

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 21, 2023**

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Open: 6:00pm
Adjourn: 7:51pm

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

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: D. Davignon
Second: R. Ellis
Vote was 5-0

Issue: The Chairman asks the Board Members to introduce themselves

Issue: A motion is made to open the Public Hearing portion of the meeting
So moved: R. Ellis
Second: D. Davignon
Vote was 5-0

PUBLIC HEARINGS:

- A. **Site Plan Review and Solar Special Permit Modification (Continued);** Plan entitled Lambert Street Access Road, Issued June 6, 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.

The Proponent came forward to review the latest plan and discussion ensued with the Board. However, a Town resident (Kathy Murray, Lambert Street) came forward with a procedural question regarding the fact that this meeting should not be a Public Hearing continuance. Kathy Murray reminded the Board that a motion has to be made to continue a Public Hearing to a date and time certain. It becomes clear to the Board that there may have been an open meeting procedural violation. The Chairman states that he will look into the issue.

Issue: A motion is made to determine the need for a continuance or new public hearing on the Syncarpha Special Permit.

So moved: R. Ellis

Second: D. Davignon

Vote was 5-0

Note: It was subsequently determined by the Planning Board that a new Public Hearing process was needed for the Syncarpha Solar Special Permit and Site Plan Review. That administrative process was enacted and the next Public Hearing is scheduled for October 19, 2023.

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

So moved: D. Davignon

Second: S. Boucher

Vote was 5-0

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DISCUSSION/OTHER TOPICS:

- A. **Site Plan Review;** Plan entitled Deep Brook Estates, Acushnet MA. Revision to plan dated May 18, 2023 to a previously approved plan. The engineer is Zenith Consulting Engineers, LLC, Lakeville MA.

An Engineer (name not understood) from Zenith Consulting Engineers, LLC is present to discuss a minor modification to the subdivision site plan. The Engineer explained that in 2023 his firm was hired to develop a Stormwater Permit. He noted the following upgrades, water quality improvements, increased infiltration capacity for the system, improve volume control and raised the liners in the basins to control groundwater infiltration. He notes that once they got approval from the Conservation Commission it became evident that alteration of the headwalls was needed. He notes that all of the above are in the Plan revision in front of the Board tonight. They are hoping the Planning Board finds this revision is a minor modification.

Dave D. states he recalls the original plans which did not include the house lots layout configuration and is pleased to see that they have been added and where the drainage paths will end up.

Pat Hannon, Conservation Agent, is on Zoom and notes he has spoken with the Planning Board Chair and Beal's & Thomas and believes the headwalls is a minor change.

Discussion ensued about the placing of guardrails on a future public way and Dave D. believes it is in everyone's best interest for them to consult the Town DPW on this issue.

Issue: A motion is made to accept the plan revision as a minor modification and subject to approval of the plan with guardrails added in conjunction with the Town DPW.

So moved: D. Davignon

Second: B. Deschamps

Vote was 5-0

- B. **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. A motion will be made to rescind a motion made at the May 25, 2023 Planning Board Meeting which the Town has confirmed that Special Permits are subject to a three (3) year lapse period per MGL.

The Chairman notes that at one point in time MA law required that Special Permits were good for two years. He notes that in July, 2021 the State changed the Special Permit times from two years to three years. He noted that the Town was not aware of that change until recently. He notes that 52 Morse's Lane, New Leaf Energy, came before the Board in May, 2023 and was denied an extension.

Issue: A motion is made that in lieu of finding out that the State recognizes that Special Permits are good for three years, unless a Town has a bylaw that says otherwise, the Board will rescind the denial that was voted on May 25, 2023 for Distributed Solar Development, LLC, 52 Morse's Lane.

So moved: D. Davignon
Second: R. Ellis

Vote was 5-0

Issue: A motion is made to acknowledge that the Special Permit for 52 Morse's Lane is valid for three Years based on State law and is valid until July 15, 2024.

So moved: D. Davignon
Second: R. Ellis

Vote was 5-0

- C. **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.

The Chairman notes that at one point in time MA law required that Special Permits were good for two years. He notes that in July, 2021 the State changed the Special Permit times from two years to three years. He noted that the Town was not aware of that change until recently. He notes that 52 Morse's Lane, New Leaf Energy, came before the Board in May, 2023 and was denied an extension.

Issue: A motion is made that in lieu of finding out that the State recognizes that Special Permits are good for three years, unless a Town has a bylaw that says otherwise, the Board will rescind the denial that was voted on May 25, 2023 for Distributed Solar Development, LLC, 251 Mendall Rd.

So moved: D. Davignon
Second: R. Ellis

Vote was 5-0

Issue: A motion is made to acknowledge that the Special Permit for 251 Mendall Rd. is valid for three years based on State law and is valid until March 10, 2024.

So moved: D. Davignon
Second: R. Ellis

Vote was 5-0

D. **Solar Special Permit Extension Request**; 540R Main Street, Acushnet MA. The engineer is Atlantic Design Engineers. 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. The Town has confirmed that Special Permits are subject to a three (3) year lapse period per MGL. Proponent expects to have a Decommissioning estimate for review.

The Chairman notes that the Proponent has requested to be moved to the scheduled Planning Board meeting on October 19, 2023. The Proponent has indicated that they will have their interconnection plans ready at that time along with presenting their decommissioning plan.

Issue: A motion is made to continue this discussion to October 19, 2023 as requested by the Proponent.

So moved: D. Davignon

Second: R. Ellis

Vote was 5-0

Town Planner Update:

The Chairman explains that the Town Administrator has been working with the Town of Mattapoisett (which is also without a Town Planner) on perhaps hiring a full-timer to work half the time in Acushnet and half the time in Mattapoisett.

Other Business:

The Chairman notes that there is a Fall Town Meeting planned for November 6, 2023 and there are three articles that may be sponsored by the Planning Board which have been published in a legal ad for a Public Hearing on October 5, 2023. The Chairman introduced the details of the three articles to the Board members.

Issue: A motion is made to adjourn the meeting.

So moved: D. Davignon


Second: R. Ellis

Vote was 5-0

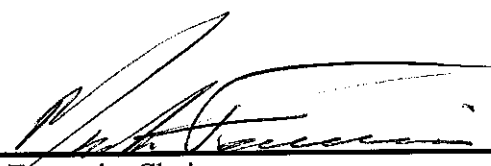
Respectively submitted,

Paul Sullivan
Administrative Assistant

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Paul Sullivan

10.23.23
Date


Mark Francois, Chairman

10/19/23
Date