



TOWN OF ACUSHNET

MASSACHUSETTS

OFFICE OF THE PLANNING BOARD
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Acushnet Planning Commission And Stormwater Review Board Regular Meeting and Public Hearings June 3rd, 2021

Open: 6:32 p.m.

Adjourn: 7:27 p.m.

Present: Marc Cenerizio, Chairman
Bryan Deschamps
Rick Ellis
Phil Mello

Absent: Dave Davignon

Issue: A motion is made to open the meeting.
So moved: P. Mello
Second: R. Ellis
Vote was 4 for, 1 absent.

Issue: **Sign Documents:** 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.

Marc Cenerizio states that they are to sign documents for the case, but that they did not receive anything, and new plans had been expected. The matter is continued to the next meeting, which is scheduled for July 15th.

Issue: **Sign Certificate of Action:** 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.

Patrick Hannon notes that this one is all set to sign and that he had e-mailed it to the Chairman. Marc Cenerizio apologizes for not having the paperwork ready. Patrick Hannon confirms that he spoke to Brandon Smith from Borrego Solar and some conditions were added, and that the decommissioning amount has been agreed upon. The papers will be signed once the paperwork is received.

A motion is made to accept the special conditions for 52 Morse's Lane.

So moved: R. Ellis
Second: P. Mello
Vote was 4 for, 1 absent.

Issue: **251 Mendall Road:** Sign Certificate of Action for Large scale ground mounted solar array.

Patrick Hannon states that the certificate of action has already been signed by the Board and the proponent, but needs to be signed by the landowner, and says that he will attempt to contact the landowner tomorrow.

Issue: **Sign Certificate of Action:** 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.

Patrick Hannon says they have not reached an accord with S.W. Cole on the decommissioning cost, and therefore this case is continued to the next meeting.

Marc Cenerizio says that on the next meeting, first on the agenda will be New England Retail Development, second will be 52 Morse's Lane, and third will be 14-47 Park Drive.

Issue: **Sign Certificate of Action:** Solar array at 1052 Main St., Woodridge Renewables, LLC, applicant; represented by Steve Gioiosa of SITEC, Inc., Dartmouth, MA.

Marc Cenerizio says this case is also continued, and Patrick Hannon observes that S.W. Cole is very backed up.

Marc Cenerizio says that the solar projects are overwhelming and wonders if they can limit the amount of them that they process in a year.

A representative for 1052 Main Street says they never received any response from S.W. Cole. Patrick Hannon said he communicated with S.W. Cole today and that they are simply backed up.

Rick Ellis says that each solar array has different costs for development, but that decommissioning should have a per acre expense attached to it, and perhaps S.W. Cole could come up with such a number. Patrick Hannon says he will ask that question tomorrow, adding that they might want to consider spreading some of this work out to another engineer.

Rick Ellis suggests that approval could be done subject to a final decommissioning number. Patrick Hannon mentions that it says in the approval that a building permit cannot be obtained until the bond is provided, so as long as the vote is subject to the acceptable amount, they won't be able to get a building permit until it's done. Patrick Hannon then recommends that they approve it subject to the bond being acceptable to both parties.

A motion is made that the special conditions for 1052 Main Street be accepted with the proviso that a decommissioning cost is agreed to by both parties before any building permits are issued.

So moved: R. Ellis

Second: P Mello

Vote was 4 for, 1 absent.

The Board then discusses taking similar action on 14-47 Park Drive.

Issue: **Sign Certificate of Action:** 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.

A motion is made to accept the special conditions for 14-47 park drive, subject to a decommissioning cost that is acceptable to both parties.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4 for, 1 absent.

Issue: **Sign Certificate of Action:** 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.

A motion is made to accept the special conditions and project for the solar array off Cushing Lane, map 7 lot 26, subject to a decommissioning cost approved by both parties.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

Issue: **Gammons Road:** Certificate of Action and approval with conditions. BWC Mill Pond/Blue Wave Solar

A motion is made to accept and approve the special conditions subject to a decommissioning cost acceptable to both parties.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

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

Marc Cenerizio states that 540R Main Street is also continued until the next meeting. The case will be item number 2, as several of the items for the next meeting were voted on and thus removed from the list after being added.

Issue: **Public Hearing (Continued):** 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 from SITEC is present and shows the plans from last time with several changes, including a larger radius around the panels and addressing comments from S.W. Cole, who sent a letter saying that their concerns have been addressed.

Marc Cenerizio observes that the 14-foot gravel perimeter was the main issue. Mr. Connell shows a detail of the fire lane.

Marc Cenerizio asks if any of the land is in 61A or 61B, and it is confirmed that it is in 61A. Marc Cenerizio then says he has to get documentation from the assessors on first right of refusal. Patrick Hannon says he will take care of that next week, and it is determined that the applicant should work with him. Patrick Hannon also adds that there is no decommissioning number on this one yet.

There is discussion about the voltages that will run out to the inverter and ultimately go into the grid, and about the battery storage.

The public is asked to speak, and no one does.

A motion is made to approve with standard special conditions, subject to Chapter 61A requirements being met and subject to a decommissioning cost acceptable to both parties being made for the solar array at Robinson Road, map 7 lot 7 for Robinson Road Solar LLC.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

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

Jamie Bissonnette is present from Zenith Consulting Engineers with the roadway improvement plan for Morton Lane, and says they have met twice with the board unofficially to discuss. Last time there was a recommendation to speak with the Fire Department and DPW. They have done both, and both have issued letters, which he will forward to Patrick Hannon.

Marc Cenerizio reads a letter from Dan Menard, DPW director, dated May 24, 2021, which states that Dan Menard has reviewed and approved the plans for the extension of Morton Lane, with the stipulation of installing a blowoff valve at the end of the water main. The water main must be installed by a Town of Acushnet licensed drain layer. In addition to inspections on the roadway, subgrade, base, and asphalt, binder and topcoat must be inspected by the Department of Public Works, the letter states.

Mr. Bissonnette then reads a letter from the Fire Chief which states that all Planning Board items have been addressed and that he appreciates the addition of the emergency vehicle turnaround, and that his concerns have been addressed .

Mr. Bissonnette explains some details of the drainage patterns on the plan.

Marc Cenerizio asks if the Zoning Enforcement Officer or Building Inspector had anything to say. Mr. Bissonnette replies that the Zoning Enforcement Officer made two points - that the Planning Board may want to consider what will happen further down and also that he would recommend additional pavement in front of the lot itself.

There is discussion about the planning board's policy regarding how much road each lot is responsible for building.

A motion is made to approve the improvements shown on the plan provided by Zenith Consulting Engineers, the latest revision being May 25, 2021.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4 for, 1 absent.

Mr. Bissonnette says they also applied for stormwater, and Marc Cenerizio says that's a different matter. Patrick Hannon says that their stormwater plan must go to S.W. Cole first to be peer reviewed.

Marc Cenerizio says perhaps they should seek another engineer. Patrick Hannon says they have a peer review they are working with on the Board of Health and that they do solar, so that might be a possibility. Mr. Bissonnette says he has a relationship with someone at S.W. Cole and would like to try following up with him first.

The Board discusses the new stormwater regulations.

This matter is scheduled to be third on the July 15th meeting.

Issue: **13 Jean Street:** 2 Lot subdivision ANR, Zenith Consulting Engineers.

John Romanelli from Zenith Land Surveyors is representing Ben Reis, who recently purchased property at 13 Jean Street. The existing property has 200 feet of frontage. Mr. Romanelli shows how the land is to be subdivided into two lots with 100 feet each of frontage.

A motion is made to approve the plan as submitted.

So moved: R. Ellis

Second: B. Deschamps

Vote was 4 for, 1 absent.

Issue: **0 and 165 Nyes Lane:** Informational presentation for Solar Array installation, assessors map 18, Lots 57 and 57A Acushnet Massachusetts. Proponent R&R Renewables LLC, Represented by: Henderson Consulting Services.

Patrick Hannon says this case will be continued to the next meeting. Marc Cenerizio notes that it will be item number 4 on July 15th.

Issue: **Old Business**

There was a letter to the Board of Selectmen regarding 329 Middle Road from last September regarding a first right of refusal. Patrick Hannon says he will let them know it is all set.

Patrick Hannon notes that they are also all set on the missing mylar issue discussed at previous meetings.

Issue: Minutes for May 10, 2021

A motion is made to approve the minutes as typed.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

Issue: Minutes for May 20, 2021

A motion is made to approve the minutes.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

Issue: Mail

Marc Cenerizio notes that there were three applications for the secretary position, and a bill received from Southcoast Media Group.

Issue: A motion is made to adjourn the Planning Board meeting and move to a special meeting for the stormwater regulations.

So moved: R. Ellis

Second: P. Mello

Vote was 4 for, 1 absent.

Issue: Patrick Hannon says this meeting of the Stormwater Board is to approve the updated stormwater regulations to comply with the EPA's deadline of June 31, 2021. Patrick Hannon reviews the regulations and their implications. This revision establishes permit procedures for a land disturbance approval review for 5,000 square feet to a half an acre and then breaks it off to standards and land disturbance permits for anything greater than a half acre. Previously, you had to get a stormwater permit for 5,000 square feet and up. It establishes permit and enforcement fees. Patrick Hannon notes that the Town spends a great deal of money on enforcement, and now fees can be assessed to cover the enforcement. It also provides inspection procedures. The regulation includes operation and maintenance requirements for stormwater system components and provides tree protection language and some requirements. It gives detailed standards for new development projects versus redevelopment. There is a new bylaw that goes hand in hand with this regulation; there was no time to adopt this new bylaw before Town Meeting so they amended it at Town Meeting, and at fall Town Meeting they will adopt the bylaw. Patrick Hannon concludes, stating that this brings them into EPA compliance and avoids a \$100,000 fine.

Issue: A motion is made to accept the stormwater regulation.
So moved: R. Ellis
Second: B. Deschamps
Vote was 4 for, 1 absent.

There is discussion amongst the Board about what the new process will be.

Issue: A motion is made to adjourn the meeting of the Stormwater Review Board.
So moved: R. Ellis
Second: B. Deschamps
Vote was 4 for, 1 absent.