



TOWN OF PLYMPTON, MASSACHUSETTS PLANNING BOARD

Plympton Planning Board – Minutes – 11/25/2019

Meeting opened at 7:00 p.m. Members Present: John Schmid; Paul D'Angelo; Jennifer MacDonald, Jay Cohen, Ann Sobolewski

New Business:

Stuart Shurtleff of NECC appears on behalf of the owner of property across from Sunrise Garden Center. Site Plan Review materials dropped off for electrical contractor's yard on behalf of NECC for property located on Palmer Road. Ms. Sobolewski reviewed the table of uses in the zoning bylaw with the applicant's representative and explained that the proposed use is not allowed in the Business District. The Applicant's representative is informed that their materials are not complete without some explanation that the use proposed is allowed in the Business District. The Applicant is informed that they need to provide a letter explaining how the proposed use qualifies as an allowed use in the Business zoning district. The applicant's representative agrees to submit a letter.

New Business:

7:06 Continued Public Hearing – Harju Solar Array 0 and 37 Lake Street (September 3, 2019; October 28, 2019) – 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 Greg Sampson, project attorney, Eric Glass, P.E., and Pat Jackson of Sunraise Investments (solar developer). She relates the communications and work that has been undertaken in the interim with John Chessia, the Board's consulting engineer.

She proposes going through the issues that are marked for the Board's consideration in the hearing tonight and stated that they were still discussing drainage issues with John Chessia.

She notes that the waiver request enumerated list was provided and that our consulting engineer has responded to that list. There are 5 waiver requests, three of which related to the marking of trees.

Ms. Sobolewski inquired as to whether the Fire Chief had any concerns about the access road to the property. Mr. Jackson explains that the Fire Chief and the Building Commissioner are looking at it together and the Fire Chief is reaching out to the Fire Marshall with respect to the road width. Ms. Stearns states that there is no issue with the road widths according to the Fire Department captain but he wanted to get some feedback.

Mr. Chessia runs through the list of open items:

Parcel without frontage, but is landlocked and owned by the same owner

The Board discusses the land locked aspect of the property. New sheet shows easement line. Mr. Jackson avers that the lease has an easement right as shown on the plan. The Board believes that this is no longer an issue based on the new information that has been provided.

Financial Surety

The Board discusses the financial surety information that has been provided. The Third Party Engineering Estimate is now certified. Mr. Sampson notes that they have used the same financial surety format as the Borrego Solar project on Brook Street.

Liability insurance

The Board reviews and discusses the Certificate of Liability Insurance that has been provided. The Board's consensus is that the amount of surety provided is reasonable.

Public Safety officials – access and security

The Board notes that this was discussed earlier at the meeting.

Emergency Access

The Board notes that this was discussed earlier at the meeting.

Mr. Chessia asks if the Conservation Commission has ruled on the project. Ms. Stearns notes that they were continued until Mid December. The Conservation Commission is reviewing it as a buffer zone project.

Electrical equipment data –

Ms. Stearns notes that there are some spec sheets in the bound application and additional information provided with respect to the electrical equipment. The Board reviews the information and the general consensus is that this condition has been satisfied.

Mr. Chessia notes that there are two issues remaining with respect to the Aquifer Protection Overlay District. There will be electrical equipment and batteries in the project that may be prohibited in the district. John Schmid, as an abutter, asks whether the materials are stored within a building or cabinet. Mr. Jackson indicates that the components are fully contained in the building. With that comment Mr. Schmid is satisfied as an abutter. Ms. MacDonald questions whether there are any contaminants in the panels themselves. The applicant's attorney states that there is nothing harmful in the panels.

Mr. Chessia notes that there are excavations that are within ten feet of groundwater in the Aquifer Protection District. Mr. Schmid inquires as to whether there the grade is being changed and it is noted that it is not a big issue for him -- similarly, since the runoff will not be over a parking lot but over natural grade.

Mr. Chessia notes that parking information is required under the site plan review regulations. Ms. Sobolewski notes that parking is proposed at the Lake Street side and asks for

the parking area as shown on the plans to be pointed out to the Board by Ms. Stearns. She identifies the parking spaces and the turn arounds that have been provided. Ms. Sobolewski notes that the parking lot regulations were designed for commercial uses and for this use that parking spaces and the turn arounds appear sufficient. The Board concurs.

Jumping ahead to the waiver request for the headwalls ---As an abutter, Mr. Schmid notes that the flared end sections do not raise a concern because he sees the flared ends slowing the runoff down and this design feature gives him less concern.

The applicant's engineer E. Glass notes that they do not have any objection to doing additional test pits which will be reviewed by a professional soil evaluator.

The board continues to discuss the financial surety requirement. They have provided a certified third party estimate. Ms. Sobolewski notes that there is no proposal for anything other than grass. Ms. Stearns notes that they are working with Natural Heritage to restore the area at decommissioning that would require more plantings. Mr. D'Angelo is encouraged by that. Mr. Jackson says that Natural Heritage requires a cash escrow for the work that they are required to do. Ms. Sobolewski notes that we can require the Natural Heritage information as a condition on the project and to require them to provide confirmation that the escrow

Mr. D'Angelo notes that a cash escrow for a year for the plantings would be advantageous as would surety for the life of the project. Ms. Sobolewski notes that we could do a short-term cash for the initial two seasons and then a longer-term performance waiver.

Ms. Sobolewski notes that the waiver request for the flared ends versus headwalls was acceptable to her. Mr. D'Angelo notes that he is opposed to giving waivers in general. He asks for more information about the waivers. Ms. Stearns goes through the list of waivers starting with the request to mark the trees. She notes that in the areas of selective clearing they will have the trees marked.

Ms. Stearns notes that they are asking not to provide a development impact statement. Counsel for the applicant notes that an Environmental Notification Form was provided and contains the information that would typically be included in a Development Impact Statement.

General discussion about the waiver requests. The board as a whole does not have concerns about the headwall waiver. Ms. Sobolewski notes that the tree marking waiver requests do not really apply where there is clear cutting. Ms. MacDonald questions what will be done near the abutters and is informed by Ms. Stearns that they will be marking the trees near the neighbors.

Ms. Macdonald questions the size of the proposal. Ms. Stearns says that it is 16 acres.

The discussion is opened up to public comment. There are no public comments.

The applicant requests a continuance to December 9th.

Ms. Sobolewski makes a motion to continue the Public Hearing to 7:30 on 12/9; Mr. D'Angelo seconds; unanimous vote in favor.

7:50 p.m. Continued Public Hearing Harju Bros. Cranberries (owner) Plympton Main Street Solar, LLC (Applicant) Solar Array 0 Main Street and Mayflower Road (October 28, 2019) – Site Plan Review for Large Scale Photovoltaic Project

Mr. Schmid rejoins the Board; Ms. MacDonald recuses herself as she is an abutter

Evan Watson, Prime Engineering, makes the presentation for the applicant. With him are: Greg Sampson, project attorney; and Patrick Jackson of Sunraise Investments – the applicant

They submitted some more information and received a review letter from Mr. Chessia. He notes that because the drainage is pertinent to both this Board and the Conservation Commission they are still in the process of preparing the drainage information. He has not formally submitted the cross sections for the landscaping. He describes how the project has been changed. They pulled the array back 100 feet from all residential sites. They updated the electrical components to match the photographs.

He states and Mr. Jackson confirms that the fire department is satisfied with the access.

He states that he has marked the location for the elevations. He drew the fence at 7 feet tall and prepared elevation sheets to demonstrate that a person standing would not be able to see the panels because they would be behind a fence. Mr. Schmid asks if there is a grade change as you drive down Main Street. Mr. Watson notes that the elevation decreases and, as a result the view will improve as you drive down the road.

Mr. Watson provides the elevation views from Mayflower Road next. This shows that you might be able to see the first row of panels poking over the top of the fence just slightly. Looking from the second story, you will be able to see the panels. Mr. Schmid asks if they are maintaining the existing grading. Mr. Watson says yes and Mr. Schmid asks whether or not they could depress the grading.

Mr. Schmid notes that with respect to the other project we asked the applicant to meet with the abutters to identify the locations for plantings. Mr. Watson discusses the proposed landscaping plans.

Ms. Sobolewski notes that the screening from view is an important requirement in the Bylaw. Mr. D'Angelo concurs. Mr. Schmid notes that lowering the elevation or building a berm are the two options to insure that the abutters do not see the panels.

Mr. Schmid questions why there is clearing behind the battery station. Mr. Watson notes that they are clearing the two areas to benefit the array. They are clearing the trees but not removing the stumps and leaving the existing vegetation.

Mr. Watson notes that the fence and plantings along Main street may be pulled back from the road. Mr. Schmid asks for confirmation that the type of the fence is wooden stockade along Main Street and along the Pleasant Street side.

Ms. Sobolewski asks whether the stockade fence is a better choice or black vinyl. Mr. Schmid agrees with the choice of the wooden stockade fence.

Mr. Watson presents the waiver requests on his list. They are looking for a waiver request to not locate the trees in the areas that are being clear cut; a waiver from the Development Impact Statement; request not to indicate the building dimensions of the existing pump house which is an existing structure; and a request not to indicate the abutting septic systems and wells. They are not doing any work within 100 feet of any property and the setback requirements for setbacks and wells are 100 feet. Special Permit for the storage of hazardous materials in the Aquifer Protection District. Mr. Watson explains that everything is individually contained and there is a containment system. Minor grading on the property was not originally proposed and if he adds some grading then he may be looking for some direction from the Board.

With respect to the tree removal Ms. Sobolewski notes that the trees outside the fence should be marked if they are going to be removed. Mr. Chessia agrees with this suggestion. General consensus from the Board is that the dimensions of the pump house need not be shown on the plans.

Mr. Chessia notes that his review is a repeat of what was discussed. He reviewed his comments to the applicants new submittal and noted where there were differences between the two projects. Mr. Chessia notes that they have identified parking areas where the electrical vehicles would need to park to access the site. He asks whether the other bogs are being affected. Mr. Watson notes that they will not flood the bogs any more and that would ensure that there would be a benefit to stop runoff. Mr. Chessia wants a narrative to explain how the bogs will work as an interrelated system going forward. Mr. Watson notes that the panels are elevated 6" above the flood level of the bogs so that they would not flood. Mr. Watson agrees to add a narrative. Mr. Chessia asks whether the wiring is buried in the bog. Mr. Watson states that the electrical inverters are above the toe of the panel and then run down a conduit that is in a trench that goes to a transformer and then runs out to the street. Mr. Chessia asks whether the conduits are capable of being submerged.

Mr. Chessia has 2 questions as to the size of the fields. Mr. Jackson says all three total 12 acres and will produce approximately 5 megawatts.

Open to public comment.

Kevin Panas discusses the view shown on the elevation. Their big concern is that they don't want to be looking down at the solar panels. He wants it to look natural with dense evergreen vegetation that will fill in and grow over time. He can't tell what it will look like in the future. Mr. Watson says that there will be a difference in the view because the trees are gone.

Ms. Sobolewski asks about the condition of the trees in the buffer zone.

Mr. Palenstijn asks whether they did a sight line for the house that was directly across the street. They have not done that yet. Mr. Watson agrees to prepare view sheets from the other houses.

Mr. Jackson asks to continue to January 13th 7:00.

Ms. Sobolewski moves to continue the Public Hearing to 1/13/2020. Mr. Schmid seconds, unanimous vote

Old Business -

1. The board review the draft minutes for the November 12, 2019 meeting. Mr. Schmid moves to accept the Minutes as written, Mr. D'Angelo seconds, vote is unanimous in favor.

Ms. Sobolewski moves to close the meeting, Ms. Macdonald seconds. Unanimous vote in favor.