



# TOWN OF ACUSHNET

## MASSACHUSETTS

OFFICE OF THE PLANNING BOARD

Mailing Address: 122 MAIN ST.

Meeting 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

*Handwritten signatures and initials in the top right corner.*

### Acushnet Planning Commission Meeting Minutes for November 18, 2021

Open: 6:40pm

Adjourn: 8:15pm

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

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

Issue: **Discussion:** Proposed Zoning article for a new zoning district use within the Business Commercial District. A Parcel of Land owned by Rick Miller and located abutting the mill along the Acushnet River beneath Main Street. Discussion is related to development of the land and the applicant proposes to add a use to the applicable zoning district through an approval at Town Meeting. This project is represented by attorney John Markey.

John Markey presented that Rick Miller owns the parcel of land referenced above and along with that parcel he is interested in potentially developing other undeveloped land in that area. He has spoken with the Select Board about giving a bike path along the river and walking paths he'd like to develop that is further inland or upland that abuts the mill facility. This property is in the Business Commercial zoning district and there are a very limited number of parcels in the town that are in that zoning district. Rick is proposing that the Planning Board and Select Board consider a broad concept in favor of exploring to modify that zoning district to allow for multi-family housing. Their view is that area of town is much more cluster housing than is seen in the north side of town. If the town was to allow multi-family developments to basically count towards the towns state requirements in a manner that it would want it to be consistent with it coming with a more focused zoning change that would permit multi-family housing units that would be in that area as presented to the Select Board this past spring. As guided by the Select Board they are following the normal steps and now presenting to the Planning Board. They would like input to determine feasibility and provide input to the Select Board. They understand there has been discussion about over 55 but not exclusively over 55 and be consistent with that neighborhood and in in conjunction with

creating open space that would allow people who live in the upland area to get down to the river and allow other residents to utilize the open space. Separate from that parcel there is also space on the other side of Slocum Street. All of this would be conceptually designed with the idea that Rick Miller would be able to invest in and create some housing units that would be different than what is traditionally in Acushnet. In order to accomplish this concept, they ask for that the limited zoning district to potentially modify and create a definition that says multi-family housing can be done in that area with a special permit. Marc Cenerizio stated that this all needs looking into and would need to go to Town Meeting. Doug Pimentel stated that there would need to be at least two public hearings on the matter. Town resident John Golda of Slocum Street was in attendance and commented that he is in favor of getting over 55 housing, however, he does not want multiple rental properties which he believes would add to the resident's tax burden. Rick Ellis would like to see a conceptual plan with how many units proposed, show the areas affected to understand the density and character of the neighborhood. John Markey stated that Rick Miller is open to being partial over 55. The concept by Rick Miller is to get to 40 to 50 total units and have a portion be over 55 understanding the Town may require a base minimum of over 55 units. Rick Ellis expressed a desire to ultimately see all of the units be over 55 single bedroom units. Marc Cenerizio stated that the Planning Board needed time for review. Language is being finalized for approval to be presented at public hearings.

Note: No votes were taken and David Davignon recused himself and left the meeting room for the entire discussion.

Issue: **Discussion:** ANR Plan of Land 120 Perry Hill Road, Acushnet, MA Prepared for Perry Hill Cranberry Realty Trust; Russel M. Dubois, Trustee. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main St. 1<sup>st</sup> Floor.

Russ Dubois presented an ANR plan that had been previously approved by the Board in 2016. His intention is to sub-divide the property for Map#9, Lot #18. The Plan shows a house that has since been built and incorporated into the rear land. Also, another piece of the land has been sold off.

A motion is made to sign the plan as presented.

So moved: R. Ellis

Second: B. Deschamps

Vote was 3-0 (David Davignon recused himself and left the meeting room for the entire discussion.)

Issue: **301 Perry Hill Road:** Form C subdivision for a 4-lot development at 301 Perry Hill Road for Mark Francois, applicant, Schneider, Davignon, and Leone, Inc., Mattapoisett, MA 02739. This plan is located on an established ancient way which predates subdivision control regulations. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main St. 1<sup>st</sup> Floor.

Marc Francois was present to discuss the easement request made at last month's meeting. The easement was reviewed by Town Counsel. Town Counsel had one comment which was reviewed by Marc Francois and his attorney. They satisfactorily resolved the issue and the easement was approved by Town Counsel. A copy of the approved easement was presented by



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Doug Pimentel to the Board. Doug discussed another issue related to the Form D covenant which was reviewed by Marc Francois and Town Counsel to settle all of the revisions needed. It was requesting a release of one lot before the road is built. They are now including all three lots within the covenant. Marc Francois and the Board verbally agreed it would be easier just to build the road first. Rick Ellis noted that easements last 30 years. Doug Pimentel issued Certificate of Action earlier that day and it was submitted to the Town Clerk. The Board signed the site plans and Mylar.

Note: David Davignon recused himself and left the meeting room for the entire discussion.

Issue: **Discussion:** ANR Plan of Land in Acushnet, MA; Prepared for Oligraga Realty Trust. Deed from 16-18 South Main Street Realty Trust Book 11739, Page 144. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main St. 1<sup>st</sup> Floor.

Mark D. was present. He was asked by Doug Pimentel to provide some documentation regarding the ages of the buildings on the property. Mark was able to get the documentation through Town records. The house documents were through Patriot Properties and was built in 1942. There is a permit for what used to be the service station which was believed to be 1947. The field card refers to the house, the service station in the garage and there's also a permit for an addition to the garage in 1954. The goal is to separate the three buildings into three separate entities.

A motion is made to sign the ANR Plan of Land.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4-0

Issue: **0 and 165 Nyes Lane Public Hearing Continuation:** Solar Array installation, assessors map 18, Lots 57 and 57A Acushnet Massachusetts. Proponent R&R Renewables LLC, Represented by: Henderson Consulting Services. Send letters to abutters and public posting. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main St. 1<sup>st</sup> Floor.

Robert Nasser from R&R Renewables presented to continue the public hearing following the meeting held at the site to review the plan's visual screening issues. Also present was the owner, Ted Cioper, and the owners of the other properties. Since the site meeting they engaged the Town consultant which reviewed the engineering plans. The consultant requested

a second drainage swale on the north side of the property which caused some of the drainage calculations to change slightly. R&R responded to them and provided a decommissioning bond estimate by them which has yet to be responded to. R&R, The Board, owners and neighbors met on site to review the visual barrier from the roadway across the street and the abutting property from a back porch. These were the two areas of main concern. The Board is requesting continuous hedgerow screening across Nye's Lane on the west side of the array. R&R will review what's currently there to determine water diverting requirements on the current plan. R&R prefers not to have the screening right up to the solar panels. The height of the panels was discussed along with proper screening plantings. Perhaps deer resistant evergreens and a cap on the height to prevent too much shading of the panels. R&R will come back to the Board with a proposal for a particular type of tree planting. This will be on the south and west side of the array. R&R will provide a new screening proposal before the next Board meeting. There will be a continuation until the next Board meeting in December.

A motion is made to continue the Public Hearing to the next meeting.

So Moved: R. Ellis

Second: B. Deschamps

Vote was 4-0

**Issue:** **Discussion:** Cease and Desist issued for ground mounted solar array at 0 and 88 Wing Lane.

Eric James presented on behalf of CVE. Doug Pimentel spoke directly with someone from CVE. CVE sent somebody out and they have been cooperative and compliant with our requests in terms of screening and the actual work they have done to the site since. The response to the Building Inspector was reviewed and both Doug and the Building Inspector agreed that putting the nylon screening on the fence would be sufficient enough until the plantings do grow. There is a life expectancy of at least 5 years. CVE wanted to stop the screening about a third of the way down on the abutting property. There had been some tree removal along the edge when they put the fence in, however, they planted 21 trees since then and those have matured. Doug responded to CVE that the Board would like the nylon fence to extend all the way to the back edge of the property. Additionally, the Conservation Commission is working with CVE and is awaiting response on their issues. Rick Ellis asked what remains on the project. Doug stated that they cleaned up all of the berms, put mulch down and preparation for installing the nylon fence was in progress. Doug stated that the project was proceeding as directed and could proceed what the Board approves. Dave Davignon was concerned about the lifetime of the nylon fencing. Who is responsible in 3-5 years as that nylon degrades and dissipates as waste in the area. He is also concerned about trees dying off. Eric James offered to include maintenance in their landscaping contract. Rick Ellis suggested using aluminum slats in the fencing as opposed to nylon to assure the fencing would last for many years. The property abutter seems happy with the visual screening improvements. Doug agrees with the aluminum slat idea for at least the south portion of the fencing. Dave would like certain monies added to the Operations & Maintenance Plan for that specifically.

A motion is made to continue and add to the agenda for the next meeting.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4-0



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#### **Issue:**

**Sign Documents:** Clerical error in the paper work for a ground mounted solar array off Gammons and Mattapoisett Road. Sign corrected Certificate of Action and Certificate of Approval.

The Certificate of Action and Certificate of Approval were correctly signed.

Note: David Davignon could not sign documents because he did not participate in said projects.

#### **Planner Update:**

##### **Clerical Position Update**

Three candidates were interviewed for the position and a decision will hopefully be made in the coming week. Once a decision has been made, Doug Pimentel will notify Board members.

##### **Master Plan + Open Space and Recreation Plan Update**

Doug Pimentel began contacting companies that specialize in Master Plan and Open Space Plan work to gather cost estimates to complete the two. Realistically, it would be advantageous for the town to pursue both plans at the same time. The cost to complete both at the same time will be more effective long term because there will already be an economy of scale. Both plans are extremely out of date and there isn't a large amount of up to, date readily available data available for the town. After looking at rfp's for similarly sized communities around the south coast, the cost for the Master Plan was looking to be upwards of 90 thousand and the Open Space Plan would be upwards of 30 thousand. The ultimate goal is to pursue grants that will cover the cost of work but for now the estimates give us an idea of how much money the town will need to pursue in grants.

#### **Mail**

**[end]**