



TOWN OF PLYMPTON, MASSACHUSETTS PLANNING BOARD

January 27, 2020

Meeting opened at 7:10 p.m. members present A. Sobolewski, J. MacDonald, P. D'Angelo, J. Cohen; J. Schmid

1. 7:10 Continued Public Hearing – Harju Solar Array 0 and 37 Lake Street (January 13, 2020) – Site Plan Review for Large Scale Photovoltaic Project

Mr. Schmid recuses himself and moves to the audience as he is an abutter to this project.

Sarah Stearns of Beals & Thomas appears on behalf of the Applicant with Eric Glass, P.E., project engineer, Greg Sampson, project attorney; Mr. and Mrs. Harju (property owners); and Pat Jackson of Sunraise Investments (solar developer)

Ms. Stearns speaks for the applicant and notes that there has been correspondence with the Board's peer review engineer and they have had the opportunity to review his comments. They discussed the design elements with him, modified them to his satisfaction and modified the plans for submission tonight.

They have met with the Fire Chief to discuss the access to the northern portion of the array. Adding an access way to the northern array.

Chief Silva, notes that the state regulations and the bylaw require good fire department access to allow circulation around the site. This requires a road to be open to allow the department access to the array along all sides of the array. They do not need a big road. The access road going to the way is big enough but they were concerned about how to get around the array itself. Adding a gate and then putting a smaller road around the northern array. would be satisfactory. If they add the small road that is as he discussed with them then the Fire Department will be satisfied.

Ms. Stearns notes that they added a gate and a 15 foot wide access road over on the Kingston side. The array location has not changed. The other access roads are not changed.

Ms. Sobolewski suggests that there be a post construction meeting with the Fire Department. The Chief agrees to that suggestion and then notes that there will be a keyed box on the gate and that the Town of Kingston will have different keys so he suggests that a condition require another box for the town of Kingston so that if their fire department gets there first they will have access through the gate.

Ms. Stearns discusses the applicant's progress meeting with the Board's consulting engineer after the last hearing that they attended. The applicant has received and reviewed the final comments from the Board's consulting engineer.

Ms. Beckwith, an abutter, asks if the access road will infringe on the 100 foot setback adjacent to her property line. Ms. Stearns states that it will not infringe on her buffer and that she met with the Landscape architect and that none of the plants needed to be moved in order to create the access road.

Mr. D'Angelo questions the amount of the Bond and the estimate provided by the applicant and certified by a third-party engineer is reviewed.

Ms. Sobolewski asks whether there is an estimate for the cost of the landscaping. Ms. Stearns states that there is no estimate at present. 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. This was discussed at the November hearing. The applicant is willing to provide an estimate as a condition.

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

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

Discussion of waiver requests

- Zoning Bylaw Section 6.10.5.3.5.2 – Request for relief from requirements to mark trees to be removed in the area to be clear cut (outside of selective clearing area). The Applicant has agreed to mark trees to be removed in areas to be selectively cut. This would be 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 should be saved.

Ms. Sobolewski moves to grant the requested waiver from Zoning Bylaw Section 6.10.5.3.5.2 , Ms. Macdonald Seconds the motion, vote (3-0-1)

- 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 (outside of selective clearing area). The Applicant has agreed to mark trees to be removed in areas to be selectively cut. This would be 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 should be saved.

Ms. Sobolewski moves to grant the requested waiver from Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 4.4 , Ms. Macdonald Seconds the motion, vote (3-0-1)

- Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 4.15 – Request to not provide a Development Impact Statement. The Board's consulting engineer noted that other submittals have not typically been required to submit a Development Im-

pact Statement. The board discussed the nature of the project in comparison to other developments the operation of which would have more significant impacts on the community by creating increased traffic.

Ms. Sobolewski moves to grant the requested waiver from Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 4.1.5, Ms. Macdonald Seconds the motion, vote (3-0-1)

- 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 (outside of selective clearing area). The Applicant agreed to mark trees to be removed in areas to be selectively cut. This would be 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 should be saved.

Ms. Sobolewski moves to grant the requested waiver from Planning Board Site Plan Rules and Regulations - Section IV Site Plan Content, Section 5.1.1 , Ms. Macdonald Seconds the motion, vote (3-0-1)

- Planning Board Site Plan Rules and Regulations - Section V Requirements, Section 5.3.2.11 – Request to install flared ends versus headwalls as required. The Board's consulting engineer notes that other projects have provided headwalls as required. Mr. D'Angelo asks what the benefit is to the requested waiver, is it financial or is there some other reason the waiver is justified. Ms. Stearns notes that it is better engineering design for this project type and location to use flared ends. Ms. Sobolewski notes that this issue was discussed at the November 25, 2019 continued public hearing and Mr. Schmid expressed an opinion in favor of the requested waiver. Invited to restate that opinion, Mr. Schmid notes that engineering design practices have changed and headwalls are no longer as common as flared ends, further the flared end design is better suited to the project and the location as it would decrease erosion.

Ms. Sobolewski moves to grant the requested waiver from Z Planning Board Site Plan Rules and Regulations - Section V Requirements, Section 5.3.2.11 , Ms. Macdonald Seconds the motion, vote (3-0-1)

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. Ms. Macdonald seconds. Vote is unanimous in favor (4-0-0).

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

With respect to the General Conditions, Ms. Sobolewski moves that the board to impose the conditions previously read. Mr. D'Angelo seconds. Vote is unanimous in favor (4-0-0).

With respect to the Prior to Construction Conditions, Ms. Sobolewski moves that the board to impose the conditions previously read. Mr. D'Angelo seconds. Vote is unanimous in favor (4-0-0).

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With respect to the Construction and Operation Conditions , Ms. Sobolewski moves that the board to impose the conditions previously read. Mr. D'Angelo seconds. Vote is unanimous in favor (4-0-0).

With respect to the Prior to Completion, Ms. Sobolewski moves that the board to impose the conditions previously read. Mr. D'Angelo seconds. Vote is unanimous in favor (4-0-0).

With respect to the Decommissioning, Ms. Sobolewski moves that the board to impose the conditions previously read. Mr. D'Angelo seconds. Vote is unanimous in favor (4-0-0).

Having voted to impose the conditions, Ms. Sobolewski moves that the Board allow the proposed 12 acre ground-mounted photovoltaic electric generating facility and associated appurtenant infrastructure, in accordance with the plans dated January 27, 2020 subject to the conditions which the Planning Board finds are necessary to mitigate impacts related to the construction, maintenance, operation and de-commissioning of the Project. Seconded by Mr. D'Angelo. Vote is unanimous in favor (4-0-0)

2. 8:25 Continued Public Hearing for the Main Street and Mayflower solar array. Mr. Jackson, the applicant, requests a continuance of this hearing to February 2, 2020 at 7:30 p.m.

Ms. Sobolewski moves that the Main and Mayflower solar array hearing be continued to February 10, 2020 at 7:30. Mr. D'Angelo seconds. Vote is unanimous in favor.

3. Old Business

8:30 The Board reviewed and discussed the minutes for the December 9, 2019 meeting. Mr. D'Angelo moves to accept the minutes as read, Mr. Cohen seconds, unanimous vote in favor.

8:33 The Board reviewed and discussed the minutes for the January 13, 2020 meeting. Mr. Schmid noted a correction to the updated continuance dated in paragraph 4, Mr. D'Angelo moves to accept the minutes as read, Ms. Sobolewski seconds, unanimous vote in favor.

8:35 Ms. Sobolewski moves to close the meeting, Mr. D'Angelo seconds. Unanimous vote in favor.