

TOWN OF MILFORD

Office of Community Development
Planning • Zoning • Building Safety • Code Enforcement • Health
Economic Development • Active Projects



Administrative Review

Date: May 14, 2020

To: Doug Knott, Chair, Planning Board
Jason Plourde, Chair, Zoning Board of Adjustment

From: Lincoln Daley, Community Development Director

Subject: **Milford Spartan Solar, LLC., Tax Map 38, Lots 4, 5, 5-1, 9, 11, 12, 13, 14 and Map 39 Lot 74.** Conceptual Review to discuss the construction of 16 Megawatt (MW) photovoltaic solar energy generating facility utilizing 83.05 acres of the 221 leased acres.

The applicant is before the Planning Board and Board of Adjustment for a conceptual discussion involving the construction of 16 Megawatt (MW) photovoltaic solar energy generating facility utilizing 83.05 acres of the 221 leased acres. The Planning Board and Board of Adjustment shall discuss the application in conceptual form and only in general terms with the applicant. No formal decisions can be made. A conceptual review shall not bind either the applicant or the Planning Board or Board of Adjustment. In reviewing the files for this property, I offer the following comments:

1. Existing Conditions:

Map 39, Lot 74 – Not Too Dusty

- a. The subject property is approximately 101 acres with more than 200 linear feet of frontage on the Class VI section of Perry Road. The property can be found between Birch Brook on the west and Osgood Pond on the east. It is bounded on the north by the Rte. 101 Bypass, and to the south by other large, mainly undeveloped tracts, lying between the subject property and Mason Road. The property is encumbered by a cross country electric utility right of way approximately 100' wide, running east west across the southern portion of the Property.
- b. The property is undeveloped and comprised of open fields, forested lands, and wetland resource areas. The property provides access to the abutting earth removal operation on lot, Map 42, Lot 10 (residential lot).
- c. Access to the property is by way of the Class VI section of Perry Road with no direct access to Route 101.
- d. Property is zoned Residential 'R'.

Map 38, Lots 4, 5, 5-1, 9, 11, 12, 13, 14 – Town of Milford

- a. The subject properties are approximately 119.62 total acres with varying linear frontage on the Class V and VI sections of Perry Road. The properties are entirely zoned Integrated Commercial-Industrial 2 (ICI-2).
 - b. North of the Rte 101, the town owned properties are bounded by industrial uses and undeveloped land. South of Rte. 101, the properties abut the Brox Community Lands and the Not Too Dusty property.
 - c. All of the Town properties are undeveloped and contain both upland and wetland resources areas.
2. The applicant proposes to construct a 16 Megawatt (MW) photovoltaic solar energy generating facility on land it will lease from Not Too Dusty, LLC, Tax Map 39, Lot 74 and on land leased from the Town, identified on Town Tax Map 38, Lots 4, 5, 5-1, 9, 11, 12, 13, 14 as a single integrated facility.
 3. Of the 101 acres of the subject property, the applicant's plan calls for 47.27 acres to be utilized as part of the solar collection system. Of the 119.62 acres of Town Land, Milford Spartan Solar's plan calls for 35.78 acres to be utilized as part of the solar collection system. In total, the applicant has options to lease 220.62 acres, and proposes to utilize 83.05 acres, or 37.64% in support of the solar system.
 4. The project is currently before the Board of Adjustment seeking a Variance from the Milford Zoning Ordinance, Article VII, Section 7.11.4 to permit a portion of the 16 Megawatt Utility scale solar collection system be constructed on a parcel located in the Residential 'R' Zoning District.
 5. Pursuant to Section 7.11.4.A, the proposed 16 Megawatt Utility scale solar collection system is a permitted use requiring a Condition Use Permit and Site Plan Approval from the Planning Board.



APPLICATION FOR SITE PLAN & CONDITIONAL USE PERMIT APPROVAL

CONTACT INFORMATION

Property Owners(s): Name: Not Too Dusty, LLC
Address: _____
320 Mile Slip Rd, Milford, NH

Telephone Number: _____ Fax: _____
Email Address: _____

Applicant: Name: Milford Spartan Solar, LLC
(if different from above) Address: 114 N Main St, 4th Floor, Concord, NH 03301

Telephone Number: (603)565-5170 Fax: _____
Email Address: Milford Spartan@olivewoodenergy.com

Engineer/ Name: _____
Surveyor/ Address: _____
Architect: _____

Telephone Number: _____ Fax: _____
Email Address: _____
Primary Contact Person: _____

TYPE OF APPLICATION

(Please check all that apply)

- Discussion** - Informal meeting with Planning Board.
- Minor Site Plan** – Less than 600 sq. ft. of additional exterior construction.
- Major Site Plan**
 - Design Review Plan**
 - Final Plan**
- Request for Waiver of Site Plan Review**
- Request for Waiver of Specific Site Plan Requirements**
- Conditional Use Permit**
- Other** (i.e. amendments and/or revisions)

SITE INFORMATION

LOCATION: Tax Map Number _____ Lot(s) _____ ZONING DISTRICT: ICI2 & R
ROAD FRONTAGE ON: Perry Road TOTAL SITE AREA: Approximately 83 acres
BRIEF DESCRIPTION OF PROJECT: Please see attached project description

NAME OF EXISTING OR PROPOSED PLAN: Milford Spartan Solar, LLC

INSTRUCTIONS FOR SUBMITTING A COMPLETE APPLICATION (Please read carefully)

For an application to be scheduled on the next available Planning Board agenda, the following items MUST be submitted to the Department of Planning & Community Development by close of business on the officially posted submittal date:

- 1. **Completed and signed SITE PLAN APPLICATION FORM and ABUTTERS LIST.**
The application will not be placed on the Planning Board agenda unless all required signatures are on the application. The owner MUST sign the application form.
- 2. **Three (3) full size and one (1) 11" x 17" prints of the site plan or site plan set.**
At least one (1) plan MUST be signed by the owner. All applicable information as described on the attached SITE PLAN CHECKLIST MUST be shown on the plans. Owner's signature must be on at least one (1) plan, indicating his/her knowledge of the plan and application.
- 3. **Application fee and Abutter Mailing Fees.**
These fees will be determined at the time you turn in the application. Fees are based on square footage of new construction and number of certified mailings, which must be sent. All checks are to be made payable to the **Town of Milford**.

AUTHORIZED SIGNATURES

Owner(s): I/We, as owner(s) of the property described hereon, certify that this application is correctly completed with all required attachments and requirements in accordance with the Site Plan Regulations for the Town of Milford. I/We also authorized members of the Milford Planning Board and its agents to access the property described on this application for on-site review of the proposed site plan.

Name (please print) and Title Date

IF APPLICABLE:

Owner(s) authorization for Applicant or Agent to represent the application:

The applicant or agent, as stated hereon, has authorization from the property owner to submit this site plan application and represent the property owner on matters relative to the Town site plan approval process.

Owner's Signature Date

Applicant's Signature:

I acknowledge, as the applicant stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

Applicant's Signature Date

Agent's Signature (someone other than the Owner or Applicant who is representing the project):

I acknowledge, as the agent stated hereon, that this site plan application has been completed and submitted in conformance with all applicable Town of Milford regulations, and that I am the designated representative for the property owner on matters relative to this site plan application.

Agent's Signature Date



Milford Spartan Solar, LLC Project Description

Parcels 39-74, 38-9, 38-11, 38-12, 38-13, 38-14 (The Property) are located off of Perry Road, in zones IC12 and R, and until 2020 Town Meeting Day, would have fallen under the Commerce and Community Overlay District. The Property is located near the geographic center of Milford. It is bounded on the north by the Rte. 101 Bypass, and to the south by other large, mainly undeveloped tracts, lying between the Property and Mason Road. The Property is encumbered by a cross country electric utility right of way approximately 100' wide, running east-west across the southern portion of the Property.

Milford Spartan Solar, LLC (the "Applicant") is before the Planning Board to discuss a Conceptual Review Application of a 16 Megawatt Solar Collection System and related equipment (the "Project") totaling approximately 83 acres in area. Access to the Property would be off of Perry Road.

The Applicant has previously met with the Select Board a number of times, receiving approvals of a Land Lease Option Agreement on 119.62 acres of Town land, and a Payment-in-Lieu-of-Taxes (PILOT) agreement. The Applicant intends to meet with the Town of Milford's Zoning Board of Adjustment on May 21, 2020 in regards to a Variance Application for the siting of a portion of the project on the land in the R zone. The applicant is seeking comments, feedback, and insights regarding the Project in advance of the Variance Application Hearing.

In addition to detailing the proposed improvements, the Applicant will seek input from the Planning Board regarding the next steps in the regulatory approval process and any other recommendations to assist the Applicant if they decide to move forward with a formal application in the future. A conceptual review/discussion shall not bind the Applicant or Planning Board.

Milford Spartan Solar Conceptual Review

Planning Board Meeting, May 19th, 2020

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- Overview of Milford Spartan Solar
- History: Working Closely with the Town
- Solar Farm Design: Designed to Meet Standards Set in the Milford Zoning Ordinance
- Preliminary Layout
- Questions

Overview: Project



Description:

- A proposed 16mw solar farm:
 - Developed on Town and private land, utilizing ~83 of ~221 acres (approximately 36 and 47 on Town and private land, respectively)
 - Located in a developed area - all land previously under Commerce and Community Overlay District, abuts two gravel pits, and state highway
 - Generation equivalent to electricity use of ~8,800 people
- Olivewood is a solar farm developer working with communities in NH and the Northeast.
- Olivewood is currently completing study, design and outreach activities to target an in-service date of late 2022.

Benefits:

- Generate up to \$6.3 million and \$3.2 million in lease and PILOT payments, respectively over the life of the project
- Requires no new infrastructure and minimal to no town services
- Opportunities for recreational and town uses - ~70% of the Town land would continue to be controlled by the Town during the lease
- Avoid approximately 0.5 million tons of CO2 emissions; equivalent to planting ~ 1,620 acres of trees over the life of the project
- Opportunities for construction jobs and other local economic development

History: Working Closely With the Town



To Date:

- Letter of Intent (LOI) with Town signed - November 2018
- Town Meeting Day approvals of the lease negotiations and solar ordinance - March 2019
- Lease option with Town signed - September 2019
- PILOT agreement approved - February 2020

Tonight's Meeting:

- Introduce the project to the Milford Planning, Conservation Commission, and Zoning Boards
- Receive feedback in advance of the Variance Application Hearing and future Site Plan Review

Moving Forward:

- Town will continue to control project approvals:
 - Variance Application to be heard by Milford ZBA on 5/21
 - Additional approvals required for Site Plan Review and Conditional Use Permit application processes to follow

Solar Farm Design: Will Meet Standards Set in the Milford Zoning Ordinance



Safety: Will coordinate with the Town during site plan review (e.g. fencing requirements and site access for emergency responders)

Setbacks: Will comply with or exceed requirements

- Wetland Setback: 50 feet and 25 feet from Birch Brook and other wetlands, respectively.
- Parcel boundary setbacks: 30 feet and 15 feet from front and other sides, respectively

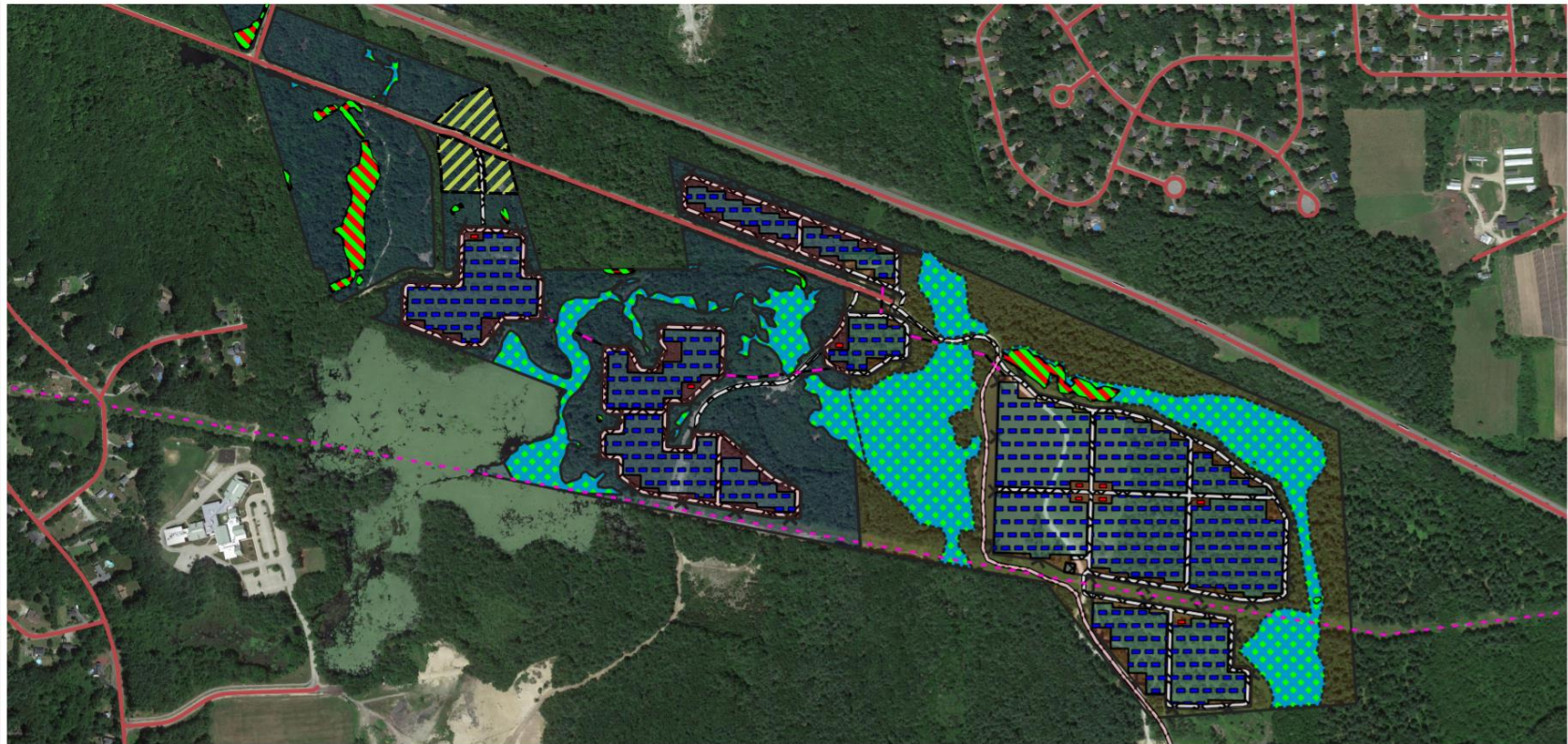
Post-construction: Will include native species consistent with solar farm use

Noise: Little to no additional sound expected, with equipment to be at or below noise requirements, and set back from property boundaries

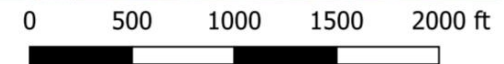
Visual: Will be screened principally by preserving existing trees and vegetation.

Siting: Locating a significant portion of the project on adjacent private land eliminates many potential impacts on the Town land






Preliminary Layout: Feedback and Insights?







Milford Spartan Solar - Site Overview






Project Layout

-  Preliminary Panel Areas
-  Temp. Construction Laydown
-  Preliminary Fenced Area
-  Inverter Skids
-  Interconnection Equipment Pad
-  Project Access Roads
-  Project Transmission Lines

Existing Infrastructure

-  NH Public Roads
-  Existing 34.5 kV Transmission
-  Town Parcel Boundary
-  Private Parcel Boundary

Environmental

-  Delineated Vernal Pools
-  Delineated Wetlands
-  Screened Wetlands

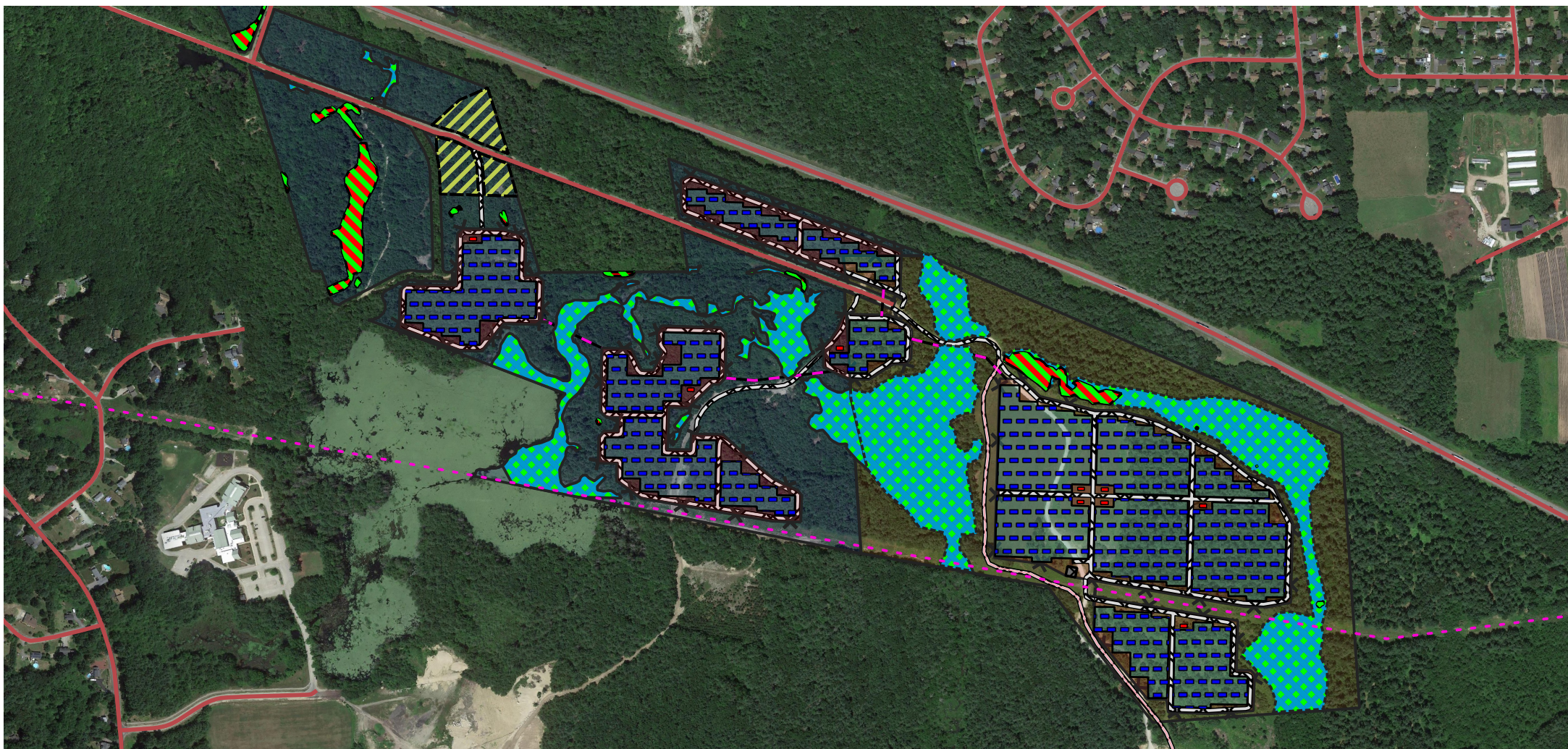
DRAFT Layout

Milford Spartan Solar, LLC
 Olivewood Energy LLC
 Layout Version v3.6
 05/19/2020

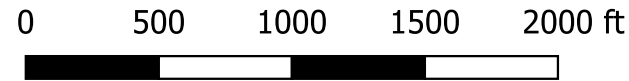
Questions










- Contact: Dominic LeBel
- Email: Dom@Olivewoodenergy.com
- Phone: (603) 565-5170
- Address: 114 N. Main Street, 4th Floor, Concord, NH 03301
- Website: www.olivewoodenergy.com







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