

CONWAY PLANNING BOARD

MINUTES

SEPTEMBER 12, 2019

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| 1 | 20Ten Investments, LLC/DVS Family, LLC/1858 Conway, LLC/Rushil Conway, LLC/RAJ 1858, LLC (File #FR19-03) – Full Site Plan Review Continued (PID 235-17 & 17.1) <ul style="list-style-type: none">• Continued until November 7, 2019 |
| 1 | Other Business <ul style="list-style-type: none">• Whitesides Realty, Inc. (PID 230-4) – Conditional Approval expiring (File #FR19-04 & #S19-02)• Solar Collection Systems discussion• 2020 Planning Board Dates and Submittal Deadlines |

CONWAY PLANNING BOARD

MINUTES

SEPTEMBER 12, 2019

A meeting of the Conway Planning Board was held on Thursday, September 12, 2019 beginning at 7:00 pm at the Conway Town Office in Center Conway, NH. Those present were: Chair, Steven Hartmann; Selectmen's Representative, Steven Porter; Secretary, Benjamin Colbath; Steven Steiner; Bill Barbin; Planning Director, Thomas Irving; and Planning Assistant, Holly Meserve.

REVIEW AND ACCEPTANCE OF MINUTES

Mr. Colbath made a motion, seconded by Mr. Barbin, to approve the Minutes of August 22, 2019 as written. Motion carried unanimously.

20TEN INVESTMENTS, LLC/DVS FAMILY, LLC/1858 CONWAY, LLC/RUSHIL CONWAY, LLC/RAJ 1858, LLC (FILE #FR19-03) – FULL SITE PLAN REVIEW CONTINUED (PID 235-17 & 17.1)

Josh McAllister of HEB Engineers appeared before the Board. This is an application to construct a 20,292 square foot, 3-story, 115-room hotel and associated infrastructure and to approve pad sites for a 5,800 square foot restaurant space and a 4,970 square foot retail/bank space. This application was accepted as complete on March 14, 2019.

Josh McAllister of HEB Engineers appeared before the Board.

Mr. Steiner made a motion, seconded by Mr. Colbath, to continue the public hearing and further consideration of the Full Site Plan Review for 20Ten Investments, LLC/DVS Family, LLC/1858 Conway, LLC/Rushil Conway, LLC/RAJ 1858, LLC until November 7, 2019 with new information to be submitted by October 15, 2019. Motion carried unanimously.

OTHER BUSINESS

Whitesides Realty, Inc. (PID 230-4) – Conditional Approval expiring (File #FR19-04 & #S19-02): Mr. Porter made a motion, seconded by Mr. Steiner, to extend the conditional approval for Whitesides Realty, Inc. until September 24, 2020. Motion carried unanimously.

Solar Collection Systems discussion: Clay Mitchell and Michael DiGregorio appeared before the Board. Andrew Keller was in attendance. The Board reviewed the attached proposed zoning amendments relative to Solar Collection Systems.

**Adopted: September 26, 2019 – As Written
CONWAY PLANNING BOARD – SEPTEMBER 12, 2019**

The Large Commercial Solar definition was revised to up to 35 acres; the Industrial Solar definition was revised to between 35 and 50 acres; there was a concern regarding the 600' height limitation and its effect on the potential landfill project; there was a concern regarding the proliferation of solar fields and their effect on available land for residential development; and there was a concern regarding the buffer and drainage requests and if they should be subject to modifications by the Planning Board.

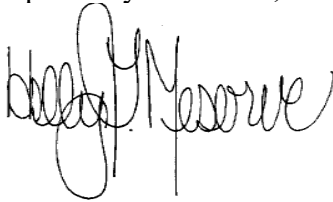
Mr. DiGregorio, Mr. Mitchell and/or Mr. Keller will be submitting information on solar capacity in Conway; providing language regarding substantial change to existing infrastructure; and submitting language and information relative to the criteria to grant the special exception.

The Board agreed to discuss this again at their October 24, 2019 Planning Board meeting.

2020 Planning Board Dates and Submittal Deadlines: Mr. Colbath made a motion, seconded by Mr. Porter, to accept the 2020 Planning Board dates and submittal deadlines. Motion carried unanimously.


Meeting adjourned at 8:14 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Holly L. Meserve". The signature is written in a cursive, flowing style.

Holly L. Meserve
Planning Assistant

MEMO

TO: Planning Board
FROM: Tom Irving, Planning Director 
CC: File
DATE: 08/14/19
RE: 2020 Zoning Amendments relative to Solar Collection Systems

Message:

Please find the attached draft definitions and special exception for your consideration. These revisions to the Zoning Ordinance are intended to supplement the current provisions for the development of solar collection systems. The definitions formalize terms that are relevant to such systems and the special exception language is intended to provide for commercial scale solar collection systems in the Residential Agricultural (R/A) district. Such commercial systems are not currently a permitted use in the R/A District.

In additions to the above the Permitted use table will need to be amended to provide for the various solar collection systems that are to be permitted in each zoning district. We can compile those revisions once the Board determines what scales of solar collection systems are appropriate for each district.

Definitions:

Rated Nameplate Capacity – Maximum rated alternating current (“AC”) output of solar collection system based on the design output of the solar system.

Solar Land Coverage – is defined exclusively for the purposes of calculating the footprint of the land area occupied by the components of a solar array. The Solar Land Coverage is the land area that encompasses all components of the solar collection system including but not limited to mounting equipment, panels and ancillary components of the system. This definition does not include access roads or fencing and is not to be interpreted as a measurement of impervious surface as it may be defined in this ordinance.

Solar Collection System - Includes all equipment required to harvest solar energy to generate electricity. The Solar Collection System includes storage devices, power conditioning equipment, transfer equipment, and parts related to the functioning of those items. Solar Collection Systems include only equipment up to (but not including) the stage that connection is made to the utility grid or site service point.

Roof Mount – A solar collection system that is structurally mounted to the roof of a building or other permitted structure, including limited accessory equipment associated with system which may be ground mounted. For purposes of calculating array sizes or solar land coverage under the solar definitions in this section, roof mounted portions shall not be included if the system is made up of both roof and ground mounted systems, the roof mounted portions shall also be excluded.

Ground Mount – A solar collection system and associated mounting hardware that is affixed to or placed upon (such as ballasted systems) the ground including but not limited to fixed, passive or active tracking racking systems.

Carport Mount – Any solar collection system of any size that is installed on the roof structure of a carport over a parking area.

Use definitions:

Residential Solar: Any ground mounted or roof mounted solar collection system primarily for on-site residential use, and consisting of one or more free-standing, ground or roof mounted, solar arrays or modules, or solar related equipment, intended to primarily reduce on-site consumption of utility power and with a rated nameplate capacity of 10 kW AC or less per on site dwelling unit and that has 500 square feet or less of solar land coverage per onsite dwelling unit.

Community Solar: A use of land that consists of one or more free-standing, ground mounted solar collection systems regardless of nameplate capacity that is up to 100 kW AC and that is less than 1 acre of solar land coverage.

Accessory Agriculture Solar: Any ground mounted or roof mounted solar collection system designed to primarily reduce on-site consumption of utility power and without a limit to the rated nameplate capacity or solar land coverage provided the existing agricultural use is preserved at the time of installation.

Primary Agriculture Solar: Any ground mounted solar collection system that is partially used to reduce on-site consumption of utility power and with a rated nameplate capacity up to 1 MW AC in size or has a solar land coverage in excess of 5 acres provided the existing agricultural use is preserved at the time of installation.

Commercial Solar: A use of land that consists of one or more free-standing, ground mounted solar collection systems with a rated nameplate capacity of up to 1 MW AC and that is less than 5 acres in solar land coverage.

Large Commercial Solar: A use of land that consists of one or more free-standing, ground mounted solar collection systems with a rated nameplate capacity of between 1 MW and 5 MW that is between 5 and 25 acres in solar land coverage.

Industrial Solar: A use of land that consists of one or more free-standing, ground mounted solar collection systems regardless of nameplate capacity that is between 25 acres and 50 acres in solar land coverage.

Utility Solar: A use of land that consists of one or more free-standing, ground mounted solar collection systems regardless of nameplate capacity that is over 50 acres in solar land coverage and less than 30 MW in rated nameplate capacity.

Solar Power Generation Station: Any solar collection system that is over 30 MW in nameplate capacity. In no case shall a Solar Power Generation Station exceed 150 acres.

(14) **Commercial Solar.** A special exception may be granted for a Commercial Solar or Large Commercial Solar collection system provided the following conditions are satisfied:

- (a) **Elevation.** In order to protect the Town's viewsheds and scenic upslopes no Commercial Solar Collection System may be located on land at or above 600 feet in elevation, referenced to the North American Vertical Datum of 1929. The applicant shall demonstrate on a plan certified by a New Hampshire Licensed Land Surveyor that no part of the solar collection system is on land above the 600 foot elevation limit.
- (b) **Setbacks.** The minimum front setback from roads shall be 100 feet, side and rear setbacks from all adjacent properties shall be 50 feet. The applicant shall show the setback lines on a plan certified by a New Hampshire Licensed Land Surveyor.
- (c) **Buffer.** A perimeter buffer area adjacent to all abutting properties and roads shall be left in its undisturbed natural state if it provides a year round visual barrier form abutting properties and roads or it shall be replanted with a mix of indigenous coniferous and deciduous species to create a year round visual barrier from abutting properties and roads. The minimum buffer depth shall be 50 feet. The applicant shall show the buffer area on a plan certified by a New Hampshire Licensed Land Surveyor.
- (d) **Land Clearing.** Land clearing shall be limited to what is necessary for the installation and operation of the system and to insure sufficient all-season access to the solar resource given the topography of the land. Following construction, cleared land areas must be restored with native species that are consistent with the use of the site as a solar collection system (such as slow growth or low ground cover). Erosion control measures during construction shall be detailed as required.
- (e) The applicant shall provide a detailed pre-construction and post-construction plan identifying existing vegetation and areas to be cleared with specific identification of locations of buffer areas adjacent to abutting properties and roads. The post construction plan must also demonstrate compliance with vegetation restoration requirements.
- (f) The applicant shall provide a statement detailing potential significant glare onto abutting properties, structures and roadways estimating the interaction of sun to panel angle, time of year and visibility locations.
- (g) The applicant shall provide an evaluation of the view impacts from elevated viewpoints from which the facility is likely to be seen. This shall include but is not necessarily limited to views from recognized recreational trails, roadways and scenic vistas.
- (h) The applicant shall provide estimates of any equipment noise on the site based on equipment specification materials. Noise levels at the property line shall not exceed 50 dBA. An acoustic analysis plan showing noise sources and compliance with noise limits shall be submitted to demonstrate compliance.
- (i) **Existing Utility Infrastructure.** The applicant must demonstrate that the existing utility infrastructure has the capacity to host the proposed facility and assure the Board that no substantive changes to the offsite infrastructure (including but not necessarily limited to increased size or height of poles or towers, increased number of poles or towers, or new or expanded utility easements) would result from the proposed Solar collection system.