

CITY OF NORTH ADAMS
City Clerk's Office
February 9, 2012

I hereby notify you that at twelve o'clock noon today the following items of business have been filed with this office and will be acted upon at the meeting in the City Council Chambers at City Hall, Tuesday evening February 14, 2012 at six-thirty o'clock according to Section 8, Rules and Orders of the City Council.

Marilyn Gomeau
City Clerk

REGULAR MEETING OF THE CITY COUNCIL
February 14, 2012

Roll Call

Moment of silent prayer

The Pledge

Hearing of Visitors

Approval of the minutes of regular meeting held on January 24th.

PUBLIC HEARING

11,212 Mayor's communication #2 regarding signing Power Purchase and Site Lease Agreements for Solar Power, a Public Hearing between Council, Planning Board, Zoning Board and Airport Commission.

CLOSE PUBLIC HEARING

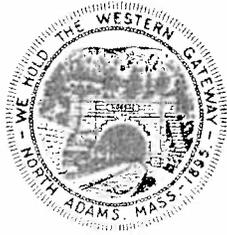
- 11,214 Mayor's communication #3 recommending an appropriation of \$12,000 from the Sale of Land Account for the purpose of purchasing a house located at 154-156 Protection Avenue.
- 11,214 An Order appropriating the sum of \$12,000 from the Sale of Land Account to Capital.
- 11,214-a An Order authorizing the Mayor to purchase property located at 154-156 Protection Avenue, intending to demo the building and redesign the street corner for safety and future parking adjacent to Alcombright Athletic Complex.
- 11,183-1 Mayor's communication #54 regarding parking revenue to the City, which was postponed at the meeting of December 13, 2011.
- 11,168 Mayor's communication #32 recommending consideration of adopting a BYOB Policy or City Ordinance, which was referred to the General Government Committee and postponed at the meeting of January 10, 2012.

- 11,124-1 Communication submitted by Councilor Blackmer regarding reconsideration of re-zoning of property located at 420 Curran Highway, Curran Highway Development LLC, which was referred to the City Solicitor to draft an Ordinance at the meeting of January 24th.
- 11,215 Order calling the Presidential Primary for Tuesday March 6, 2012 from 7:00am to 8:00pm.
- 11,216 Communication submitted by Councilor Marden regarding collecting unpaid municipal taxes.

CORRESPONDENCE

COUNCILLOR'S CONCERNS

OPEN FORUM



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

January 24, 2012

To: North Adams City Council
Re: Solar Power

#2

Dear Honorable Members:

This is a very exciting time for the City of North Adams as we are on the cusp of signing Power Purchase and Site Lease Agreements regarding our Solar Project.

We have taken several months under the guidance of Robert Patterson our energy consultant and City Solicitor DeRosa to fine tune the agreements with Blue Wave Capital. As you may recall, the project includes arrays at the Land Fill, Airport, former waste Treatment Plant and Drury High School and has the potential when completed, to provide more than 4 megawatts of power. Mr. Patterson along with Ross Vivori and Mike Nuvallie have worked very hard with John DeVillars and Eric Graber-Lopez from Blue Wave to put together a package that has the potential to save the City \$11,000,000 in electricity costs over the next 20 years.

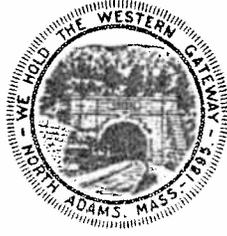
I have invited Mr. DeVillars and Mr. Graber-Lopez to make a presentation at a Joint Public Hearing of the City Council, Planning Board, Zoning Board and Airport Commission at the Council meeting of February 14. Additionally, Mr. Vivori, Mr. Nuvallie and Attorney DeRosa will be on hand to help with any questions Council or board and commission members may have. This will also be a wonderful opportunity for the public to see this project as it continues to move forward. I am hoping to have an informational packet in advance with your papers for that meeting.

This should be a very interesting and informative presentation.

Sincerely,

Richard J. Alcombright
Mayor

cc: Planning Board, Zoning Board, Airport Commission, John DeVillars, Robert Patterson, Attorney John DeRosa, Ross Vivori, Mike Nuvallie, Bill Meranti



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

July 12, 2011
#32

The North Adams City Council
Re: Request from Big Shirl's Restaurant

Dear Honorable Members:

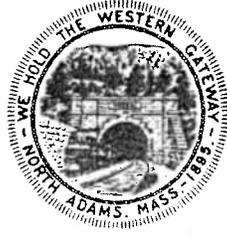
The owners of Big Shirl's Kitchen have requested that the City adopt a BYOB policy or ordinance. This practice is becoming more popular around the state and would allow an establishment to have beer and wine on the premise that would be brought in by the customer....with certain levels of control.

The idea was forwarded first the City Solicitor and I have attached his opinion. While permitted, he indicated that the "City may choose to regulate to restrict the practice". The License Commission, upon receipt of the opinion decided that it was not in their purview to act and I have included their meeting minutes. I have been further asked by the owners to bring this to Council. I would ask that this be referred both to my office and the appropriate council committee as determined by the President for further discussion.

I do have policy and ordinance from several other places as well as a printout of communities in the Commonwealth that have taken action for and against and will provide to the appropriate committee chair.

Sincerely,

Richard J. Alcombright
Mayor



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright #54

October 11, 2011

To: North Adams City Council
Re: Parking Revenue

Dear Honorable Councilors:

At the meeting of August 23, 2011 Council was approached regarding Parking Revenue. I have attached a six year comparative summary for your review. The summary addresses the four areas of revenue to include meters, permits, tickets and penalties.

As you can see, revenues dropped from FY2008 to FY2009 continuing through FY2010 with a modest increase in FY2011. Most of the revenue reduction could be attributed to a large reduction in Parking Ticket revenue. Additionally, there was a large reduction in Parking Permit revenue in FY2010. I am working with the Parking Officer as well as the City Auditor to try to determine why the large drop in permit revenue.

I would ask the Council to refer this to the Finance Committee and upon receipt of further documentation and recommendations resulting from internal discussion, I will then meet with the Finance Committee to review.

Sincerely,

Richard J. Alcombright
Mayor

City of North Adams
 Revenue Comparison Report
 Parking Department
 For Fiscal Years 2006-2011

	2006	2007	2008	2009	2010	2011
Parking Meters	\$ 12,107.91	\$ 13,643.86	\$ 13,140.46	\$ 16,484.39	\$ 12,620.26	\$ 12,978.13
Parking Permits	\$ 39,855.00	\$ 49,297.00	\$ 47,039.50	\$ 53,585.00	\$ 37,935.00	\$ 52,294.00
Parking Tickets	\$ 32,060.00	\$ 29,157.00	\$ 34,397.00	\$ 12,781.00	\$ 10,924.00	\$ 15,095.00
Parking Penalties (Late Fees)	\$ 18,447.00	\$ 17,381.00	\$ 16,339.00	\$ 5,841.00	\$ 3,336.00	\$ 8,280.00
Total	\$ 102,469.91	\$ 109,478.86	\$ 110,915.96	\$ 88,691.39	\$ 64,815.26	\$ 88,647.13



Office of the City Council

City of North Adams

10 Main Street Room 109

North Adams, Massachusetts 01247

(413) 662-3015

January 18, 2012

Dear Fellow Councilors,

The owners of 420 Curran Highway have approached me regarding the re-zoning of their property. In looking at the opinion of the City Solicitor, I think now is the appropriate time to address this issue.

Respectfully submitted,

Lisa M. Blackmer
Vice President

DEROSA DOHONEY LLP

ATTORNEYS AT LAW

John B. DeRosa
Richard M. Dohoney
Thomas Manuel *
Farrah S. Wax**

February 8, 2012

Morton Freedman
Retired
* Also admitted VT
** Also admitted NY

Marilyn Gomeau, City Clerk
City of North Adams
10 Main Street
North Adams, MA 01247

Dear Marilyn:

You have requested that our office draft a Zoning Ordinance that proposes to rezone property at 420 Curran Highway. You have included in your transmittal letter Council Paper 11,124-1, consisting of a letter from Councilor Lisa Blackmer requesting the City Council to consider a request from Charles Fox to rezone a portion of his property at that address.

We had previously opined that rezoning of a single lot raises certain implications regarding spot zoning which, in the instant matter, may be impermissible, and subsequently at the Council's request outlined the procedural steps necessary to effectuate a change in zoning generally. We note in the letter from Charles Fox that in February, 2011, there was a joint meeting of the City Council and the Planning Board to address the issue "which also affected the land of our adjacent owner . . . and that he (the adjacent owner) determined that it was not in his interests to have the zoning district line adjusted". We understand that neither the City Council nor the Planning Board took further steps in regard to this matter.

We are unable to draft a proposed Zoning Ordinance as you requested. Based upon the information you provided, it is our opinion that to rezone one lot belonging to one or more owners, for the purposes referred to the letter, is not permitted.

The purpose behind the doctrine of illegal spot zoning – which, when it applies, results in invalidation of the offending zoning regulation – is to prevent municipalities from violating the uniformity provision of G.L., Chapter 40, Section 4, by treating similarly situated properties differently, without rational planning objectives. See the case of Nat'l Amusements, Inc. v Boston, 29 Mass App. Ct 305, 312 (1990). Although the issue is a complicated one, in short, we are concerned that drafting a Zoning

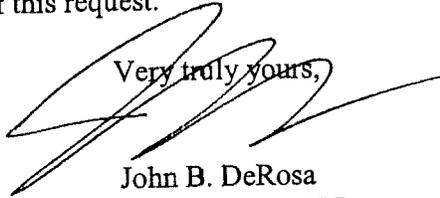
120 MASS MOCA WAY
NORTH ADAMS, MASSACHUSETTS 01247
TELEPHONE (413) 664-1073 TELEFAX (413) 664-7379

BEACON OFFICE COMPLEX, 55 NORTH STREET, SUITE 304, PITTSFIELD, MASSACHUSETTS 01201
TELEPHONE (413) 418-0998 TELEFAX (413) 664-7379

Ordinance amendment as requested, without additional planning, and without consideration of the use of similar and adjacent properties and the identification of long range planning objectives, would fall within the spot zoning prohibition.

Nothing in this opinion precludes the City Council from referring the request to one of its committees or to the Planning Board for the purpose of considering appropriate uses of the property and adjacent properties, and identifying rational planning objectives. We would be available to work with a City Council committee or the Planning Board relative to further review of this request.

Very truly yours,

A handwritten signature in black ink, appearing to read 'John B. DeRosa', written over the typed name.

John B. DeRosa
DeRosa Dohoney LLP.



City of North Adams

In City Council

February 14, 2012

Ordered:

That the City Clerk is hereby directed to cause to be posted, as required by law, the following notice of primary:

NOTICE OF PRESIDENTIAL PRIMARY

City of North Adams, Massachusetts

Notice is hereby given that primaries of political parties will be held on Tuesday, the sixth day of March, 2012 in accordance with the provisions of law governing the same in the following places, namely:

- Ward 1 St. Elizabeth's Parish Center, St. Anthony Drive
- Ward 2 St. Elizabeth's parish Cenrter, St. Anthony Drive
- Ward 3 St. Elizabeth's parish Center, St. Anthony Drive
- Ward 4 Greylock School, Upper Phelps Avenue Entrance
- Ward 5 St. Elizabeth's Parish Center, St. Anthony Drive

Polls will be opened at 7:00 o'clock in the forenoon and closed at 8:00 o'clock in the afternoon, and all voters will, in the several wards in which they are entitled to vote, between said hours give in their votes for the Election of Candidates of Political Parties for the following offices:

PRESIDENTIAL PREFERENCE	FOR THIS COMMONWEALTH
STATE COMMITTEE MAN	BERKSHIRE, HAMPSHIRE, FRANKLIN AND HAMPDEN DISTRICT
STATE COMMITTEE WOMAN	BERKSHIRE, HAMPSHIRE, FRANKLIN AND HAMPDEN DISTRICT
DEMOCRATIC WARD COMMITTEE	15 MEMBERS PER WARD (ONE THROUGH FIVE)
REPUBLICAN WARD COMMITTEE	15 MEMBERS PER WARD (ONE THROUGH FIVE)
GREEN-RAINBOW	15 MEMBERS PER WARD (ONE THROUGH FIVE)

February 9, 2012

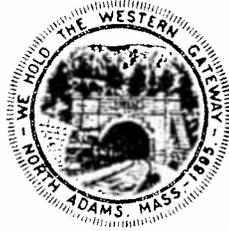
**To: City Clerk Marilyn Gomeau
From: City Councilor Alan Marden
Re: Mayoral Report/Update**

Please place an item on the agenda of next Tuesday's City Council meeting that requests a report from Mayor Richard Alcombright on the matter of unpaid municipal taxes, the total amount past due, the efforts of the city to collect, the pros and cons of aggressive collection and ultimate city ownership and all related matters.

I have discussed this with the Mayor and he is expecting this request. I attended a workshop on this subject at the recent Massachusetts Municipal Association and received some useful information about how other communities deal with this important issue.

Thank you.

A handwritten signature in black ink, appearing to read "Alan Marden", with a long horizontal flourish extending to the right.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

February 14, 2012
#03

The Honorable City Council
Re: Purchase of Property

Dear Honorable Members:

I have negotiated a bid through a local realtor for a house located at 154-156 Protection Ave in the amount of \$12,500. The asking price was \$29,000. This bid was entered subject to appropriation and approval of the City Council.

The property is located on the north side of the street as you enter the very sharp "S" curve just before the Alcombright Athletic Complex sign. My recommendation is to raise the property in the future entertaining two options: re-design the street to straighten the corner or pave and stripe the parcel for additional parking.

The building has been thoroughly reviewed by Building Inspector Meranti and in his opinion it does not pose any significant abatement issues and can be raised for approximately \$20,000.

I believe this is a good opportunity for the City and I respectfully request the Council adopt the accompanying Orders to appropriate \$12,500 and purchase from the Sale of City Owned Property Account.

Sincerely,

Richard J. Alcombright
Mayor

RJA/II



City of North Adams

In City Council

February 14, 2012

Ordered:

That the sum of TWELVE THOUSAND FIVE HUNDRED DOLLARS (\$12,500.00) be and is hereby appropriated from the Sale of City Owned Property Account to:

- | | | |
|----|-------------------|-------------|
| 7. | <u>CAPITAL</u> | |
| | Property/Purchase | \$12,500.00 |



City of North Adams

In City Council

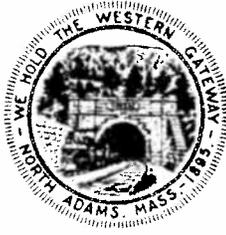
February 14, 2012

Ordered:

WHEREAS, the City North Adams intends to purchase the real property and building thereon located at 154-156 Protection Ave, North Adams with the intention of demolishing the building and redesigning the street corner for safety reasons, and in the future providing additional parking for the adjacent Alcombright Athletic Complex.

NOW THEREFORE, IT IS ORDERED:

That the Mayor, acting for and on behalf of the City of North Adams, be and is hereby authorized to purchase the real property and building thereon located at 154-156 Protection Ave, North Adams (the "Property"), for the purchase price of Twelve Thousand Five Hundred (\$12,500.00) Dollars; and in connection therewith to accept the deed and execute any and all documents required and necessary to effectuate the purchase of the Property.



CITY OF NORTH ADAMS, MASSACHUSETTS

Office of the Mayor
Richard J. Alcombright

February 14, 2012

The Honorable City Council
Re: Solar Power

Dear Honorable Members:

As stated in my communication of January 24, this is a very exciting time for the City of North Adams as we are on the cusp of signing Power Purchase and Site Lease Agreements regarding our Solar Projects.

This presentation is preliminary to further consideration or action by any City board or commission and any further action or permitting will continue as necessary. What will be presented at the meeting will be an update on the project as well as a timeline for further action. I have attached the presentation from Blue Wave Capital along with a letter from Robert Patterson for your review prior to the meeting.

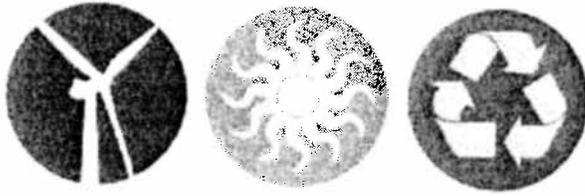
I am pleased to say that we are moving quickly towards projects that we will all be proud of. The installation of these arrays will provide significant savings to the City in the form of power purchase and will also send a clear message that the City of North Adams is committed to clean energy and our environment. I am looking forward to a very enlightening presentation.

Sincerely,

Richard J. Alcombright
Mayor

RA/II

cc: Planning Board, Zoning Board, Airport Commission, John DeVillars, Robert Patterson, Attorney John DeRosa, Ross Vivori, Mike Nuvallie, Bill Meranti



W. ROBERT PATTERSON & ASSOCIATES

February 7, 2012

Richard J. Alcombright - Mayor
City of North Adams - City Hall
Main Street
North Adams, MA 01247

Subject: City of North Adams Solar Farm Contract Negotiation

Dear Mayor Alcombright:

W. Robert Patterson & Associates has assisted the City of North Adams (North Adams) in the negotiation of its PV Solar contracts (Power Purchase Agreement (PPA) and Site Facility Leases). This assistance focused on the project specifications, contract business terms and pricing necessary for North Adams to have competitive Solar Power Purchase and Site Lease Agreements with the Alteris/BlueWave-Capital (BlueWave-Capital) et al.

This negotiation focused first on the PV Solar project for the City's Capped Landfill. The BlueWave-Capital qualifications, capped land-fill technical specification and preliminary project pricing were subject to the following three steps:

First, BlueWave-Capital's detailed specifications for the Capped Landfill project, its expected operating performance, capital and operating costs, and the pricing of the project and its Power Purchase Agreement (PPA) were reviewed.

Second, North Adams then proceeded to address specific terms and conditions in the language of the PPA and request a re-drafted Site Lease Agreement (Lease) tailored to the Capped Landfill project site. The terms and conditions addressed included: financing including the sale of the SRECs; project performance including its guarantee; payment & performance bonding; insurance; equipment warranties; site agreements; electric interconnection; taxes, fees and charges; and decommissioning.

Third, given the documented changes from the **First** and **Second** steps, North Adams conducted final negotiations with BlueWave-Capital to nail down the final details of the PPA contract.

Richard J. Alcombright - Mayor
City of North Adams - City Hall – 2/7/2012

Based on this PPA contract negotiation for the Capped Landfill, North Adams and BlueWave-Capital are able to expedite the PPA contracts for the North Adams airport, retired waste-water treatment site and a roof-top PV system for the Drury School. It was recognized that the roof-top system on the Drury School might be limited in size so BlueWave-Capital is examining other municipal sites as insurance for the development of additional PV Solar system capability.

Finally, the negotiation with BlueWave-Capital is examining the Lease agreements for the Capped Land-Fill and the airport and the retired wastewater treatment site. This review is expected to be concluded in the next several weeks.

Accordingly, this review and negotiation with BlueWave-Capital by North Adams with the assistance of W. Robert Patterson & Associates has concluded in competitive and acceptable Power Purchase Agreements and practical site Leases for the City.

Sincerely yours,

A handwritten signature in black ink that reads "W. Robert Patterson". The signature is written in a cursive, slightly slanted style.

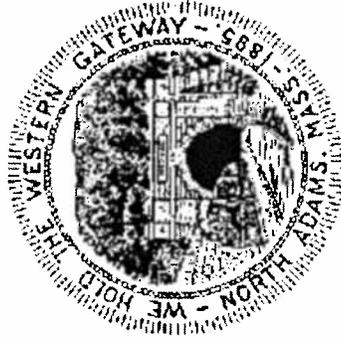
W. Robert Patterson
Principal

WRP/sj
Cc: Ross Vivoni
Mike Nuvallie

City of North Adams Solar Project: All of the City's Electricity needs from the Sun for Years to Come



Drury HS



E Street Landfill

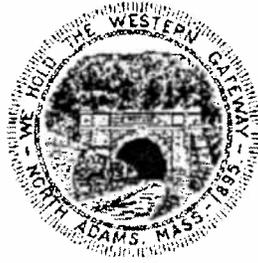


Harriman & West Airport



Old Waste Water Treatment Plant

B L U E W A V E
C A P I T A L



BlueWave Capital's goal is to be a long-term partner with the City to make North Adams a leader in the adoption of solar energy in the Commonwealth and thereby lower electricity bills for the City and its businesses and homeowners, as well as reduce the City's carbon emissions.

BlueWave Team

- * Optimal partners for the City of North Adams:
 - **BlueWave Capital:** Project developer and a leader in brownfield and landfill redevelopment with current solar projects under development in Massachusetts in excess of 30MW
 - **RGS Energy (Commercial division of Real Goods Solar and formerly known as Alteris Renewables):** Largest, most experienced solar installer in the Northeast, 4,000+ installations in the region and 11,000+ nationwide; innovative residential program
 - **Tighe and Bond:** Experienced engineering firm with deep knowledge of the North Adams' former landfill site

BlueWave Capital

B L U E W A V E
C A P I T A L

- BlueWave develops distributed scale solar photovoltaic projects in the Northeastern United States and Canada with a special focus on municipal projects.
 - **Proven track record** in renewable energy – 30+ MW of projects under development in New Bedford, Taunton, Amherst, Bridgewater, Athol and North Adams
 - Innovative focus on integrated, **community-wide programs and benefits**
 - Deep involvement in the **development of the Green Communities Act** and related rules, regulations and policies
 - Extensive experience in the environmental **permitting of complex development projects for renewable energy and economic development**

B L U E W A V E
C A P I T A L

4

RGS Energy

(Commercial division of Real Goods Solar,
formerly known as Alteris Renewables)



- Largest and most experienced solar installer in the Northeast; 60+MW installed capacity; more than 11,000 installations.
 - Formed through the merger of Alteris Renewables and Real Goods Solar with 30+ years of experience and industry partnerships
 - Serving residential, commercial, municipal and academic clients with solar PV and Wind energy solutions.
 - Ranked as one of the top 15 fastest growing energy companies by the Inc 500 in 2009 and 2010.
 - Zero Down Solar program for residential properties.
 - Leading Green Communities program for the City.
 - Extensive educational programming experience.

B L U E W A V E
C A P I T A L

5

Tighe & Bond

A Leading Regional Engineering Firm



- Full service engineering and permitting firm with extensive experience in landfill closure, permitting, and Operation & Maintenance. Firm has a deep knowledge and understanding of North Adams former landfill facility and a long-term commitment to the City.
 - Site identification
 - Site assessment
 - Environmental impact analysis
 - Civil engineering
 - Electrical engineering
 - Structural engineering
 - Regulatory compliance
 - Site assessment and remediation
 - Permitting

Approach to Project Development Challenges

The BlueWave Capital team is well equipped to manage the complexities of solar development in the Commonwealth

- ⌘ Financing environment is volatile and difficult to manage
 - BlueWave's capital partners are committed to solar development in Massachusetts
- ⌘ Potential damage to existing landfill cap at landfill
 - BlueWave's engineering partner, Tighe and Bond, has extensive landfill management experience and knowledge of North Adams' facility
- ⌘ Complex utility interconnection process
 - RGS Energy has interconnected hundreds of projects to the National Grid systems and recently completed interconnection of the largest solar project in New England
- ⌘ Regulatory reviews
 - BlueWave's team has substantial experience with MA DEP, MA EEA, MA NHP, MA DOER, and MA DPU.

Benefits for City of North Adams

The City will receive financial, environmental and social benefits for years to come

Financial

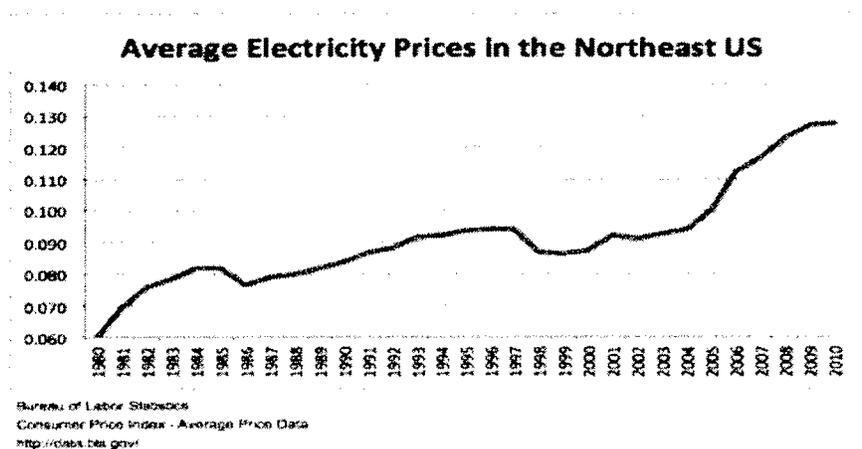
- Substantial long-term cost savings
- Electricity price stability and predictability
- Rapid deployment and cost synergies
- Financing flexibility and system ownership option

Environmental & Social

- Nearly 100% of Municipal load will be supplied by clean solar energy
- Reduce the City's CO2 emissions by nearly 50,000 tons over the productive life of the photovoltaic system; equivalent to removing over 7500 cars from the road and planting nearly 80,000 trees
- Third party-financed solar for commercial and institutional facilities
- "Zero Down Solar" and "Leading Green Communities" for North Adams' homeowners and businesses

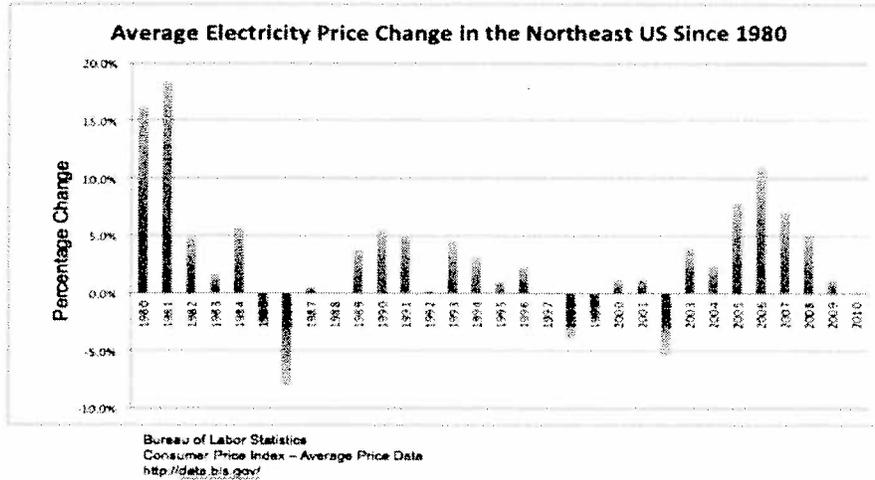
Benefits for City of North Adams

Rate offered to the City of North Adams will be lower than delivered power prices in the Northeast for the last 30 years or longer



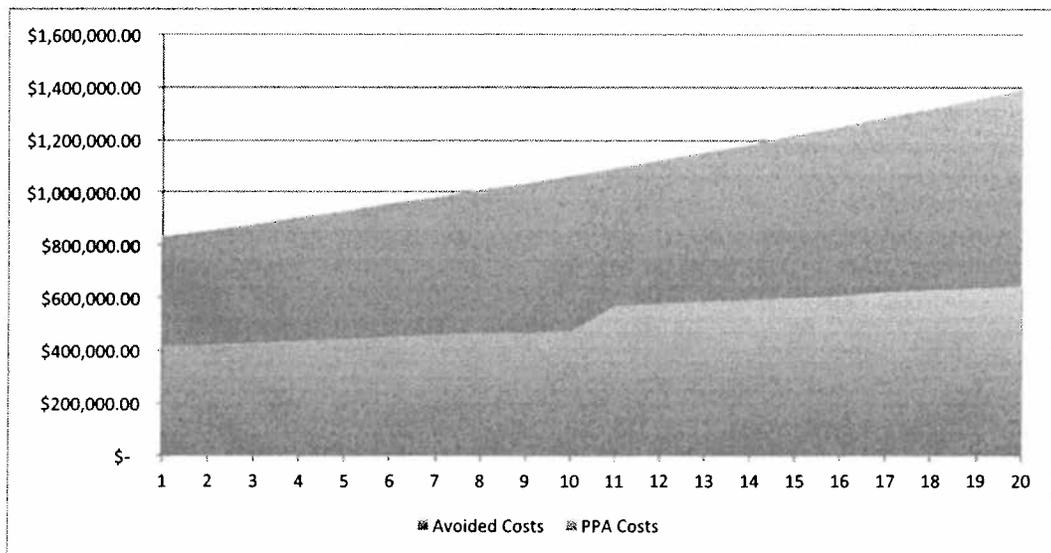
Benefits for City of North Adams

Electricity prices have risen 3 out every 4 years since 1980, our PPA proposal will offer significant price protection and certainty over the life of the agreement



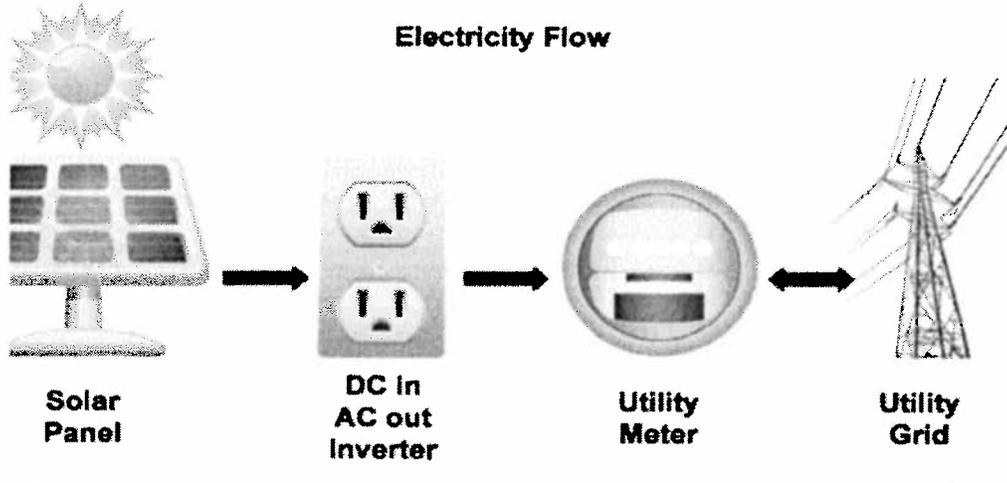
North Adams Estimated Savings

City of North Adams could save over \$11 million over the life of the agreement based on a set of projects totaling 4.6MW in installed capacity.



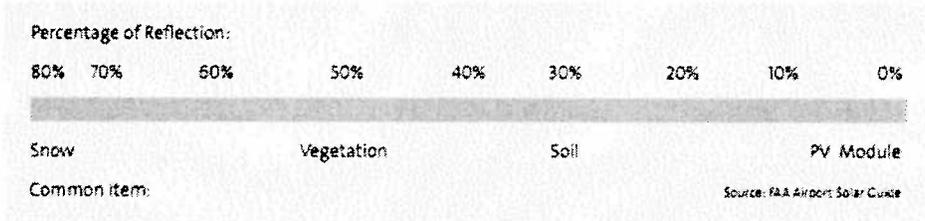
How Benefits flow to City of North Adams

City purchases Net Metering credits at a significant discount compared to the cost of electricity from National Grid. Credits are generated at project facilities and then allocated to City accounts.



Do Solar Panels Reflect Light?

According to the FAA, solar panels reflect light a bit more than black asphalt, less than water, much less than wood shingles or bare soil. Panels are designed to absorb light, not reflect it. Light that is reflected does not generate electricity and panels are designed to minimize it.



Do Solar Panels Make Noise?

Solar panels have no moving parts and make no noise. Noise is generated by inverters/transformers during daytime when the sun is shining and the system is operating. PV system is silent at night. At 50 feet, an inverter/transformer is no louder than a quiet urban environment or a dishwasher operating in an adjacent room.

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 300m (1000 ft)	130	Rock Band
Gas Lawn Mower at 1 m (3 ft)	100	
Diesel Truck at 15 m (50 ft), at 80 km (50 mph)	95	Food Blender at 1 m (3 ft)
Noisy Urban Area, Daytime	80	Garbage Disposal at 1 m (3 ft)
Gas Lawn Mower, 30 m (100 ft) Commercial Area	70	Vacuum Cleaner at 3 m (10 ft)
Heavy Traffic at 90 m (300 ft)	60	Normal Speech at 1 m (3 ft)
Quiet Urban Daytime	50	Large Business Office
Quiet Urban Nighttime	40	Dishwasher Next Room
Quiet Suburban Nighttime	30	Theater, Large Conference Room (Background)
Quiet Rural Nighttime	20	Library
	10	Bedroom at Night
	0	Concert Hall (Background)
		Broadcast/Recording Studio
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

Table 1. Perceived Change in Noise Levels

Change in Sound Level	Perceived Change to the Human Ear
+/- 1 dBA	Not Perceptible
+/- 3 dBA	Threshold of Perception
+/- 5 dBA	Clearly Noticeable
+/- 10 dBA	Twice (or Half) as Loud
+/- 20 dBA	Fourfold (4x) change

Table 2. Addition of Inverter Noise at 50 feet

Number of Inverters	Combined Noise Level (dBA)
1	59
2	$10 \cdot \log(10^{\frac{59}{10}} + 10^{\frac{59}{10}}) = 62$
3	$10 \cdot \log(10^{\frac{59}{10}} + 10^{\frac{59}{10}} + 10^{\frac{59}{10}}) = 64$
4	$10 \cdot \log(10^{\frac{59}{10}} + 10^{\frac{59}{10}} + 10^{\frac{59}{10}} + 10^{\frac{59}{10}}) = 65$

How much noise exactly?

Incremental noise levels impacts are minimal. A change of 3dBA just crosses the threshold of being perceptible but is not clearly noticeable. Below are the results of a noise study carried out on the noise impact of PV inverters/transformers at 50 feet.

Season	Change in Noise Level (dBA)	Traffic Noise Period	Number of Hours That Experience Change	% of Day by Season
Winter (December, January and February)	0	Night time	13	54%
	1	peak noise hour am and pm	5	21%
	2	all other daylight hours	6	25%
Spring (March April)	0	Night time	10	42%
	1	peak noise hour am and pm	5	21%
	2	average daylight noise hour	8	33%
	3	quiet daylight noise hour	1 hour (7pm to 8pm)	4%
Summer (May, June and July & August)	0	Night time	8	33%
	1	peak noise hour am and pm	5	21%
	2	average daylight noise hour	8	33%
	3	quiet daylight noise hour	3 (5 to 6am & 7 pm to 9 pm)	13%
Fall (September, October and November)	0	Night time	12	50%
	1	peak noise hour am and pm	5	21%
	2	all other daylight hours	7	29%

Notes: For all seasons, peak am daylight traffic noise hour is assumed to be 7 am to 9 am and peak pm daylight traffic noise hour to be 3pm to 6pm; for nighttime hours, the solar inverters are not operating

North Adams Solar Project Approach

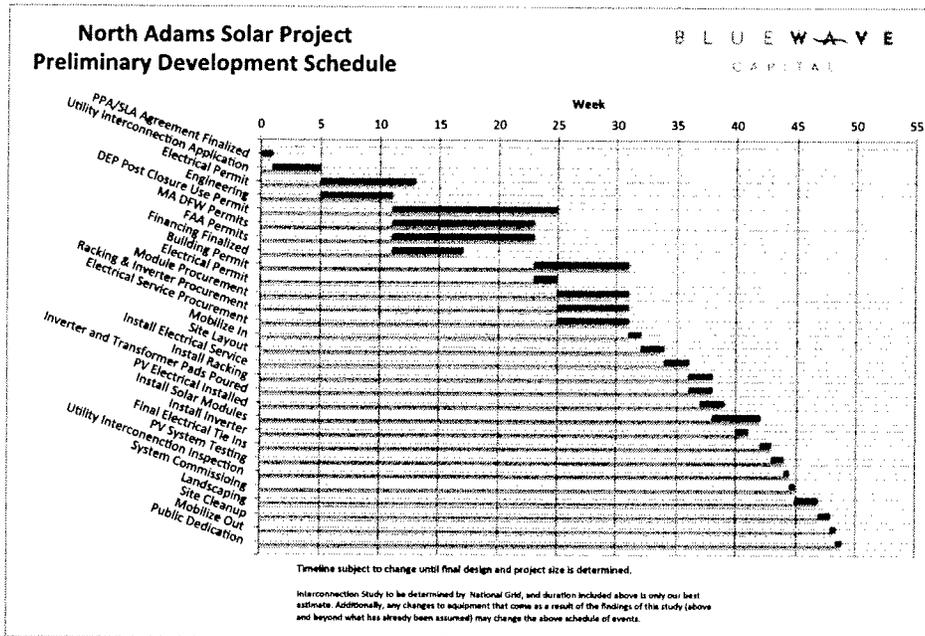
Utility interconnection underway, permitting about to begin

- ✦ Phase 1 (Completed)
 - Negotiate Power Purchase Agreement
 - Complete due diligence on sites proposed in RFQ
 - Site identification and feasibility analysis of initial sites
 - Preliminary designs and engineering by YE 2011
 - Identify additional sites suitable for development
 - File interconnection applications for initial sites
- ✦ Phase 2 (Underway)
 - Federal, State, and Local permitting
 - Outreach to community businesses, and homeowners
 - Additional site identification and feasibility analysis
 - Design, permit, construct, commission projects by YE 2012

North Adams Solar Project Permitting

- ✦ Local
 - Conservation Commission Review – 2 Months
 - Special Permit Approval – 2-3 Months
 - Building Permit – 1 Month
- ✦ Federal, State & Utility
 - FAA No Hazard Determination, ALP Change, Form 7460 – 1-2 Months
 - MA DEP Post Closure Use Permit – 3-4 Months
 - MADFW MESA Filing – 1-2 Months
 - National Grid Interconnection – 5-6 Months

Preliminary Project Schedule (GANTT Chart)



BLU EWAVE
CAPITAL

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North Adams Solar Project Overview

Nearly 5MW of PV capacity that will supply the City's entire load

- E Street Landfill
 - Ballasted (Non-Penetrating) Ground Mounted System with 1.8MW of Capacity
 - 2.16 Million kWhs per year of output (40% of City's electricity load)
- Old Waste Water Treatment Plant
 - * Ballasted (Non-Penetrating) Ground Mounted System with 1.2 MW of Capacity
 - 1.4 Million kWhs per year of output (25% of City's electricity load)
- * Harriman & West Municipal Airport
 - Ground Mounted System with 1.2 MW of Capacity
 - 1.4 Million kWhs per year of output (25% of City's electricity load)
- * North Adams Drury High School
 - Roof Mounted System with 200kW of Capacity
 - 240,000 kWhs per year of output (4% of City's electricity load)

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1.8 MW E Street Landfill Project

Preliminary System Layout and Satellite Overview of Proposed Site



BLUE WAVE
CAPITAL

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1.2 MW Old Waste Water Treatment Plant

Preliminary System Layout and Satellite Overview of Proposed Site



BLUE WAVE
CAPITAL

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1.2 MW Harriman & West Airport

Preliminary System Layout and Satellite Overview of Proposed Site

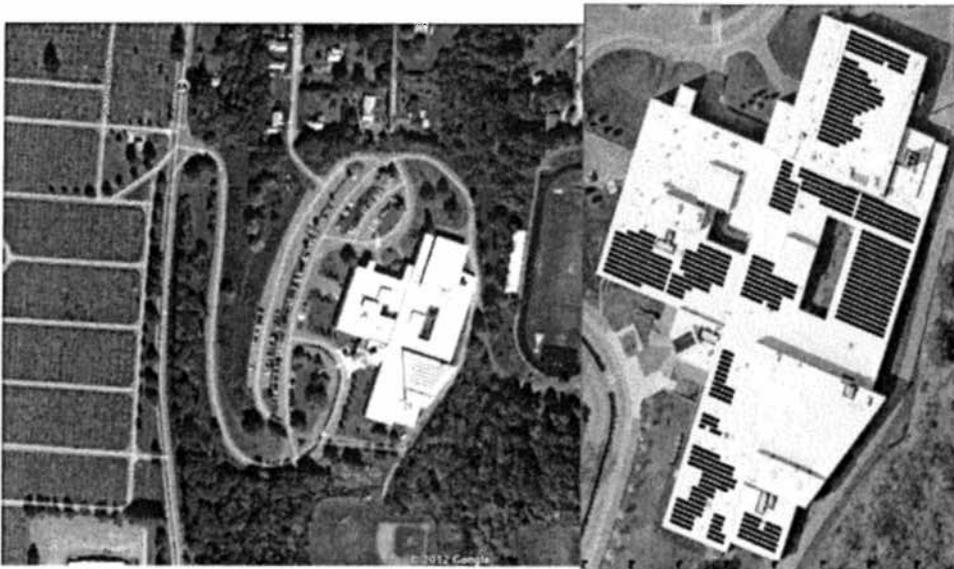


BLUEWAVE
CAPITAL

22

200 kW Drury High School Project

Preliminary System Layout and Satellite Overview of Proposed Site



BLUEWAVE
CAPITAL

23

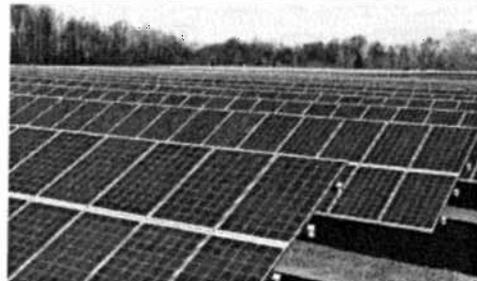
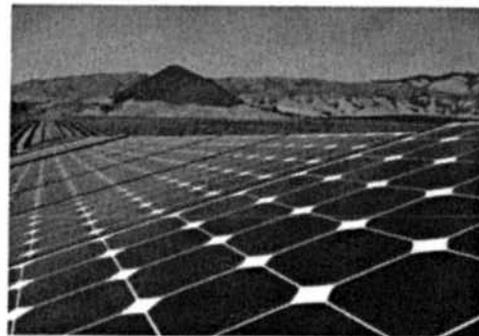
Operations & Maintenance

- * Careful system component selection
- * Equipment warranties and inverter service agreements
- * Monitoring and data systems
- * Local on-call resources for emergency/ service/remedial requests
- * Quarterly performance reporting
- * Routine site/component maintenance (string and switching tests, infrared scans, cleaning, filter replacement, panel washing)
- * Annual mechanical inspection



Regulation/Incentives Are Now Aligned

- * MA Renewable Portfolio Standard
 - 6% of electricity sales by 2011
 - 15% of electricity sales by 2019
 - 400MW Solar Carve-Out (1% of electric load)
- * Financial Incentives, Grants
 - Production Based Incentives (SRECs, RECs)
 - Federal Investment Tax Credit/ 1603 Grant
 - New Market Tax Credits
 - State Investment Tax Credit
 - Accelerated depreciation
 - Grants and low interest loans
 - USDA REAP Initiative
 - USDA Loan Guarantees
 - DOE FIPP Loan Guarantees

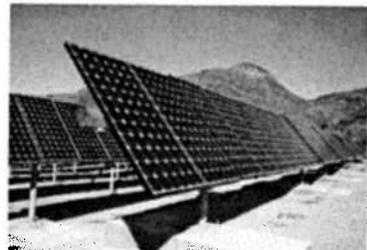
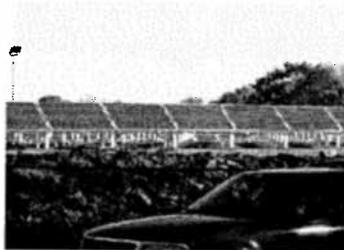
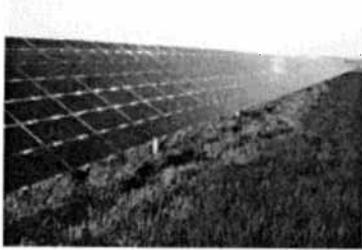


Massachusetts' Net Metering Program

- * Massachusetts has a Net Metering Program that allows up to 3% of historic peak capacity in the state to be net metered
- * Net Metering: difference between the electricity supplied to a customer and the electricity fed back to the grid by an on-site generation system
 - Net metering allows customer to receive credits for the electricity produced by net metered systems, above what system owners consume on premises
 - Net metering credits can be assigned to other meters within the same utility service territory and load zone
- * Net metering rules allow for up to 2MW of capacity per installation
 - Private entities are allowed up to 1MW per installation for full retail price net metering
 - Private entities are allowed up to 2MW per installation for retail minus distribution net metering
 - Public entities are allowed up to 2MW per installation for full retail price net metering

Massachusetts SREC Program

- * Available to any Massachusetts utility customer that installs a PV system
- * SREC program is designed to expand Massachusetts' installed PV capacity from the current 25MW to 400MW by YE2016.
- * Qualified facilities can reach a capacity level of up to 6MW
- * Qualified PV system owner has the right to put its kWhs of PV produced into an SREC auction each year for a predetermined term
 - SRECs for system's minted in 2010 will have a price floor of \$0.30/kWh
 - Alternative Compliance Payment set at \$0.55/kWh for 2012
 - Qualified systems will have an opt-in term of 10 years
 - Auction system charges a 5% fee
 - Minimum SREC value to system owner in DOER auction is \$0.285/kW
- * Revenues from the sale of SRECs help defray the upfront cost of a solar system and significantly enhance benefits to PV hosts and investors



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