



TOWN OF ACUSHNET

MASSACHUSETTS

OFFICE OF THE PLANNING BOARD

Mailing Address: 122 MAIN ST.

Office Address: 130 Main Street, Parting Ways, 2nd floor

ACUSHNET, MA 02743

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

Tel. (508) 998-0200 ext. 4260

Acushnet Planning Commission Meeting & Public Hearing Minutes for September 8, 2022

Open: 6:30pm
Adjourn: 7:50pm

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

Issue: A motion is made to open the Planning Board meeting.
So moved: D. Davignon
Second: B. Deschamps
Vote was 4-0

Issue: The Chairman welcomes those in attendance and makes the media notification

Issue: The Chairman asks the Board Members & Town Planner to introduce themselves

Issue: Mark F., Chairman, announces the joint meeting with the Board of Selectmen and the Planning Board for the appointment of Commissioner Marc Cenerizio's Open Term. Appointment will expire in May, 2023 at such time, the term will expire and will be on the annual Town election ballot.

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

Issue: Selectmen Kevin Gaspar and Robert Hinckley were present for the Board of Selectmen.

Issue: A motion was made to call the meeting to order
So moved: R. Hinckley
Second: K. Gaspar
Vote was 2-0 (David Wojnar not yet present)

Issue: Chairman Mark F. notes we have two people that are interested in the open position on the Planning Board and one of those, Peter Giampa, was not able to be at the meeting tonight. The Chairman asks candidate, Steven Boucher, to come forward to speak on his behalf.

At this time, the Board of Selectmen Chairman, David Wojnar, has joined the meeting via Zoom.

Mr. Boucher notes he has lived in Town the majority of his life and has served on the Board of Public Works for six years as a member and is interested in serving on the Planning Board. Mr. Boucher notes he has a special interest in the Master Planning and has been employed for several years as a Project Representative for Public Works and is well versed in public work as well as the Town's infrastructure. Mr. Boucher states he would like the opportunity to serve on the Planning Board. Mr. Boucher asks if either of the Board's have any questions for him. Rick E. states that he doesn't have any particular questions but notes that both candidates had a chance to sit in on the last Planning Board meeting and the Board had some serious discussions about a couple of matters and sights that the candidates still have interest in the opening. Rick E. notes that the DPW experience is good and the candidate is used to making decisions that some people make like and others may not like which is not always a favorable position. Dave D. asks the candidate if he understands that he would need to run for re-election next May and if he intends to do that. Mr. Boucher states that is his intention.

Selectman Gaspar states he has no questions for the candidates and he has reviewed the letters of interest for both of the individuals and states that no matter who gets the nomination we know these are two good candidates. Mr. Gaspar states that Mr. Boucher understands the Town's infrastructure and believes that would be huge benefit on behalf of the Planning Board when it moves forward on some of the bigger developments such as housing that's been discussed by the Town Planner.

Chairman Francois states he has reviewed both of the candidate's letters of interest and believes both to be qualified. Mark F. asks for a motion for a nomination.

Issue: A motion is made to appoint Steven Boucher to the Planning Board for the term which expires at the next elections.

So moved: K. Gaspar

Second: R. Ellis

Chairman Francois calls for a roll call vote of both Board's to nominate Steven Boucher for the open position on the Planning Board.

Vote was 7 for with 0 against.

Issue: Selectmen Gaspar states that multiple candidates that want to be appointed to various Town Board's have the opportunity to be on the ballot come the next general election and if Mr. Giampa is interested and wants to run for the position, he is certainly welcomed to. Mr. Gaspar would encourage everybody and anybody who's interested and has faith in the Town of Acushnet to come forward and run for open positions.

Issue: A motion is made to close the joint meeting with the Board of Selectmen.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4-0

Issue: A motion is made to accept the August 25, 2022 meeting minutes with some minor changes requested by Board Member, Dave D.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4-0

Issue: There are no Planning Board bills to process, only correspondence to read at the end of the meeting

Issue: The Chairman notes there are no Public Hearings tonight

Issue: **ANR 2022-01** for land at 0 Lake Street, Acushnet MA. River Hawk Land Survey, Middleborough, MA, drawn for Long Plain Cranberry Trust and Crandon Acres Nominee Trust.

Revised plans were not submitted in time for tonight's meeting, so the proponent will re-schedule for the next meeting on September 22, 2022

Issue: **Discussion (continued):** Park Drive Solar Project, Syncarpha, access rights options, Request for Public Hearing

Doug P. notes Syncarpha will be joining the meeting via Zoom tonight and provides further clarification. Doug P. states he has a meeting on September 9, 2022 with Town Counsel and the Town Administrator to get some clarity on opinions that Town Counsel had issued for the Planning Board, to see how to proceed and move forward. Doug P. states that tentatively there is a public hearing scheduled for the proponent, but, in the meantime if a different decision is rendered from the Town Counsel, he will be in touch with the Planning Board members to let them know. Dave D. asks what is the decision from the Town Counsel that their waiting for. Doug P. states that we need clarity on whether or not we need a public hearing and then the appeal process, and if there is an appeal process following for what was set up for a public hearing two weeks from tonight. Dave D. asks if the proponent has issued a detailed plan and Doug P. replied not yet. Mark F. asks if anyone from Syncarpha on via Zoom wished to address the Board. Graeme Dutkowsky from Syncarpha presents and states since they last spoke, the Board requested the proponent survey the property limits at the access drive location and have done so, and on that note would like to further the discussion to understand any questions or comments the Board may have. Mark F. asks if any of the Board members have had the opportunity to visit the site. Rick E. notes he did, and states at this point it is a small change and it does look like there was an opportunity for the building inspector to approve it as a change but we need the meetings with Town Counsel before we can make the final decision. Dave D. states that when he looked at the property, he had concerns. He counted seven mature trees that are over the property lines to the right that are probably 1-2 feet over the line and they have a three-foot grade change because it goes uphill towards the trees. Dave D. is wondering how they intend to accomplish that if they intend to cut the grade

down 2-3 feet and there going to need a retaining wall because there going to occupy the whole stretch of 20 feet and if a cut through those root systems of the mature trees may be an issue. Dave D. notes there is a utility pole that's three feet from the right lot line which may be in the way. Dave D. is wondering if the proponent has looked at these issues and would need to get permission from the abutter for the right to cut down all of those mature trees and if not, how would the proponent deal with that. Rick E. also expressed his concerns with the mature trees and the small space onto the abutter's property. Essentially, the Board requested that the proponent provide the solutions at the next Planning Board meeting.

An abutter, Mark Morad, asks the Board if these issues will go to a public hearing. Doug P. states that the Board needs to get a clear decision from Town Counsel on the matter.

Issue: **Sign Documents:** Deterra Development LLC, Roadway Improvement Plan Guarantee, Cash Escrow Agreement

The Board members signed the Cash Escrow Agreement which requires the developer to deposit a \$35,000 Cash Escrow with the Town

Issue: **Discussion:** Morton Lane ANR, Roadway Improvements

Doug P. notes there is ongoing developments. Doug P. states the Planning Board accepted a waiver request to provide a gravel road on the drawing plan provided back in February, 2022. Doug P. notes the Board had approved the change from being asphalt to gravel. Doug P. notes that at this time the septic system and the house has been built as well as the roadway. Doug P. states that in talking with other Town Boards and speaking with the property owner it's his understanding they are looking for amendments to their NOI through the Conservation Commission and there are some grading issues, and the project's been passed between hands from one engineer to another engineer and how that effects stormwater calculations long term for the project. Doug P. asks the Board if they have questions or concerns. Dave D. states that it doesn't look like the hammerhead is built and there's no formal fire turnaround access. His other concern is the site plan asked to waive the pavement to get the water from the road for drainage and now will have some effect on stormwater. Dave D. asks the Town Planner if there is a revised plan and Doug P. states there is not a revised plan at this time. Doug P. notes there are now three separate plans between the Planning Commission, Conservation Commission and the Board of Health.

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

Rick E. notes that Lake Street, most of Keene Road and Peckham Road are not accepted and are roads in existence prior to subdivision control. Rick E. states if they were not in existence and were used and built prior to subdivision control the hard line is that you have got to go through the subdivision process. Dave D. states he agrees Morton Lane should have been dealt with as a Form C even though the layout existed, only because then you can put a covenant with surety. Dave D. asked Doug P. to provide some past, similar sample plans so the Board can assess if they are on the same page for access requirements. Rick E. believes that until there's a common driveway approval, a couple of those lots should not be considered buildable lots. Dave D. believes the Board is now on the same page and that lots should not be considered buildable until such time as a common driveway special permit has been issued by the Planning Board under the subdivision control.

Current Planning Update:

Revised Solar & Rezoning Bylaws

Mark F. notes that Doug P. sent out via e-mail the drafts for the Solar bylaw and the Bradford Street re-zoning. Doug P. states that in the drafted Solar bylaw he addressed issues in terms of setbacks with a minimum frontage of 300 feet along with side and rear setback requirements. Doug P. states the draft was written to consider all of the health and welfare concerns for the Town. Doug P. notes that the Bradford Street re-zoning will only consider 2-3 buildable lots, not the 10-13 lots that were referenced in the Spring Town Meeting article.

Long Range Planning:

Doug P. states there has to be a complete overhaul of the Master Plan with the goals/vision that the community has for the next ten years. The Master Plan addresses specific zoning and bylaw regulations that can be enacted. Once a Master Plan is adopted the Town needs to take action on any changes put forth within 2-3 years. Doug P. states that realistically it is advantageous to have SRPEDD or other outside consultants create the Town's Master Plan. Doug P. states that once the Master Plan is completed it will incorporate elements such as economic development, open space/recreational and housing etc. Doug P. is preparing an RFP that when finished will be disbursed to the Board members. Doug P. reviewed the Master Plan expected costs and sources of funding already obtained and other expected funding for various elements of the Master Plan.

Correspondence:

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

Respectively submitted,

Paul Sullivan
Administrative Assistant



Paul Sullivan

9-26-22

Date



Mark Francois, Chairman

9-22-22

Date

RECEIVED
SEP 26 10 00 AM '22