

**MINUTES OF PLANNING BOARD PUBLIC HEARING OF MAY 21, 2012**  
**Recission request of approved Definitive Subdivision Plan**  
**“Dartmouth Heritage Industrial Park (Section 1 and Section 2)”**  
**7:15 p.m., Room #315, Town Office Building, 400 Slocum Road**

**Planning Board Members**

Mr. Joel Avila, Chairman  
Mr. Joseph E. Toomey, Jr., Vice Chairman  
Mrs. Lorri-Ann Miller, Clerk  
Mr. John V. Sousa  
Mr. Stanley M. Mickelson

**Planning Staff**

Mr. Donald A. Perry, Planning Director  
Mrs. Joyce J. Couture, Planning Aide

The Chairman opened at 7:19 p.m. the public hearing<sup>1</sup> concerning a request by EMI Dartmouth Solar LLC, 20 Park Plaza, Suite 320, Boston, MA 02116 to rescind certain lots and streets in approved Definitive Subdivision Plans entitled Dartmouth Heritage Industrial Park (Section 1 and Section 2), for land owned by Rahim Aghai, Trustee, 23 Merrymount Drive, Dartmouth, MA 02747. The proposal is to rescind in Section 1, lots 11, and lots 11-1 through 11-17 shown on Assessor’s Map 67 and discontinue the rights of way for Development Square, Vision Place, and Century Lane in order to create two large parcels of land. For Section 2, the proposal is to rescind lots 13-1 through 13-18 shown on Assessors Map 68, and discontinue the rights of way for Power Drive, International Way and Tech Lane in order to create one large parcel of land.

All Planning Board members and Planning staff were present.

The Chairman provided procedural information for the general public.

A motion was made by Mrs. Miller, seconded by Mr. Sousa for discussion, and unanimously voted (5-0), to waive the reading of the legal notice, which appeared in The Chronicle on Wednesday, May 2, 2012, and again on Wednesday, May 9, 2012.

The Planning Director stated the amendment applications were officially time stamped in the Town Clerk’s office on April 12, 2012 which begins the timeline for action by the Planning Board on this proposal. Mr. Perry then proceeded to read the following documentation into the record:

- Form E (Application for Approval of an Amendment to an Approved Definitive Subdivision Plan) Dartmouth Heritage Industrial Park - Section 1
- Letter from Rahim Aghai dated April 10, 2012 re: Section 1
- Letter from Richard Riccio III, Field Engineering, Co., dated April 10, 2012 re: Section 1

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<sup>1</sup> For more information, see minutes of the Planning Board’s regular meeting of May 21, 2012

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- Form E (Application for Approval of an Amendment to an Approved Definitive Subdivision Plan) Dartmouth Heritage Industrial Park - Section 2
- Letter from Rahim Aghai dated April 10, 2012 re: Section 2
- Letter from Richard Riccio III, Field Engineering, Co., dated April 10, 2012 re: Section 2

The Chairman asked proponents to speak.

Richard Riccio III, Field Engineering, Inc., spoke on behalf of EMI Dartmouth Solar. He explained in detail the proposed lot lines and street eliminations for each section.

The Chairman asked for comments and/or questions from the public.

Gloria Bancroft, 748 Collins Corner Road, asked when the plan will be submitted.

Jack Arruda, EMI Dartmouth Solar, stated the plans are currently before the Conservation Commission for earthwork and stormwater management. The next step would be to submit a formal plan to the Building Commissioner for permitting. He proceeded to describe the condition of the property -- cleared farmland and wooded regrowth consisting of mostly scrub brush. He noted the land is zoned industrial.

Robert Michaud, 40 Alice Street, pointed out this property is an industrial park. There will be no jobs created by the proposed solar farm project. He also spoke about the dangers of solar panels and disposal of hazardous waste.

Colleen Noseworthy, 895 Old Fall River Road, asked specific questions related to the purchase of the solar panels, data on panels being used, and concerns because it is located near wetlands.

Mr. Arruda identified the company (AUO) where the panels are being purchased. He noted the project will consist of 20,000 panels.

Comments from Board members were entertained.

Mr. Sousa noted for those present that the Planning Board's action on this matter tonight is only on the rescission request of the Definitive Subdivision Plan. The Planning Board cannot react to any proposal (solar farm) being planned on the land.

A motion was made by Mr. Sousa, duly seconded by Mr. Mickelson, and unanimously voted (5-0) to close this evening's public hearing at 7:44 p.m.

Respectfully submitted,  
Mrs. Joyce J. Couture  
Planning Aide