

FAIRHAVEN PLANNING BOARD
February 9, 2016
Town Hall Banquet Room

A. ADMINISTRATIVE BUSINESS:

Wayne Hayward called the meeting to order at 6:30 p.m.

Quorum/Attendance:

Present: Wayne Hayward, Chairman, Peter Nopper, Jeffrey Lucas, Ann Richard, John Farrell, Jr. and Gary Staffon.

Absent: Rene Fleurent, Jr.

William Roth, Planning Director, was also in attendance.

Acceptance of Minutes:

January 12, 2016

Mr. Lucas made amendment on page 5, 2/3 down, "Mr. Fleurent strongly feels that can do a plan."
Insertion of the word "we" after "that"

Mr. Lucas made a motion to approve the January 12, 2016, minutes with amendment and was seconded by Mr. Staffon. The motion passed unanimously.

January 26, 2016

Mr. Lucas made a motion to approve the minutes of January 26, 2016, and was seconded by Mr. Farrell, Jr. The motion passed unanimously.

Mr. Staffon abstained.

Payment of Bills:

1. Advocate – Legal Ad #2 – 89 Account – **Clean Energy Collective, LLC** - \$87.40.

Mr. Nopper made a motion to pay \$87.40 to the Advocate and was seconded by Mr. Lucas. The motion passed unanimously.

B. CURRENT PLANNING:

Receipt of Plans:

None.

Approval of Plans:

None.

Street Acceptance Requests:

Welcome Street:

Mr. Roth said the plan was prepared this summer with the Selectmen's last year's engineering funds. Mr. Roth prepared Memo dated February 4, 2016. He recommended not to accept the street because the street is a gravel road and does not meet Town standards.

Mr. Hayward would like to see the rocks off of Route 6 and is not against it. It is up for Planning Board recommendation.

Ms. Richard asked about the date of the petition being May 2015. Mr. Roth indicated this was submitted back then, the Selectmen used their engineering fund to survey the road and this is the first Town Meeting since it was originally submitted.

Discussion ensued on the plan/surveyed layout.

Mr. Farrell, Jr. asked if the property owners on map were current owners and Mr. Roth indicated to his knowledge, they were.

Mr. Hayward indicated there was no stamp and Mr. Roth indicated the Board was looking at the reduced PDF version, but the stamped Mylar and prints are being submitted by the Engineer.

Mr. Lucas made a motion to approve request for street acceptance of Welcome Street and was seconded by Mr. Staffon. The motion passed 4 - 2.

Rockland Street:

Mr. Roth said the Board of Public Works asked the Selectmen for the Street Acceptance and use of engineering funds to survey Rockland Street. Mr. Roth noted it is paved, there is storm drainage and most likely utilities and is surprised it has not been accepted.

Mr. Hayward noted he was surprised it was not accepted as well, since it is fully built.

Mr. Staffon said one of the issues is it might have been missed in the blanket street acceptance when the Sciticut Neck sewer project was done.

Mr. Hayward said he wish they had found out more info, but is not against it.

Discussion ensued.

Mr. Lucas made a motion to approve request for street acceptance of Rockland Street and was seconded by Mr. Staffon. The motion passed unanimously.

Treasure Bay Road:

Mr. Hayward indicated it is Reservation Road to Billy's Way.

Mr. Roth noted from Reservation Road, it is just a gravel driveway to a house. From Billy's Way, it is an indent to park cars and looks like someone's lawn. It is a paper street. There is no engineered layout plan and he is not recommending approval for use of Selectmen funds. Mr. Roth believes Rockland is more priority.

Mr. Staffon made a motion to approve request for street acceptance of Treasure Bay Road and was seconded by Mr. Lucas. The motion failed, 0-6.

C. PUBLIC HEARING:

1. Special Permit – **Clean Energy Collective, LLC**. – Solar Farm – 197 New Boston Road. (cont'd from 1/12/16)

Rich Charon, Engineer, Greg Carey, Community Solar Manager with CEC and Clark Fenner with Stellar Energy and partner were present.

Mr. Roth said Memo #2 which outlines the applicant has looked at addressing all of the issues that were raised. The design engineer has reviewed the revised submittal and has indicated that their review comments have been addressed. The Mass DEP statement on elicited discharge was submitted and there

was a revised set of condition that was emailed. Mr. Roth is recommending approval subject to the conditions of Memo #3.

Mr. Charon brought up a possible issue with the condition that all utilities are underground. Mr. Charon noted other than crossing the street, the utilities are underground.

Mr. Hayward noted the 61A is proceeding before the Selectmen.

Mr. Charon reviewed the plan noted there is now an access and utility easement.

Discussion ensued.

Mr. Lucas asked if there was a change in the leased area and Mr. Charon explained the details.

Discussion of removal of condition #8 dealing with the underground utilities transpired.

Mr. Charon just wanted to be clear in #8 that it is clear they are above ground where the connection is at the pole, but all else is underground.

Mr. Hayward noted he likes the route they chose and noted they are presenting to the Conservation Commission on February 22, 2016.

Mr. Roth said that Memo #3 add the pile driving restriction between 8 a.m. to 4 p.m.

Mr. Staffon asked if project was coming out of 61A and a discussion ensued.

Mr. Carey said the Assessors will assess the property, like a commercial project and he is figuring between \$25,000-\$35,000 a year based on comparisons with other Towns and similar projects.

Mr. Roth indicated they have responded to all of Planning Board's concerns and is recommending approval subject to Memorandum #3 dated February 5, 2016.

Mr. Farrell, Jr. made a motion to remove condition #8 dealing with the underground utilities and was seconded by Mr. Staffon. The motion passed unanimously.

Mr. Charon noted GCG was excellent to work.

Mr. Hayward said they spoke about the anti-glare study and given the distance, he does not see an issue.

Mr. Charon said the reflectivity is less than 2%.

Mr. Staffon made a motion to approve Special Permit for Clean Energy Collective, LLC with the 16 conditions, after removal of #8, as outlined in the February 5, 2016 Memo #3 and was seconded by Mr. Lucas. The motion passed unanimously 6-0.

D. LONG RANGE PLANNING:

None.

E. CORRESPONDENE:

None.

F. OTHER BUSINESS:

197 New Boston Road – Chapter 61 A Removal – Richard Costa:

Mr. Roth said the property owner wishes to lease 12.25 acres for a solar farm and wish to take that portion out of Chapter land and the Selectmen are seeking the Planning Board's recommendation. Mr. Roth does not see why the Town needs to exercise their right of first refusal on this.

Mr. Staffon made a motion that the Planning Board sees no reason for the Town to exercise their right of first refusal on this property and was seconded by Mr. Lucas. The motion passed unanimously, 6-0.

CPTC Conference:

Mr. Roth asked if anyone other than Mr. Fleurent wanted to go to CPTC Conference on March 19, 2016, and Mr. Hayward indicated he would like to go.

Mr. Farrell, Jr. suggested entertaining bringing in a CPTC instructor and Mr. Roth said it would be for a specific topic. Mr. Farrell, Jr. thinks they should entertain it each year with a different topic.

Mr. Roth indicated budget for 2017 has been submitted already and discussed perhaps pooling with another Planning Board's in the area. He could also speak with CPTC and obtain a price to have an instructor come down.

Mr. Farrell, Jr. feels education training would be great and mentioned hosting. Mr. Roth said he would make contact.

Mr. Roth also noted on Friday, February 12, 2016, at 10:30 there is a budget meeting with Mr. Rees's budget team and to let him know if anyone would like to attend. Mr. Roth is also trying to schedule a Thursday, February 18, 2016, meeting with the Finance Committee, where they will be discussion the Master Plan Article and CPC Articles as well. A discussion ensued.

Mr. Roth said has been in contact with SRPEDD and a draft will be ready for discussion on March 8, 2016.

Mr. Farrell, Jr. made a motion to adjourn and was seconded by Mr. Staffon. The meeting adjourned at 7:26 p.m.

Respectfully Submitted,

Tracy White,
Recording Secretary