



# TOWN OF ACUSHNET

## MASSACHUSETTS

### OFFICE OF THE PLANNING BOARD

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## Acushnet Planning Commission Meeting & Public Hearing Minutes for May 26, 2022

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Open: 6:30pm  
Adjourn: 7:35pm

Present: Marc Cenerizio, Chairman  
Rick Ellis, Member  
Bryan Deschamps, Member  
Dave Davignon, Member (via Zoom)  
Mark Francois, Member  
Doug Pimentel, Town Planner

Issue: A motion is made to open the meeting:  
So moved: B. Deschamps  
Second: R. Ellis  
Vote was 5-0

Issue: Marc C., Chairman, announces the passing of John Carvalho (95), a past Planning Board member and other Town affiliated clubs and volunteer efforts. A moment of silence was observed.

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.

The following individuals were present for the Proponent;  
Bill Madden, GAF Engineering  
Charles Sands, Acushnet Company Facilities Manager  
Keith Boyle, Project Architect

Bill M. presents that not much has changed since their initial presentation of the Site Plan on May 5, 2022 before the Planning Board. Some minor changes have been made; however, they do not expect any substantial changes to the Site Plan. Most of the minor changes are finishing touches inside and outside of the proposed plan. Bill M. notes the scope of the project consists of approximately 2.7 acres of land. Bill M. notes that currently, golf fittings take place normally in the summertime and this project will allow golf fitting year-round. He doesn't envision an increase in traffic flow and notes there will be no additional employees brought in, only golf professionals for fittings. Bill M. states that the Site Plan includes a sedimentation

erosion control plan, pre and post construction and stormwater management. Bill M. notes all of the has been filed with the Conservation Commission and are waiting to hear back from them. Keith B. explains they have tried to tie-in what they have done on this project to what they're doing at headquarters for renovations as well. He explains there blending in what's there for functionality and trying to keep a really clean simple refined building. Bill M. states they will continue with normal business hours with nothing in the evening hours and feels the use of the new site will be consistent with what is currently happening at the facility. Marc C. asks the Board if they have any questions. Dave D. has submitted a list of questions beforehand and Marc C. noted that Bill M. had addressed all those questions during his presentation. Rick E. noted that the Site Plan was a very well thought out proposal. Rick E. notes that this project is in a quiet area without any abutter issues. Rick E. notes that the plan will improve some of the stormwater issues existing now and will increase the tax base for the Town. Marc C. notes this a Public Hearing and asks if any in the audience is for or against the project. No one comes forward. The Planning Board discussed moving forward and approving the Plan, however, Dave D. noted that because the Conservation Commission hasn't finished their review it would be prudent to continue the Public Hearing until the next Planning Board meeting to make sure the stormwater permit has been issued so the Board doesn't end up in a situation such as what happened with the 88 Wing Lane solar project. Bill M. agreed it makes sense until everything is settled.

A motion is made to continue the Public Hearing until the next Board meeting on June 23, 2022.

So moved: R. Ellis

Second: B. Deschamps

Vote was 5-0

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

Steve Giosa with Sitec Engineering is here representing the developer, Moniz Estates. Steve G. notes the subdivision was approved several years ago and has been under construction and Daniel Moniz, Project Proponent, previously appeared before the Board and 9 of the 17 lots were released from the Covenant over the last few years. Steve G. states that the Proponent is now ready to move to the next couple of lots. They are seeking to release 4 lots which will leave 3 lots remaining that would not be released from the Covenant. Steve G. states the Proponent has potential sales of at least one of these lots moving forward. Steve G. asks the Board to get a release of the 4 lots. Marc C. asks the Board if anyone has any questions. Rick E. asks how far has the road been completed. Steve G. states the utilities are in and the road has been constructed, there's binder down, drainage basins have been constructed and the final paving on the road needs to be completed. Doug P. states he was at the site recently and noticed Margaret Street was completed. Doug P. notes that on Alison Drive there's a sidewalk that's noted on the Plans that still hasn't been completed and there are still quite a few things that still need to be completed. Doug P. states he is hesitant because there is no performance bond in place for the roadway. Dave D. asks the Engineer if there is a ballpark figure to complete all of the work. Steve G. states they have not prepared an estimate of that. Rick E. states he would like to see one especially with only 3 lots remaining and he would also like to

see a recommendation from the Town Highway Superintendent to see what he thinks of the road construction out there. Doug P. notes there is only one sidewalk complete on the Plan in the southerly portion of the Plan and it runs up along towards the cul-de-sac from what was Blais Drive previously. Dave D. thinks the Board should release two lots now and ask for a written estimation and have Dan Menard look at it to make sure that it looks like it's legit before the Board does anything more. Rick E. believes that is reasonable. Steve G. states that would be acceptable and they will get the estimate completed and get the Highway Superintendent's review done. Marc C. asks which two lots would they want released tonight. Steve G. asks for lots 14 & 15 be released. Doug P. presents the Covenant release forms to Marc C., Rick E. and Bryan D. for signoff. Dave D. and Mark F. abstaining due to not being involved with the original project.

Issue: A motion is made to release lots 14 & 15 from the Covenant for Moniz Estates.  
So moved; R. Ellis  
Second: B. Deschamps  
Vote was 3 for with 2 abstaining (Dave D. & Mark F. not involved with original project)

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

Dave D. had submitted his comments on the subject which were disseminated to the Board prior to this meeting. Rick E. states he would like to rework it, basically to put it more in line with the ANR Handbook because that has stood the test of time for court challenges. Rick E. believes it would keep things simple just like it is in the ANR Handbook, and not get into widths of driveways and things like that. Rick E. states the way he understands, the courts have said on an ANR plan what matters is do you have access today for what's shown on the plan from the road that provides frontage to the building portion of the lot and that's very clear in the ANR Handbook. Rick E. states that's what's been the subject of half of the court findings and that's one of the parts that Rick wants to see reworked. Rick E. states that with lots worth \$100-200K apiece he presumes there would be a court challenge if the Board were to not decide to sign a particular plan.

Issue: A motion is made to re-visit ANR Form A Plan Access Requirements at a future meeting.  
So moved: B. Deschamps  
Second: R. Ellis  
Vote was 5-0

## **Planner Update:**

### Process Flow Charts

Doug P. states that the Town Administrator has requested that he compile flow charts for every planning process. This would provide how someone off the street could go through the Planning process essentially. Doug P. provides a draft to the Board for their review. Also, a meeting took place with the Town Clerk and Town Assessors office to provide some cohesion between departments and figure out what may be missing in terms of paperwork and discrepancies within paperwork. Doug P. asks the Board for any recommendations.

### Solar Moratorium

Doug P. states that the Park Drive project requested a letter saying they were grandfathered

under the current zoning of what was prior to the Solar Moratorium. Doug P. doesn't believe he needs to issue a letter because they had their project permitted before the moratorium was approved at Town Meeting. Doug P. states that for all intents and purposes they are grandfathered in. Rick E. notes the Special Permit has a timeframe on it and Doug P. states it is for three years. Doug P. explains there is a part of the special conditions that within one year of the issuance of the Building Permit they have to complete construction. Doug P. had discussions with Town Counsel about Attorney General rulings and districts are not going to be allowed to prevent and courts are going to end up ruling in favor of Solar companies. Doug P. explains the Board can guide certain sizes depending on the district and can impose certain bonds or sureties in place for clear cutting of trees. Doug P. will share these rulings with the Board for their review. Doug P. provides the Board with a standard set of conditions page highlighting condition four. Doug P. reviewed this condition with Town Counsel and advises the Board to reconsider that condition. Doug P. notes that once the Board issues a Special permit it is extremely difficult for the Board to go back on the approval and bring the proponent back in front of the Planning Board. Rick E. states that he would prefer to keep that condition there to help keep proponents honest.

#### Master Plan Update

Doug P. states that not a lot was achieved since the 2008 Master Plan and he believes a lot of that will be able to be carried over into the update. Doug P. states there is a strong push just now from the Board of Selectmen to start pursuing bids for the Master Plan update and to start figuring out funding sources and when we are going to be able to start the update. Doug P. is developing an RFP and when finished he will send to the Board members for another review. Doug P. notes the Town is in the process of acquiring grants through an earmark and the possibility of doing other transportation earmarks that would be able to undertake studies with the MBTA commuter rail coming and what those zoning requirements are going to look like. Doug P. states that moving forward one of the big safety improvements that the community is going to have to look into in particular is in front of Town Hall and Slocum Street, those being the two main access points over to where the commuter rail is and from 2PM to 6PM cars are backed up where Main and South Main Street intersects. Doug P. believes that at some point a complete safety study needs to be considered, perhaps a traffic light or something to regulate traffic. Doug is working with the Town Administrator to determine what studies need to be completed and what safety improvements will need to be proposed. Doug P. states that we will have to start forming a Master Plan committee and recruiting Town employee candidates and residents.

#### Chapter 40B-Affordable Housing

Doug P. states there has been a lot of questions about Chapter 40B, affordable housing and he has done some extensive research into it. Doug P. notes that there is little to nothing the Planning Board can do. Doug P. states there are three different processes a developer can go through in terms of doing 40B housing.

- Comprehensive Permit
- Friendly 40B
- Special Permit

The Special Permit would give the Town the most control in terms of what it will look like at the end and what the density requirements are going to look like. Friendly 40B looks good for the developer and the Town where the developer comes in willing to work with the community and they would also be working with the State Housing Agency in order to figure out what they want the affordable housing to look like long-term. Doug P. believes there is a

lot of negative connotations around what 40B housing is and has evolved at this point and the State requirements is 20-25% of units that are built have to be affordable or filled with affordable tenants and 40B can either be rental units or purchased to own units. Doug P. explains the affordability at that point changes within the State requirements. The Town is at 2.3% of subsidized housing inventory and the State requirements are 10%. Doug P. notes there is a large push just now for age qualified housing and it counts as 40B and it would count towards subsidized housing inventory. Doug P. notes that once the Town becomes an MBTA community and if the Town doesn't adopt the zoning requirements the Town would not be eligible for specific State grant funding opportunities.

## Mail

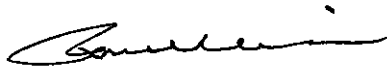
### Meeting Minutes:

Issue: A motion is made to accept the Meeting Minutes of May 5, 2022.  
So moved: R. Ellis  
Second: B. Deschamps  
Vote was 4-0 with 1 abstention (Dave D. off of Zoom)

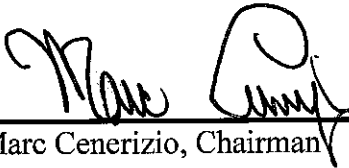
Issues: A motion is made to adjourn the meeting.  
So moved: R. Ellis  
Second: B. Deschamps  
Vote was 4-0 with 1 abstention (Dave D. off of Zoom)

Respectively submitted,

Paul Sullivan  
Administrative Assistant



6-30-22



Marc Cenerizio, Chairman

6-29-22

[end]