



# TOWN OF ACUSHNET

## MASSACHUSETTS

### OFFICE OF THE PLANNING BOARD

Mailing Address: 122 MAIN ST.

Office Address: 130 Main Street, Parting Ways, 2<sup>nd</sup> floor  
ACUSHNET, MA 02743

<http://www.acushnet.ma.us>

Tel. (508) 998-0200 ext. 4260

## Acushnet Planning Commission Meeting & Public Hearing Minutes for June 23, 2022

Open: 6:33pm  
Adjourn: 7:38pm

Present: Rick Ellis, Member  
Bryan Deschamps, Member  
Dave Davignon, Member  
Mark Francois, Member  
Doug Pimentel, Town Planner

Absent: Marc Cenerizio, Chairman

Issue: A motion is made to open the meeting:  
So moved: R. Ellis  
Second: B. Deschamps  
Vote was 4-0 with 1 absent

Issue: **Public Hearing Continuation:** Form L, Request for Site Plan Approval for Acushnet Company Test Facility Visitor Center. For the construction of a 9,924 square foot two story structure with 3 hitting bays on the first floor, a conference room, and tenant facilities on the second floor, parking areas, site utilities, pedestrian access, landscaping, and stormwater management system. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street, 1st floor.

Doug P. informed the Board that Bill Madden, Project Engineer, had e-mailed Doug earlier today. Bill M. has requested a continuation of the hearing until the next scheduled Planning Board meeting. Doug P. notes that the Conservation Commission notified him that stormwater is under review and they do not anticipate any issues and completed plans should be available by the next Planning Board meeting.

A motion is made to continue the Public Hearing until the next Board meeting on July 28, 2022.

So moved: R. Ellis  
Second: B. Deschamps  
Vote was 4-0 with 1 absent

Issue: **Discussion:** Form E, Partial Covenant Release, Definitive Subdivision Plan entitled Moniz Estates. The following partially completed lots;  
Lot 9, Alison Drive  
Lot 10, Alison Drive  
Lot 14, Alison Drive  
Lot 15, Alison Drive

Doug P. notes that at the last Planning Board meeting the Board had released lots 14 & 15. Doug P. notes that was not the desire of the Proponent, Dan Moniz. Doug P. notes that a correction of the paperwork is needed. Doug P. states that the Site Plan engineer was going to bring in some estimates regarding the completion of the project. Dan Moniz is present and Doug P. invites him to come forward to speak. Dan M. had initially asked for four lots to be released, however, the Planning Board approved two lots and Dan needed lots 9 & 10 to be released, not 14 & 15. Dan M. explained that they are trying to get to all the relative Town boards to finish the estimate of the completion of the project. Dan M. explains that by the time of the next Planning Board meeting they should have all of the details for completion of the remaining lots. Rick E. asks how many lots are left at this time. Dan M. replies that five are left to complete. Rick E. states that it is important that the developer come in soon with the estimate of completion so that other Town departments can review and agree and get to the point of completion.

Issue: A motion is made to release lots 9 & 10 from the Covenant for Moniz Estates subject to the Covenant laws.  
So moved: R. Ellis  
Second: D. Davignon  
Vote was 4-0 with 1 absent

Issue: **Sign Documents:** Solar Array at Park Drive, Syncarpha Park Drive, LLC, applicant. Sign Performance Secured by Deposit of Money.

Doug P. explains that the one thing left to do is the decommissioning. Doug P. explains that the Proponent has issued a bond for \$574,333 and he has spoken with the Town Administrator and Town Treasurer and accepting the bond should not be an issue. Rick E. states that as long as the Town financial departments are happy with the wording of the bond he is satisfied. Rick E. asks what period of time is the bond good for in terms of years. Rick E. believes these types of bonds are not indefinite and run for a period of time. Doug P. will gather those details. Doug P. notes that the developer wishes to begin work at the site and before that the bond needs to be posted. Doug P. notes that the Planning Board never made a motion to approve the amount that they were prepared to post. Rick E. states that the project should not be started until the surety is approved and signed. Rick E. states that if the developer was so keen to get the project started, they should have had their paperwork finished and signed. Rick E. recommends that the Town Building Inspector not authorize any prep work on the site until the performance bond is signed and accepted by the Town Administrator.

Issue: A motion is made to send a letter to the developer that no site prep work can be started until the performance bond is accepted and signed.

So moved: R. Ellis

Second: D. Davignon

Vote was 4-0 with 1 absent

Doug P. will discuss the situation with the Town Administrator and send a letter to the developer.

Issue: **Discussion:** Solar Array's at Cushing Lane (White's Farm Inc., Applicant), 1050 Main Street (Acushnet Solar LLC, Applicant), 1052 Main Street (Woodbridge Renewals LLC, Applicant) and Robinson Road (Robinson Road Solar, LLC, Applicant). Proponent request for reduction in Cash Sureties. Also, Proponent requests to revise the documents along with incorporating some corrections they would like to propose.

Jack Curry from Nexamp Corp. has joined the meeting via Zoom and is representing the Proponent on the subject issues. Jack C. introduced himself and states they are requesting a reduction in the sureties for the four projects because they are no longer including the battery storage aspect on the projects. Jack C. states they are willing to provide a revised site plan without the battery storage component. Rick E. asks what are the sizes of the four projects and Jack C. notes the battery storages are 2MW. Dave D. asks if the sureties are for 20 years. Doug P. notes that the Board has the decommissioning numbers along with some modification of the surety agreements requested. Rick E. asks if they have their interconnect permits for each project. Jack C. states they have agreements with Eversource for all four projects. Dave D. notes that if the cash sureties go into a bank account gaining some interest, that's not going to keep up with inflation. Dave D. states he is not comfortable with decreasing the cash sureties. The Board agrees that the decommissioning amounts are not excessive for the four projects and are not in favor of reducing the amounts.

Issue: A motion is made to deny any reduction in the cash surety agreements.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 with 1 absent

Doug P. notes that Town Counsel is reviewing the Proponents request for language changes in the surety agreements. That request should be ready by the next Planning Board meeting and the surety agreements could be ready for signatures at that time.

Issue: **Discussion (continued):** ANR/Form A Plan Access Requirements

Rick E. states that he hasn't developed his stances on the subject and promises to have something at the next Planning Board meeting.

## Planner Update:

### Traffic Bottleneck Grants

Doug P. states that any grant that will come from ARPA funds needs to be started by 2024 and finished by 2026. Doug P. notes the Town is looking into infrastructure grants along with Traffic Bottleneck grants through MA DOT that will allow the Town to look into using that money for design work. Doug P. notes the Town Administrator and Town DPW are working now to get estimates and are looking at areas of need. Doug P. notes there are some traffic concerns just now and will get worse especially with Commuter Rail. Mark F. asks if the Bottleneck Grants are primarily for traffic lights. Doug P. replied it entails conducting studies, doing engineering work and creating auxiliary turn lanes, etc. Doug P. explains there is a lot of work occurring just now on South Main Street along with the State and an information request for the survey company performing the work for the State. Doug P. believes the State doesn't wish to retain ownership of South Main Street. Town Meeting would need to vote on taking ownership of South Main Street.

### Solar Moratorium

Doug P. had shared other Town solar bylaw documents with Board members before this meeting. Doug P. noted an AG ruling on the Town of Hopkinton which says you can't deny a solar company from building solar fields and have any burdensome regulations applied in your bylaws. Doug P. notes that he has reviewed most abutting Towns solar bylaws and so far, in terms of organizational structure, Rochester has a well written and organized, and is easy to follow and read. Rick E. asks for copies of abutting Town solar bylaws and Doug P. will provide those to the Board members electronically. Doug P. notes that it is important to provide the Planning Board and Proponents with detailed processes to follow and flow charts are being prepared for all of the Town's processes. Discussion ensued amongst the Board members regarding the AG's ruling for the Town of Hopkinton and the impacts on neighbors as well as existing Town solar projects needing pre-construction meetings to ensure all Town Board's regulations are met.

## Mail

### Meeting Minutes:

Issue: A motion is made to accept the Meeting Minutes of May 26, 2022.

So moved: D. Davignon

Second: R. Ellis

Vote was 4-0 with 1 absent

Issues: A motion is made to adjourn the meeting.

So moved: D. Davignon

Second: R. Ellis

Vote was 4-0 with 1 absent

Respectively submitted,

Paul Sullivan  
Administrative Assistant



7-29-22



Marc Cenerizio, Chairman

7-28-22

[end]

2022 JUL 29 PM 4:10



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## **Acushnet Planning Commission Meeting Minutes for April 21, 2022**

**Open:** 6:30pm

**Adjourn:** 7:04pm

**Present:** Marc Cenerizio, Chairman  
Bryan Deschamps, Member  
Rick Ellis, Member  
Doug Pimentel, Town Planner

**Absent:** Dave Davignon, Member  
Mark Francois, Member

**Issue:** A motion is made to open the meeting.  
So moved: B. Deschamps  
Second: R. Ellis  
Vote was 3-0 with 2 abstentions

**Issue:** **Discussion:** ANR Plan of Land, 43 Frank Street, Acushnet Assessor's Map 12, Parcel 5.2. Represented by Zenith Land Surveyors, LLC, New Bedford, MA. Project Proponent is DPM Development Corp., New Bedford MA. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street, 1st floor.

John Romanelli of Zenith Land Surveyors is present to represent Daniel Moniz who has purchased 43 Frank Street which has a small ranch style home. Mr. Moniz is looking to take a small triangle piece of the lot and wishes to put a garage and a small bump out addition on the back of the existing house at 43 Frank Street. Currently, it does not conform to the percentage of lot coverage with the additional bump out and garage square footage. John worked with Jim Marot, Town Building Inspector, to take a piece of the property from the existing retreat lot which goes all the way to Hathaway Road which has 175 feet of frontage and comes all the way up across the neck of the property, across the wetland, and into a large parcel in the upland area. John stated this was approved by Fitzgerald Engineering and they have taken Parcel B from the 16-acre lot and added that parcel to the small lot at 43 Frank Street which conforms to the lot coverage once he adds the addition and garage. Rick E. asks to confirm this was an existing retreat lot and that they are just taking a small triangle piece to add area to 43 Frank Street. John

Romanelli confirmed that. Doug P. believes this is very straightforward and the frontage has been identified for the parcel.

A motion is made to accept and sign the ANR Plan as submitted.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3-0 with 2 abstentions

**Issue: Discussion (continued): ANR/Form A Plan Access Requirements**

Marc C. opened the discussion and Rick E. stated it would be his desire to continue the discussion at the next scheduled Planning Board meeting due to the 2 abstentions at this meeting. Rick E. feels it best to hold these discussions with all members present.

A motion is made to move the ANR Form A Plan Access Requirements to the next scheduled meeting on May 5, 2022.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3-0 with 2 abstentions

**Planner Update:**

Bradford Street Rezoning

The rezoning of lots 482 and 534, Map 15 in Assessor's records, from the Residential A zoning district to the Residential Village zoning district will create conforming lots within the Residential Village district that were otherwise previously not conforming. Transitioning these 2 parcels to the Residential Village district would allow for the creation of additional housing units in the Town of Acushnet. Public Hearings are scheduled for April 28, 2022 and May 5, 2022 to receive information and public comment.

Doug P. explains this would allow for an additional 10-13 buildable lots depending on what the wetlands situation looks like in that area of Town. Additionally, that part of Town already has pre-existing water and sewer connects and will provide new growth.

Moratorium Large-Scale Ground-Mounted Solar Photovoltaic Installations

The Town of Acushnet currently has 19 approved large-scale ground-mounted solar photovoltaic installations completed or under construction. These projects have involved significant clear cutting of trees and ground vegetation and have been located in close proximity to abutting residential neighborhoods. An installation in an abutting town has made clear the threat of further solar development in Acushnet to scenic vistas and recreational areas. This proposed by-law will make things clearer for developers and give the Planning Board clearer guidelines. Public Hearings are scheduled for April 28, 2022 and May 5, 2022 to receive information and public comment.

Doug P. explains that language will be prepared for the bylaw and will be shared with the Planning Board and Town Counsel.



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#### **Citizens Petition to amend Town of Acushnet bylaws Article VI-Soil Conservation**

Proposed Article change to see if the Town will vote to amend the Town of Acushnet General Bylaws Article VI-Soil Conservation. Public Hearings are scheduled for April 28, 2022 and May 5, 2022 to receive information and public comment.

Doug P. explains it will ultimately go to the Soil Board which is the Board of Selectmen. Doug notes it will need feedback from the Planning Board and after completion of the Public Hearings the Planning Board will issue an opinion to the Soil Board. Rick E. states he needs more time to review the details before offering an opinion. Bryan D. states he read what he received and is currently not totally in favor of it. Bryan D. states that part of his issue is that he thinks were just going to be nitpicking everything in sight and will affect simple things like digging up a foundation. Bryan D. believes were going to need a permit to do everything including digging a hole in your yard. Marc C. states he agrees with Bryan and says the Board of Selectmen are the Soil Board and there is a lot to it. Rick E. notes that you need a Stormwater permit if you disturb over 5,000 square feet and there are areas in Town that were sand pits and a lot of soil removal happening. Doug P. states that it will be addressed at the Spring Town Meeting and Pat Hannon has been proposing language for the soil bylaw and addressing the 5,000 square feet of coverage that would trigger the Stormwater permit. Doug P. believes it may lead to other issues for other parts of Town and is rather specific and will ultimately be up to the Soil Board to be addressed. Bryan D. believes the proposal is too broad in terms of the language. Marc C. noted that one section he reviewed showed an abutter of any property within 2,000 feet of the front and rear side properties which seems excessive. Ron Robinson from P.J. Keating joined the meeting on Zoom and states that 150 square feet of material would require the earth removal permit in "this system" in this equipment that they're talking about. Rick E. states that he thinks the Planning Board understands where he's coming from in the fact that if he wanted to install a driveway at his house it's going to trigger. Rick E. makes a recommendation that somebody from P.J. Keating come to the official Public Hearing of the bylaw.

#### **Mail**

#### **Meeting Minutes:**

March 24, 2022

The March meeting minutes approval was moved to the next scheduled Planning Board meeting due to the lack of a quorum.



Doug P. noted there has been some conversation about getting the Town' Master Plan updated for renewal. Doug has some concerns about funding and where the Town is going to secure the funding from. Doug states that SRPEDD has a 1-2 year wait list to do any Master Planning work. Doug notes that recent RFPs in other local Town's are looking at \$90K-\$180K for a year or two worth of work on a Master Plan. Doug notes that he would prefer a "down and dirty" update targeting things that we want to continue for the next ten years. Rick E. states he would like to see what has happened because of that Master Plan in those ten years timeframe. Rick's pragmatic view of it is that unfortunately dollars drive development and if somebody can make some money on it that's what happens. If nobody can make any money on it well then nothing happens. Doug states he will be meeting with Pat Hannon next week to start combing through everything. Doug and the Board members agree that some sort of commercial development is needed in Town, however, the economic desirability of developing in Acushnet is another story altogether.

A motion is made to adjourn the meeting.

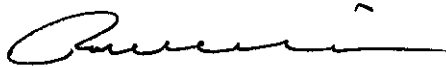
So moved: R. Ellis

Second: B. Deschamps

Vote was 3-0 with 2 abstentions

Respectfully submitted,

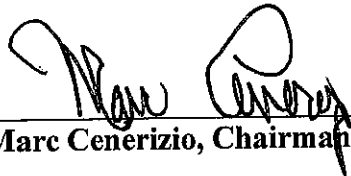
Paul Sullivan  
Administrative Assistant



5-6-22

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Paul Sullivan



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Marc Cenerizio, Chairman

[end]