

**PLANNING BOARD
MEETING MINUTES**

July 28, 2022

PRESENT: Jeanne Azarovitz, Christopher Farrell, Daniel Doucette, John Carroll, Amanda Wing, William Meier, David O'Connor, Sandra Goldstein

ABSENT: Elizabeth Brown, Patricia Nemeth

STAFF: Jennifer Copeland

ALSO PRESENT: Todd McDonald, Nathan Collins, Jilian Morton, Jason Pannone, Joe Longo

Meeting called to order at 7 pm by Chairman Doucette.

1. Request for Site Plan Review #509: 0 Ernest Valeri Rd. – NextGrid.

Map 16 Parcels 7, 8, and 9.

The proposed project is to develop a large scale, ground mounted photovoltaic system with inverter and battery storage. Site work to include construction of a paved permitted access road, fencing, and Stormwater management.

Todd McDonald speaking on behalf of applicant Nathan Collins. Proposing a Solar Array, on site there is a gravel access site, battery storage, solar panels, utilities, a retaining wall, and drainage facilities. Looking at 26.61 Acres of Solar panels. By-right property. 7 ft. chain link fence enclosing the property. Outside the fence will be some grading and trees. Two bio-retention areas to collect stormwater. There is a reduction of offsite flow due to the grading. On the application, the road was listed as paved; now we are proposing a paved apron and the rest will be gravel.

Mr. Collins- Once the land is purchased, we're gifting the land to the town. Once we develop the site, there is an MOA that we will pay taxes and rentals for 25 years. After that 25 year agreement, we can purchase land back from the town. Little different than other solar developers.

Ms. Copeland- this project was discussed during a Special Town Meeting in 2021, specifically article 16 and 17 for the gift and lease of the land. The Town submitted a request for an informational jurisdictional determination for the Development of Regional Impact (DRI) regulations with the Cape Cod Commission. The threshold that triggers this is the amount of land clearing for this project. We have not received the letter from the Cape Cod Commission for their determination.

Mr. Meier- does the sun reflect strongly off them?

Mr. McDonald- No, we use non-glare panels. Cleared them with the Federal Aviation Administration (FAA).

Mr. Carroll- What will you do with controlling re-growth?

Mr. Collins- There is an annual maintenance program. We mow these areas three times per a year. We get notified if growth is too large. After clearing the land we plant a natural lawn.

Mr. O'Connor- What is plan for stabilizing the slopes? Will you provide ground cover? Is Ernest Valerie above or below the array plain? What is the operation of the gate? Desire is to maintain a screen to shield the industrial look.

Mr. McDonald- Slope is 3:1 making it stable. There will be a re-seeding after we clear the land. We are matching existing grade so it will be lower going east to west, just not as much as the road. Gate is for emergency access with no public access. Not intended as an access road, only for emergencies.

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Mr. Farrell- the Zoning Bylaw in the town is for a 6ft. fence, glad to see a 7 ft. fence. Concerns about decommissioning plan. Estimates are too low. Looking at 20-year total where the Memorandum of Agreement (MOA) should be bumped up to 25 years. Applicants are assuming a 2% inflation rate, history shows much higher and it should be adjusted as so in the plan.

Due to waiting for a determination of whether the project shall be reviewed by the Cape Cod Commission, Mr. Farrell made a motion to continue to August 25, 2022. Seconded by Mr. O'Connor. Aye vote take, all ayes, motion passes.

2. Amended Site Plan Review/Special Permit #19-2021A, 2 Kendall Rae Place.

Application amended for a multi-story mixed use building with permanent outdoor dining areas to serve food or beverages to persons outside the building.

Attorney Jilian Morton represented the developer: Oxford Development Group as well as applicant Jason Pannone.

Ms. Morton- Received to reviews this week: Architectural and Engineering Monday, and the traffic review just the day before. Looking for the first floor building having 10 residential units. Looking for a special permit for outside dining. Special permit to raise the height, and to reduce the density. Trying to work with the town to meet housing needs as well as making it viable for the developer.

Mr. Pannone- Worked to shift the site around to modify the building placement. We have reduced the unit count to reduce the height.

Jesse O'Donnell from Environmental Partners, representing the town for peer review of stormwater, zoning, and general engineering for the project. Most comments we had were technical problems that would be simple to fix. Some unusual issues are the work that is done on abutting parcels. There are 5 or 6 items on a list for relief with this project. These are pretty common and have been previously talked about. On the whole, the stormwater is sound.

Mr. Doucette- Working with open space committee due to some of the surrounding parcels. Town wants it approved before agreement is made on the road.

Joe Longo, civil engineer, present to explain the engineering plans to the board.

Ms. Goldstein- How many parking spaces? Who gets to use the open space?

Mr. Longo- there are 30 parking spaces. It is shared parking for residents and the public.

Ms. Morton- want to hear from the Board any issues, their opinions etc. and then asking for a continuance.

Mr. Doucette- one question that came up is lot coverage, you are under the required amount so no special permit is required.

Ms. Goldstein- how many units in building 1?

Mr. Pannone- 102 units in building 1 and 65 in building 2.

Mr. Doucette- There was a concern about salt affecting plants. Mr. O'Connor will look into these issues and comment in future meetings. The Board may consider waiving four or five spaces in the shared parking area, want to look at shared parking plan and develop a design.

Mr. O'Connor- 8500 sq. ft. area for a space reserve under the building. What is the vision for this? Also there is a lack of specificity in the architecture plan and here is a lack of detail in the arcade area.

Mr. Pannone- we hoped to put in amenities and also possible storage space. There are requirements due to the flood plain. Will work on those details.

Mr. Carroll- will the infrastructure in the ground handle the new water needs?

Mr. Doucette- Each lot using this infrastructure has a 100-year storm plan, there has been deep study in these projects and the water needs will be looked at.

Mr. Pannone- There is a great number of underground stations that use groundwater on other sites and will on this one.

Board members expressed desire for the property to be accessible to the canal and compliment it.

Mr. O'Connor- What is the plan with restaurants?

Mr. Pannone- Hoping for a 2 full service restaurants, one with a patio and outside access.

Mr. Doucette- We have discussed bicycle and pedestrian access and parking as well.

Mr. Pannone- There will be some bike racks, will address in final plans.

Ms. Goldstein- Worries with underground parking when there is a large storm?

Mr. Farrell- We do address that with the final plans, have had agreements with other underground parking spaces to provide plans detailing what would happen during a storm like removal, towing, storage, etc.

Mr. O'Donnell- If flood waters rose, the lot would flood based on the grades, however there are no regulatory violations, this is more of a warning. Comment for a plan put in place would address the warning.

Ms Goldstein- how does this project address a rising water table?

Mr. O'Donnell- there are state regulations regarding this issue. There are recharges that are three times more than the state regulations that protect from rising water table along with a system to protect against flooding. The performance is sound.

Attorney Morton- Asking for a continuance for the last week in August.

Motion to continue made by Mr. Farrell, seconded by Ms. Wing, all ayes, motion passes.

Motion to adjourn the meeting by Mr. Farrell, seconded by Mr. O'Connor, aye vote taken, all ayes, the meeting adjourned at 8:12 p.m.