



TOWN OF PLYMPTON, MASSACHUSETTS PLANNING BOARD

Plympton Planning Board – Minutes – March 9, 2020

Meeting opened at 6:30 p.m. members present A. Sobolewski, J. Cohen; J. Schmid

Ms. Macdonald arrives at 7:00 p.m.

1. 6:30 Public Hearing -- West Light Development owner of property at 165 Palmer Road seeks a special permit for a sign in excess of the allowed limits for a temporary sign.

James P. Molloy appeared on behalf of the applicant. The applicant would like to install the sign parallel to the road, located twenty (20) feet back from the roadway. The purpose is to advertise the lot. Could be up for six (6) months. The sign will be three feet from the bottom of the sign with a total height of 96 inches tall and a width of 100 inches. The sign will not be illuminated.

There was a discussion about putting a sunset on the sign duration. The Board determined that six (6) months was a reasonable duration and if the Lot has not sold the applicant can return to the Board and seek an extension.

Ms. Sobolewski moves that the Board grant a temporary advertising sign Special Permit to West Light Development for a sign conforming to the illustration in the application that will not be illuminated and will stand no more than total height of 96 inches tall and a width of 100 inches said sign to be standing on the Property for no longer than six (6) months. Mr. Schmid seconds. Vote is unanimous in favor

2. 7:00 Continued Public Hearing -- CLE, LLC (applicant and property owner) for Site Plan Approval to construct two 80' by 90' buildings on Palmer Road, M/B/L 11/5/10. The Applicant has requested that the Board approve a withdrawal of their application without prejudice. Ms. Sobolewski notes that they have not paid the consulting review engineer's fee. There is discussion about the withdrawal being with prejudice because the review engineer's fee was not paid. The consensus is that the withdrawal be with prejudice. Ms. Sobolewski moves to allow CLE, LLC to withdraw their application, but that the withdrawal be with prejudice until and unless the consulting engineer's fees are paid. Mr. Schmid seconds. Unanimous vote in favor.

3. 7:15 p.m. Continued Public Hearing Harju Bros. Cranberries (owner) Plympton Main Street Solar, LLC (Applicant) Solar Array on Main Street and Mayflower Road (October 28, 2019) – Site Plan Review for Large Scale Photovoltaic Project.

Ms. MacDonald recuses herself as she is an abutter.

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Evan Watson appears for the Applicant together with Kevin Corbett of Sunraise and Gregory Sampson.

Mr. Watson provides a cover letter together with revised plans. They revised the design to add increased screening on the northeast corner of the project and they revised the plan to pull the fire lane outside of the 100 foot buffer zone and pulled the berm back. They pulled the access road back 10 feet to accommodate the additional plantings.

Mr. Schmid notes that he reviewed the stormwater design and found it to be appropriate. He has no objections.

Mr. Cohen asks whether the new plantings are going to block the views of the abutters to the side of the Mayflower solar field.

Ms. Sobolewski asks whether there is an estimate for the cost of the landscaping. Mr. Sampson states that they are comfortable with the language from Lake Street. Discussion follows about a cash bond followed by a performance bond in the amount of the landscaping to insure that there are funds to replace any plants that die. The applicant is willing to provide an estimate as a condition.

Ms. Sobolewski moves to close the Public Hearing, Mr. Schmid seconds the Motion, vote is unanimous in favor.

The Board begins deliberating the application, starting with the waiver requests.

Discussion of waiver requests

The Planning Board took the following actions with respect to waiver requests:

1. Zoning Bylaw Section 6.10.5.3.5.2 – Request for relief from requirements to mark trees in the area to be clear cut. This is a reasonable request as the area of clearing and grubbing for the solar arrays is dependent on tree removal and indicating the existing trees would not identify any that would be saved.

Ms. Sobolewski moves to grant the requested waiver from Zoning Bylaw Section 6.10.5.3.5.2 , Mr. Schmid Seconds the motion, vote (3-0-0)

2. Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 4.4 - Request to not mark trees to be removed in the area to be clear cut and to not depict septic systems and wells on abutting properties. The area of clearing and grubbing for the solar arrays is dependent on tree removal and indicating the existing trees would not identify any that would be saved. The request not to mark adjacent wells and septic systems is also reasonable as no work is being done within 100 feet of any property lines and the requirements to indicate wells and septic systems on adjacent properties would not be served here since the limit of work is geographically removed from the property boundaries. Other projects have also indicated adjacent septic systems and wells if they are close to the work area but that is not an issue here.

Ms. Sobolewski moves to grant the requested waiver from Section IV Site Plan Content, Section 4.4, Mr. Schmid Seconds the motion, vote (3-0-0)

3. Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 4.15 – Request to not provide a Development Impact Statement. Other solar array submittals have not typically been required to submit a Development Impact Statement. The Planning Board discussed the nature of the project in comparison to other (non-solar) developments the operation of which would have more significant impacts on the community by creating increased traffic and determined that a Development Impact Statement would not be useful in evaluating the day to day operation of the solar facility once it is constructed.

Ms. Sobolewski moves to grant the requested waiver from Section IV Site Plan Content, Section 4.15 Mr. Schmid Seconds the motion, vote (3-0-0)

4. Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 5.1.1 – Request for relief from indicating trees over 6 inches in diameter, in the area to be clear cut.

This is a reasonable request as the area of clearing and grubbing for the solar arrays is dependent on tree removal and indicating the existing trees would not identify any that would be saved.

Ms. Sobolewski moves to grant the requested waiver from Section IV Site Plan Content, Section 5.1.1, Mr. Schmid Seconds the motion, vote (3-0-0)

5. The Planning Board Site Plan Rules and Regulations, Section V Requirements, Section 5.3.1.3 Request for relief from requirements to indicate nearby wells and septic systems. No work is being done within 100 feet of any property lines and the requirements to indicate wells and septic systems on adjacent properties would not be served here since the limit of work is geographically removed from the property boundaries. Other projects have also indicated adjacent septic systems and wells if they are close to the work area but that is not an issue here.

Ms. Sobolewski moves to grant the requested waiver from Site Plan Rules and Regulations, Section V Requirements, Section 5.3.1.3 Mr. Schmid Seconds the motion, vote (3-0-0)

The Board discussed the findings pertinent to the proposed development, as set forth in the Decision.

Ms. Sobolewski moves that the board make the findings as previously read. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

The Board discussed each section of the conditions as set forth in the Decision.

The Board discussed the proposed General Conditions.

With respect to the General Conditions, Ms. Sobolewski moves that the board impose the conditions previously read. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

The Board discussed the proposed Prior to Construction Conditions.

The Board and the Applicant discussed modifying the condition concerning PILOT Approval as they may not be able to get the project on the warrant for this month's town meeting.

The Board discussed the performance bond and decommissioning bonds as well as the appropriate amount of said bonds. The Board concluded that a \$50,000 performance bond and a decommissioning bond of 125% of the decommissioning estimate were appropriate for this project.

With respect to the Prior to Construction Conditions, Ms. Sobolewski moves that the board impose the conditions previously read with the addition of the bond amounts as determined by the Board. Mr. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

The Board discussed the proposed Construction and Operation Conditions.

With respect to the Construction and Operation Conditions , Ms. Sobolewski moves that the board impose the conditions previously read. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

The Board discussed the proposed Prior to Completion Conditions.

With respect to the Prior to Completion, Ms. Sobolewski moves that the board impose the conditions previously read. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

The Board discussed the proposed Decommissioning Conditions.

With respect to the Decommissioning, Ms. Sobolewski moves that the board impose the conditions previously read. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0).

Having voted to impose the conditions, Ms. Sobolewski moves that the Board grant Site Plan Approval for the construction of a ground-mounted photovoltaic electric generating facility and associated appurtenant infrastructure, as depicted on the Project Plans last revised on March 5, 2020, **subject to the conditions** which the Planning Board finds are necessary to mitigate impacts related to the construction, maintenance, operation and decommissioning of the Project. Mr. Schmid seconds. Vote is unanimous in favor (3-0-0)

4. Old Business:

The board reviewed the draft minutes for the February 9, 2020 meeting. Ms. Sobolewski moves to accept the Minutes as written, Mr. Schmid seconds, vote is unanimous in favor.

7:50 p.m. Motion to adjourn made by Ms. Sobolewski, Ms. Macdonald seconds unanimous vote in favor.