



FAIRHAVEN PLANNING BOARD

**Application for
SPECIAL PERMIT**

Fairhaven, Massachusetts

Date: May 4, 2023

The undersigned petitions the PLANNING BOARD FOR A SPECIAL PERMIT in the manner and for the reasons herein after set forth, the application of the provisions of the zoning ordinance and MGL c. 40A, § 9 to the following described Site:

Name of Applicant(s): Ecogy MA XI LLC; Julia Magliozzo, signatory

Applicant(s) Address: 315 Flatbush Avenue #393, Brooklyn, NY 11217

Phone Number: 718-304-0945 Fax Number: _____

Name of Owner(s): OSJ of Fairhaven LLC; John Conforti, Principal

Owner(s) Address: 375 Commerce Park Road, North Kingstown, RI 02852

Name of Engineer/Architect: James Albert

Engineer/Architect Address: 315 Flatbush Avenue #393, Brooklyn, NY 11217

Phone Number: 718-304-0945 Fax Number: _____

1. Location of Site: 11-39 Berdon Way, Fairhaven, MA 02719

2. Assessors' Plat(s): 27 Lot No(s): 030

3. Zoning District in which Site is located: Business District (B)

4. State present use of site: Commercial Retail Services

5. Give size of existing building(s), if applicable: The total rooftop square footage is 62,688 sq ft.

6. Give extent of proposed alterations, if applicable: Rooftop solar PV system on the existing building

7. Number of families building is to be used, if applicable: NA

8. Have you submitted plans to the Building Inspector? No Has he refused a permit? NA

9. Please attach a detailed narrative and any other documentation that supports your request.

Applicant Signature: Julia Magliozzo

OSJ of Fairhaven, LLC
Owner Signature: John D. Conforti
By: John D. Conforti, Its CFO

File one completed form with the Planning Board and one copy with the Town Clerk.



ECOGY ENERGY

WWW.ECOGYENERGY.COM | 718-304-0945

May 10, 2023

Ecogy MA XI LLC
449 Thames St #210
Newport, RI 02840

Town of Fairhaven Planning Board
40 Center Street
Fairhaven, MA 02719

Special Permit Application - Front-of-meter rooftop solar system at 11-39 Berdon Way

To the Town of Fairhaven Planning Board:

Please find the enclosed Special Permit Application for Ecogy MA XI LLC (Ecogy)'s proposed 190 kW AC front-of-meter rooftop solar system at Ocean State Job Lot – Fairhaven (OSJL) located at 11-39 Berdon Way. Ecogy has entered into an option and Lease Agreement with OSJL owner, OSJ of Fairhaven LLC at this property location/ Ecogy requests this Special Permit for a Special Use as the project is outside the permitted by right rooftop solar system allowance as stated in the Fairhaven Zoning Bylaws of 2014, Article III – Section 198-29.6.B.

Please see a list of the appended documents below as required in the special permit application instructions.

Appended Documents

1. Special Permit Application Form (2 copies; 1 with Town Clerk Stamp)
2. Narrative Statement (10 copies)
3. List of Abutters (1 copy)
4. Abutters Mailing Labels (3 copies; duplicate owners have each parcel identified on the label)
5. Review Plan Set (10 copies)
6. Application Fees
 - a. Special Permit Fee
 - b. Advertising + Abutters

Ecogy thanks the Fairhaven Planning Board for their time and consideration in reviewing our Special Permit Application. We look forward to presenting our project to you at the scheduled public hearing. Please do not hesitate to contact me with any questions or comments you may have regarding our application at 347-675-4065 or michael.shelter@ecogyenergy.com

Best,

Michael Shelter
Project Manager
Ecogy Energy
M: 347-675-4065 | E: michael.shelter@ecogyenergy.com

Ecogy MA XI LLC | 11-39 Berdon Way (OSJL Fairhaven)
Special Permit Application for a Solar Rooftop System
Submitted: April 24, 2023



Narrative Statement

Ecogy MA XI LLC (Ecogy) has entered into an Option and Lease Agreement with Ocean State Job Lot - Fairhaven owner, OSJ of Fairhaven LLC, at their property located at 11-39 Berdon Way. Ecogy is proposing the construction of a 190 kW AC front-of-meter rooftop solar photovoltaic (PV) system. We have submitted this Special Permit Application to the Fairhaven Planning Board for Ecogy's proposed front-of-meter rooftop solar PV system. We are requesting this Special Permit to allow for a Special Use of a front-of-meter rooftop solar installation, as rooftop solar systems are only permitted by right when they are connected behind the meter as detailed in the Fairhaven Zoning Bylaws of 2014, Article III - Section 198-29.6.B. *"...Roof mounted SPEF are not governed under this section and are permitted in all districts when connected behind the meter"*.

The proposed rooftop solar PV system will be a 190 kW AC front-of-meter solar system, thus providing clean energy to the Fairhaven electrical grid. The proposed project will be installed on the existing rooftop at OSJL Fairhaven, 11-39 Berdon Way, which is classified in the Business Districts - B zoning district. Ecogy is the developer of this project, and has a large portfolio of Ocean State Job Lot projects in the Northeast Region, aiding them to achieve their goal of providing clean energy within the local communities their locations serve. Ecogy and OSJL have designed this project as a front-of-meter system, to allow for clean energy generated to be sent out to the grid.

The installation of the rooftop solar panels will not alter the existing structure, or current stormwater management practices used by the existing building. Additionally, the panels are equipped with an anti-reflective coating, preventing the neighboring properties from being exposed to any potential glare. The rooftop solar panels will be similar from a visual perspective to a behind-the-meter system and will not negatively impact the aesthetics of the community. At the rear of the property, there will be an inverter system and our data tracking Econode system installed at ground level adjacent to the existing building, and two utility poles and a new transformer, as required by the utility provider, at the rear of the property. These installations will be minimally invasive, and Ecogy does not see any impact from these modifications required.

This solar project will bring clean solar energy to Massachusetts, which is necessary to meet the state's goal of net-zero emissions by 2050. The project will also have local benefits in Fairhaven by providing clean electricity to the local grid without impacting existing open space, trees, or greenfield areas. Ecogy believes this proposed solar project is an excellent example of modifying an already impervious, and otherwise static, unused space for clean energy generation.

To restate from above, Ecogy is seeking a Special Permit to allow for a Special Use to be granted for the OSJL Fairhaven, 11-39 Berdon Way front-of-meter rooftop solar PV system, which will provide clean energy to the Fairhaven community.