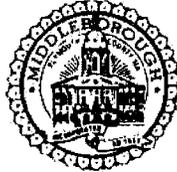


HEARINGS, MEETINGS, LICENSES

8-10-15



The Board of Selectmen, acting in its capacity as the Board of Health, will hold a public hearing in the Selectmen's Meeting Room at the Town Hall, 10 Nickerson Avenue, Middleborough, MA on Monday, June 29, 2015 at 7:30 PM, for the purpose of adopting Body Piercing Regulations for the Town of Middleborough. Anyone wishing to be heard on this matter should appear at the time and place designated.

Allin Frawley
Leilani Dalpe
John M. Knowlton
Diane Stewart
Stephen J. McKinnon
BOARD OF SELECTMEN

Publish: June 18 & 25, 2015

Private party responsible for payment

Town responsible for payment

Please provide Selectmen's office with amount due.

Advertiser #300074

Continued to 7.13.15 @ 7:20 pm
Continued to 7.27.15 @ 7:20 pm
" " to 8.10.15 @ 7:20 pm

Jacqueline Shanley

From: Robert G. Nunes
Sent: Tuesday, July 21, 2015 11:14 AM
To: 'decas.murray.decas@verizon.net'
Cc: Robert Whalen; Ruth Geoffroy; Tammy Mendes; Jeff Stevens; Patricia Cassidy; Jacqueline Shanley
Subject: RE: draft solar by-law

Thank you Dan.

Jackie, Please forward to the BOS for Monday's meeting.

Bob

From: decas.murray.decas@verizon.net [mailto:decas.murray.decas@verizon.net]
Sent: Tuesday, July 21, 2015 11:11 AM
To: Robert G. Nunes
Cc: Robert Whalen; Ruth Geoffroy; Tammy Mendes; Jeff Stevens; Patricia Cassidy
Subject: draft solar by-law

July 21, 2015

Robert G. Nunes, Town Manager (*via email*)

RE: Draft Solar By-law

Bob:

After review of the referenced, I recommend consideration of a zoning amendment with a different approach. I think the new approach could have the following features:

- Solar energy systems to be allowed in specified zoning districts by special permit; the use could be allowed in some district(s) as of right;
- The special permit granting authority to be the Board of Appeals;
- There could be specific requirements for the use such as setbacks and buffer-screening and removal of facilities no longer in use; also there could be a pre-special permit restriction on clearing or cutting vegetation on properties which are to be used for solar installations similar to that in another Town by-law;
- No site plan review process to be required; and
- Appropriate, relevant definitions to be added to the definitions section of the by-law.

I think the draft by-law is unnecessarily complex. I think it desirable that the subject should be regulated by a simple by-law with a minimum of technical considerations and requirements consistent with public health, safety and welfare.

Very truly yours,

Daniel F. Murray

Town Counsel

DFM/s

12-162

cc: Robert J. Whalen, Building Commissioner
Ruth Geoffroy, Planning Director
Board of Appeals
Middleborough Green Energy Committee (c/o Jeff Stevens)
Patricia Cassady, Conservation Agent

Jacqueline Shanley

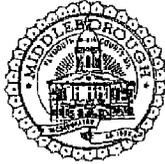
From: Patricia Cassady
Sent: Tuesday, July 21, 2015 11:03 AM
To: Robert G. Nunes
Cc: Caroline R. LaCroix; Jacqueline Shanley
Subject: Solar Bylaw - one more suggestion

Hi Bob,

The Conservation Commission had one more suggestion regarding the Solar Bylaw. When an area is within the Natural Heritage & Endangered Species Program mapping, Fish & Wildlife has wanted the fencing to be 6 inches off the ground for wildlife movement.

Thanks,
Tricia

Patricia J. Cassady, Agent
For the Middleborough Conservation Commission
20 Centre Street, 2nd Floor
Middleborough, MA 02346
Ph: 508-946-2406/Fax: 508-946-2309
E-mail: pcssdy@middleborough.com



Town of Middleborough

CONSERVATION COMMISSION

20 CENTRE STREET
MIDDLEBOROUGH, MASSACHUSETTS 02346

PHONE: 1-508-946-2406
FAX: 1-508-946-2309

MEMORANDUM

TO: Jeff Stevens, Co-chair, Middleborough Green Energy Committee

FROM: Patricia J. Cassady, Conservation Agent 

DATE: June 30, 2015

RE: Comments on the Draft "Large Photovoltaic Array By-Law"

Attached you will find the marked up draft bylaw that was submitted to the Conservation Department on June 16, 2015 to review. I have marked up the draft relative to what the Conservation Commission regulates under the Massachusetts Wetlands Protection Act under M.G.L. Ch. 131, Sec. 40 and regulations 310 CMR 10.00. I have pointed out too that some items are under other departments or agencies purview.

I have also suggested through the document that Middleboro be spelled Middleborough.

If you have any questions regarding my comments don't hesitate to contact me at 508-946-2406 or via e-mail at pcssdy@middleborough.com

Thank you for working on this since the Commission has now reviewed 4 of these types of projects we feel it is critical to have this bylaw be part of the process in permitting photovoltaic arrays.

pjc

FILE

Dear Middleboro Boards :

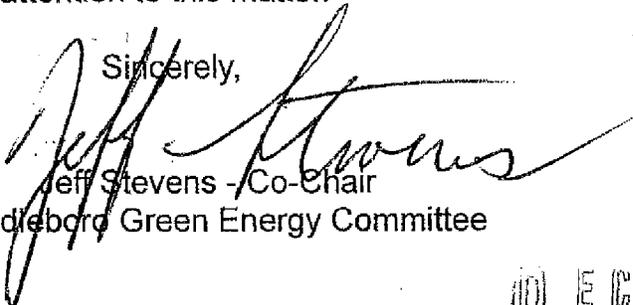
The Green Energy Committee has been working on a "Large Photovoltaic Array By-Law" during the last two months. Most communities in our area have adopted such a by-law. Our town has already been approached by land owners and companies that plan to install solar panels on open plots on private property in Middleboro. Without a local by-law, our community has little if any control over these systems.

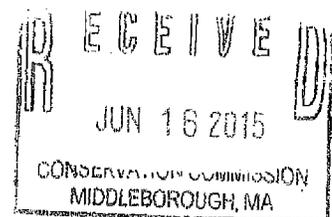
The Commonwealth has supported solar generation with what is called "as-of-right siting" that allows development of such arrays with little regulation, but it does allow communities to establish "reasonable" restrictions in the form of local by-law. The Green Energy Committee has reviewed the state suggested form for such a by-law as well as a number of such by-laws that neighboring communities have instituted in recent years. All of these relate to large scale ground mounted photovoltaic systems, not small roof or ground mounted panels that a home owner might have installed. The GEC has also consulted with the Middleboro Gas and Electric Department on this matter.

Please review the attached draft of the Middleboro Large Scale Solar Energy System By-Law, and kindly let us know of any changes your group might suggest by August 1. We hope to make any needed adjustments to this proposal by mid August . Hopefully, a public hearing can be held in time to have this proposal presented at the fall Town Meeting.

Thank you for your attention to this matter.

Sincerely,


Jeff Stevens - Co-Chair
Middleboro Green Energy Committee



FILE

Proposed Bylaw

LARGE SCALE SOLAR ENERGY SYSTEMS

Purpose

The purpose of this section is to facilitate the creation or expansion of any large-scale, ground-mounted solar photovoltaic installations by providing standards for the placement, design, construction, operation, maintenance and modification of such installations that address public safety, minimize impacts on environmental, scenic, natural and historic resources and to assure an adequate plan for the eventual decommissioning of such installations.

Definition of Terms

1)As-of-right Siting

As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-Right development will be subject to Site Plan Review pursuant to Article (when adopted) of the Middleboro Zoning Bylaws.

2)Building Inspector

The Building Inspector or designee charged with enforcing this bylaw.

3)Building Permit

A construction permit issued by the Building Inspector once the project plan is deemed consistent with local, state, and federal regulations that apply to the project and has received all required approvals from pertinent town officials and boards.

4)Designated Locations:

Large-scale, ground-mounted solar photovoltaic installations may be sited in Residential Zones A, B and Rural; General Use Zones, Commercial and Industrial Zones in accordance with the regulations stated in this bylaw for the applicable zone.

The locations or zones designated by the Town of Middleboro where ground-mounted large scale solar photovoltaic installations may be sited as-of-right are subject to Planning Board review.

5)Large Scale Ground-Mounted Solar Photovoltaic Installation

A solar powered photovoltaic generation system that is structurally mounted on the ground (not roof mounted) and has a nameplate capacity of **50 kW** or greater.

6)Nameplate Capacity

The maximum rated output of the electric power production of the photovoltaic system stated in kWDC.

7)Site Plan Review

A review performed by the Middleborough Planning Board prior to approval of any proposed large scale ground mounted solar photovoltaic installation to assess the plan's compliance with this bylaw and all Town of Middleborough regulations that apply to such installations.

8)Site Plan Review Authority

The Middleboro Planning Board is the authorized organization for site plan review.

117 ugh

Compliance with Laws, Ordinances and Regulations

Construction and operation of large-scale solar photovoltaic installations shall be consistent with applicable local, state and federal requirements, including applicable safety, construction, electrical and communications requirements. Buildings and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the state building code.

Required Review and Permitting

An applicant for installation of a large-scale ground-mounted solar photovoltaic installation shall obtain a permit from the Building Inspector. The applicant shall obtain Planning Board Plan Approval and a building permit before beginning construction.

Special Permit

Large-scale ground-mounted solar photovoltaic installations that do not meet the requirements of this bylaw may be allowed by special permit granted by the Zoning Board of Appeals.

Interconnection Agreement

No large-scale ground mounted PV system shall be constructed until evidence has been given to the Middleborough Planning Board that the utility company (Middleboro G&E Department) that operates the electrical grid where the installation is to be located has been informed of the solar photovoltaic installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

Fees

An application for a building permit shall be accompanied by the fee required for a building permit. For ground-mounted solar photovoltaic installations with less than 250 kW nameplate rating, the fee shall be [\$2000]. The fee for installations with a nameplate rating of 250 kW or above, the fee shall be \$10 per kW of nameplate rating. Other fees that may be required by permitting parties, shall be administered according to the regulations of the applicable commission. For example, the Conservation Commission may require a NPDES permit for storm water control.

EPA (Federal)

Site Plan Review and Approval

Before any construction, installation or modification may begin, large-scale ground-mounted solar photovoltaic installations shall undergo site plan review by the Planning Board to ascertain Compliance with Laws, Ordinances and Regulations.

The construction and operation of large-scale ground-mounted solar photovoltaic installations shall be consistent with all applicable local, state and federal requirements, including but not limited to applicable safety, construction, electrical, and communications requirements.

May be waived by the Building Inspector under 250kW

Required Documentation

- 1) Blueprints or drawings of the solar photovoltaic installation stamped by a professional engineer licensed in Massachusetts⁽¹⁾, showing the proposed layout of the system and any potential shading from nearby structures and off-site vegetation.
- 2) Identification of the property owner, the photovoltaic system owner and the installer.

Proposed
Limit of work ->
existing
tree line,
Proposed
tree line

can com
NOT
for work
in 100 ft
B.E.
200 ft
RFA

DEP is
requiring a
narrative
and
stormwater
checklist
w/ com
applic.

- 3) One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with National Electrical Code compliant disconnects and over-current devices.
- 4) Property lines and physical features, including roads for the project site.
- 5) Documentation or cut sheets of the major system components to be used, including makes and models of the PV panels, transformer, inverter, mounting system and chemicals for cleaning and maintenance of equipment.
- 6) The plan for site maintenance, including an access route for emergency vehicles, upkeep of grounds and storm water control.
- 7) A list of any hazardous materials proposed to be located on the site, during construction or operation, in excess of household quantities, and a plan to prevent their release to the environment. This list should include the material safety data sheets (MSDS) for any listed materials. *yes ✓*
- 8) Locations of wetlands or Priority Habitat Areas, as defined by the Natural Heritage and Endangered Species Program (NHESP) located on or adjacent to the property. A plan for compliance with the applicable regulations shall be included.

Dimensions and Density Requirements

Setbacks

Setbacks from all boundary lines in a Commercial Zone or Residential zones A, B, and R, or General use shall be a minimum of fifty feet (50').

Commercial Development or Industrial Zones require a ten foot (10') for setback of solar collection equipment providing the abuttal property is also in a General, Commercial Development or Industrial Zone. Abuttals to Commercial or Residential Zone property shall be fifty feet (50').

For all installations, sound generating equipment, including inverters and transformers, shall be located to meet the requirements stated below under Safety and Environmental Standards.

Buffer Zones/ Visual Screening

If a permit is issued under this bylaw in Residential Zones A, B or R, then the perimeter of the project shall have a vegetated buffer that will screen the view of the large-scale ground-mounted solar photovoltaic installation. The buffer must be sufficiently dense to block the view of the project from any dwellings abutting the property. In the other districts where site plan approval is given, the project shall have a vegetated buffer that will screen the view of the large-scale ground-mounted solar photovoltaic installation from the boundary of any abutting residence.

Submittals for the site plan review process should include a project landscaping plan that includes visual screening and fencing appropriate to the project.

What about proposals on scenic roads?

Archaeology? + Historic sites

how much?

Fencing

The perimeter of the project shall be protected with an appropriate fence of at least 6 feet with a locked gate. It is not the intent of this regulation that fencing extend to the property boundary, but only to ensure that the power generating equipment is enclosed.

→ If in WHESP - have a smaller space under fence of at least 6" above ground.

Safety and Environmental Standards

Emergency Services

The owner of a large-scale ground-mounted solar photovoltaic installation shall provide a copy of a project summary, including final electrical schematic and site plan to the Middleboro Fire Chief. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan. Means of access, such as a Knox Box shall be provided and a means of shutting down the installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation. A sign at the property entrance shall provide a 24-hour contact phone number. A 30 foot wide right-of-way, either paved or graded with gravel shall be provided for access of emergency equipment.

Land Clearing, Soil Erosion and Habitat Impacts

Under Middleboro zoning districts, clearing of natural vegetation shall be limited to that necessary for the construction, operation and maintenance of the large-scale ground-mounted solar photovoltaic installation, as approved by the Middleboro Conservation Commission, BOS as water commissioners under WFPD. (cost not disturb)

Cleaning more than IAC triggers EPA-NDEP

Sound Levels

Any ground-mounted solar photovoltaic installation within the business district, in residential Zones A, B and R, or General Use shall not increase noise levels greater than 10 dB above the existing ambient levels as described in Massachusetts Department of Environmental Protection (DEP) Regulation 310 CMR 7.10.

no disturb in zone II areas

Ground-mounted solar photovoltaic installations in Industrial Zones, sound levels at the property boundary shall be demonstrated to comply with the National Noise Control Act of 1972 and be approved by Middleboro Conservation Commission (2)

Lighting

ZBA review? we don't regulate noise

Lighting of solar photovoltaic installations shall be consistent with local, state and federal laws. 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 properties. Where feasible, lighting of the solar photovoltaic installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

Decommissioning Requirements

Removal Requirements

Any large-scale ground-mounted solar photovoltaic installation not intended for further use as a solar generator shall be removed. The owner or operator shall physically

remove the installation no more than 150 days after the date of discontinued operations. Decommissioning shall consist of:

- 1) Physical removal of large-scale ground-mounted solar photovoltaic installations, associated structures, equipment, security barriers and transmission lines from the site.
- 2) Disposal of all solid and hazardous waste and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- 3) Stabilization or re-vegetation of the site as necessary to minimize erosion as approved by the Middleboro Conservation Commission.

Soil testing requirement? →

ugh
For areas within the commissions Jurisdiction

Abandonment

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar photovoltaic installation shall be considered abandoned when it fails to operate for more than one (1) year without the written consent of the Planning Board, at which time the dismantling and removal shall be carried out at the owner's expense. If the owner or operator of the large-scale ground-mounted solar photovoltaic installation 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 enter the property and physically remove the installation.

Notes:

1. Standard plans for ground mounted solar installations with a nameplate capacity of less than 500 kW, previously stamped by a professional engineer and approved for installation in Massachusetts, may be submitted.
2. Ground-mounted solar photovoltaic installations in the Industrial Zone should comply with OSHA 1910.95 within the property at any normally occupied areas.

Additional sound requirements	No increase >10dB (5)	NCA @ boundary (6, 7)	No increase >10dB (5)	NCA @ boundary (6, 7)	No increase >10dB (5)
Notes:	(1) Engineering approval required unless Massachusetts approved standard design < 500kW.				
	(2) May be waived by the Building Inspector under 250kW				
	(3) Setbacks from any boundary must be 50' when adjacent to Residential Property				
	(4) Fencing as approved by the Environmental Commission				
	(5) See MA CMR 7.10				
	(6) US Noise Control Act of 1972				
	(7) See OSHA 1910.95 for occupied areas.				



BGCA.org :: Who We Are :: Start a Club

HOW TO ORGANIZE A BOYS & GIRLS CLUB

So, you want to know more about organizing a Boys & Girls Club. Where do you start? It all begins with wanting to make life better for young people in your community. Once the idea of a Club catches on, you'll find that momentum will build, and you'll be on your way to making a real difference in young lives.

1. Get started.

Establishing a Boys & Girls Club usually starts with one or two individuals who initiate the idea and then get others interested.

The first step can be taken by YOU.

Discuss the idea with representatives of service clubs, local government, civic, social, fraternal and labor organizations. Then, they can reach out and involve other community leaders in business, industry and the professions.

Spread the word and stimulate interest in starting a Club!

2. Contact the nearest BGCA Service Center.

BGCA maintains three Service Centers to provide support to Boys & Girls Clubs across all 50 states. After you gather community support, have your group's representative contact the nearest BGCA Service Centers to discuss setting up a working partnership with a Boys & Girls Club in your area. The BGCA Director of Organizational Development (DOD) for your state and local Club leaders will help your group take the next steps.

3. Organize a steering committee.

Hold a meeting – invite people who are interested in starting a Boys & Girls Club and invite the DOD and the Chief Professional Officer (CPO) of the Club nearest you. Keep your group small to start.

Explain the purpose of the meeting to the group and have the DOD and CPO talk about Boys & Girls Clubs. If the group is committed and interested in pursuing the idea further, form a steering committee to begin preliminary organization work.

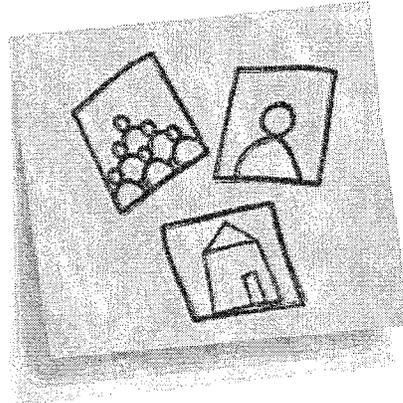
4. Conduct a Community Readiness Assessment.

The need for a Club in your community may be quite obvious, but you still need to put it in writing. To document the need, your DOD will provide you with a Community Readiness Assessment to get the details. Have your group complete the assessment and return to your DOD, who'll help your committee with the results.

This survey will determine how effectively the needs of young people are being met in the community. It may also help to identify community resources available that could help support a Club.

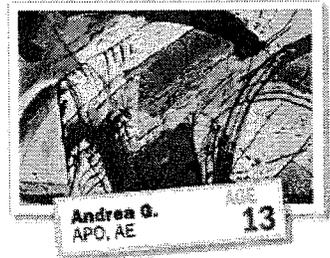
5. Develop a Management Operating Agreement.

Once the Readiness Assessment is complete, it's time to put together official policies for establishment of your community's Boys & Girls Club. Your next step, assisted by your DOD, is to work out a Management Operating Agreement with an existing local Boys & Girls Club.



ART GALLERY

National Fine Arts Exhibit



199 Boys & Girls Clubs are located on Native American lands.

6. Organize a Unit Advisory Council.

Once policies are in place, you can organize a Unit Advisory Council, elect officers and establish committees that will help operate a Club. Consult with the DOD and CPO for guidance in selecting a Unit Advisory Council.

7. Secure a location.

Now is the time to scout a location for your Club and/or find a suitable building. Work with your CPO on a location and the kind of building that would be satisfactory for a Boys & Girls Club.

8. Determine costs.

Create a budget for the cost of building renovations, equipment and an operating budget for one year. The CPO will be invaluable to your committee in this kind of practical planning.

9. Raise the funds.

You are now ready to raise funds together with the CPO and existing Club organization. The most common method of raising funds is through a community-wide founder's campaign using face-to-face solicitations – get out there and ask! Consult with the CPO to develop a resource development plan that will get your Club off to a great start.

10. Recruit a Club director.

The wheels are in motion; now you're ready to employ a qualified Boys & Girls Club professional to lead your Club. The assisting CPO will provide guidance in this all-important process of identifying good candidates.

BGCA SERVICE CENTERS

Chicago Service Center: Provides support to the Midwest Region and the Pacific Region

Boys & Girls Clubs of America
Chicago Service Center
1590 Wilkening Road
Schaumburg, IL 60173
PHONE: (847) 490-5220 FAX: (847) 490-5221

Atlanta Service Center: Provides support to the Northeast Region, Southeast Region, Military Organizations and Major Metro Organizations

Boys & Girls Clubs of America
Atlanta Service Center
1275 Peachtree St. NE
Atlanta, GA 30309
PHONE: (404) 892-3317 FAX: (404) 487-5705

Dallas Service Center: Provides support to the Southwest Region and Native Services Organizations

Boys & Girls Clubs of America
Dallas Service Center
2107 N. Collins Blvd.
Richardson, TX 75080
PHONE: (972) 581-2360 FAX: (972) 581-2356

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[Privacy Policy and Legal Notice](#)

BGCA.org :: Who We Are :: Facts & Figures

OUR FACTS AND FIGURES

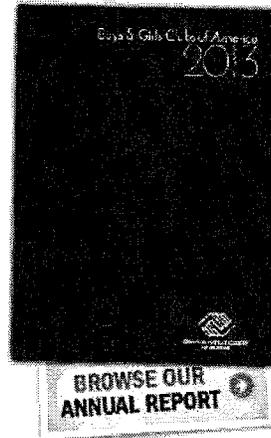
For more than a century, Clubs have helped put young people on the path to great futures. Boys & Girls Clubs annually serve nearly 4 million young people, through membership and community outreach, in over 4,100 Club facilities throughout the country and BGCA-affiliated Youth Centers on U.S. military installations worldwide.

Enter Zip Code

Enter Your E-mail

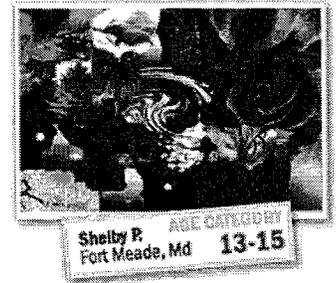
How We Serve

- The Boys & Girls Club Movement includes more than 1,140 independent organizations and the national organization, Boys & Girls Clubs of America.
- BGCA's Atlanta headquarters, regional service centers and Government Relations office in Washington, D.C., provide assistance and support to Clubs in youth program development, resource development, marketing and communications, and administration.
- Independent Boys & Girls Club organizations, which are governed locally, serve youth and communities in more than 4,100 Club locations.
- In 2013, Boys & Girls Club youth development programs, training and services impacted nearly 4 million children and teens.
- Child safety is our No. 1 priority; BGCA provides a 24-hour hotline, training and the latest resources to help Clubs be safe places for our nation's youth.



ART GALLERY

Digital Arts Festival



Our Reach and Scope

4,146 chartered Club facilities, including approximately:

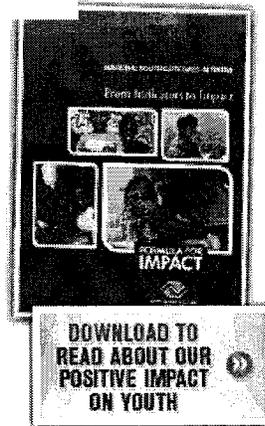
- 1,500 in schools
- 400 BGCA-affiliated Youth Centers on U.S. military installations worldwide
- 300 in public housing
- 200 on Native lands

About the Youth We Serve

- 5% are 5 years old and under
- 47% are 6-10 years old
- 19% are 11-12 years old
- 19% are 13-15 years old
- 10% are 16 and older
- 55% are male
- 45% are female

Ethnicity of Youth Served

- Caucasian – 32%
- African-American – 28%
- Hispanic/Latino – 23%
- Multi-racial – 5%



360 Boys & Girls Clubs are located in public housing.

