance under Chapter 253.

Signed: _____

(PROPERTY OWNER)

BY JOSEPH SHANAHAN
AUTHORIZED REPRESENTATIVE

10/12/2016

(DATE)

Abutter Notification Materials

19168 KJDL
FAIRCLOTH LISA B
5 MOCCASIN PATH
HAVERHILL, MA 01832

19168 KJDL
Lagrasse Brian & Octavia
19 MOCCASIN PATH
HAVERHILL, MA 01832

19168 KJDL
Pearson Nominee Trust
1320 Broadway
Haverhill, MA 01832

19168 KJDL
ARIVELLA KEVIN
HOLCROFT CHARLOTTE
1284 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
SANZI DANIEL
SANZI KATHLEEN P
1279 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
Lapolla Joseph
8 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
MARSHALL WAYNE
MARSHALL JANE
20 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
NGO RAYMOND
30 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
GROSS JOHN M
31 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
WOOLFALL DAVID T
WOOLFALL DONNA C
19 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
LEGAULT BRETT Z
LEGAULT ELIZABETH N
11 MOCCASIN PATH
HAVERHILL, MA 01832

19168 KJDL
FOURNIER BRAD T
18 MOCCASIN PATH
HAVERHILL, MA 01832

19168 KJDL
DONOVAN THOMAS M
DONOVAN JANET P
1305 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
CLEMENT GUY E
CLEMENT SYLVIE MERCIER
1276 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
EMMAUS, INC
P.O. BOX 568
HAVERHILL, MA 01831

19168 KJDL
DEVEREAUX JOHN J
DEVEREAUX CHRISTINE M
12 HAMMOND FARM ROAD
HAVERHILL, MA 01832

19168 KJDL
Harrison Wilson
24 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
COUILLARD KAREN M
37 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
PHILLIPS KERRY BRENT
PHILLIPS BRIDGET
27 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
MASSACHUSETTS ELECTRIC CO
40 SYLVAN RD
WALTHAM, MA 02415

19168 KJDL
DIBURRO DAVE
DIBURRON STEPHANIE
15 MOCCASIN PATH
HAVERHILL, MA 01832

19168 KJDL
LAVIN THOMAS
LAVIN TONY-LYNN
1333 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
Selene Finance
9990 Richmond Ave
Houston TX 77042

19168 KJDL
THE DONALD J & SHEILA A. MORELLE
REVOCABLE LIVING
MORELLE DONALD L-TRUSTEE
959 BEEBER COURT
THE VILLAGES, FL 32163

19168 KJDL
HAMMOND ROBERT
HAMMOND NANCY
1231 BROADWAY
HAVERHILL, MA 01832

19168 KJDL
SAUMSIEGLE BRIAN R
SAUMSIEGLE KRISTA J
16 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
WNEK CHRISTOPHER P
GLEASON CAREN L
28 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
PATTERSON RICHARD E
PATTERSON BEVERLY G
35 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
GRIGGS JAMES J
23 HAMMOND FARM RD
HAVERHILL, MA 01832

19168 KJDL
Pearson Nominee Trust
1320 Broadway
Haverhill, MA 01832



Haverhill

Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoores@cityofhaverhill.com
conservation@cityofhaverhill.com

**MUNICIPAL ORDINANCE - CHAPTER 253
NOTICE OF INTENT (NOI)
AFFIDAVIT OF SERVICE FOR ABUTTER NOTIFICATION**

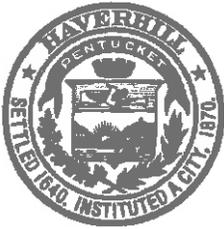
I, Kyle Lally, hereby certify under the pains and penalties of perjury
(NAME OF PERSON MAKING AFFIDAVIT)
that on 13 October 2016 I gave notification to all abutters pursuant to the requirements
(DATE)
of the second paragraph of Massachusetts General Laws Chapter 131, Section 40 and Haverhill
Municipal Ordinance Chapter 253, Section 5 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and
said ordinance by Clean Energy Collective with the Haverhill Conservation
(NAME OF APPLICANT)
Commission on 13 October 2016 for property located at
(DATE)
1291 Broadway (map 445, parcel 4-3)
(STREET ADDRESS AND ASSESSOR'S MAP, BLOCK, LOT)

A copy of the Notification Form sent and a list of the abutters to whom it was given, with their
addresses and Assessor's map information that corresponds with the submitted map section, are
attached to this Affidavit of Service.

Signed: _____

(NAME OF PERSON MAKING AFFIDAVIT) 13 October 2016
(DATE)



Haverhill

Economic Development and Planning
Conservation Department
Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

MUNICIPAL ORDINANCE - CHAPTER 253 NOTICE OF INTENT (NOI) ABUTTER NOTIFICATION FORM

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and Haverhill Municipal Ordinance Chapter 253, section 5, you are hereby notified of the following:

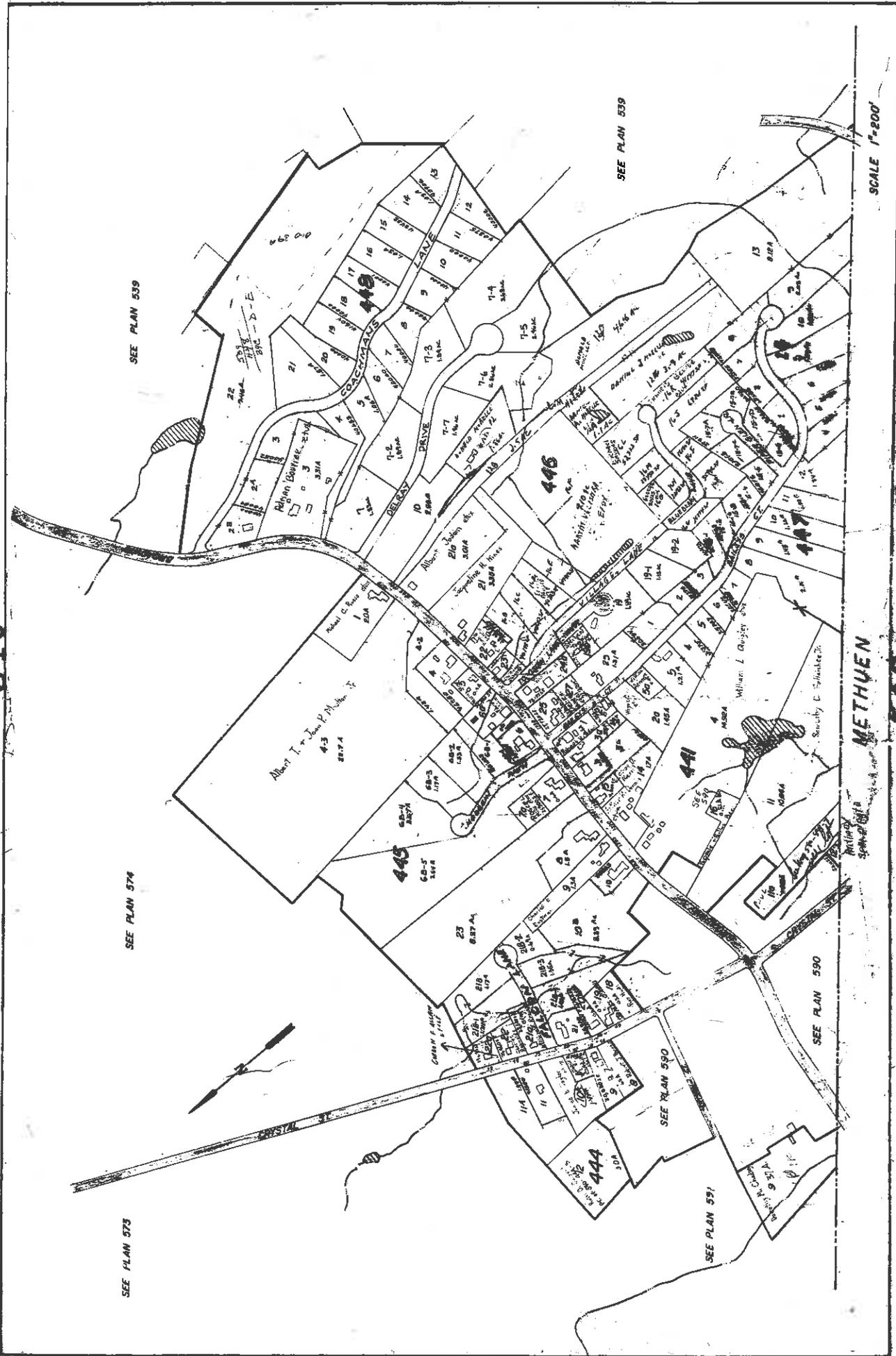
- A. The name of the applicant is Clean Energy Collective.
- B. Brief Project Description: construction of a solar panel facility and access road at 1291 Broadway
- C. The applicant has filed an Notice of Intent with the Haverhill Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act and/or Haverhill Municipal Ordinance Chapter 253 and/or to perform work within the buffer zone of such an Area.
- D. The address of the lot where the activity is proposed is 1291 Broadway (map 445 parcel 4-3)
- (INCLUDE ASSESSOR'S MAP/BLOCK/LOT)
- E. Copies of the Notice of Intent may be examined at *the Haverhill Conservation Department Office* between the hours of *8 am and 4 pm* from *Monday through Friday*. For more information, call: (978) 374-2334.
- F. Copies of the Notice of Intent may be obtained from either (check one) the applicant , or the **applicant's representative** , by calling this telephone number (978) 777-3050 between the hours of 8 and 4 on the following days of the week Monday through Friday.
- G. Information regarding the *date, time, and place* of the public hearing may be obtained from the *Haverhill Conservation Department Office* by calling this telephone number (978) 374-2334 between the hours of *8 am and 4 pm* from *Monday through Friday*.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the *Haverhill Gazette newspaper*.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in Haverhill City Hall not less than forty-eight (48) hours in advance.

NOTE: You may contact the Haverhill Conservation Department or the Department of Environmental Protection Northeast Regional Office for more information about this application, the Wetlands Protection Act, or Haverhill Municipal Ordinance Chapter 253. To contact DEP, call (978) 694-3200.

340



SEE PLAN 573

SEE PLAN 574

SEE PLAN 539

SEE PLAN 539

SEE PLAN 590

SEE PLAN 591

SEE PLAN 590

METHUEN

SCALE 1"=200'

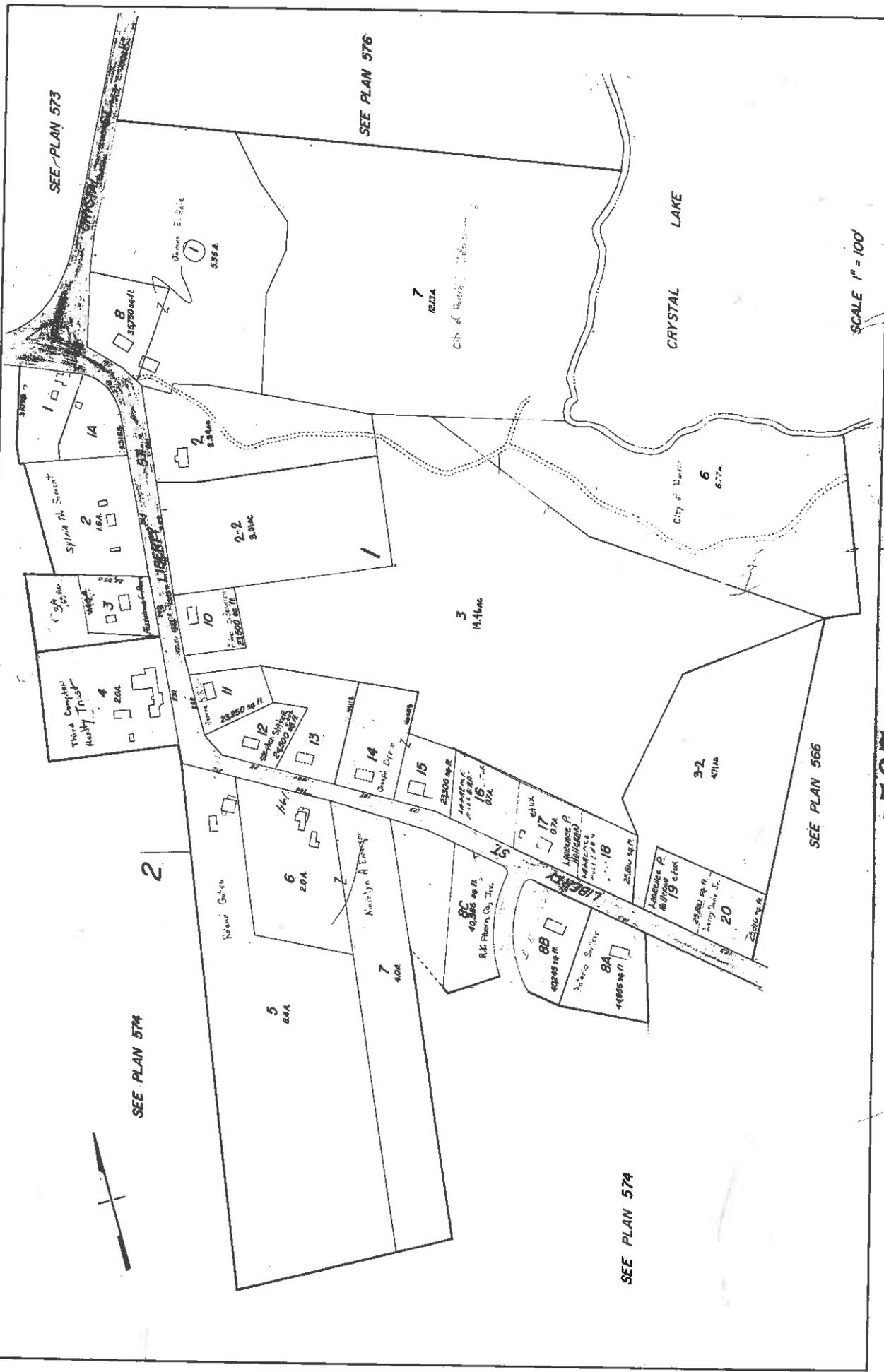
540

Whitaker
MSE

SCALE 1" = 100'

567

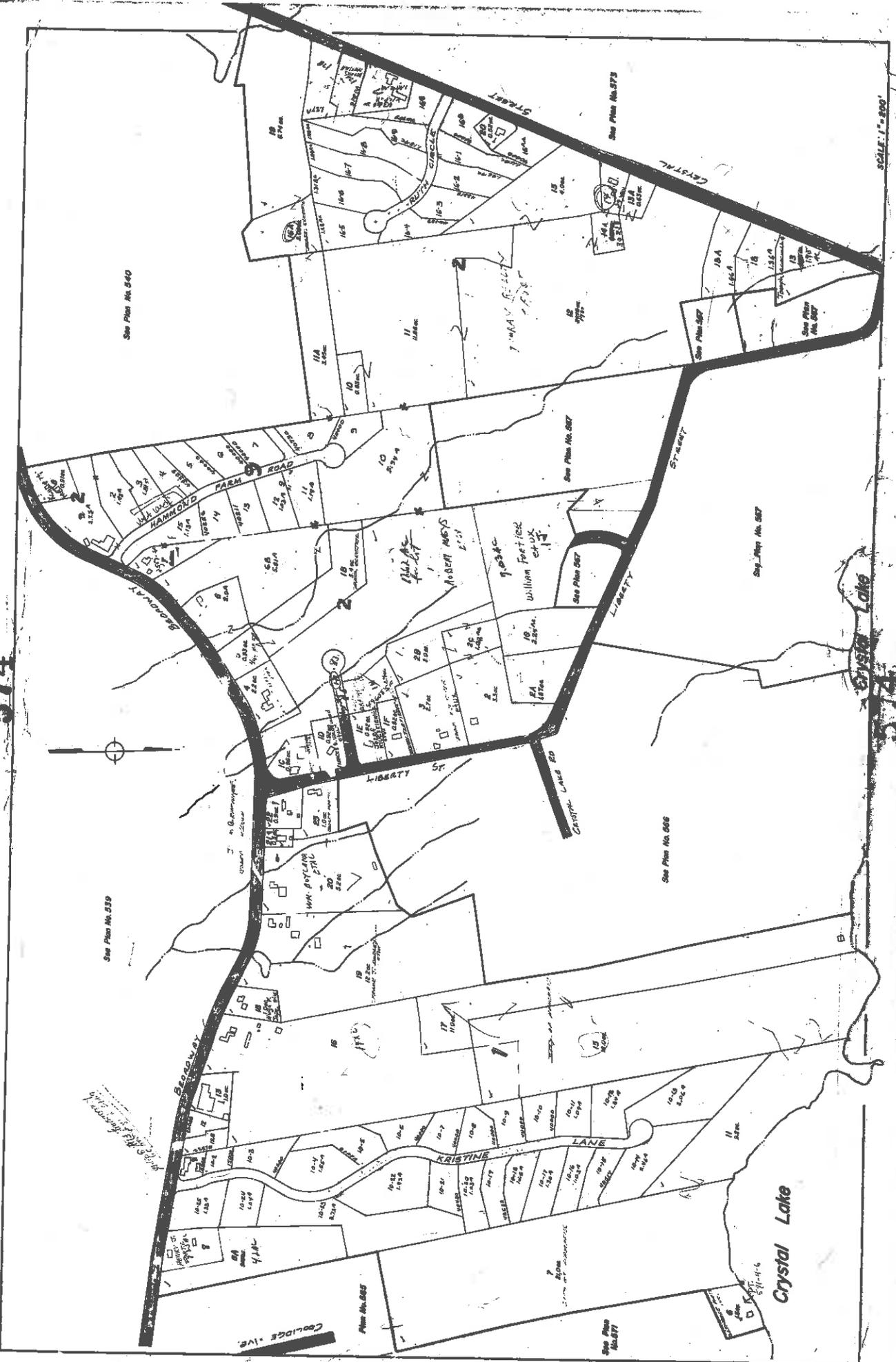
567



574

574

SCALE: 1" = 200'



See Plan No. 540

See Plan No. 539

See Plan No. 566

See Plan No. 557

See Plan No. 567

See Plan No. 567

See Plan No. 573

See Plan No. 567

See Plan No. 567

Plan No. 567

George J. Mays

Crystal Lake

Crystal Lake

William Frazier

Robert Mays

Broadway

Kristine Lane

Liberty Street

Central Street

Farm Road

Hankmond

Crystal Lake Rd

Crystal Lake

Filing Fee Materials



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

1291 Broadway	Haverhill
a. Street Address	b. City/Town
1832	962.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Joseph	Shanahan	
a. First Name	b. Last Name	
Clean Energy Collective, LLC	c. Organization	
146 West Boylston Street, Suite 201	d. Mailing Address	
Worcester	MA	01606
e. City/Town	f. State	g. Zip Code
978-888-4088	joe.shanahan@easycleanenergy.com	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

Janet	Donovan	
a. First Name	b. Last Name	
	c. Organization	
1305 Broadway	d. Mailing Address	
Haverhill	MA	01832
e. City/Town	f. State	g. Zip Code
978-372-8888	j. Email Address	
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2j -activity not otherwise specified, Buffer Zone activities	1	500	500.00
4a - limited project roadway crossing	1	1,450	1,450.00

Step 5/Total Project Fee: 1,950.00

Step 6/Fee Payments:

Total Project Fee:	<u>1,950.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>962.50</u>
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 <u>987.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

CEC Solar Fund 3, LLC
361 Centennial Pkwy
Ste 300
Louisville, CO 80027

ANB Bank
3033 E 1st Ave Denver, CO 80206
Denver, CO 80206

1832
Date: 10/11/2016

Pay To
The Order of Commonwealth of Massachusetts
Nine Hundred Sixty Two Dollars and 50 Cents

\$***962.50**

Commonwealth of Massachusetts
One Ashburton Place
Boston, MA 02108
United States

[Signature]

⑈00 1832⑈ ⑆ 10700 1232⑆ 2000000205⑈

Security Features Included Details on Back

CEC Solar Fund 3, LLC
361 Centennial Pkwy
Ste 300
Louisville, CO 80027

ANB Bank
3033 E 1st Ave Denver, CO 80206
Denver, CO 80206

1830
Date: 10/11/2016

Pay To
The Order of City of Haverhill
Nine Hundred Eighty Seven Dollars and 50 Cents

\$***987.50**

City of Haverhill
United States

[Signature]

⑈00 1830⑈ ⑆ 10700 1232⑆ 2000000205⑈

Security Features Included Details on Back



HA File #19168

Haverhill

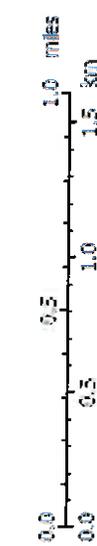
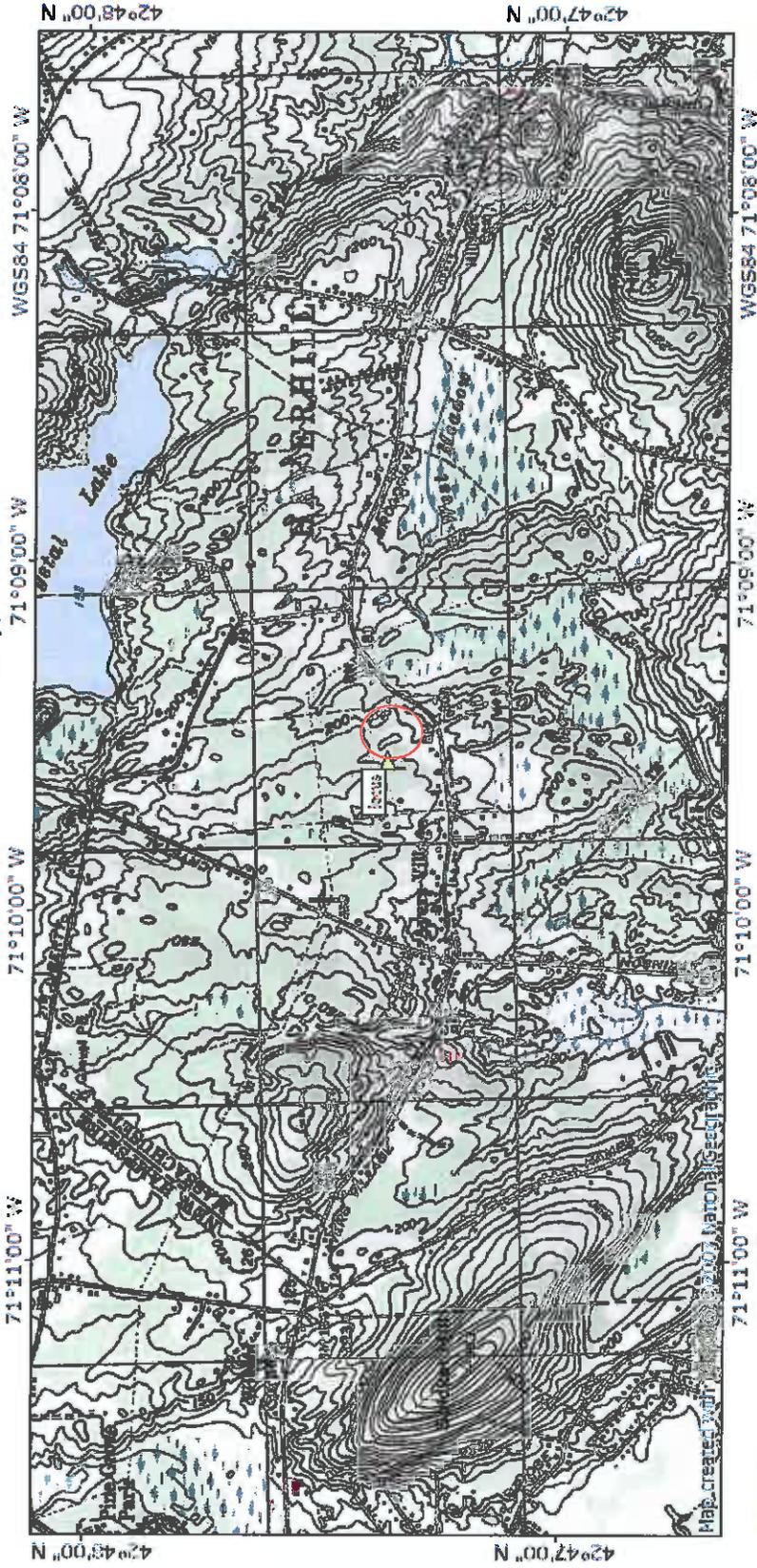
Economic Development and Planning
 Conservation Department
 Phone: 978-374-2334 Fax: 978-374-2366
rmoore@cityofhaverhill.com
conservation@cityofhaverhill.com

2016 LOCAL ORDINANCE FEE CALCULATION FORM

APPLICATION NAME / ACTIVITY	LOCAL ORDINANCE FEE	# of Activities or Measurement	Subtotal
%*Request for a Determination of Applicability (RDA)	\$100		
*Abbrev. Notice of Resource Area Delineation (ANRAD)			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot		
All Other Projects	***\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot		
%*Notices of Intent (NOI)			
Category 1 Activity	\$100		
Cat. 2J Category 2 Activity	\$250	1	\$250
Category 3 Activity	\$525		
Cat. 4A Category 4 Activity	\$725	1	\$725
Category 5 Activity	\$2/foot		
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule	3,758 LF	\$1,676
%*Request for a Modification to an OOC (RMOC)	\$100		
Resource Area Alterations (for NOI & RMOC)			
Buffer Zone, 75'-100' from resource area boundary	\$0.05 / square foot	54,503	\$2,725.15
Buffer Zone, 35'-75' from resource area boundary	\$0.10 / square foot	83,006 SF	\$8,300.60
Buffer Zone, 0'-35' from resource area boundary	\$0.25 / square foot	8,877 SF	\$2,219.25
Bordering Vegetated Wetland	\$0.50 / square foot	8,240 SF	\$4,145
Bank	\$5 / linear foot		
Land Under Water	\$0.50 / square foot		
Land Subject to Flooding	\$0.05 / square foot		
Riverfront Area	\$0.05 / square foot		
Riverfront Area with the watershed of a potable water supply	\$0.50 / square foot		
Land within 100' of a Certified Vernal Pool	\$0.25 / square foot		
Local-only Jurisdictional Resource Area	\$0.25 / square foot		
Land within 200' of a potable water supply	\$0.50 / square foot		
Extension Permit	\$250		
Certificate of Compliance	Partial: \$100 / Complete: \$100 - individual house lot project; \$250 - all other projects / Invalid: \$100		
ADVERTISING FEE (if applicable*)			\$45
LOCAL ORDINANCE FEE TOTAL			\$20,086
For filings resulting from enforcement action, double the Local Ordinance Fee Total			
NOTES:			
*Application is subject to an additional \$45 Local Advertising Fee payable to the City of Haverhill prior to each advertising			
***Local Ordinance Fee maximum of \$100, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G			
%Local Ordinance Fees for RDA, NOI, & RMOC increase 50% when project is also proposed within a Riverfront Area			
Local Ordinance Fees passed by a 7 - 0 vote of the Commission on October 28, 2010, effective January 1, 2011			

Site Locus Map

Clean Energy Collective - Broadway, Haverhill



MM TT
14/50
11/22/15

FEMA Map



MAP SCALE 1" = 500'



NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0066F

FIRM
FLOOD INSURANCE RATE MAP
ESSEX COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 66 OF 600
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
HAVERHILL, CITY OF	250085	0066	F
METHUEN, CITY OF	262093	0066	F

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.

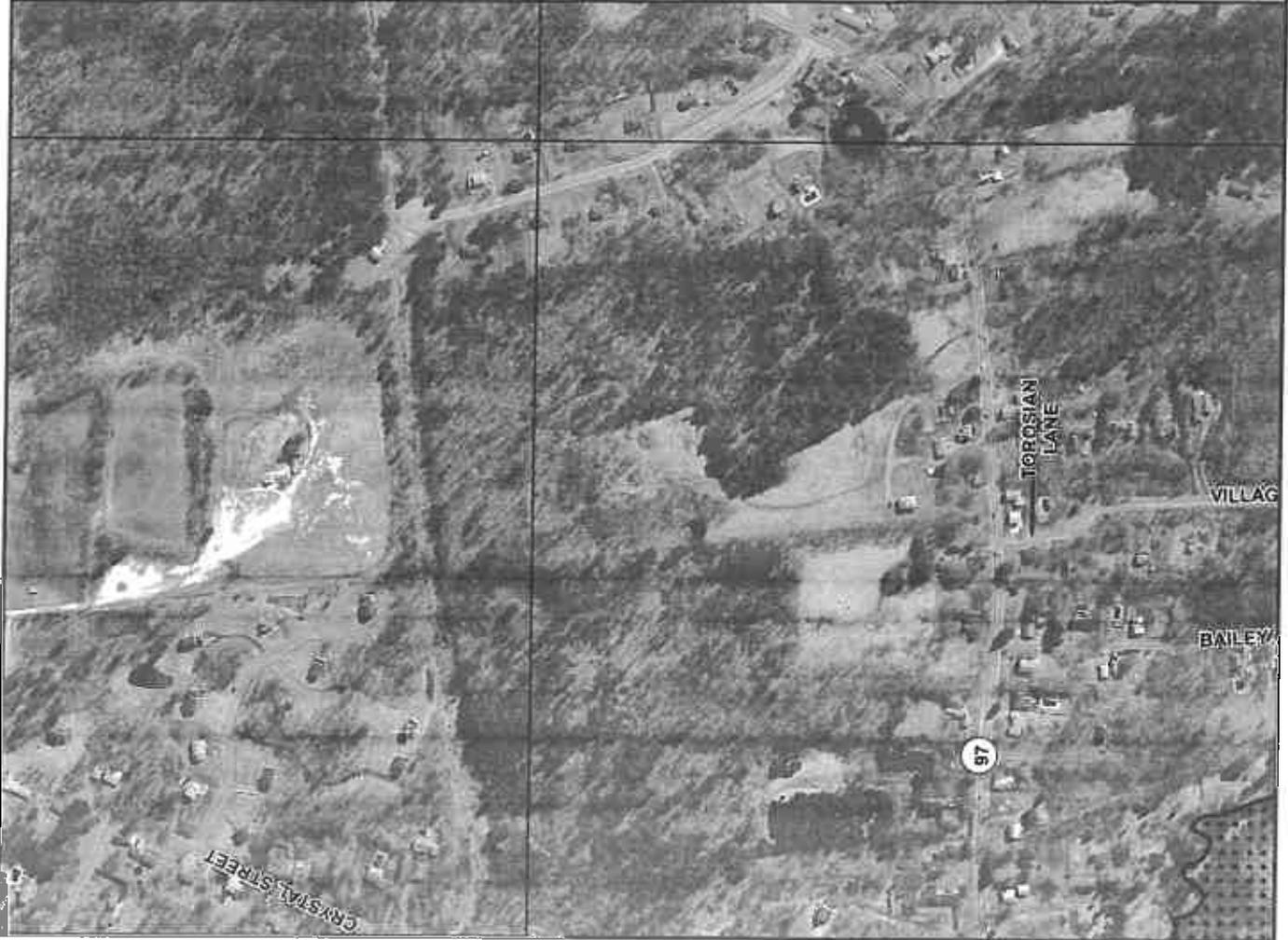


MAP NUMBER
25009C0066F
EFFECTIVE DATE
JULY 3, 2012

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT CH-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

47 40 000m N



MassGIS Orthophoto



Project Narrative

Purpose of NOI Application

Clean Energy Collective, LLC proposes to install a ground mounted solar energy system at 1291 Broadway in Haverhill, Massachusetts. The proposed project consists of an approximately 0.99 Megawatt (DC) solar array on an approximately 24.5-acre parcel.

Associated site improvements will include a gravel access road with a subsurface electrical conduit, fencing, and stormwater management system. The project area will be approximately 10-acres. The project site is bounded by residential properties to the east, west, southeast, and southwest. Land owned by the Massachusetts Electric Company is located to the north.

This Notice of Intent is for revisions to the access roadway location and stormwater management system from DEP File #33-1379.

Limited Project Provision

Regulatory compliance is demonstrated below for the limited project provisions by detailing the alternative access options.

310 CMR 10.53(3) Notwithstanding the provisions of 310 CMR 10.54 through 10.58 and 10.60, the Issuing Authority may issue an Order of Conditions and impose such conditions as will contribute to the interests identified in M.G.L. c. 131, § 40 permitting the following limited projects (although no such project may be permitted which will have any adverse effect on specified habitat sites of Rare Species, as identified by procedures established under 310 CMR 10.59). In determining whether to exercise its discretion to approve the limited projects listed in 310 CMR 10.53(3), the Issuing Authority shall consider the following factors: the magnitude of the alteration and the significance of the project site to the interests identified in M.G.L. c. 131, § 40, the availability of reasonable alternatives to the proposed activity, the extent to which adverse impacts are minimized, and the extent to which mitigation measures, including replication or restoration, are provided to contribute to the protection of the interests identified in M.G.L. c. 131, § 40.

310 CMR 10.53(3)(t) The construction of a new access roadway, or the improvement, repair and/or replacement of an existing access roadway, needed to transport equipment to a renewable energy project site, where reasonable alternative means of access to an upland area is unavailable, provided that it is carried out in accordance with the following general conditions and any additional conditions deemed necessary by the issuing authority. Reasonable alternative means of access may include any previously or currently available alternatives such as realignment or reconfiguration of the project to conform to 310 CMR 10.54 through 10.58 or to otherwise minimize adverse impacts on resource areas. The

issuing authority may require the applicant to utilize access over an adjacent parcel of land currently or formerly owned by the applicant, or in which the applicant has, or can obtain, an ownership interest. Such projects shall be designed, constructed, implemented, operated, and maintained to meet all of the following standards to the maximum extent practicable:

1. *Hydrological changes to resource areas shall be minimized.*
2. *Best management practices shall be used to minimize adverse impacts during construction. An applicant shall be presumed to use best management practices to minimize adverse impacts during construction if s/he implements erosion and sediment controls in accordance with the Massachusetts Erosion and Sediment Control Guidelines. This presumption may be rebutted by credible evidence from a competent source.*
3. *No access road or other structure or activity shall restrict flows so as to cause an increase in flood stage or velocity.*
4. *No change in the existing surface topography or the existing soil and surface water levels shall occur except for temporary access roads.*
5. *Temporary structures and work areas in resource areas shall be removed within 30 days of completion of the work. Temporary alterations to resource areas shall be substantially restored to preexisting hydrology and topography. At least 75% of the surface of any area of disturbed vegetation shall be reestablished with indigenous wetland plant species within two growing seasons and prior to said vegetative reestablishment any exposed soil in the area of disturbed vegetation shall be temporarily stabilized to prevent erosion. Surface area shall be presumed to be stabilized to prevent erosion if the applicant implements the procedures set forth in the Massachusetts Erosion and Sediment Control Guidelines. This presumption may be rebutted by credible evidence from a competent source.*
6. *Work in resource areas shall occur only during those periods when the ground is sufficiently frozen, dry, or otherwise stable to support the equipment being used.*
7. *Slash, branches, and limbs resulting from cutting and removal operations shall not be placed within 25 feet of the bank of any water body.*
8. *The applicant shall provide replication of bordering vegetated wetlands and compensatory flood storage to the extent practicable.*
9. *The applicant demonstrates to the satisfaction of the Issuing Authority that any stream crossings meet the general performance standards in 310 CMR 10.54(4)a. and 10.56(4)a.*

The proposed access roadway's crossing of Bordering Vegetated Wetland has been designed to meet Standards 1 through 9 of this limited project.

Alternative Analysis

Background

Clean Energy Collective (CEC) proposes to construct a ground-mounted solar facility at the properties numbered 1291, 1305 and 1311 Broadway in Haverhill, Massachusetts. In early 2016, the City granted the required approvals to construct the project, including certain Variances and

Special Permits from the Zoning Board of Appeals on January 7 and an Order of Conditions (DEP #33-1379) from the Conservation Commission on March 31. A PILOT Agreement by which CEC shall pay the City the sum of \$15,711 in each year in connection with the project is to be acted upon by the City Council later this month.

The facility itself is to be constructed at 1291 Broadway (Lot 3). To avoid and minimize wetland impacts, the access and utilities to service the facility were located within an already existing driveway which runs from Broadway through a small portion of 1311 Broadway (Lot 1), across 1305 Broadway (Lot 2) and to the facility on Lot 3 (hereinafter "Access and Utility Easement").

In order to obtain title insurance, which is a prerequisite for construction financing, for any such project, CEC is always required to obtain a Subordination and Non-Disturbance Agreement (SNDA) from any lender holding a mortgage on the land upon which the project is to be constructed. To date, CEC has been able to obtain such SNDAs from every lender holding a mortgage on the land upon which each of its projects have been constructed with the sole exception being the Haverhill site.

While there is no mortgage on Lot 3 upon which the facility is to be constructed and therefore, no need for an SNDA for that portion of the project, there are mortgages on Lots 1 and 2, over which the Access and Utility Easement is located. Therefore, there is a need for SNDAs for both of those Lots. Unfortunately, those mortgages are no longer held by conventional lending institutions. They have been assumed by Fannie Mae/Freddie Mac, a federal government-sponsored enterprise, and are administered by an entity called Ditech Financial, LLC (Ditech) out of offices in Phoenix, Arizona. Despite many months of due diligence by CEC and its legal team, Ditech has refused to enter upon an SNDA in connection with the project.

The landowners of Lots 1 and 2 have explored refinancing the properties to replace Ditech with a conventional lender that would grant such SNDAs but, for a number of reasons, have been unable to obtain such alternative financing.

Accordingly, because it cannot obtain the necessary SNDAs from Ditech, in order for CEC to proceed with the project it must demonstrate to its title insurance company that in the very unlikely event that Lots 1 and/or 2 are foreclosed upon at some time in the future (thereby jeopardizing the validity of the current Access and Utility Easement) there is a "back-up" means by which access and utilities can be provided to the facility (Access and Utility Back-Up).

Use of Lot 3 for Access and Utility Back-Up

The obvious and most expedient means of providing Access and Utility Back-Up for the project is to create another Access and Utility Easement running from Broadway to the facility located entirely on Lot 3. That Lot is owned by the same landowners with whom CEC has a lease arrangement, does not have a mortgage on it and therefore, would not require an SNDA. Such an Easement, however, would require crossing a wetlands area located on Lot 3 between Broadway and the upland area location of the facility.

Such a crossing to service a renewable energy project site is allowed pursuant to 310 CMR 10.53 where reasonable alternative means of access is unavailable under certain conditions.

Reasonable Alternative Means of Access Is Not Available

In order to explore Access and Utility Back-Up possibilities, CEC has looked at the many properties which abut its site to the east on Hammond Farm Road. Unfortunately, even if an easement might be obtained from any one of those residential property owners to construct an 18-foot driveway and bring utilities through a property, such an easement would still require crossing wetlands on the site to access the facility. Further, such a use is not an allowed use in the zoning district in which those properties are situated.

CEC then looked to the several properties which abut its site to the west on Moccasin Path. Again, an easement through any one of those residential properties, except for one, would still require a wetland crossing. CEC did find one residential property over which an easement might allow access to the project site without crossing a wetland. The property is owned by Brian and Octavia LaGrasse and is located at 19 Moccasin Path. CEC reached out to Mr. LaGrasse with a telephone call, but he was not inclined to allow an 18-foot driveway to be constructed and utilities to be run through his property. Again, such a use is not an allowed use in the zoning district in which the properties on Moccasin Path are situated.

Further, even alternative access could be found by means of either Hammond Farm Road or Moccasin Path, the 3-phase utility power necessary for the project is not available on either public way and would, with the permission of National Grid, have to be brought up from the current tie-in location on Broadway. That would require (i) easements from several property owners along either street to install four large pieces of equipment to convert the existing underground utilities to 3-phase power; or (ii) easements to install four utility poles, with equipment mounted on them, to bring above-ground lines from Broadway to convert to 3-phase power.

A third access alternative was considered with the roadway layout on Lot 3 just east of the property lines of Lots 1 and 2. This alternative would impact Bordering Vegetated Wetlands plus require the relocation of an intermittent stream therefore would not demonstrate minimization of impacts to resource areas.

Resource Area and Buffer Zone Impacts

The proposed access roadway will impact 8,300 square feet of wooded and wet meadow Bordering Vegetated Wetland. The proposed location of a wetland mitigation area is shown on the plan, and will provide 8,340 square feet of wooded replacement wetland. The mitigation location is upstream of the impact area, part of the same wetland system. The mitigation area is adjacent to the wettest part of this wetland system, and will be constructed in a previously disturbed landscape setting. The planting specifications and grading of the mitigation area will be provided to the Commission as a supplemental submittal prior to the public hearing.

The proposed activity will alter approximately 3.4 acres of Buffer Zone.

The property is not mapped on the National Flood Insurance Program panel 25009C0066F (effective date July 3, 2012).

Other Applicable Standards and Requirements

The site is not mapped as Estimated Habitats of Rare Wetlands Wildlife or Priority Habitats of Rare Species, but does include a Certified Vernal Pool (#3420). The pool is a dug impoundment with in a Bordering Vegetated Wetland. The approximate limit of seasonal flooding is shown on the plan. A potential vernal pool is located offsite, near the northwest corner of the property.

The Certified Vernal Pool may be considered an Outstanding Resource Water, but will be unaffected by the proposed project. The only activity proposed within 100 feet of the pool is the construction of the mitigation area which will not require work in the wetland that contains the pool.

A Stormwater Report was previously (November 2015) submitted for the proposed development. A memo is provided with this Notice of Intent to address revisions to the stormwater system for the revised access roadway location.