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EXHIBIT 23

July 15, 2019

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Town of Grafton  
Planning Board  
Grafton Memorial Municipal Center  
30 Providence Road  
Grafton, MA 01519

PLANNING BOARD  
GRAFTON, MA

**Subject: Response to Comments on Application for Special Permit/Site Plan Approval and Scenic Road Permit  
Photovoltaic Solar Energy Generation and Storage Facility  
155 George Hill Road  
Grafton, MA**

Dear Planning Board Members:

In response to the various Exhibits posted on the project website for Ref# SP 2019-7 / SPA and SRP 2019-1, Industria offers responses to the original comments (shown in italics) of the exhibits listed below. You will note that not all exhibits are listed in this letter. Exhibits 1 through 3 are our submittals; Exhibits 4 and 5 were responded to (our response is Exhibits 6 and 7); Exhibits 8, 16, 20 and 21 are public notices; and Exhibits 18 and 19 are presentation materials shown at the public hearing on July 8.

Comments on Listed Exhibit 9, Board of Health:

*The Health Department is suggesting proper procedures be taken to avoid potential runoff/drainage issues to all surrounding wells and septic systems*

Industria Response: See the provided Storm Water Report. As stated in the public hearing for both the Conservation Commission and the Planning Board, the requirements of the State and local Stormwater rules and regulations will be complied with.

Comments on Listed Exhibit 10, Department of Public Works June 3, 2019:

*Drainage improvements need to be assessed along George Hill Road in this area. There is a roadside swale that carries runoff down toward Leland Street and into stormwater infrastructure. We are unaware of the current condition, pipe diameter, etc. The site is currently heavily wooded and once cleared, the runoff coefficient will increase. There are stormwater facilities proposed on site, however, once constructed, O&M plans are often forgotten until it's too late. The roadway and area homes currently experience quite a bit of flooding due to the large areas of cleared farmland. Steps need to be taken to ensure this is not going to escalate current conditions.*

Industria Response: See the provided Storm Water Report. As stated in the public hearing for both the Conservation Commission and the Planning Board, the requirements of the State and local Stormwater rules and regulations will be complied with. We are not impacting the culvert that crosses George Street north of our planned entrance, as such, we will not be evaluating the existing issues with storm water on George Hill Road. It also important to note that the solar array is more than 800 feet east of George Hill road and the area between George Hill Road the site solar array will not be cleared or graded (except for the access road which has stormwater controls).

Comments on Listed Exhibit 11, Zoning Board of Appeals:

*The ZBA had no comments. No response necessary.*

Comments on Listed Exhibit 12 and 13, Public Comments:

Industria Response: Public comments were and will be addressed in the Public Hearings. Note that we have moved the proposed entrance and will not be removing the Hickory tree. In addition, as stated above, the current stormwater conditions of George Hill Road will not be worsened by our solar array.

Comments on Listed Exhibit 14, Peer Review Comments:

*Zoning By-Law*

1. *A north arrow needs to be provided on sheets 1, 4 and 12. (§1.3.3.d.8)*

Industria Response: See Revised Plan Set

2. *The Board may wish to inquire about the applicant's intentions for employee parking during the construction phase of the project. George Hill Road is a narrow road; on-street parking could affect vehicular traffic, especially for larger vehicles such as emergency vehicles. No vehicle parking should occur along George Hill Road. (§1.3.3.1)*

Industria Response: There will be no parking on George Hill Road during the project. We will park off the road.

*Regulations Governing Stormwater Management*

3. *The plans do not show the locations for construction-phase parking. (§7.8.2.f)*

Industria Response: during construction parking will be off George Hill Road and in the equipment laydown area.

4. *The plans don't address the storage of construction-phase waste materials. Of particular concern is the storage of waste packaging material and the potential for windblown trash. (§7.B.2.j)*

Industria Response: There will be two 20-yard dumpsters on site (one for recyclable cardboard, one for waste) that will be swapped out when filled. Site managers are also required to pick up any windblown litter that may accumulate during the work. Trash receptacles will be placed at employee and staging areas to provide small waste disposal options for workers.

5. *GEI recommends that the erosion control plans include intermediate erosion controls (e.g. straw wattles) at ±100' spacing on slopes greater than 10% and at ±200-foot spacing on slopes of 3-10%.*

Industria Response: Please see the revised clearing sequence plan

*Hydrology & MassDEP Stormwater Management*

6. *GEI reviewed the hydrology computations and found them to be in order.*

Industria Response: No comments necessary

7. *The scale of the subcatchment map for Basins B & C is incorrect. Furthermore, time of concentration paths should be shown on the drainage maps.*

Industria Response: See Revised drainage report and associated supplemental documents.

8. *Compliance with the MassDEP Stormwater Standards and Stormwater Handbook is reasonable.*

Industria Response: No comments necessary

*General Engineering*

9. *During my site visit, I observed what appeared to be a healthy 30 to 36" diameter Hickory tree in the middle of the staked driveway entrance. Consideration should be given to relocating the driveway entrance farther to the south where large-diameter trees are not present. Such a driveway relocation would also provide better separation between the driveway and the inlet of an existing corrugated metal culvert that crosses George Hill Road.*

Industria Response: Please refer to revised plans. The entrance has been moved to avoid the hickory tree

10. *Information such as the size and material of the proposed drainage pipes need to be provided. Invert elevations need to be provided for the culverts along the driveway*

Industria Response: See Revised Plan Set

11. *A turn-around area was not provided at the entrance gate to the solar array. A turn-around area should be provided outside of the fence that will allow emergency vehicles to reverse direction without having to enter the fenced area.*

Industria Response: See Revised Plan Set, a turnaround to has been added before the solar array fence.

12. *A project identification sign including owner and emergency contact information needs to be placed at or mounted on the entrance gate.*

Industria Response: Owner and Emergency contact signs will be placed on the entrance gate. This is also a requirement of the National Electric Code.

13. *If not already done, the Planning Board may wish to solicit comments from the Grafton Fire Department*

Industria Response: On May 9<sup>th</sup>, the Grafton Fire Department submitted the following comments:

*"The Grafton Fire Department has reviewed the plans dated April 24, 2019. The access road must be constructed to an unobstructed width of not less than 20 feet [NFPA 2015 section 18.2.3.4.1.1]. The access road must have an unobstructed vertical clearance of not less than 13ft 6 in. [NFPA 2015 section 18.2.3.4.1.2]. The access road must be designed and maintained to allow fire apparatus to travel the entire road, in all seasons. Fire Department would also like to have a Knox Box installed at the gate to the Solar Panel Array area.*

*There also should be a plan to maintain vegetation within and adjacent to the proposed photovoltaic field and proposed access road"*

Industria Response: As shown on the revised plan set, the access road is now 20 feet wide and meets the requirements noted. A Knox Box will be installed at the entrance gate. In addition, the stormwater report and O&M plan detail the vegetation and maintenance

Comments on Listed Exhibit 15, letter from Assessor June 2019:

The letter noted the need to address the Chapter 61 required Notice of Intent to covert "classified land" Industria and the landowner are addressing these issue now. There will be no impact on the Planning Board Process.

Comments on Listed Exhibit 17, Comments from Depart of Public Works June 18, 2019:

1. *The access road should be relocated to the existing cut*

Industria Response: Please see revised plans, the entrance has been moved south of the originally proposed location, however, it is north of the existing cut in order to minimize large mature tree removal.

2. *If the access road cannot be relocated and the 30" Hickory tree need to be removed the town should be*

*compensated for the loss of a valuable street tree. The compensation should be in new replacement trees of the towns choosing, trees will be provided by the developer, and equal in value to \$4,500.*

Industria Response: The Hickory tree will remain; currently only small scrub/sapling/immatures trees are in the area of the proposed entrance.

3. *Remove and replace all existing driveway and access culvert crossings south on George Hill Road to Leland Street. Reestablish the swale located along the east side of George Hill Road to Leland Street.*
4. *Confirm that the swale located on private property south of Leland Street is also in good repair and adequately sized.*
5. *Remove and replace the 18inch corrugated pipe (crosses under George Hill Road) located just north of the proposed access road.*
6. *Reestablish the swale located to the north of the proposed access road to the area of MECO pole 10.*

Industria Response to items 3, 4, 5, and 6.: The project team, respectfully, cannot comply with these requests. The proposed solar array will not discharge any additional stormwater onto George Hill Road or the abutting properties beyond current conditions. The issues noted are much larger, George Hill Road experiences regional stormwater issues that this project cannot correct. In order to properly evaluate, size, and design the swales, culverts and existing damaged culvert beneath George Hill Road on public and other private property, an extensive watershed evaluation and survey would be necessary. This is well outside the scope and requirements of a project of this scale. As noted in public hearings and in correspondence we have submitted, we are complying with the local stormwater bylaws and with the State Stormwater regulations. None of the work we are proposing will increase the existing stormwater flow to George Hill. In addition, based on the topography, the majority of the natural stormwater flow from the subject property does not directly flow to George Hill. We cannot accept the responsibility and liability associated with repairing the existing George Hill Road stormwater issues.

Should you have any questions or require additional information or further explanation of the project, please contact me by telephone at (774) 270-0834, or by email at [mlotti@industriaeng.com](mailto:mlotti@industriaeng.com).

Very truly yours,  
INDUSTRIA ENGINEERING, INC.



Michael S. Lotti  
Vice President

Cc: James and Nancy Padula (Landowner), 7 Browns Road, Grafton MA 01519  
Tyler Krupa, National Grid (System Owner once constructed), 40 Sylvan Road, Waltham, MA 02451

Enclosure

Revised Plan Set – Dated July 15, 2019  
Revised Stormwater Report – Dated July 15, 2019