



TOWN OF MILLIS

Richard Nichols, *Chair*
Nicole Riley, *Clerk*
Bodha B. Raut Chhetry
Alan Handel
Joshua Guerrero,
George Yered, *Associate*

OFFICE OF THE PLANNING BOARD

900 Main Street • Millis, MA 02054

Phone: 508-376-7045

Fax: 508-376-7053

Camille Standley
Administrative Assistant
cstandley@millisma.gov

October 12, 2022

The Planning Board has **approved, with conditions, the Site Plan Approval application** of Daniel Serber, NextGrid, PO Box #7775 #73069, San Francisco, California, 94120, who requests: a **Site Plan Approval** for a Large-Scale Ground Mounted Solar Facility Photovoltaic Installations, Section XXI; and **Site Plan Approval** pursuant to Section V, Use Regulations, Paragraph E for modification to any existing commercial or industrial structure or development, subject to the provisions of Section XIII, Special Permit Conditions, paragraph C, Site Plan Review of the Millis Zoning By-laws of the Town of Millis, in order to construct a 2.806 MW DC solar photovoltaic (PV) parking lot canopy system over the existing parking lot and 652.8 kW DC roof-mounted solar PV on the existing 72,000± SF cultivation facility building.

The property which is the subject of this application is identified as Assessors Map 21, Lots 9, 26, 28, 29, 30 and Assessors Map 32 Lot 2. Said property is owned by AC Millis LLC, c/o Hajjar Management Co Inc. 30 Adams Street. The property is zoned Industrial Park Two (I-P-2).

A copy of this decision was filed in the office of the Town Clerk of Millis on **October 12, 2022**.

(Copies of this Decision available at the Planning Board's webpage: <http://www.millisma.gov/planning-board>)

Any person aggrieved by this decision of the Planning Board may appeal said decision pursuant to Massachusetts General Law Chapter 40A, Section 17, by bringing an action within twenty (20) days after the decision has been filed in the office of the Town Clerk. Notice of the action with a copy of the complaint shall be given to the Town Clerk so as to be received within twenty (20) days. A copy of said complaint shall be given to the Planning Board.

No variance or special permit, or any extension, modification or renewal thereof shall take effect until a copy of that decision bearing the certification of the Town Clerk that 20 days have elapsed and no appeal has been filed or that if such an appeal has been filed that it has been denied or dismissed, is recorded in the Registry of Deeds for the county or district in which the land is located and is indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's title certificate. The fee for recording or registering shall be paid by the owner or applicant.

To the Applicant: After 20 days have gone by from the above date, check with the Town Clerk's office and obtain a certified copy of the Board's decision. Be sure that the special permit/site plan is recorded at the Registry with your deed. The permit is not valid until it is recorded. A copy of the receipt or proof of recording from the Registry of Deeds must be filed with the Planning Board and Building Department when you apply for a building permit for the proposed construction. Also, prior to applying for a building permit for construction, **contact the Planning Board for endorsement of the approved site plan.**

Camille Standley

Camille Standley, Administrative Assistant



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Millis Town Clerk
Received

OCT 12 2022
Jim J. Thaler

October 12, 2022

DECISION OF THE MILLIS PLANNING BOARD ON THE SITE PLAN APPROVAL APPLICATION SUBMITTED BY NEXTGRID C/O HAJJAR MANAGEMENT CO INC. FOR ROOFTOP AND PARKING LOT CANOPY SOLAR INSTALLATION AT 1073 MAIN STREET

An application was filed with the Millis Town Clerk's Office on August 22, 2022 by Daniel Serber, NextGrid, PO Box #7775 #73069, San Francisco, California, 94120, who requests;

- 1) a **Site Plan Approval** for a Large-Scale Ground Mounted Solar Facility Photovoltaic Installations, Section XXI.
- 2) a **Site Plan Approval** pursuant to Section V, Use Regulations, Paragraph E for modification to any existing commercial or industrial structure or development, subject to the provisions of Section XIII, Special Permit Conditions, paragraph C, Site Plan Review;

of the Millis Zoning By-laws of the Town of Millis, in order to construct a 2.806 MW DC solar photovoltaic (PV) parking lot canopy system over the existing parking lot and 652.8 kW DC roof-mounted solar PV on the existing 72,000± SF cultivation facility building.

The property which is the subject of this application is identified as Assessors Map 21, Lots 9, 26, 28, 29, 30 and Assessors Map 32 Lot 2. Said property is owned by AC Millis LLC, c/o Hajjar Management Co Inc. 30 Adams Street. The property is zoned Industrial Park Two (I-P-2).

In accordance with the provision of G. L. c. 40, Section 11, notice of hearing was published in The Milford Daily News on August 26, 2022 and September 2, 2022. Abutters to the property were properly notified of the public hearing by mail. A list of the abutters is on file in the Town Clerk's office, 900 Main Street, Millis, Massachusetts.

A public hearing in accordance with said notice was held on September 13, 2022, and continued hearings were held on October 11, 2022. The public hearing was closed on October 11, 2022.

The Applicant was represented by Beals & Thomas. The consulting engineer for the Planning Board on this application was BETA Group, Inc.

The following submissions were received through the public hearing process:

- Package entitled “Site Plan Review Application, NextGrid Solar Facility, 1073 Main Street, Millis, MA”, dated August 17, 2022, applied for NextGrid and prepared by Beals & Thomas, including the following:
 - Site Plan Review Application Forms
 - Project Narrative
 - Certified List of Abutters
 - Plans (6 sheets) entitled ***NextGrid Solar Facility, 1073 Main Street, Millis, MA, Site Plan***, dated August 16, 2022, prepared by Beals and Thomas, Inc., Southborough, MA.
- Email correspondence, dated August 25, 2022, from David LaPointe of Beal & Thomas re: Fire Chief Response
- Email correspondence, dated September 6, 2022, from David LaPointe of Beal & Thomas re: building dept. comments
- Email correspondence, dated September 13, 2022, from Chief Rick Barrett, CFO
- Peer Review Comments, dated September 2, 2022, prepared by BETA, Norwood, MA
- Response to Peer Review Comments – Site Plan Review Application, dated September 12, 2022, prepared by Beals & Thomas with the following enclosures:
 - Site Plan (Sheet C4.1), Cultivation Facility, prepared by Beals and Thomas, Inc. dated March 5, 2021
 - Operations and Maintenance Plan, 1073 Main St Solar Facility, Millis, MA, dated September 7, 2022
 - CAB1000/AC Utility Grade Storage Inverter cut sheets
- Email Correspondence, dated October 5, 2022, from David LaPointe of Beals & Thomas with the following attachments:
 - Carport Decommissioning Evaluation (2)
 - Site Plan (Sheet C3.1) with revision date 10/8/22 for added plantings
- Letter Re: Nextgrid Solar Facility Site Plan Review, 1073 Main Street Millis MA – Screening Request & Decommissioning Plan Review, dated October 5, 2022, prepared by BETA, Norwood, MA
- NextGrid Decommissioning Evaluation & Cost Estimate (REV3), 1073 Main St Solar Carport, dated October 4, 2022, provided by Beals & Thomas

FINDINGS

Regarding the request for Site Plan Approval for a Large-Scale Ground Mounted Solar Facility Photovoltaic Installations, Section XXI of the Zoning By-Laws of the Town of Millis requires the following general conditions to be fulfilled prior to the granting of an application for a site plan approval:

(a) Section XXI.4. General Requirements for all Large-Scale Ground-Mounted Solar Power Generation Installations:

Compliance with Laws, By-Laws and Regulations: The construction and operation of all LGSPI shall be consistent with all applicable local, state and federal requirements including, but not limited to, all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of a LGSPI shall be constructed in accordance with the State Building Code.

Building Permit and Building Inspection: No LGSPI shall be constructed, installed or modified as provided in this section without first obtaining a building permit.

Fees: The applications for a Site Plan Review, a Building Permit, and any other permits related to a LGSPI must be accompanied by the required fees.

Finding: The complete application for Site Plan Review was filed with the office of the Town Clerk on August 22, 2022; and the initial public hearing was held on September 13, 2022. The Planning Board therefore finds that this requirement has been met.

(b) Section XXI.5. Site Plan Review:

LGSPI shall undergo site plan review prior to construction, installation or modification as provided in this section.

Finding: Based on the plans and documents submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(c) Section XXI.6. Site Control:

The applicant shall submit documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed solar photovoltaic installation.

Finding: In Section 4.0 of the Site Plan Review Application, proof of control of access and project site and authorization to file applications to the Planning Board for this project is provided. The letter indicates a binding contract between the property owner and the applicant. The Planning Board finds that this requirement has been met.

(d) Section XXI.7. Operation & Maintenance Plan:

The applicant shall submit a plan for the operation and maintenance of the LGSPI, which shall include measures for maintaining safe access to the installation, stormwater controls, vegetation controls, as well as general procedures for operational maintenance of the installation.

Finding: Applicant submitted an Operations and Maintenance Plan, dated September 7, 2022 that includes Preventative Maintenance, Equipment Inspections, Vegetation

Management, Perimeter Fences and Access Gates and Stormwater Facilities. The Planning Board therefore finds that this requirement has been met.

(e) Section XXI.8. Utility Notification:

No LGSPI shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the LGSPI's owner or operator's intent to install an interconnected customer-owned generator; as well as documentation from said utility that they can and will connect the proposed customer-owned (owned by an entity other than the utility company) generator into their power grid.

Finding: Applicant provided a copy of an interconnection application for the proposed facility as part of the Site Plan Review Application. The Planning Board therefore finds that this requirement has been met.

(f) Section XXI.9. Dimension and Density Requirements:

The following dimensional and density requirements shall apply to all LGSPI... as provided in this section.

Finding: The proposed LGSPI and appurtenant structures meet all setback and area, height and bulk regulation requirements of the Bylaw. The approved Site Plan includes existing wooded buffer to be maintained along the abutting residential district to mitigate for visual impacts. In addition, the applicant has agreed to install a stockade fence and trees for screening along the abutting cemetery. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(g) Section XXI.10. Design Standards:

The following design standards shall apply to all LGSPI.

Lighting: Lighting of LGSPI shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

Finding: There is existing lighting at this facility and no changes to lighting are proposed. Standard does not apply

Signage: A sign consistent with the Town's Zoning By-Law Section VII shall be required to identify the owner and operator of the LGSPI and provide a 24-hour emergency contact phone number. Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the LGSPI.

Finding: The applicant has indicated approximate locations for required signage at the equipment pad and facility entrance. Signage location and details will be finalized with the building department during the building permit application process. The Planning Board finds that this requirement has been met.

Utility Connections: Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections from the LGSPI underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

Finding: Overhead utility connections are proposed through the industrial site consistent with the existing utility infrastructure and based on Eversource's design and interconnection agreement. The applicant indicated they are willing to provide underground electric service from Eversource's final service pole to proposed equipment and has provided a utility trench detail on the plans. The Planning Board finds that this requirement has been met.

Screening: LGSPI and appurtenant structures shall be adequately screened with vegetation or behind other existing structures from view from public ways and neighboring properties ... as provided in this section.

Fencing: Where deemed necessary, fencing may be required as part of the Site Plan Review process.

Finding: The approved Site Plan includes existing wooded buffer surrounding the site that is to be maintained. In addition, the applicant has agreed to install a 7-foot high stockade fence and evergreen trees for 200 feet along the cemetery property as directed by the Town Department of Public Works and the Cemetery Committee. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(h) Section XXI.11. Safety and Environmental Standards:

The following safety and environmental standards shall apply to all LGSPI.

Emergency Services: The LGSPI owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Millis Fire Chief. Upon request the owner or operator shall cooperate with Millis emergency services in developing an emergency response plan. All means of shutting down the solar photovoltaic installation shall be clearly marked. The owner or operator shall provide the Town with the contact information for a responsible person for public inquiries throughout the life of the installation.

Land Clearing, Soil Erosion and Habitat Impacts: Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the LGSPI or otherwise prescribed by applicable laws, regulations, and bylaws.

Finding: Applicant has provided the site plan and shut down plan to Millis Fire Chief and corresponded to address any comments/concern. The applicant has identified that all public inquiries shall be directed to the Engineer at this time and change to construction foreman and then Operations Maintenance Director at various stages of the project with current contact information to be given to the town. The Planning Board therefore finds, along with the imposition of conditions noted hereafter, that this requirement has been met.

(i) Section XXI.12. Monitoring and Maintenance:

Solar Photovoltaic Installation Conditions: The LGSPI's owner or operator shall maintain the facility and access road(s) in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Millis Fire Chief.

Modifications: All material modifications to an LGSPI made after issuance of the required building permit shall require approval by the Planning Board. In determining whether a modification is material, the Planning Board shall consider the scope of the proposed modification in relation to the approved LGSPI.

Finding: Applicant has agreed to these monitoring and maintenance conditions. The Planning Board therefore finds, along with the imposition of conditions noted hereafter, that this requirement has been met.

(j) Section XXI.13. Abandonment or Decommissioning:

Removal Requirements: Any LGSPI, which has reached the end of its useful life or has been abandoned, shall be removed by the owner or operator no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Planning Board by certified mail of the proposed date of discontinued operations and plans for removal... as provided in this section.

Abandonment: Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the LGSPI shall be considered abandoned when it fails to operate for more than one year without the written consent of the Planning Board. If the owner or operator of the LGSPI fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the Town may, to the extent it is otherwise duly authorized by law, enter the property and physically remove the installation.

Financial Surety: Proponents of LGSPI projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the Town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by the Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, in conformance with the removal requirements (a)

(b) and (c) of this section, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

Finding: Applicant has provided a Decommissioning Evaluation and Cost Estimate. The applicant has agreed to conditions to provide a surety bond based on the current day removal decommissioning estimate with 3% inflation over 20 years. The bond amount is to be reviewed by the Planning Board every five years to determine whether the bond amount should be increase to account for inflation above the 3% over 20 years assumption. The Planning Board therefore finds, along with the imposition of conditions noted hereafter, that this requirement has been met.

(k) Section XXI.14. Liability Insurance:

The owner or operator of an LGSPI shall provide the Town Clerk with a certificate of insurance showing that the property has a minimum of one million dollars in liability coverage, and that the Town of Millis is an additional named insured thereon. Such a certificate shall be supplied on an annual basis upon the renewal of said insurance policy; or act in any manner relating thereto,

Finding: Applicant provided documentation of Liability Insurance for the proposed facility as part of the Site Plan Review Application. The Planning Board therefore finds that this requirement has been met pending review by Town Counsel.

Section V, Use Regulations, Paragraph E for modification to any existing commercial or industrial structure or development, required the following matters to be evaluated per Section XIII, Special Permit Conditions, paragraph C, Site Plan Review prior to the granting of an application for Site Plan Review:

- (a) Protection of adjoining premises against detrimental uses by provision for surface water drainage, sound and sight buffers and preservation of views, light and air.

Finding: The solar canopies are proposed to be installed within the existing paved parking area which has catch basins and swales to collect stormwater and discharge to existing stormwater infiltration basins on site. There will be minimal land disturbance due to the existing site conditions. Wooded areas buffer the development and will be maintained for visual screening and there is no change to the existing site lighting proposed. The Planning Board finds this requirement has been met.

- (b) Convenience and safety of vehicular and pedestrian movement within the site, the location of driveway openings in relation to traffic or adjacent streets and, when necessary, compliance with other regulations for the handicapped, minors and the elderly.

Finding: The proposal uses existing driveways and parking areas. The proposed use does create traffic and pedestrian movement within the site is limited to employees for

maintenance and inspection as this site is closed to the public. The Millis Fire Chief has reviewed site plans and provided a letter indicating that emergency access to the site is adequate. Based on the plan submitted with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(c) Protection and enhancement of existing site features.

1. **Finding:** Site work will remain outside of the 50-ft wetland buffer, within previously disturbed areas and the applicant has filed a Request for Determination of Applicability for review by the Millis Conservation Commission. The existing site features an abandoned building and parking lot and all vegetated areas are to remain. Based on the plan submitted along with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(d) Adequacy of the arrangement for parking and loading spaces in relation to the proposed use of the premises.

Finding: The applicant has provided a plan with the parking and loading spaces identified outside of the solar canopy area that are required for the building use. The solar canopy use itself does not require parking and loading spaces therefore with the imposition of conditions noted hereafter, the Planning Board finds that this requirement has been met.

(e) Adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site.

Finding: The proposed use does not create refuse or waste during use and a decommissioning plan has been provided for implementation once the solar canopies have reached their useful life. The Planning Board finds that this requirement has been met.

(f) Relationship of structures and open spaces to the natural landscape, existing buildings and other community assets in the area and compliance with other requirements of the by-law.

Finding: The proposed development uses the existing building and parking lot without expanding the limits of development and maintaining existing natural landscape and screening buffers. Additional screening for the abutting cemetery is proposed to protect the view from that property. The Planning Board therefore finds this requirement has been met.

(g) Protection of environmental features, particularly groundwater resources, on the site and in adjacent areas, adequate protection to prevent pollution of surface and groundwater, soil erosion, increase runoff, changes in groundwater recharge or elevation and flooding.

Finding: The proposal will maintain the existing stormwater management system which provides the collection, treatment, and infiltration of stormwater runoff. Maintenance of this system is included as part of the Operations and Maintenance Program for the Solar Facility. Construction-stage erosion controls will be implemented to prevent soil erosion during construction. Based on the plan submitted along with imposition of conditions noted hereafter, The Planning Board therefore finds this requirement has been met.

DECISION

At a meeting held on October 11, 2022, acting upon a motion of Mr. Richard Nichols and seconded by Ms. Nicole Riley, with Mr. Richard Nichols, Ms. Nicole Riley, Mr. Alan Handel, and Mr. Joshua Guerrero voting in the affirmative, it was unanimously voted to grant to the Applicant, NextGrid, **Site plan approval** for the property located at 1073 Main Street, said location as described herein and on the plans. The approved improvements are depicted on a 6-sheet plan set entitled *NextGrid Solar Facility, 1073 Main Street, Millis, MA, Site Plan*, dated August 16, 2022, prepared by Beals and Thomas, Inc., Southborough, MA (hereinafter referred to as the "Approved Site Plan"). Site plan approval is subject to the following conditions:

Standard Conditions

1. All necessary approvals from other Town Boards and Commissions must be obtained by the Applicant. Proof of said approvals, where needed, shall be forwarded to the Millis Planning Board. Approvals and/or permits shall reference the Approved Site Plan.
2. All provisions of the Millis Zoning By-laws shall be observed unless otherwise approved herein, authorized by variance from the Millis Zoning Board of Appeals, or authorized by a Determination pursuant to M.G.L. Chapter 40A, Section 6 that such pre-existing non-conforming uses may remain or be expanded and/or modified.
3. This special permit granted under the provisions of the Millis Zoning By-law shall lapse within two (2) years from the filing of this decision with the Town Clerk, and including such time required to pursue or await the determination of an appeal from the grant thereof. If the Applicant, for good cause, needs to be granted extensions for periods of one (1) year at a time for completion of the project, such an extension will not be unreasonably withheld.
4. This permit is for installation of a 2.806 MW DC solar photovoltaic (PV) parking lot canopy system over the existing parking lot and 652.8 kW DC roof-mounted solar PV on the existing 72,000± SF cultivation facility building. The project will use existing parking areas, stormwater management system, maintain existing vegetation and connect to utility connections, all as shown on the Approved Site Plan. Any desired changes in use must be submitted to the Board for review and determination as to whether an amendment or modification of the permit is required. The project shall be constructed in substantial

compliance with the Approved Site Plan unless otherwise modified by the Planning Board or by the conditions enumerated herein.

5. The Planning Board and any of its representatives shall be allowed to inspect the premises at any time.

Construction Conditions

6. The Applicant shall identify the name, address, and phone number of the contact person for construction management of the project. Said contact person shall be available 24 hours per day, seven days per week throughout construction. This information shall be provided to the dispatcher's office of the Millis Police and Fire Departments, the office of the Department of Public Works, and any other department deemed necessary by the Planning Board. In addition, this information should be posted in a prominent location near the site entrance.
7. Prior to the start of construction, the Applicant shall conduct a pre-construction meeting with the Director of the Department of Public Works AND any other persons the Planning Board deems appropriate.
8. The Applicant shall be responsible for payment of professional outside consultant assistance that the Board deems necessary for inspection, etc., upon invoice from the Board. A Scope & Fee for construction inspection services to be paid for by the Applicant shall be agreed upon and signed by the Applicant and the Town of Millis prior to the start of construction.
9. No construction shall be started prior to 7:00 A.M. or continue beyond 6:00 P.M. No work will be permitted on the site on Sundays or on holidays observed in Norfolk County, Massachusetts unless approved by the Building Inspector. A sign stating these construction activity hours shall be posted at the construction entrance.
10. Installation of erosion control devices shall precede all other construction. Flooding of abutting properties during construction shall not be allowed.
11. Areas of disturbance shall be limited to the greatest extent practical. Disturbed areas that will not be built upon, paved, or grassed within 14 days shall be temporarily stabilized with grass. Areas of disturbance, including stockpiling areas shall be protected by temporary erosion controls and fencing throughout construction.
12. There shall be no loading/unloading or stacking of construction equipment and materials or idling of delivery trucks during construction on Main Street. There shall be no idling of delivery trucks during construction either within the project site or on adjacent streets. Truck and machine idling as governed by MGL Chapter 90 Section 16-A. Activities along Main Street must meet the approval of the Police Chief. A sign stating these conditions shall be posted at the construction entrance.

13. A dumpster shall be maintained on-site throughout construction. All trash shall be collected daily and deposited in the dumpster. No trash shall be buried on-site.
14. If it is determined by the Board that construction related dust is excessive, remediation shall be implemented within 24 hours. Dust control shall be by water truck. Calcium chloride shall not be allowed.
15. Upon completion of construction, sedimentation and debris shall be removed from all components of the stormwater management system and basins. Accumulates shall be properly disposed of off-site.

Post-Construction Conditions

16. All future use of the site shall be in accordance with the provisions of the document submitted by the Applicant entitled "Operations and Maintenance Plan, 1073 Main St Solar Facility, Millis, MA", dated September 7, 2022. Future responsible parties shall be notified of their continuing legal responsibility to operate and maintain the utility lines, canopies and stormwater facilities associated with the project. The plan with signature of the new owner/operator shall be provided to the Board if the responsible party changes.
17. The property owner shall maintain on-site files including records of inspection, maintenance, and corrective actions for work performed in accordance with the operations and maintenance requirements prepared by the Applicant. Such files shall be available for inspection by the Town.
18. An "as-built" plan shall be submitted for approval to the Planning Board prior to start-up. Among other things, the As-built plan shall show the location and detail of all site infrastructure and shall be accompanied by a written statement certifying substantial compliance with the Approved Plans. The statement shall note any deviation from the Approved Plans as part of this permit, shall be written by a Professional Engineer and shall include the dates of inspection(s).

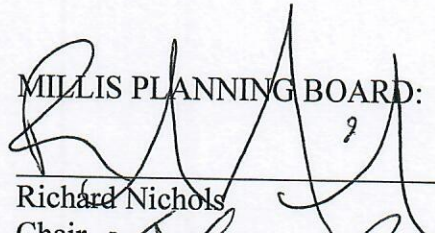
Project Specific Conditions

19. No LGSPI shall be constructed, installed or modified without first obtaining a Building Permit.
20. Final signage will be in accordance with all local regulations and will be permitted through the Inspector of Buildings.
21. Final sizes and locations of the carport foundations have not been provided on the plan. Final design shall restrict encumbrances below 15-ft in the drive aisles and no columns may be located within the 20-ft wide clear access route identified on the plans. The Fire


Chief shall continue to be consulted upon final footing design to ensure emergency access is acceptable for Town vehicles.

22. The applicant shall provide a surety bond in the amount of \$86,138.86, which has been calculated by the applicant and reviewed by the Board's consultant to equal the cost to remove the system plus 3% inflation over 20 years. This bond amount will be reviewed by the Planning Board every five years to determine whether the bond should be increased to account for inflation over 3%. Such bond shall be posted prior to bringing the system online and is intended to be used to cover the cost of removal in the event the Town must remove the installation.
23. The Town reserves the rights to remove the system if no notice is provided and the system fails to operate for more than one year.
24. The Applicant shall provide the system installer name, address, and contact information prior to construction.
25. The Applicant shall provide signature(s) of the project proponent, as well as all co-proponents or property owners on the site plans prior to endorsement.
26. Town Counsel shall be afforded the opportunity of reviewing all liability insurance and legal documents. Once acceptable to Town Counsel, such documents shall be finalized and recorded as specified herein.
27. The proposed stockade fence and tree plantings along the Prospect Hill Cemetery property line as described in the BETA Letter dated October 5, 2022 is essential for abutter screening. The Applicant shall provide a screening plan for review and approval by the Board prior to a building permit being issued for the solar facility and shall install screening before construction begins on the solar canopy facilities.
28. Specific parking spaces for the existing building use are identified outside of the solar canopy area. Expanding parking to under the solar canopy, would be considered a change in use requiring the owner to return to the Planning Board to request a modification or approval for change in use.
29. It has been discussed during review of the application that clearing of natural vegetation is not necessary for construction, operation or maintenance of the solar and that the existing buffers will be maintained. Trees are not to be cut unless they are in danger of falling and damaging the facilities. Trimming of trees is to be limited to those branches that may encroach on the parking lot. The existing treeline and vegetation between the 1073 Main Street parking lot and abutting residential district properties shall remain a vegetated buffer with density and character maintained as it exists today in perpetuity.
30. In the event of cemetery services, construction work shall be suspended until after services have concluded. This may be coordinated with the Department of Public Works.

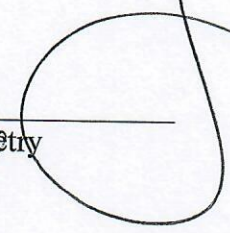
MILLIS PLANNING BOARD:


Richard Nichols
Chair

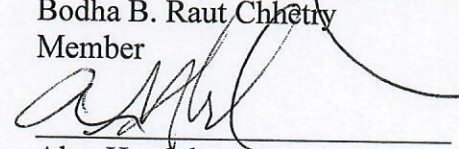
☒ Approve ☐ Deny ☐ Abstain


Nicole Riley
Clerk

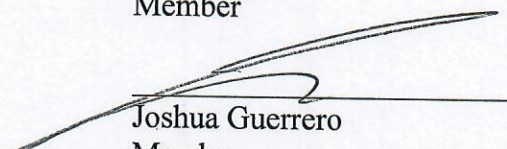
☒ Approve ☐ Deny ☐ Abstain


Bodha B. Raut Chhetry
Member


☐ Approve ☐ Deny ☐ Abstain


Alan Handel
Member

☒ Approve ☐ Deny ☐ Abstain


Joshua Guerrero
Member

☒ Approve ☐ Deny ☐ Abstain


George Yered
Associate Member

☐ Approve ☐ Deny ☐ Abstain

DATE VOTED: October 11, 2022

DATED FILED WITH THE OFFICE OF THE TOWN CLERK: October 12, 2022

APPEALS FROM THIS DECISION, IF ANY, SHALL BE MADE PURSUANT TO GENERAL LAWS CHAPTER 40A, SECTION 17, AND SHALL BE FILED WITHIN TWENTY (20) DAYS AFTER THE DATE THIS DECISION IS FILED IN THE OFFICE OF THE TOWN CLERK.