



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 May 25, 2023

Open: 6:30pm
Adjourn: 9:01pm

Present: Rick Ellis, Vice Chairman
Bryan Deschamps, Member
Dave Davignon, Member
Steve Boucher, Member

Absent: Mark Francois, Chairman

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

Issue: A motion is made to open the Planning Board meeting.
So moved: B. Deschamps
Second: Dave Davignon
Vote was 4-0 (1 absent)

Issue: The Chairman asks the Board Members to introduce themselves

RECEIVED
2023 JUN 23 A 10:46

PUBLIC HEARINGS

- a) **Solar Special Permit Extension Request:** Syncarpha Park Drive LLC, 14-47 Park Drive, Acushnet MA. The engineer is Weston & Sampson. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street 1st floor, during regular business hours.

Issue: We have multiple proponents here representing Syncarpha Park Drive project
Jeffrey Roelofs,
Mike Atkinson,
Rob Burkowski,
Graeme Durwatoski
Jesse O'Donnell

Jeffrey R. summarized the activities that had been undertaken on the Park Dr. solar project.
Jeffrey R. notes that Syncarpha has chosen a new access road through Lambert St. and this new

Access road will have some wetlands obstacles and they have filed an NOI with the Conservation Commission and these activities have slowed down their progress in starting project construction.

He notes that these new requirements will cause delay in moving the project forward and that is why they are here this evening to request the special permit extension. He notes that there is much more investment to make to secure additional permits. Dave D. believes that the proponent meets the criteria for an extension. Rick E. believes that the proponent as exercised all its duties in regards to the special permit and has actively working on the project. Rick E. states that the proponent has exercised the special permit and has a right to an extension.

Town resident, Raymond White voiced his displeasures with his initial access roads regarding abutters and the legal rights to that access road. Town resident Kathy Murray of Lambert St. expressed her concern with the new plan modification for Lambert St. access. She doesn't want to experience all of the traffic issues that may come about. Rick E. notes that she will have an opportunity to express her concerns, however this session is about the extension of the special permit. Kathy Murray states that the site plan modification is a substantial change and the proponent shouldn't be granted the special permit.

Town resident, Mark Morad asks if this hearing is strictly about extending the Special Permit and not about the access roads to the solar site. Rick E. states this is only about extending the Special permit.

Issue: A motion is made to grant a two-year extension of the Special Permit to Syncarpha Park Drive LLC.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

Issue: A motion is made to end the Public Hearing portion of the meeting.

So moved: B. Deschamps

Second: D. Davignon

Vote was 4-0 (1 absent)

Issue: A motion is made to move to the continuation of the Public Hearing for the Syncarpha Park Drive LLC access road modification.

So moved: D. Davignon

Second: B. Deschamps

Issue: **Site Plan Review and Solar Special Permit Modification (Continued);** Plan entitled Lambert Street Access Road, Issued May 9, 2023. To process a modification for a site plan review and a special permit for a 7.5 MW solar array proposed by Syncarpha Park Drive LLC. The engineer is Weston & Sampson. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street 1st floor, during regular business hours.

Issue: Jeffrey Roelofs states that it is there understanding that because this is a Public Hearing continuation it implies that this new access road is a substantial change. Jeffrey R. states that at the end of this discussion they wish to continue this Public Hearing due to the issues they need to

RECEIVED
2023 JUN 23 A 10:46

address with the Conservation Commission. He states that if they determine that the new access road through Lambert Street is not viable, they will revert back to the original access road at Brooks Ave. Rob Burkowski, Engineer from Weston & Sampson comes forward to present the details of the new access road at Lambert Street. R. Ellis asks about the wetlands and the swale in the road. Rob B. notes that the road had to change due to stormwater issues. Dave D. & R. Ellis note that the drawing graphics need to be cleared up to make the plans readable to all involved. R. Ellis states that larger tracking pads will be needed to contain sand, silt etc. Rob B. states that they have been talking with Natural Heritage, MA DEP, ACOE and Conservation about this access area. D. Davignon states that Mr. White has every right to access his property.

Town resident, Patrick Fitzgerald of Lambert Street comes forward and expressed his concerns about the endangered species. R. Ellis notes that is a concern and Syncarpha will be working with the Conservation Commission to get through those issues. Patrick F. states his concerns with all of the traffic that will be inevitable during the construction phase of the project. Due to complexities of the issues related to the new access road and the Conservation Commission the Board and the Proponent agree it would be best to continue this hearing.

Issue: A motion is made to continue this Public Hearing until July 13, 2023.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

Issue: A motion is made to come out of the Public Hearing for Site Plan review and Special Permit modification for the Lambert Street Access Road.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

Issue: A motion is made to open the Public Hearing for the Solar Special permit Extension request for DSD, New Leaf Energy, 52 Morse's Lane.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Issue: Solar Special Permit Extension Request; Distributed Solar Development, LLC (DSD), New Leaf Energy. 52 Morse's Lane. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street 1st floor, during regular business hours.

Brandon Smith, Civil Engineer with New Leaf Energy is on via Zoom. Also, Jared Connell, New Leaf Energy is on via Zoom. Brandon notes that they are here to request an extension and references the Town of Acushnet general bylaws Article VIII, Section 3.5, Paragraph F and they are respectfully requesting a good cause extension to the Special Permit. Brandon states that the project has been delayed due to interconnection problems. Dave D. notes that they applied for an interconnection permit four years ago. Rick E. states that the Board has not seen any effort of time, money and resources towards this project. Rick E. notes that he doesn't believe the Special Permit has been exercised. Brandon S. states that a lot of money has been exercised on the project and they can provide the Board with considerably more details. Dave D. states that he doesn't see any reason why they should be granted the Special Permit Extension. Dave D. notes that without any activity on the project he believes the extension request should be denied and

2023 JUN 23 A 10:46
RECEIVED

when they get their interconnection permit's they should re-apply for a new Special Permit. Brandon S. states that they would like to withdraw their extension request without prejudice to allow them to come back to the Board with a more detailed document as to why they should receive an extension request. Rick E. recommends to the proponent that they should withdraw their request for the Special Permit extension without prejudice.

Issue: A motion is made to deny the proponents request for a Solar Special Permit extension for the 52 Morse's Lane project. The Board discussed that no work had commenced on the project.

So moved: S. Boucher

Second: D. Davignon

Vote was 4-0 (1 absent)

Issue: A motion is made to end the public hearing portion of the 52 Morse's Lane project

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

Issue: A motion is made to open the Public Hearing for the Solar Special permit Extension request for DSD, New Leaf Energy, 251 Mendall Road.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Issue: **Solar Special Permit Extension Request;** Distributed Solar Development, LLC (DSD), New Leaf Energy. 251 Mendall Road. The plans and accompanying documentation are available for inspection at the Town Clerk's Office, Parting Ways Building, 130 Main Street 1st floor, during regular business hours.

Issue: A motion is made to deny the proponents request for a Solar Special Permit extension for the 251 Mendall Road project. The Board discussed that no work had commenced on the project.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Issue: A motion is made to end the public hearing portion of the 251 Mendall Road project.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

DISCUSSION/OTHER TOPICS:

Nexamp Solar Project at Cushing Lane (Continued) (White's Farm Inc., Applicant)
Plan revised for construction dated May 1, 2023.

Rick E. invites the proponent up for project discussion. John Markey, Nexamp's local Attorney is present and he notes that Nate Bautz, Project Engineer is present via Zoom.

Issue: A motion is made to continue the discussion of the Cushing Lane project.

So moved: D. Davignon

Second: B. Deschamps

Vote was 4-0 (1 absent)

John Markey explains that Nexamp sent in Cushing Lane summary of changes for their May 1, 2023 plan revision. John M. notes that there is a separate issue with the Conservation Commission which is not expected to get resolved at this meeting. Nate Bautz comes on to review the plan changes. Rick E. asks if the latest plan revision date is May 1, 2023 and Nate B. acknowledges that is correct. John M. notes that the Board had asked for a summarized one-page document with the plan changes included. John M. notes that the document has just recently been developed and he offers to review each detail with the Board. Rick E. asks for the substantive changes on the May 1, 2023 plan. Nate B. notes that at the April 20, 2023 meeting the Board asked for a construction sequencing plan. Nate B. summarized for the Board the May 1, 2023 plan changes. Rick E. asks if they have filed a plan with the Conservation Commission and John Markey states that they have an order of conditions that align with the latest plans. Rick E. asks if they are still ongoing with their construction activities. John M. states no because the Conservation Agent, Pat Hannon, asked them to stop their activities. Rick E. asks if they have the right to improve or create access to this parcel, the extension of Cushing Lane. John M. states that a separate memo was sent to some Town officials yesterday. John M. notes that there is an issue where one neighbor has an issue with the use of that extension of Cushing Lane and they are dealing with the legal land issues but continue to be good neighbors in dealing with the access road issues. Dave D. asks John M. what he believes is their best-case scenario and notes they are dealing with a Conservation Commission issue. John M. states that he doesn't believe they will get a building permit until that issue is resolved. John M. reaffirmed his client's position and wishes a Planning Board endorsement or vote that the minor modifications for all four plans that Nexamp has brought forward address all of the concerns of the Planning Board.

Issue: A motion is made to accept the revised plan and the minor modifications of the original Special Permit.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Nexamp Solar Project at Robinson Road (Continued) (Robinson Road Solar, LLC, Applicant)
Plan revised for construction dated May 1, 2023.

John M. states that this project has the same revisions as the other projects but also has the screenings that the Board was asking for. Rick E. asks about the proponent's intentions for the maintenance of the plantings/screenings and what they will do to assure they stay alive and grow. The proponent explained their methods for assuring growth and periodic review.

Issue: A motion is made to accept the revised plan and the minor modifications of the original Special Permit.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Nexamp Solar Project at 1052 Main Street (Continued) (Woodbridge Renewals LLC, Applicant) Plan revised for construction dated May 1, 2023.

There was discussion of the selective clearing of trees and as long as the proper trees remained it should provide the screening and shade for neighbors. Dave D. had concerns if the easement has been recorded, because, if not, there could potentially be clearcutting on someone else's property. Andy Bobola, on via Zoom will look into those details.

Issue: A motion is made to accept the revised plan and the minor modifications of the original Special Permit.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 absent)

Issue: **Nexamp Solar Project at 1050 Main Street (Continued)** (Acushnet Solar LLC, Applicant) Plan revised for construction dated May 1, 2023.

John Markey notes that the proponent will continue working on the issues with the 1050 Main Street construction entrance.

Issue: A motion is made to adjourn the meeting.

So moved: D. Davignon

Second: S. Boucher

Vote was 4-0 (1 Absent)

RECEIVED
2023 JUN 23 A 10:47

Respectively submitted,

Paul Sullivan
Administrative Assistant



Paul Sullivan

6-23-23

Date



Mark Francois, Chairman

6/22/2023

Date