

Pursuant to proper notice, a public Hearing pursuant to M.G.L. Chapter 34, Section 14 on the County's proposed lease of County-owned premises of land in the Town of Walpole to Kearsarge Energy LLC was held at the Norfolk County Agricultural High School, 400 Main Street, Walpole MA, 02081 in the AKC Ring, notice of said meeting having been posted as required by law.

Commissioners present were:

Commissioner Peter H. Collins
Commissioner Richard R. Staiti

Chairman Shea welcomed those in attendance and asked all present to stand and join him in reciting the Pledge of Allegiance.

Chairman Shea read a series of legal statements:

"This is a public hearing pursuant to Massachusetts General Laws, chapter 34, section 14, on the County of Norfolk's proposed lease of land on Fisher Street to Kearsarge Energy, LLC.

Pursuant to section 14, a public hearing is required in the Town in which the County's property is located prior to entering into any lease.

Pursuant to section 14, a public hearing must be held at least 45 days but not more than 60 days before entering into a lease of real estate.

Pursuant to section 14, a public hearing is necessary only after the real estate offered for lease has been offered to both the Commonwealth and the Town in which the property is located.

I will state for the record that the properties to be offered for lease were offered to the Commonwealth on October 7, 2021 with a copy of an independent appraisal for the property and the Commonwealth declined to lease the property at issue.

I will further state for the record that the properties to be offered for lease were offered to the Town of Walpole on December 21, 2021 with a copy of an independent appraisal for both properties and the Town of Walpole did not exercise its right to accept the terms of the lease before the offer expired on March 21, 2022.

I will also state for the record that the County notified, in writing, the Select Board of Walpole, members of the general court representing Walpole, the Norfolk County Advisory Board on County Expenditures and the Metropolitan Area Planning Council on December 21, 2021."

Chairman Shea then explained that the County intends to lease one property in the Town of Walpole to Kearsarge Energy LLC consisting of:

“9.0 acres of land to be leased from land that is owned by Norfolk County with the improvements thereon contiguous with the main campus (which consists of 202.6±Acres) of the Norfolk County Agricultural High School addressed as 400 Main Street, Walpole, MA, said 9.0 acres of land to be leased from portions of the following recorded & registered land parcels depicted on plans entitled: “Plan of Land in Walpole, Mass”, Plan Number 971 of 1969 in Plan Book 226, and “Plan of Land in Walpole, Mass”, Plan Number 69 of 1973 in Plan Book 235, and Land Court Case Plan 11282A, Lot A. The 9.0 acres leased area will include portions of the following Town of Walpole Assessor Maps-parcel numbers 13-169, 13-167, 13-166 and 18-21.”

Chairman Shea said that presently the parcel is undeveloped. He explained that the County proposes to lease the Premises to Solar Developer Kearsarge Energy for the construction and installation of a 1 megawatt AC ground-mounted solar photovoltaic (“PV”) array. Kearsarge will pay \$31,500 per year in-ground rent with a provision for a 1.5% annual increase in rent for the term of the lease. The lease term will be for twenty years.

Chairman Shea read a statement explaining the reason for the lease:

“In recent years, Norfolk County has struggled with the fact that revenue increases from Chapter 70 funding have been far outpaced by the increases in mandated school expenses including, utility costs, employee health insurance and special education needs.

While Norfolk County continues to make school funding a priority within its fiscal year operating budget and, historically, has exceeded its mandated contribution to the Norfolk County Agricultural School, increases in Chapter 70 funding have been negligible and have been far below the rate of inflation. This operational challenge for the County is striking when these negligible revenue increases are compared, for example, to the increased costs of employee health insurance.

Faced with these and other fiscal challenges, in June, 2017 the County issued a Request for Qualifications (“RFQ”) pursuant to 225 CMR 19.00, for qualified renewable energy Contractors (“Contractors or Respondents”) interested in implementing a performance based renewable energy system (“Project”) with guaranteed onsite electricity generation on certain County properties.

The County’s intent was to use this Solar Project to address, meet, or exceed several of its goals, objectives, strategies, and actions concerning the County and School’s fiscal needs including entering into a solar Energy Management Services Agreement (“EMSA”) that supports the County and School’s essential governmental functions, policies and goals of:

- (1) reducing energy costs;
- (2) promoting and supporting the development of renewable energy resources;
- (3) reducing the County's carbon footprint; and
- (4) developing a ninth through twelfth-grade curriculum in solar energy for the School that conforms to Common Core and Next Generation State Science Standards."

Chairman Shea then outlined the rules of the public hearing:

"This hearing is your opportunity to speak in favor or against the County's proposal to lease this property to Kearsarge Energy, LLC for the installation of solar panels specifically at the so called Fisher Street Site. The County Commissioners and the County Director have been receiving comments and feedback from Walpole residents on this project for years. The County has worked to continually respond to those comments, and the Commissioners appreciate your feedback.

In order to ensure everyone may have a chance to be heard on the project, we have asked that members of the public and local elected and appointed officials sign in at the door. We will call each person in turn and ask that you approach the microphone to make your comments.

Also, we ask that you focus your comments on why you are in favor or against this proposed lease at Fisher Street . We ask that you restrict your comments to 2-3 minutes to allow everyone a chance to speak and should

The purpose of this public hearing is to gather information and feedback from the Walpole community about the proposed lease. We do want to hear from you. However, no one from the County or Kearsarge will be answering any questions you may have. Rather, we intend to layout the proposed plans as currently envisioned. And, after receiving your input, we may alter our plans before we finalize the lease with Kearsarge."

Chairman Shea then called for Andrew Bernstein to give a presentation on behalf of Kearsarge Energy LLC.

Mr. Bernstein gave a presentation as outlined in Attachment A describing the solar project.

Mr. Bernstein said that the ag solar proposal represented a new approach and a New Project that integrates into the original Norfolk County and Aggie Sustainability Initiative by Extending Educational Component of North Street, adding to experiments with Pollinator Species; it is an excellent fit with Aggie curriculum, creating a learning experience. It is Cutting edge, positions Aggie as a leader in sustainability and agri-voltaics with a marketing/partnering opportunity with UMASS-Amherst.

Mr. Bernstein noted that Fisher St. 1 MW AC Ag Solar: Carbon offsets and Equivalencies: 1,769 tons CO2 annually offset Carbon sequestration equivalent is 1,967 Acres vastly offsetting 4 acres of 2nd growth trees removed. Massachusetts DOER SMART AG Solar program encourages development of solar + agriculture solutions

Mr. Bernstein described ag solar as being built on current farmland and having a raised structure that allows for agricultural workers and / or machinery (8-10ft). There is no more than 50% shading, a crop and farming plan endorsed by MDAR and UMass Amherst to ensure viability, an ongoing monitoring / research program delivering an annual scorecard to the DOER /UMass Amherst and MDAR.

Mr. Bernstein then explained how many iterations in location the project has gone through.

Mr. Bernstein explained the minimum distance from eastern boundary was increased from 130ft to 150 ft. Kearsarge will add screening as needed during site plan review. The array is located outside all environmental buffer zones, it will allow for continued use of the fields and trails for school activities, including: Annual Hay Ride, cross Country training and events as well as farming and hay production. Mr. Bernstein then gave a report on the dimensions, clearing and row spacing as follows.

Dimensions:

Array would "sit" on ~ 7 Acres, overlapping ~ 4.5 Acres of existing field
With no fences, total farmable field space would increase from ~9 Acres to ~13 Acres
Minimum setbacks 100 feet from all property boundaries, larger setbacks close to 170 feet in southern wooded area.

Clearing:

Working with the Aggie forestry team, ~ 4 Acres of 2nd growth / harvestable evergreen timber would be removed Important plantings in the South East have been identified and will be avoided

Row spacing, height and tracking:

Final row height and spacing will be based on farm equipment needs / Aggie input

- Currently panels set to 11ft high and 20+ feet rows
- Tracking system used to increase production, minimize shade (<50%) and allow for equipment movement
- Turn arounds of 50ft (min) at either end of the rows for equipment

Chairman Shea then invited members of the public to speak, asking them to limit their statements to three minutes and to make sure they state their names and addresses before speaking for the record.

Roy Nopel of 44 Wheelock Avenue in Norwood. He is the president of the Friends of Adams Farm. He said that the Massachusetts department of Environmental Resources strongly discourages locations that significantly result in the loss of farm and forest land.

He stated that rooftops, brownfields and parking lots were the suggested sites. He explained that the Friends of Adams Farm were unanimously against the project.

Nathan Meszaros-Phaneuf of 6 Acorn Street Bellingham. He thanked the County for the opportunity to speak and introduced himself as an alumni, and not against solar panels, but against the placement of them in important ecological areas. He claimed a possible vernal pool in close proximity to the location as well as bald eagles. He expressed the belief that students and staff in the school have been left in the dark regarding the project. He explained the importance of protecting the trees. He asked if there has been a wildlife plant study to make sure endangered animals are not harmed. He also said he cannot understand why the county has been so insistent on these locations. He reminded everyone that the County Commissioners are accountable to the people. He ended by saying he would not be voting for Commissioner Collins in the upcoming election.

Angelina Ruggiero from Walpole a student at the Agricultural School said she felt the solar panels on the roofs and parking lots are enough. She said the students are the most important part of the school and many do not know about the project as it has not been discussed collectively by the Superintendent, Principal and student body of the school. She asked that there be a fair vote on the subject.

Sue Ruggiero 277 High Plain Street, Walpole Ma asked what the panels are being constructed with and what the plan was for their decommission. She stated that she was not against solar panels, near highways and in business districts but not at the Aggie. She concluded her remarks by saying that this is not a business deal and the commission needs to take into account all the people who will be here in the years to come.

Emmitt Walsh from 1057 Main street in Walpole said that this proposal was a business deal, and that \$32,000 was a very small sum to get for the loss of a resource. He explained his feeling that the 9 acres of land effected by this project are being presented as if they will single handedly remedy climate change and decried the project as being short sighted and transparent.

Steve Hern from Walnut Street in Walpole said he echoed the concerns of those who came before him and also had concerns about panels that pivot from the center. He expressed concern that there was no provisions made for the decommissioning of the project and the return of the area to its original state. He said that this is a done deal and that the meeting was perfunctory.

Grace McCarthy 387 South Street in Foxborough said she was an alumnus of the class of 2020 and was a former state officer with the Future Farmers of America. She questioned the safety protocols for students during construction of the panels and throughout their operations.

Cassandra Ryan a member of the NCHAS class of 2021 who had recently come back from basic training who said the Forestry department was not sufficiently consulted and questioned if every tree taken down would be replaced somewhere else on campus.

Aileen, 10 Philip Road in Walpole- said that there is overwhelming community opposition to the project, and that the County officials have demonstrated that they are more concerned with personal advancement through dealmaking than listening to the citizens. She expressed frustration at the lack of examination of other options.

Matt Sheehan an alumnus of the school and member of the Board of Trustees from Dedham said that many of the individuals in favor of the project are no longer on the board and gave a timeline of events surrounding solar starting in 2017 with students seeking to reduce the carbon footprint and said he supported the solar panels on roofs as well as the carport however at some point in the process in 2020 the project grew. It came down to a five two vote to go forward with the project. He then explained the history of law suits relative to this project. He underscored how he is the only person on the board who went to the school. He talked about the importance of the Haunted hayride and the amount of money it brings in compared to the amount for the lease. He then urged people to vote out member of the Commission who favor the solar farm.

Chairman Shea interjected that he had been giving a good deal of latitude to people while speaking and asked that members of the public to keep their comments to the proposal at hand.

Chairman Shea called Kate Watson and David Johnson who each declined to speak.

Mr. William T. Hamilton of Walpole a former selectman spoke about the hazardous materials from the panels. He asked why the school was not growing food. He stated that risking the loss of Walpole for the benefit of Communist China is not a good policy decision. He also stated that he had spoken to the ghosts on the haunted hayride and they are not compensated. Which makes them treated like slave labor in Communist China.

Paul Yorkis from 6 Independence Way in Medway said everyone cares about the aggie it is just a disagreement on how best to serve the school. He said the county must have a comprehensive renewable energy plan, he said the lease should not be signed, he also said that solar is not a Walpole responsibility it is a county responsibility.

Red Morse the president of the Norfolk Aggie Alumni Association which he has been president of for over 12 years, he said that the association is not opposed to solar at the school but its location. He feels that it is ridiculous to say that the Dover amendment allows this project. He questioned the educational benefit of the project. He said if Dave Leto was still alive he would be opposed to this project.

Justin Kennedy a resident of Bellingham Ma and a 1997 Aggie Graduate said that everyone present was a stakeholder of the school and the Commissioners were stockholders. He urged the Commissioners to listen to the people.

Sarah Colleran from Whitman Ma spoke as an out of district student mom. She said that 11 feet is not high enough for the hayride. She spoke about the benefit of the school to her son.

John Burnett from Whitman Ma. An alumnus of the school said common sense needed to be utilized. He said he would consult the Attorney Generals Office about the lack of question and answer at the meeting. He said the US government is the largest mismanaged non profit in the world. He said that there might be another deal we don't know about and that the Commission must be transparent. He said everyone did a great job in speaking up and that on January 6th what happened was a lot of people speaking up for their country.

Ms. Joanne Damish, former Walpole Selectman said that years ago the community of Walpole tried to zone the area of aggie fields parks and recreation in order to stop projects like the one before the Commission. She urged the Commission to stop the project.

Pete Pataska(sp?) from Beethoven Ave in Walpole questioned the County's lack of a comprehensive plan to reduce the carbon footprint. He also said the Norfolk County Capital Plan is not a document which seeks to expand carbon reduction.

Tom Snyder from Clark Ave in Walpole said that as an environmentalist and the loss of trees is unacceptable. He also noted that solar technology is advancing so rapidly that the panels would be obsolete in a few years. Finally he said the greenspace in Walpole is attractive and loss of that space would hurt the town.

Peter Kane a resident of Westwood and teacher at the school said that his voice was shot and asked Eddie McClellan of High Street Walpole MA to read his statement. Mr. Kane said that the school is an agricultural high school, not a nature preserve the loss of 6% of the woods is far outweighs the benefits. He underscored the ag solar project would incorporate farming components. Finally the need to address the schools carbon footprint cannot be understated.

Chairman Shea asked if anyone else would like to speak

Val Stone of Norfolk Ma said that they were a teacher at the school, a farmer, and an alumnus. They said they hated change but change is necessary, They said the partnership with UMASS Amherst would be invaluable and as it stands right now his students get very little benefit from the area. He said it takes a lot of privilege to complain about how the school looks while the need to address carbon emissions is not met.

Luke Burns Plainville mass and a teacher/ alumnus. He said he respected everyone's comments but cutting down trees was not good stewardship.

Demetria Sullivan a member of the Dedham Selectboard asked that the hearing be left open and that the Commission take more time to listen to constituents.

Chairman Shea called for comments from the zoom.

Olivia Cullen of 27 Bubbling Brook Road a 30 year resident said the hardware and software will be come outdated soon. She said the site is unsuitable and the so called educational portion of the project is a last minute ploy to make the project more palpable.

Chairman Shea asked Commissioner Staiti to read online correspondence into the record.

Commissioner Stati read the following correspondence into the record:

From Anna Mitchell

"Hello,
I wanted to let it be know to the Commissioner's Office know that I disagree with this project.

I do NOT agree with cutting down trees at the Aggie school to put up solar panels.

This is a beloved hiking area for families in the area and sustains wild animal life for the area as well.

This is not a environmentally appropriate project. There are other areas where one can install solar panels that would would not require cutting down trees and vegetation.

The Aggie already utilizes solar panels on its building which can be used to teach children about how to counter effects of climate change. Cutting down trees clearly counters that thought process.

This plan is very disappointing and I wholeheartedly disagree with this solar power installation project in the current proposal.

Thank you,
Anna Mitchell"

From M. A. McMorrow

"Norfolk Commissioners

I am against the installation and 20-year lease for a solar farm in North Walpole (either Aggie or elsewhere). The solar installation will be disruptive to the beauty and animal life in that location. I live about 1/2 mile from Aggie in the nearby Northwoods neighborhood. I drive by the cows every day, several times a day - one of only a couple of scenic views in all of the Town of Walpole. Bottomline, I simply do not want to see solar panels that typically line highways. Let's look harder at the County budget to tag savings of the same amount without touching the countryside.

A couple other places that would be more amenable for an installation - new town sports fields off the 1A, or tucked back in the Town campsite near Providence Highway by Mick Morgan's. These would be out of view.

As an aside, I am in favor of offering more cutting edge curricula to Aggie students. But, let's try to solve that opportunity specifically, and not as a sweetener to an otherwise unacceptable plan.

Mary Alice McMorro 310.600.6345"

From Brandon Bale

"Norfolk County Commissioners Office,

After reviewing the newly proposed actions (from the July 26, 2022 briefing) and solar panel footprints, I continue to strongly object to this plan as it would be very harmful for this area. The approach outlined in the briefing seems like only a slight modification to the previously discussed proposals from Kearsarge Energy. Specifically,

- The ground mounted panels will not add additional educational benefits to the students of the Norfolk County Agricultural school. The educational benefit is already being realized with the installed roof top panels.
- The proposed plan will have a significant effect on vegetation and trails.
- The proposed plan is not considering electrical, power, and noise considerations that will be required to sustain such a solar panel array. This is significant and will impact surrounding neighborhoods.

I am hopeful that Norfolk County will reconsider the current plan to not disrupt green space and trails that the community values and uses. I am not opposed to solar or the educational value it could provide to students of the Norfolk County Agricultural school, however I think that educational objectives can be achieved with rooftop solar panels that the students work with/operate. I believe the county could find other land (brown space or industrial parks) to put a larger acreage of land panels with Kearsarge Energy to fund the County as needed. Massachusetts has been forward-leaning for understanding the value of protecting our natural environment and I ask you to continue the effort that has been successfully championed by many of our civic and community leaders over the years. We must protect our sacred natural habitats so they can be enjoyed by the community members and future generations as well as sustain healthy, diverse wildlife.

Sincerely,
Brandon Bale “

The Frucci Family

“Dear County Commissioners,

I would like to follow up from the public hearing on Monday, August 29, 2022 and share recent findings and information on the health risk associated with living near solar farms.

I recently visited www.emf-risks.com and uncovered an article dated 3/11/2022 titled, “Health Risks When Living Near Solar Farm Places 2022.” I encourage you to please visit the article to learn more about the negative implications of electromagnetic fields.

The article shared that the World Health Organization recognizes electromagnetic hypersensitivity a health risk associated with living near solar farms. The symptoms triggered by the close proximity of solar farms range from headaches, fatigue, skin rash, sleep disturbance and cancer. Noise and light pollution also effect people living near solar farms, as the panels distribute light, at night and a humming noise disrupts ability to sleep and/or rest.

Other cons are explained in the article that include impact to wildlife, aesthetics, property values and eliminating open space. All of which were expressed to you in previous feedback from the people opposing this project.

Common sense was expressed many times during Monday’s open meeting. Our hope is that you use common sense to protect the students at Norfolk Aggie and abutting neighbors from potential health risks. The financial gain from this project can be offset by other options previously provided to the commissioners. There is no financial gain that out weighs one’s health

The overwhelming opposition to this project’s planned location, and the health risks, along with other Cons, should be enough to help with a common sense decision not to move forward with this project.

Thank you,

Anthony and Deanna Fruci”

Alan Marshall

“Hello - I am writing today to express my dismay at the proposed solar project at the Norfolk Aggie HS. While I am a proponent of solar projects, I do not believe that this is the right place for this project. Mainly the removal of trees is contradictory to the idea of

creating green energy. We need more trees not less. Second, It will alter the longstanding fundraiser, The Haunted Hayride. This is a staple for the school and the community. Any changes to it will be disheartening for many in the area. Also, the trail signs that help you navigate the nature trails there are an Eagle Scout project from 2018, created and placed by an Aggie student and Eagle Scout.

I believe that there are other alternatives to putting these solar panels on this property? The panels on the Aggie buildings are a great start. How about adding panels to other county buildings? No environmental damage would need to occur? Panels above other parking lots? Again, minimal environmental impact.

If the county is in need of money, it would be fiscally prudent to eliminate or change the county government structure as the towns now perform all of the necessary functions of what the counties used to do. This would save many times over what the solar project would bring in. Or reduce the pay for the commissioners as they get paid quite a bit for few hours of service.

Please reconsider this solar project. The Aggie fields property is not the appropriate place for these panels. I would venture to guess there are plenty of more appropriate places for these panels.

Regards,
Alan Marshall, 318 Fisher St Walpole"

Chairman Shea gave a final call for speakers,

Peter Pocizen spoke on behalf of the Boylston Schul-verine in North Walpole an abutter to the hilltop project. And expressed his opposition citing how much the German Club members love the fields.

Commissioner Staiti thanked everyone for their comments and said that the project was not a done deal.

Nathan Meszaros-Phaneuf rose and said there was not enough information surrounding decommissioning of the project.

Hemali Patel a Walpole resident said that there were not enough question and answer sessions.

Scott Lopez said that the County executed an Energy Management Services Agreement with Kearsarge Energy for the Hilltop site which is not at issue this evening. He said many of the questions being asked are already in the public record.

There were a number of outbursts with individuals talking over one another.

A young woman came to the microphone identifying herself as Lina and expressed her love for the school.

Paul Yorkis asked County Council if anything in the law prevented having a question and answer period.

Counsel Lopez reiterated there is no statutory requirement to do so.

There were a number of outbursts with individuals talking over one another.

Mr. William Hamilton of Walpole asked another question about decommissioning.

Chairman Shea thanked everyone for their input and said the Commission would take the matter under advisement.

Meeting adjourned at 9:25 pm.

ATTEST:

Recording Secretary

Clerk