



**TOWN OF ACUSHNET**  
**MASSACHUSETTS**

**OFFICE OF THE PLANNING BOARD**  
**122 MAIN ST.**  
**ACUSHNET, MA 02743**  
**<http://www.acushnet.ma.us>**  
**FAX: (508)998-0203**

**Acushnet Planning Commission**  
**Regular Meeting and Public Hearings**  
**December 17, 2020**

Open: 6:44 p.m.  
Adjourn: 8:03 p.m.

Present: Marc Cenerizio, Chairman  
Bryan Deschamps  
Rick Ellis  
  
Henry Young, Planner

Absent: Mark DeSilva, Sr.  
Phil Mello

Issue: A motion is made to open the meeting.  
So moved: R. Ellis  
Second: B. Deschamps  
Vote was 3 for, 2 absent.

Issue: Public Hearing (Continuation): Proposed subdivision at 148 Peckham Road, Joshua Arruda of Acushnet, MA, applicant; represented by John Romanelli of Zenith Land Surveyors, Lakeville, MA. This proposal is for a 3-lot subdivision on a single access street.

Jamie Bissonnette and John Romanelli are present to speak for the project. Mr. Bissonnette notes that the walk-through scheduled at last month's meeting has taken place, and the Board and Henry Young were able to view the site and give feedback. Since then, they have done what was discussed and ensured that the waiver list is complete, and put together the plan stating that it's a private way of fifty feet in width. They have added clearly marked out distances and areas and added from the common driveway plan an updated version of the layout plan with a profile showing grading per the Planning Board's suggestions.

Another change made based on feedback was to add to the proposal that a fire hydrant be brought in on-site.

Jamie Bissonnette reviews the list of waivers, including names of abutters not on

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the plans, no soil holes dug along the roadway to determine water table and material (as the roadway is already constructed), no centerline staked out, a twenty-foot radius instead of a thirty-foot radius at intersections, no vertical curbs, an 8% grade in the road instead of a maximum of 7%, and a modified turnaround area instead of a cul-de-sac. The road is designated as a private way and maintained by a homeowner's association, with no responsibility on the town. Additional waivers are for stone walls and other features that have already been constructed instead of planting strips, no underdrains or a typical cross-section (as the road is already built), and waivers in street-related construction standards such as crowning and curbing.

Rick Ellis notes that he would like to see a note right on the subdivision plan stating that this way is for the three lots shown only, and that additional lots would be subject to full subdivision standards. Jamie Bissonnette says this is no problem and adds that there is a note on the plans stating there are to be no dwellings on the east side of the proposed right of way as well.

Henry Young says that the case ought to be continued to next month's meeting to give the opportunity for department chairs to review and possibly endorse the plan.

Josh Arruda, owner of 148 Peckham Road, says that they already have a building permit under construction and that he doesn't understand why other departments need to be involved, as the Fire Chief already endorsed the common driveway plan, and he feels nothing has really changed.

Henry Young says that with the subdivision plan, it would be wise to obtain approval anew, as it is typical for the department chairs to review and comment, but he doubts the Fire Chief will change his mind.

Rick Ellis says both the Fire Chief and Police Chief are asked to comment on every single subdivision request that comes before the Board, and he would not like to change that now.

George DaSilva, who is trying to construct on the property, expresses that he was under the impression that this would be voted on at the previous meeting until abutter Donna Lopes argued against it, and states that they could have sought approval from other departments in the last month had they known it was a requirement. Mr. DaSilva adds that these things have already been approved and he doesn't understand why it cannot be voted on.

Rick Ellis responds that this is a new subdivision request at this point, whereas all action taken before was on a common driveway, so the whole procedure must essentially be restarted for the new subdivision plan.

Marc Cenerizio adds that with the Form C, waivers have been added to the plan, which is another reason the full process must be gone through.

Henry Young commends the developer and owner for their work in accommodating the requests that have been made.

George DaSilva inquires as to what else may need to be done before the next meeting. Rick Ellis reiterates that a note should be added to the plan stating that the subdivision road will only service three dwellings.

The next meeting of the Planning Board is set for January 21st, 2021.

Issue: Public Hearing (Continuation): Proposed Commercial Development – 158 Main Street, 166 Main Street, and 17 Wing Road, New England Retail Development LLC, applicant; represented by Patrick McLaughlin, P.E. – GPI/GreenmanPedersen, Inc. Site Plan Review and Approval required. This proposal is for a 4,200 square foot gas station and convenience store with drive-through service within the Business Village District.

No one is present representing New England Farms. Henry Young states that he has heard nothing from the applicant explaining the absence, and recommends a continuation to the next meeting

Dave Davignon, who represents an abutter across the street, is present and points out to the board that effective December 1<sup>st</sup>, the governor signed legislation that starts the clock ticking on these projects. Everything was frozen due to the pandemic, but Mr. Davignon feels that the fact that they didn't show up or send a continuation letter is playing games, and adds that they haven't submitted their traffic report as requested.

Marc Cenerizio says these people have put in a lot of work and changed a lot of plans, and feels the meeting should be continued.

Josh Desroches, abutter, says Mr. Davignon brings up a good point and wonders if there will be enough time for the town to do appropriate review, and feels it is disrespectful that the applicants aren't showing up and gave no notice.

Rick Ellis says there are ninety days to act on their proposal and that if they come in with something substantially different, they can be required to start over. He intends to give them ninety days, and if they haven't done as promised, they simply won't be approved.

A motion is made to continue to the next meeting on January 21st, 2021.

So moved: B. Deschamps

Second: R. Ellis

Vote was 3 for, 2 absent.

Issue: Public Hearing: Proposed ground mounted solar array off Gammons Road and Mattapoisett Road known as Acushnet Assessor's Map 9, Lot 32, Map 10, Lots 1.2, 3 and 1A.3A for BWC Mill Pond LLC; represented by Richard Riccio, PE Field Engineering Co. Inc., Mattapoisett, MA 02739. The applicant is seeking a Special Permit.

Marc Cenerizio states that this meeting is being held in accordance with Chapter 41, section 81T, to consider the petition for a ground mounted solar array off

Gammons Road and Mattapoissett Road.

Rich Riccio is present from Field Engineering on behalf of the applicant, and shows the plans. Mr. Riccio explains that the large solar array located off of Long Plain Road in Mattapoissett takes up a number of vacant lots in Acushnet. The project is a DC solar array just over 6 MW, accessed by an 18-foot gravel drive onto the property.

Mr. Riccio continues, describing the 14,700 modules that will sit on a single access tracker foundation system which allows the modules to follow the sun throughout the day, maximizing system efficiency. There are two sets of equipment pads housing transformers and inverters, and an energy storage pad proposed. The property is currently wooded, and would be converted to meadow type ground cover. Inherent in that change in ground cover, the increase in runoff needs to be attenuated and two detention areas are proposed, one on the easterly side and one on the westerly side of the array, which will reduce the rates of runoff to the wetland systems.

Mr. Riccio adds that one question that came up at the preliminary hearing was in regards to the closest actual house to the project. He states that there are two houses to the north about 500-600 feet from the fence line.

Mr. Riccio states that they will be going to Acushnet Conservation Commission for buffer zone work associated with the array and also to the Mattapoissett Conservation Commission for approval on the access drive. The site will be tied into an existing Eversource infrastructure on Long Plain Road, with 6 or 7 utility poles along the access drive, some customer-owned and some owned by the utility company. There will be a seven-foot tall chain link fence surrounding the array, with twenty-four acres enclosed within, providing a minimum of a twenty-foot access aisle around the array. There are a number of gates on the fence line to allow stormwater facility maintenance and emergency access. A decommissioning plan and an operational maintenance plan have been included with their submission to the Board.

Henry Young asks if Mr. Riccio had the opportunity to speak to the Fire Chief. Mr. Riccio says they have had preliminary conversations with regard to the width of the access road, and that they originally talked about coming through the wetland with a 12-foot width but are now going to be able to provide an 18-foot width with turnarounds as shown on the present plan. The Fire Chief had offered feedback to the effect of making sure there was adequate access to the facility.

Henry Young asks if there is water on site. Mr. Riccio responds that there is a hydrant on Long Plain Road that the Fire Chief felt was sufficient; this was an issue that came up in their e-mail discussion. Mr. Riccio says he will forward this correspondence to the Board.

Henry Young says he will work with Mr. Riccio to get a decommissioning estimate from S.W. Cole, and that this estimate must be in place before they can vote on the special permit, and recommends continuing the matter to the January 21st, 2021 meeting.

A motion is made to continue the matter to the January 21st, 2021 meeting

So moved: R. Ellis

Second: B. Deschamps.

Vote was 3 for, 2 absent.

A motion is made to close the public hearing.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue:

Proposed ground mounted solar array (5MW) located at 52 Morse's Lane, known as Acushnet Assessor's Map 17, Lots 24, 24B and 24C, for Borrego Solar Systems, Inc., represented by Brandon Smith, PE, of Borrego Solar Systems, Inc., Lowell, MA, 01851. The applicant is seeking a public hearing for a Special Permit.

Brandon Smith from Borrego Solar Systems is present to explain the project, a 5MW AC solar and energy storage system proposed off Morse's Lane. Mr. Smith shows an aerial map of the wooded section east of route 140, then shows the plans. This system would be located on the wooded site and consists of approximately 30 acres within the perimeter fence, which is seven-foot tall chain link with a six-inch wildlife gap on the bottom. Mr. Smith mentions that this is the second site he has permitted with the town of Acushnet and that he tried to incorporate all the requests from the Fire Chief and Conservation Commission on the previous Mendall Road project into this new layout.

Mr. Smith continues his description of the project, stating that they have incorporated a perimeter access lane similar to the Mendall Road project, as that had been requested by Chief Gallagher. The site is delineated for wetlands. They are central to the site and split the system into two sections. They are still one system, all connected electrically, but in two separate areas. There are two equipment pads with energy storage. The system is a fixed tilt array. Access to the site will be a gravel road to the equipment pads and a compacted earth perimeter road around the site for access to the arrays. Tree clearing will be necessary, which will require stormwater attenuation which has been incorporated in the plan. Roadside swales are proposed, which brings stormwater to a basin on the southeast corner of the site. Connection to the grid will be an underground MV trench that runs south of the array and will come above ground with seven utility poles on Morse's Lane.

Mr. Smith says that he has reached out to Chief Gallagher and has not had a review meeting yet, but has provided him with the plans. He will be going in front of Conservation Commission next week because of buffer zone work on the site, and would like to request a public hearing with the Planning Board for January.

Rick Ellis inquires as to what Town street is used to access the site. Mr. Smith responds that Morse's Lane is off of Middle Road. The access road is an already existing driveway that runs from Morse's Lane, and the road will be continued to the array area.

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Rick Ellis then asks if the same person who owns the newly constructed driveway also owns the parcel in the back, or if an easement will be required, and Mr. Smith confirms it is all the same landowner.

A motion is made to set a public hearing for January 21st, 2021.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: ANR for 2 lots at 35 and 37 Wood Duck Road for Scott Raymond, Applicant; represented by Daniel Gioiosa, of SITEC, Inc, Dartmouth, MA

Kory Medeiros from SITEC is present to submit the plan for 37 Wood Duck Road. He explains that there are two conforming lots doing a transfer of land that won't cause either lot to change conformity at all. The goal is to give the client a little more of a side yard; a small triangular piece of land that is labeled Parcel A on the plans, a little under 4,000 square feet, will be going from one neighbor to the other, creating a side yard offset.

Marc Cenerizio asks if they are simply moving a lot line, and Mr. Medeiros confirms.

A motion is made to approve the plan as submitted.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: Proposed ground mounted array at 14-47 Park Drive, Syncarpha Park Drive LLC of New York, NY applicant; represented by the applicant's Engineer, Weston & Sampson of Reading, MA. This proposal is for a 5 MW (AC) ground mounted solar array. The applicant is seeking a public hearing for a Special Permit

Henry Young states that the applicant was unable to make it this evening and will be rescheduled to the January 21<sup>st</sup>, 2021 meeting.

A motion is made to reschedule the matter to January 21<sup>st</sup>, 2021.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: ANR for 6 lot plan at 301 Perry Hill Road for Mark Francois, applicant; represented by David Davignon, PE, Schneider, Davignon, and Leone, Inc., Mattapoisett, MA 02739. This plan is located on an established ancient way which predates subdivision control regulations. The way is a gravel roadway of variable width, between 14-20 feet, and currently services three homes.

Dave Davignon is present from Schneider, Davignon, and Leone, and requests that the Board allow them to develop the six lots under an ANR process, provided

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Rick Ellis notes that the full opinion of Town Counsel also seems to indicate that the proper method would be to pursue a Form C Subdivision Plan.

Henry Young agrees, adding that Attorney Eichman spoke to the right of access to the way and added that the board ought to require the filing of a subdivision plan to accomplish the lot division and necessary road improvements.

Rick Ellis expresses that he feels that they are obligated to go with the mechanism that Town Counsel recommended, that being a Form C Subdivision, as there are a lot of complex issues in play for this project.

Marc Cenerizio agrees, adding that the two brothers must work out the challenges they have with each other.

Dave Davignon asks to be placed on the agenda for a possible preliminary subdivision plan to be submitted for January 21st, 2021.

Rick Ellis mentions that a complete list of all waivers sought should be included with the plans.

A motion is made to add this matter to the next meeting.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: A motion is made to accept the minutes for the November 12, 2020 meeting

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

Issue: Vouchers were signed for S.W. Cole and Southcoast Media. Vouchers are on file in the Planning Office and in the Finance Department, 122 Main Street, Town Hall.

Issue: Rick Ellis observes that he finds it a little disturbing that New England Farms did not request an extension or make their intentions known. Henry Young agrees, expressing his surprise that they were not present.

Rick Ellis says if they do not have anything for the meeting on January 21<sup>st</sup>, the process should be ended entirely. Henry Young agrees, adding that Mr. Davignon made a good point regarding constructive approval, and that they should continue to January, but if they do not have plans for review at that point, they should deny the request.

Issue: A motion is made to adjourn the meeting.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3 for, 2 absent.

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Respectfully Submitted,  
Jenn Brantley

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