



TOWN OF ACUSHNET

MASSACHUSETTS

OFFICE OF THE PLANNING BOARD
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Marc Cenerizio

Acushnet Planning Commission And Stormwater Review Board Regular Meeting and Public Hearings May 20th, 2021

This meeting was held remotely via Zoom Meetings.

Open: 6:32 p.m.
Adjourn: 8:53 p.m.

Present: Marc Cenerizio, Chairman
Bryan Deschamps
Rick Ellis

Absent: Mark DeSilva, Sr.
Phil Mello
Dave Davignon

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

Issue: Marc Cenerizio notes that new Planning Board member Dave Davignon is not present tonight. Having just won the election for Planning Board, Mr. Davignon concluded that it would be prudent to avoid conflict of interest by waiting until his company has concluded its business with the Board before becoming an active member. Marc Cenerizio reads a letter from Dave Davignon to this effect, and adds that his presence is anticipated toward the end of the summer.

Issue: Minutes of January 21st, 2021

A motion is made to approve the minutes of January 21, 2021 as typed.
So moved: R. Ellis
Second: B. Deschamps
Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.
Vote was 3 for, 2 absent.

Issue: Minutes of April 22nd, 2021
Bryan Deschamps observes that in the minutes for April 22nd, 2021, it appears

that the Morse's Lane project was approved, and wonders if the order of conditions has been assembled. Marc Cenerizio says it has not yet been put together and asks Patrick Hannon if a template can be made, and if the Fire Chief's new requirements can be added.

A motion is made to approve the minutes of April 22nd, 2021 as typed.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

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/ Greenman-Pedersen, Inc. This proposal is for a gas station and convenience store within the Business Village District.

Marc Cenerizio issues a reminder that plans and materials must be turned in to the Town Clerk by noon the Friday prior to the meeting.

Marc Cenerizio says he spoke to Attorney Phil Lombardo, and most everyone from the New England Retail Development team is currently out of town, however Attorney Lombardo is present on the meeting. Paperwork is reviewed by the Chairman.

Attorney Lombardo apologizes to the Board for not turning in their plans in time for this meeting, and says they intend to submit it to the Town Clerk as soon as possible.

Attorney Lombardo suggests that the Board has already voted on the project, and asks that they sign the decision and release it upon receipt of the stamped plans, as it is just a technicality. The way the applicant will not have to attend the next meeting. Marc Cenerizio asks if the Board objects, and both Rick Ellis and Bryan Deschamps say they have no objections.

Issue: It is concluded that a June meeting would be difficult due to vacation schedules. The next meeting of the Planning Board is scheduled for July 15th.

Issue: Public Hearing (Continuation): 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

Rick Ellis states that this will need to be continued, as no order of conditions is ready. Marc Cenerizio says that Patrick Hannon will help assemble the order of conditions. Brandon Smith from Borrego Solar Systems says he understands and will help in any way he can; Marc Cenerizio suggests he reach out to Patrick Hannon to coordinate.

There is discussion about whether the paperwork will all need to be wrapped up at a public meeting, and it is concluded that it will.

Realizing the July meeting would result in a long wait for the applicants, Marc Cenerizio suggests a meeting early in June to get these documents signed.

The 52 Morse's Lane case is continued to 6:45 on June 3rd.

Issue: Public Hearing (Continuation): 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.

14-47 Park Drive is scheduled for 6:50 p.m. on June 3rd.

Marc Cenerizio notes that 540R Main Street also wanted a continuance.

Issue: Due to running ahead of schedule, a motion is made to adjourn the meeting until 7:30 p.m.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

The Board reconvenes at 7:30 p.m.

Issue: A motion is made to open the public meeting.

So moved: R. Ellis

Second. B Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

Issue: Public Hearing (Continuation): Proposed solar array at 1052 Main St., Woodridge Renewables, LLC, applicant; represented by Steve Gioiosa of SITEC, Inc., Dartmouth, MA.

Steve Gioiosa from SITEC is present, and notes that Alan Clapp is also present, representing the Solar Company on both projects that he will be discussing tonight. Mr. Gioiosa recaps the plans for the solar project being proposed, and says he has presented several times and had a review by S.W. Cole. They have addressed the comments and provided a response. The last few changes were providing Fire Department access around the site, minor tweaks on drainage, and landscape buffer plantings added along the easterly area of the site. Lastly, a small notation that S.W. Cole suggested was added to the plans. The Conservation Commission has concluded their review and issued an order of conditions approving the project, for the same plan that is before the Planning Board this evening. Mr. Gioiosa says he is hopeful that they can conclude the process this evening.

Rick Ellis says it looks like there are still reservations about decommissioning

costs, and asks if there has been any resolution there. Mr. Gioiosa says he is not sure where they are on the matter, as they have not received final comments from S.W. Cole. Rick Ellis then says that a copy of the May 18th letter from S.W. Cole needs to be provided to the proponent, as it seems the decommissioning cost is still not resolved.

Mr. Gioiosa says that he thinks this can be resolved in short order and thinks they are in good shape unless the Board has additional items to address.

Rick Ellis says he would have no problem going to special conditions subject to Mr. Gioiosa refining and revising and getting an acceptable cost estimate from S.W. Cole.

Patrick Hannon inquires about whether the fourteen-foot road on the site plan is gravel. Mr. Gioiosa says yes, and shows a detail on the plan.

Anthony Couto, who owns abutting lot 26E, says he is sort of against the project and feels it doesn't fit well with siting preferences the state says they should follow. He would like a fifty-foot buffer/no cut line between the applicant's property and his own. He is hoping he can get this done through the Planning Board.

Mr. Gioiosa says that after Mr. Couto raised his concerns, they proposed more plantings as an added buffer. The southern edge has a no-touch zone of about twenty to twenty-five feet. The panels and modules are outside the one-hundred foot wetland buffer zone, which creates the particular configuration which meets the applicable setback requirements from adjacent properties. He says they may be able to continue the row of plantings a little further to the north for the abutter's benefit.

Mr. Couto points out that the fence line is ten feet from his property line, and feels this is a very large property with plenty of room down the other side near Main Street, and that pushing it back so close to his property feels inconsiderate. He also wonders why the applicants can't access both their sites from Main Street.

Rick Ellis notes that a fifty foot no-touch zone is in excess of anything that has been required on other projects, as they mostly just require fencing and plantings. Mr. Couto reiterates his desire for a fifty-foot buffer, adding that he has offered to sell his property to the applicant as well. Marc Cenerizio says this is between the two parties to work out, and there is little the Board can do.

Mr. Couto says that the state recommends a lot of considerations and frowns upon clear-cutting, and feels more conditions should be put on the project. He again asks why the projects cannot come off of Main Street instead of Cushing Lane.

Mr. Gioiosa says this is not possible due to the wetlands, and says that the project meets all applicable setback requirements of the Town and has sought no relief on that front. They are agreeable to adding additional buffer plantings on the east side.

Mr. Couto says he's still against it without the fifty-foot buffer. He says he agrees with some of Mr. Gioiosa's points, but feels it's only his opinion and that the Town should have its own expert that works for them. Alan Clapp says he has spoken to Mr. Couto about some options relative to easements and is doing legal research relative to title, and that he hasn't closed the door on any options yet.

Patrick Hannon notes that the town does in fact have an expert, S.W. Cole, and that the project was peer reviewed, adding that the Planning Board has put this through the proper process.

Rick Ellis says that what is proposed is in line with a lot of other solar array proposals, and feels that they shouldn't place arbitrary requirements on the applicant.

A motion is made to put together a set of conditions for this project, and get a decommissioning number from S.W. Cole that is amenable to both parties, and for the planting line on the Cushing Lane side of the property be extended up the rest of the property since that is a relatively small cost.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

The matter is scheduled for June 3rd at 6:55 p.m.

Issue: Public Hearing (Continuation): proposed solar array off Cushing Lane, Acushnet Assessors Map 7, Lot 26. White's Farm, Inc., applicant; represented by Steve Gioiosa of SITEC, Inc., Dartmouth, MA.

Steve Gioiosa from SITEC says they have gone through peer review for this project, and he presumes there is a similar comment on the decommissioning review for this site, though he is unsure. They have appeared before Conservation and received an order of conditions approving the configuration. The major change from the last plan is the addition of the gravel access drive circulating the site to address the Fire Chief's concerns. They also added a 3,500 gallon cistern, and made a note change on the plan as suggested by S. W. Cole.

Rick Ellis notes that the plan looks a little tight on the fourteen-foot gravel access drive on the southerly end, as the corner of the drive goes right through the panels. Mr. Gioiosa zooms in and agrees that this is a drafting error and a minor shift will need to be made.

Rick Ellis asks for the plan to be shown to the Fire Chief to make sure he's happy with it specifically.

Alan Clapp says there is no problem fixing this on the plan, as it is merely a drafting error.

Marc Cenerizio asks about the mylar for Cushing Lane. Mr. Gioiosa says that it would be helpful to get that administrative item cleaned up. Rick Ellis adds

that, at the last meeting, Patrick Hannon was going to compare the original plan and the new mylar and that he hopes to get something from him stating that it is the same as what was signed in the past.

A motion is made to sign the new mylar as long as it is truly the same as what was previously signed, and for Patrick Hannon to overlay the mylar with the original and take a look at it.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

Marc Cenerizio asks about a decommissioning cost, and Rick Ellis says he did not see a letter from S.W. Cole on this particular site, so it will probably have to be continued to the next meeting.

Mr. Gioiosa says that the review was really just the one note they wanted added to the plan, and that it would be helpful if they could treat it the same way as the first project, and go to conditions subject to getting the number confirmed.

Rick Ellis says he would be uncomfortable doing so without a letter from S.W. Cole. Mr. Gioiosa can work closely with them to get it resolved ahead of the June 3rd meeting.

Patrick Hannon issues a reminder that, soon, meeting via Zoom will no longer be allowed.

The matter is continued to June 3rd at 7:00 p.m.

Issue: Public Hearing (Continuation): Proposed solar array at 540R Main Street, TJA Clean Energy, applicant; represented by Atlantic Design Engineers, Sandwich, MA.

Marc Cenerizio says that 540R Main Street's hearing will be continued to 7:15 on June 3rd.

Patrick Hannon says that he has taken the Attorney General's Open Meeting Course, and that it would be helpful to stop assigning times to the specific hearings within the scheduled meetings, adding that this is perfectly legal and the way it is typically done. Marc Cenerizio agrees that the Board will stop assigning times to the meetings.

Issue: Discussion with Zenith Consulting Engineers about Pembroke Avenue and Bradford Street.

Jamie Bissonnette is present from Zenith, and says that at the last meeting the direction from the Board regarding roadway improvement for the DeTerras was for them come up with two cost estimates to complete the work for the road, for release of the third lot. Able Asphalt Inc. came up with an estimate of \$9,500. For the rest of the work, DeTerra and Sons, who are an excavation and construction company, are doing the work themselves. Their estimate for installation of the retention basin and to loam

and seed all areas around that haven't been loamed and seeded was for \$25,000, so it would be just shy of \$35,000 to get the road in full compliance with the plans.

Rick Ellis inquires about the time frame for completion, and Mr. Bissonnette says the intention is to get the basin in sooner and get construction on some of the houses done first so they aren't beating up the new road. Rick Ellis says any time this year would be reasonable.

Mr. Bissonnette says he can't guarantee it will be within the next couple of months due to the cost of lumber, but knows they want to get building as soon as it makes economic sense. Rick Ellis requests a letter from the DeTerras stating their intentions to finish by a certain date. Mr. Bissonnette says he will get a letter to the Board by Monday along with the written proposals, and asks if the Board would be in favor of the third lot release with the bond that they would need to put up.

Rick Ellis says he would like to see Public Works agree that the project can be completed for the quoted prices. Mr. Bissonnette says they will attempt to get a letter to that effect. There is discussion about whether they will be seeking zoning relief. Mr. Bissonnette says it might make sense to take a look at the areas that have a sewer connection now and maybe spread out a little bigger than the immediate area. Rick Ellis says they are working on hiring a Town Planner and they can look at the other properties in the area and see what else would be involved, as this needs to be looked at globally.

Issue: Discussion for Roadway Improvement on Morton Lane – Zenith Consulting Engineers

Jamie Bissonnette from Zenith says they met a few months ago for roadway extension plans on Morton Lane. Mr. Bissonnette says that the Board had good feedback, and that one point Rick Ellis had made clear was the history of bringing asphalt up to the beginning of a portion of their lot and making sure they had a fire access turnaround. Mr. Bissonnette shows the plan where they've taken Morton Lane, proposed pavement to extend down to the beginning of their lot, and beyond it done gravel for the fire truck turnaround with a hammerhead style turn.

Mr. Bissonnette continues, saying they discovered a couple of things on-site that they were not aware of during their initial review. GIS and online mapping showed no wetlands, but they did find some wetlands on the site. They are keeping all work outside of the wetland resource area, proposing some drainage, some curbing, and a detention basin to keep the same rate of flow or reduce in accordance with the state's Stormwater Management Act and Acushnet drainage policy. There is a waiver request, as they cannot reduce the ten-year volume for predevelopment because of the soils, but they would meet all other standards for drainage.

Rick Ellis says they now have a section paved, and a section of gravel that drains into wetlands with no detention basin or stormwater pre-treatment of

any kind, so he thinks the proposal is desirable over what is there today.

Patrick Hannon points out that Town Meeting voted through some changes to the stormwater bylaw that will be taking effect soon.

Jamie Bissonnette asks to be on the next meeting for this plan, and is scheduled to be item number 6 on the June 3rd 6:30 meeting.

Issue: Public Hearing: Proposed large-scale solar installation at Robinson Road, Acushnet Assessor's Map 7 Lot 7, Robinson Road Solar LLC, Applicant, represented by SITEC Inc.

Jon Connell is present for the project, and shows the plans. There are two resource areas with an existing culvert that crosses under Cushing Lane. The fire lane has been modified as the Board requested. There will be a cistern and they have provided an erosion and sedimentation control plan. They will come in with a temporary construction entrance at the same location as the permanent driveway. They have gotten an order of conditions from the Conservation Commission and were approved there on May 11th. Mr. Connell adds that these are the exact plans presented to the Conservation Commission.

Mr. Connell continues, explaining that they received a peer review letter from S.W. Cole with several comments. They requested additional information for topography and on the culvert under Cushing Lane. They also wanted a note added about erosion control measures.

There is discussion about the utility poles. Rick Ellis then asks if stormwater has been reviewed, as he has not seen a letter. Mr. Connell says it was addressed to the chairman, and Marc Cenerizio says he will find and distribute the letter. Rick Ellis says he would like to see the Fire Chief take a look at this project at the southwest corner, as the 90-degree bend appears questionable.

Patrick Hannon asks if the entire 14-foot road is gravel. MR. Connell says it is gravel with a covering of crushed stone that would give a little more infiltration on the project as another measure to try to reduce the runoff.

Marc Cenerizio asks the public if they would like to speak.

Kevin Furtado of 86 Robinson Road says he thinks the project is a good idea and he's all for it, and has no problem with the solar panels next door to him.

Robert Gilmore, a landowner at 221 Robinson Road, says he is in favor as well.

Rick Ellis states he would like to see a letter from S.W. Cole agreeing to a decommissioning cost and agreeing that stormwater has been handled correctly, as he does not know what the requirements may be under the new

bylaw. There is discussion about the new bylaws and when they will take effect.

A motion is made to continue the hearing to June 3rd.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

Issue:

A motion is made to adjourn.

So moved: R. Ellis

Second: B. Deschamps

Roll call vote Ellis- Aye, Deschamps - Aye, Cenerizio - Aye.

Vote was 3 for, 2 absent.

Respectfully Submitted,
Jenn Brantley