

TOWN OF PLYMPTON, MASSACHUSETTS

PLANNING BOARD

Plympton Planning Board - Minutes – 5/16/2023

Members present: A Sobolewski, J. Cohen, P. D'Angelo
Meeting opened 6:30 PM

1. Call to Order/Agenda
2. Mr. Webby presented an ANR for lots on West St. There was a slight delay in signing while waiting for Ms. Sobolewski to arrive
3. A representative for 399 Main St. appeared to request an extension of a decision. This matter will be placed on the agenda for the next meeting, June 6.

4. 0 & 37 Main Street (Continued)

The consulting engineer had a chance to visit the site, his report was issued 4/25 and shared with everyone. Mr. D'Ambruso, attorney representing New Leaf Energy (formerly Borrego Solar) the report does not break much new ground. His client has offered 50 trees which will grow and fill in the view. Other options have been reviewed and there is nothing that will immediately restore the view. He feels the planting is the best thing to provide coverage but it's going to take some time. The Beckwiths believe the addition of a 250 ft. berm and the plantings may be acceptable. They would not be happy but it will provide some additional coverage. Mr. D'Angelo stated the bylaws on solar projects are fairly lenient but there is an insistence on screening. He stated New Leaf is in violation of the permit. They went in and clear cut where they were specifically prohibited. The height of the project hasn't changed and the plantings are insufficient. The abutters need to be satisfied. Mr. Cohen reiterated ultimately the Beckwiths need to be happy with whatever is finally done. Mr. D'Angelo stated the Beckwiths feel the value of their home has been affected should they decide to sell. Mr. Beckwith stated it's not a matter of if or should. The home's value has been affected for as long as the view has not been restored. Ms. Sobolewski asked about the berm topped with plantings.

Mr. D'Ambruso stated the berm would be difficult to maintain and access. The berm would take out additional undergrowth and it would be beveled, wider at the bottom. He didn't feel his client was interested in exploring this option. Ms. Sobolewski reminded him they violated the permit. Mr. D'Ambruso stated there was some mitigation in case of violation. Ms. Sobolewski stated this was a willful violation of the permit.

Mr. D'Ambruso stated there was no benefit to his client. Mr. D'Angelo mentioned the client is responsible because they did not build according to the approved plan. Mr. D'Ambruso offered to plant juvenile trees but they had to be allowed to grow in as mitigation. Ms. Sobolewski again reminded him of the requirement for screening. Mr. D'Ambruso stated the bylaw allowed three years for plantings to grow. Mr. D'Angelo asked about the possibility of getting an arborist to verify what could be

be planted and how close. It might be beneficial to talk to them about the berm as well. Ms. Sobolewski believes this is a problem that can be solved, it is not insurmountable. She requested Mr. D'Ambruoso talk to landscape architect or an arborist and provide a statement about why trees cannot be planted more closely. Mr. D'Ambruoso wanted it made clear they have been trying to come up with a solution acceptable to the Beckwiths. They have had many meetings. Mr. and Mrs. Beckwith stated if he could come to their home and tell them in all honesty he couldn't see the panels they might be. Mr. D'Ambruoso believes this situation is going to take a compromise. Ms. Sobolewski stated the decision was issued and the conditions were not appealed. Mrs. Beckwith stated they have been difficult on things that won't work out. The berm with a fence might work out but they don't know for sure. Some meetings have been difficult, the original offer was for a berm and now that seems to be off the table. She would like to understand why. Ms. Sobolewski stated the Beckwiths are acknowledging this might take time. Mr. D'Ambruoso mentioned his client no longer to veto a berm. He stated an offer of plantings has been made and at this point they are ready to accept enforcement violation and go from there. Ms. Sobolewski asked why if the berm with a fixed fence was acceptable to the Board and acceptable to the Beckwiths. Mr. D'Ambruoso stated no berm, per the client. No compromise today. Mr. D'Angelo questioned why the berm was off the table. Mr. D'Ambruoso said a number of plans have been offered and all have been rejected. This is not personal, he is not able to offer anything but the plantings. He can be flexible on the type of trees planted. Mr. D'Angelo again asked for a plan from a landscape architect. Mr. Beckwith said they have looked at each plan offered. Mrs. Beckwith stated she asked for a berm with a fence from day one. This problem would have been solved and the trees would have had almost three years grow-time since then. Mr. D'Ambruoso believes what she said at the time was "we need to see that before we can approve." Ms. Sobolewski stated since we can't reach a compromise, we'll have to refer this to Zoning Enforcement. If this had been done in the beginning this would have been fixed by now. Mr. D'Angelo believes the Board should have done this and held off the hookup. He asked what was wrong with the berm berm and plantings. Mr. D'Ambruoso stated that offer was rejected at the time. Mr. D'Angelo replied the permit was not adhered to and the hookup was allowed. Go back to client and let them know the berm and plantings are acceptable. Mr. Beckwith stated a berm with a fence would have been too small. Mr. D'Ambruoso stated he would take it back and present to his client. Mr. D'Angelo mentioned he would like to see if they could have an engineer design something that would work and be acceptable. He confirmed the 50 trees were to cover 250 feet. Mr. Beckwith stated he was interested in the berm/tree combination. Ms. Sobolewski asked for a plan that shows the difference in a 3 or 4 foot berm. Mr. D'Ambruoso is encouraged this is the first time there is the possibility of a compromise. He questioned if it was worth it for him to prepare a plan with no berm. Ms. Sobolewski asked about a landscape architect design noting plantings providing notes with number of years growth to screen. Mr. Beckwith stated they would review any and all plans. The biggest concern for them is the value of their home; they want to see a plan that would restore that.

Movement: Ms. Sobolewski to continue the hearing on 0 & 37 Lake St.
to June 27, 2023 at 6:30pm.

2nd: Mr. D'Angelo

Approved Unanimously

Mr.D'Ambruoso asked the Beckwith's to email him with tree preferences. Mr. D'Angelo suggested holly might be a good choice. Mrs. Beckwith asked that the landscape architect be consulted. Any plan approved would also have to be signed by the Beckwiths.

Ms. Sobolewski stated the bond may be increased and yearly inspections as well as plantings would be rolled into decision.

5. Minutes

Movement: Ms. Sobolewski to approve the minutes of May as written

2nd: Mr. D'Angelo

Approved: Unanimously

