

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
CITY OF CRANSTON
CITY PLAN COMMISSION

PROCEEDING AT HEARING :
IN RE: :
ADVISORY COMMITTEE :
NATICK AVENUE SOLAR :

DATE: September 22, 2020
TIME: 6:30 P.M.
PLACE: Teleconference via
Zoom

BEFORE:
JASON PEZZULLO, AICP
LINDSAY MC GOVERN
JOSHUA BERRY
SARAH BRADFORD
DRAKE PATTEN
DANIEL ZEVON

PRESENT:
FOR THE PETITIONER ROBERT MURRAY, ESQUIRE

Also Present:
Stephen H. Marsella, Esquire

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

(COMMENCED AT 6:39 P.M.)

MR. PEZZULLO: All right. I think we'll get started tonight. So this is the Natick Avenue Solar Advisory Committee meeting number two. We last met about a month ago, and we had our initial discussion. In the meantime, there's been a site visit with Sarah, with John Carter to look at the site. I believe some of those comments have been provided to the committee. And we're going to be discussing those tonight. But before we get started, I think we need to discuss a few ground rules. So, Josh, I'm going to just skip past the meeting minutes of the last meeting, and let's talk about, like, operating procedures for this group.

So we're trying to operate as transparently as possible in the spirit of opening meetings as best we can. So as far as when we discuss correspondence during the meetings, that's fine. Outside of the meetings, we've had correspondence where anytime there's been e-mails among individuals member, we've just reminded everyone to send any correspondence between the members to all the members, so that everybody is on the same page and that there aren't side conversations going on. So those are the two

1 things we wanted to talk about tonight, I think.
2 Throughout the course of the night, this meeting is
3 intended for the committee, itself. The public is
4 on the call and they're welcome to listen in, but
5 this is not a public forum tonight. My role is
6 simply to, as the host, just try to move things
7 along. But I'm not a -- one of the advisory
8 members, but I'm going to just help moderate the
9 discussion.

10 So does anyone have any questions on how
11 we're trying to operate this committee moving
12 forward? It's been a unique thing. We haven't
13 done something like this before and we're trying to
14 do our best. So if anyone has any comments on
15 that, we can discuss right now if we have any other
16 ideas.

17 MR. BERRY: The structure of the advisory
18 committee, you know, being what it is, being from a
19 master plan approval condition, I think we're doing
20 our best to start it off using a reasonable
21 approach, trying to limit public comment so that we
22 could focus on the task, and I think in the first
23 meeting we heard probably a little bit more from
24 the applicant than we will need to hear in this
25 meeting or other meetings because the applicant

1 needed to present in greater detail the landscape
2 plan and provide context for the committee.

3 So hearing some of the feedback since
4 then, we've taken a little more hands-on approach
5 with the agenda, and we have given the applicant a
6 specific place in the agenda to speak, whether it
7 be John Carter, or whoever is representing them,
8 maybe Dave Russo, really up to the applicant there,
9 who's representing them, to have a place to speak.
10 It is their application, and they're going to have,
11 presumably, material to present.

12 That being said, I think that sort of
13 organizes the meeting a little bit better, and
14 allows us to perhaps call on them for questions,
15 but pretty much limit the rest of the discussion to
16 the committee. So I think we're doing a better job
17 at this meeting and moving forward, such is the
18 nature of, kind of doing your best as you go along.

19 MR. PEZZULLO: All right. So does anyone
20 else want to comment on that? All right. Bob,
21 would you like to say something?

22 MR. MURRAY: I apologize. Let me just
23 resolve this echo thing. I thought we had it set.
24 Is that okay now? I apologize. We've got it down
25 now. I don't want my silence to be interpreted as

1 total acquiescence to what Josh had said. I know
2 he's not in favor of me speaking at these meetings,
3 as evidenced by an e-mail, but I want to be clear.
4 The applicant is not going to take a subservient
5 role. We are a full participant in this. We, you
6 know, this affects our property rights, and, you
7 know, you are correct. At the last meeting, the
8 major thrust of it was to -- for us to kind of
9 present to the committee, you know, I'm fine with
10 the -- with the agenda. I just want to be clear
11 that if, at any point during the discussion, if a
12 member of the applicant's team wants to offer a
13 comment or something, I don't think we should be
14 silenced.

15 MR. PEZZULLO: Okay. All right. All
16 right. Well, let's move along to the minutes. We
17 sent out a draft set of minutes and, again, this is
18 a quasi, you know, group, but we decided --

19 MR. BERRY: Jason, did you want to cover
20 the correspondence outside the meeting or
21 scheduling future meetings while we're under Item 3
22 of the agenda?

23 MR. PEZZULLO: I thought we talked about
24 the correspondence outside of the meetings that we
25 have to, if there's e-mail correspondence, that

1 that would go to all members of the committee. Is
2 that what you're saying?

3 MR. MARSELLA: That was already discussed.
4 Let's move on.

5 MR. PEZZULLO: All right. And the
6 scheduling of future meetings will be determined at
7 the end of this meeting with what is actually
8 needed, if anything. So -- all right. So let's go
9 on to the minutes that we tried to put together for
10 everyone. They were sent out. Anyone have any
11 comments, corrections, additions?

12 MR. BERRY: I do not.

13 MR. PEZZULLO: Lindsay?

14 MS. PATTEN: This is Drake. I'm all set.

15 MS. MC GOVERN: Do you want to --

16 MR. MURRAY: Hi. Just let me get my stuff
17 out of the way, and -- the first -- the minutes, I
18 think, substantially represent the last discussion,
19 last meeting. Just a couple of things. One, our
20 recollection is that at some point during the
21 meeting, Jason, you indicated that the applicants
22 would be able to be participants in this process,
23 but I did not see that in the minutes. That's my
24 first. My second point is Ron Ronzio did -- is on
25 board this evening taking a transcript of this

1 meeting. He did transcribe the last meeting, and I
2 would just ask that when his transcripts are
3 available, if we could forward those to you and you
4 share them with the committee just so they're part
5 of record. I think that will be good for
6 everybody. And then the only other
7 characterization in the meeting -- in the minutes
8 that I had a question was toward the end, the last
9 paragraph, you know, and you may have said this,
10 but you're -- the comment that this was the first
11 of many meetings. I think the last time we were
12 together, you know, we're looking to get this
13 committee's input, have Sarah be in a position to
14 comment, and then, you know, we'd like to keep --
15 keep moving forward here in the process. So I
16 don't want our, you know, our acquiescence to that
17 statement in the minutes as being interpreted as
18 brevity, believing there's a need for multiple,
19 multiple meetings. Thank you.

20 MR. PEZZULLO: All right. I'm not sure of
21 the context of that, Bob, though my statement could
22 have been talking about this process, the PR
23 process, and the public -- the public hearing
24 process for preliminary. I'm not entirely sure.

25 MR. MARSELLA: Jason, I specifically

1 remember your comments to be exactly that, is you
2 specifically commented on the DPR review. And the
3 preliminary plan review and the other multiple
4 meetings. I don't know how Bob interpreted that or
5 whether his interpretation is the interpretation we
6 should go with, but I specifically remember the
7 multiple meetings to be development plan review and
8 preliminary plan, for what it's worth.

9 MR. PEZZULLO: All right.

10 MR. BERRY: Can I ask you, when those
11 transcripts are sent to us, is it okay if we post
12 them on the sub page of the planning department
13 website transparency with the other application
14 materials? Will that be okay?

15 MR. MURRAY: I have no problem with that.

16 MR. BERRY: Thank you.

17 MR. MURRAY: Could we just clarify, and I
18 appreciate Steve Marsella's attempt to clarify, are
19 we saying that the last paragraph --

20 MR. MARSELLA: Bob, it wasn't an attempt,
21 it was my recollection. So take that for what it's
22 worth. I don't know if it was a good attempt or a
23 bad attempt, but that was my recollection. So
24 don't characterize my statement as an attempt.
25 Characterize it --

1 MR. MURRAY: Stephen, I wasn't trying to
2 mischaracterize your statement. I'm just trying to
3 understand was the -- when Jason, in the minutes,
4 you're referring to the first of many meetings, he
5 was talking about over the process through
6 development plan review and preliminary plan future
7 meetings. Is that --

8 MR. MARSELLA: That was my recollection.

9 MR. MURRAY: Okay. All right. Thank you.

10 MR. PEZZULLO: All right. Any other
11 comments from these minutes? All right. Well, I
12 think that we can start actually talking about the
13 project. So next we want to talk about Sarah's
14 findings from the site visit from September 1. So,
15 Sarah, the floor is yours.

16 MS. BRADFORD: Thank you so much. I went
17 on a site visit with John Carter and his colleague
18 (inaudible) early in September, first of September,
19 I guess. And to start with, Ron Russo drove us
20 from his barn office area out to the site. It's
21 walkable, but it was a bit of a trek for the time
22 that we had available. So we took his -- he drove
23 us around and it was useful because there are a lot
24 of driveable trails through the area, and he could
25 then drive us sort of around the edges of the

1 proposed solar farm.

2 My primary interest was to see the
3 proposed buffer areas and to understand the visual
4 transparency or screening potential within those
5 areas. So we were driven around, and then left to
6 walk it, which the three of us, John, Lauren
7 (phonetic), and I walked the area again which
8 was -- you know, we could do it at our own pace and
9 we could look around a little bit more.

10 Basically, the woodland area is relatively
11 consistent. It's a reasonable open woods, open in
12 the sense it doesn't have a lot of understory of
13 younger trees, or short layer. It has a ground
14 cover of a lot of full briar or cat briar, but you
15 could even get through that fairly well. Along the
16 buffers, of course they're different on different
17 sides of the project area, the north buffer is
18 probably the same or more difficult one for us to
19 work with. The east one is -- has some topography
20 to it, which contributes to what can be seen from
21 the area below it. And the southern side is the
22 gas easement and so that's a separate problem in
23 itself, too.

24 But let's go back to the north buffer area
25 as the one where it's -- there -- it's still within

1 the forest area is generally just deciduous woods.
2 Some red cedars left from previous land use, I
3 suppose. But they're small and straggly. They
4 really have no impact visually. So we're talking
5 about the potential for a visual screen within that
6 50-foot buffer area. And I think within that
7 (inaudible), there isn't much visual screening.
8 You can see through it fairly easily. There are
9 regularly placed trees within it, but relatively
10 little other growth.

11 So I think my conclusion that (inaudible)
12 in the buffer area, it's designated green within
13 that area. We're going to use the idea of
14 screening. It's probably going to need to have a
15 separate open planted area which has full light to
16 it to get things established as well as they have
17 access to it to water things, if necessary.

18 MS. MC GOVERN: Sarah, can you just -- you
19 went a little "wonkie" at least in my hearing --
20 your speaker went a little --

21 MS. BRADFORD: Oh, I'm sorry.

22 MS. MC GOVERN: No. I'm sure it's not
23 your fault. I just couldn't quite hear what you
24 said. I'll be honest.

25 MS. BRADFORD: I'm not sure where I was

1 wonkie here. Maybe it's in the conclusions?

2 MS. MC GOVERN: What you were saying would
3 be what you just recommended on that northern side.

4 MS. BRADFORD: I think within that area on
5 the northern side, in order to have -- to plant
6 materials that can act as a screen, we need to get
7 into an area that has good light to it as well as
8 access. By and large, the area does have access
9 because there are trails to it and there will be
10 plenty more access (inaudible) clearing as well.
11 But we do need to have a designated area that can
12 be planted if we're going to get a visual screen
13 within that area. As we get to the eastern area, I
14 think that also deserves to have a buffer even
15 though you can't necessarily see a house from there
16 now, doesn't mean that people might not come toward
17 their edge of the property.

18 The gas line, I'm a little uncertain as to
19 the property line there. If the property line is
20 not the stone wall, if there's something like 6 or
21 8 feet on the solar farm side of the stone wall,
22 then I think it's plantable with something like red
23 cedar that is fairly upright and evergreen. But I
24 think there's some clarification I would need there
25 in order to make any kind of recommendation. So I

1 think the questions really are more difficult on
2 the north side. I don't think planting within the
3 woodland area itself is practical. Small things
4 could be planted, perhaps, but even they, with the
5 regular canopy, a shade canopy, would get a little
6 spindly and be challenged a bit to flourish, and
7 also be able to get to them to tend to them, water
8 them, whatever is necessary as well as to plant
9 them.

10 MS. PATTEN: Sarah, I was interested in
11 your note -- I was interested in your note and I,
12 you know, really a great deal to think about,
13 you're talking about with losing so many trees,
14 with the clear cutting, there will be different
15 light than we're looking at now. Did any of that
16 help come up with -- that concept that there will
17 be more sunlight coming in, did that help in this,
18 did that change anything for you as you thought
19 about it or do you have any more thoughts to share
20 on that because that was actually a great point.

21 MS. BRADFORD: When there's light at the
22 edge, there is possibility of things growing there.
23 And I think that is a viable one. Again, I think
24 we need to or you need to determine what can happen
25 within the buffer area. We don't want to disturb a

1 lot of the roots that are in there that are
2 contributing to the existing trees. So it's not
3 just light that we're dealing with in terms of a
4 planting area, but it's certainly going to make a
5 difference. That probably doesn't answer your
6 question, but, yes, light is an important factor.

7 MS. PATTEN: No. No. No. That was just
8 from a follow-up on the -- follow-up on your notes,
9 because I thought it was, you know, a different way
10 to sort of think about things again.

11 MS. BRADFORD: I think I gave you, and
12 Josh has also given you some things on the agenda
13 that would be items that need to be kind of -- be
14 part of your deliberations or part of the
15 discussion and determination in order for you to
16 give the applicant's landscape architect kind of
17 your sense of where he should go with his planting
18 plan. I certainly don't think it's up to the
19 committee to do the planting plan, but I think to
20 kind of give a suggestion of where they think it
21 ought to go would be very helpful to him. How do
22 you want to handle that, Josh? Do you want to go
23 through the list?

24 MS. MC GOVERN: Can I just interject. I'm
25 sorry to interrupt. This is Lindsay McGovern for

1 the record, Ron. I just want to clarify two
2 points, Sarah. One, you mentioned where the
3 property line was along the south and if you saw
4 the stonewall that represents the property line
5 along the south, I'm not sure if you saw the
6 stonewall, but that's the property line.

7 MS. BRADFORD: Yes. Stonewalls on the
8 north and stone -- on the south, I did see a
9 stonewall. We stopped and there's a house
10 relatively near that that we were looking at to try
11 to kind of envision what the visual impact would
12 be.

13 MS. MC GOVERN: Okay. I just wanted to
14 clarify that. And then you mentioned the gas
15 easement is -- potentially could be an issue. Can
16 you explain that, please.

17 MS. BRADFORD: Say that again. I didn't
18 hear you.

19 MS. MC GOVERN: I thought I heard you say
20 that you had some concern about the gas easement
21 potentially being an issue. Would you mind
22 elaborating on that, please.

23 MS. BRADFORD: No. It was where the
24 property line -- or where the edge of that easement
25 is, but that's not a property line. We measured

1 the east line that I don't understand.

2 MS. MC GOVERN: Okay. Thank you.

3 MS. PATTEN: Sarah, that easement, also,
4 just in terms of the planting, nothing can be
5 planted on the easement. That's a restriction that
6 the gas company places on that easement.

7 MS. BRADFORD: That's understood.

8 MR. BERRY: So you're asking how we should
9 proceed and ultimately it's not up to me but I'll
10 answer the question since you posed it to me,
11 Sarah. And I think personally I'd like to hear,
12 you know, beginning to end, if you were finished
13 with your recollection or notes on the site visit,
14 then we would need to use the agenda and use Number
15 5 next, the applicant, I don't know if they have
16 any new materials to present, but we would do that
17 before we go into our discussion, deliberations. I
18 definitely have some questions based on what you
19 just said, but do you have anything else that you'd
20 want to say before we get into the questions?

21 MS. BRADFORD: No. That's essentially my
22 report, but I want to hold my possibility of
23 talking about other things later as they come up.

24 MR. BERRY: Really, briefly, just to
25 clarify some points that you said. You said the

1 eastern property boundary has some topography that
2 you still think that it would require a buffer.
3 That's one part of the site that I probably
4 remember the least and I'm trying to recall from my
5 memory how much that topography would play into
6 screening the project or not. With all the -- go
7 ahead.

8 MS. BRADFORD: I think that is a difficult
9 area in the sense for me as well. We went as close
10 as we could to what we thought was where the
11 property line was. I'm not sure we quite got
12 there. I don't believe there's a stonewall on this
13 side. But it did slope down away from the main
14 part of the project area. Couldn't see houses or
15 any clearing for a yard or anything like that.
16 But -- and it puts -- the topography would
17 contribute to what the abutter could actually see.

18 MR. BERRY: We have all these sight lines
19 and landscape plans. I think it might be curious
20 to see the topography change from that Parcel
21 AP22-3 Lot 5, and even perhaps Lot 116. I'd like
22 to see -- I'd like to see, you know, a transect
23 because I think that would really tell me how the
24 topography would play into whether or not the
25 buffer is even appropriate for that eastern

1 property boundary. Do you think that would be
2 helpful?

3 MS. BRADFORD: I think the reason probably
4 that there wasn't one done is that John didn't
5 think that you really could see into the project
6 area from the house that is down there. But that
7 doesn't mean that you wouldn't see into it if you
8 came up onto the property line. So I think it's
9 worth asking to have a transect line up there.

10 MR. BERRY: Thank you.

11 MS. PATTEN: So it just came up recently
12 at the last meeting, but it didn't really get
13 discussed because we got on to other things, but
14 for my property, which is multiple lots, but that's
15 culled out here, well, two are culled out on this
16 map, AP22-3 Lot 61 and AP18-1, Lot 551, the
17 transect from my property was done from my barn,
18 well, one of my barns. But not from either of the
19 residential houses or from our studio up at the --
20 sort of longest building. So it would -- we would
21 appreciate if some transect could be run from where
22 we spend -- we spend our time across our farm,
23 obviously; but it certainly seems we should be
24 consistent, at least pulling it from the resident
25 buildings because I don't think the sheep are going

1 to care necessarily. I just love to put that in
2 the mix as well, if you could.

3 MS. MC GOVERN: Hi. This is Lindsay. I'm
4 going to let John Carter respond to both Drake and
5 Sarah.

6 MR. CARTER: Thank you. For the record,
7 John Carter. Can you hear me? Okay. Thank you.
8 I just want to go back to Sarah's comment about the
9 north property line. And her comment about light,
10 and I think Drake picked up on that also, and also
11 her suggestion to have a dedicated planting area.

12 So after the site meeting where we did
13 have some sort of information exchange of ideas
14 between us, I left with that idea. So we were able
15 to work with the engineer and have them shift some
16 of their grading and their access road and so forth
17 to provide a clear strip between the gravel road
18 and the existing vegetated buffer that's going to
19 remain. And our intent within our strip, which
20 will be approximately 10 feet wide, would be to, as
21 suggested in a couple of different points including
22 condition number one on the master plan approval,
23 was to have a mix of evergreen and deciduous
24 plants, different species, different maturity
25 heights, and so forth as suggested because that

1 makes a lot of sense. I do think that there's some
2 areas within the existing buffer that we could
3 integrate some understory plants. Sarah pointed
4 out the competition with the roots and the light
5 and shade from the canopies would be a problem
6 establishing larger plants, but some smaller plants
7 in some of the existing pockets that are clear or
8 don't have existing trees, I think would be
9 something that could be accomplished. So the
10 result would be the more naturalistic and when
11 mature a much more effective screen than just
12 trying to plant within the 50 feet or trying to
13 just rely on the 50 feet.

14 I do want to point out that when the site
15 is cleared, the northerly property line buffer is
16 then exposed to the south which is the light, and I
17 think that the understory that's there now is going
18 to in-fill fairly quickly once the light is able to
19 get in there. And then the other issue about the
20 transect from Lot 5, 22-3, Lot 5, again, Sarah was
21 correct and assuming that we didn't do that because
22 you couldn't, in my opinion, the house is at such a
23 lower elevation, they're not going to be able to
24 see up onto the site. Yes, they could maybe walk
25 back to the property line. I might dispute a

1 little bit that, you know, there's an obligation to
2 screen if somebody wants to walk up and lean over
3 the wall and look onto the site. But I think from
4 the house and from the living area around the house
5 as it exists, it should be fairly sufficiently
6 screened.

7 The last point I'd like to just mention
8 and respond, so down on the farm, Drake Patten's
9 farm, Lot 551, we did the one transect because it's
10 just a -- these are just representational. So we
11 could stand at a hundred different points on that
12 property or on any of the other properties and have
13 a different perspective and a different transect
14 for each one of those. So we went in the middle of
15 the site. It's a barn. I understand that. But
16 it's from the middle of the site. I think if you
17 went to the north where her home is, you would see
18 that there's considerably more existing vegetation
19 between the home and the proposed solar farm
20 because it's a vegetated wetland with a 50-foot
21 buffer which is going to remain intact because it's
22 protected under DEM. Then if you went down to the
23 lower barn, the bigger, long building, it's even
24 further, the distance, and so we just -- the reason
25 we just did that one was to just represent the

1 topography change and the distance, the horizontal
2 separation between the site and the solar farm.

3 MS. BRADFORD: John, can I make -- if you
4 are doing any clarifications on the transects,
5 particularly on the north, I can't tell you which
6 transect number at the moment, but the ones that
7 are -- where there are houses quite close to the
8 buffer, if you could be a little more accurate
9 about existing vegetation, showing that there isn't
10 any understory. The way you have given a sense of
11 existing vegetation makes it look as though the
12 vegetation (inaudible) completely (inaudible)
13 which, of course, isn't the case.

14 MR. CARTER: Let me look at those. Those
15 would be probably 5, 6, 7, 8. Yeah, I don't
16 disagree. I mean it's a graphic, and we just
17 indicated approximate height of what was out there
18 and the width -- the horizontal width of it.

19 MS. BRADFORD: It's logical, but I'm just
20 looking to make it easier for people to understand
21 really how the whole idea of the transect works,
22 and it's a good idea.

23 MR. BERRY: This is Joshua, Ron. How
24 exactly, Sarah, would you want him to adjust that
25 transect to represent the exact conditions of the

1 understory?

2 MS. BRADFORD: I'm not going to say exact.
3 I think the sense of it is that the understory --
4 there is no understory for the first, what, John,
5 15 feet?

6 MR. CARTER: Can you hear me?

7 MS. BRADFORD: Yes.

8 MR. CARTER: Okay. Thank you. I believe
9 that that's correct, and some of the properties
10 have cleared up to the wall on their own side, some
11 have not, and there's existing vegetation, but it
12 does vary and, you know, I don't know how we would
13 actually show that unless you go out and measure
14 it. I think everybody, if it helped, I think
15 everybody, both on -- from my point of view, from
16 the applicant's point of view, and if the owners on
17 the other side wanted to agree, I think we'd all
18 agree that it's a tall deciduous tree canopy and
19 there's really not, at present, a very significant
20 amount of understory. So rather than try to
21 demonstrate that with a bunch of drawings, I think
22 we can all accept that that is, in fact, the case.
23 And that's the whole intent of the buffer because
24 it's thick trees, but they all have high canopies
25 and you can see underneath and through them.

1 MR. BERRY: This is Joshua. You had
2 mentioned 10-foot cleared area to provide
3 additional light. Just to be perfectly clear,
4 that's in addition to the 50-foot undisturbed area
5 before the access road?

6 MR. CARTER: That's correct.

7 MR. BERRY: And that's to be planted, you
8 said, with evergreens and other deciduous -- I mean
9 deciduous trees and evergreens?

10 MR. CARTER: And shrubs and understory
11 because, again, the evergreen will provide some
12 immediate buffer. The deciduous, when they're
13 small, will provide some immediate buffer. But in
14 the meantime, the understory can fill in, and it's
15 really that understory, that bottom 8 or 10 feet, 8
16 or 12 feet when you're going to get an effective
17 buffer. If we get healthy, 30-foot tall maple
18 trees, you know, in the course of the years that
19 they mature, they're not going to, at that point,
20 they'll be providing the same effect that the trees
21 there now provides, which is, you know, the
22 understory is -- you can see through -- between the
23 trunks. So, yes, the 10 foot is in addition, and
24 that's on the north side and then on the east side,
25 there's actually even more area being proposed up

1 to 35 feet in places between the remaining buffer,
2 the no-cut buffer that's going to remain and the
3 gravel road. So those are areas that we'd be able
4 to -- be able to plant without competition from the
5 existing trees. It's existing vegetation.

6 MR. BERRY: Can I clarify? Did I hear you
7 correctly, you said 35 feet along the eastern
8 property?

9 MR. CARTER: Yeah. In some cases, yes,
10 it's variable width.

11 MS. PATTEN: (Inaudible) can also add that
12 as well.

13 MS. BRADFORD: Was there -- sorry,
14 Lindsay, was there a buffer on the east property
15 proposed originally?

16 MS. MC GOVERN: There was not. But after
17 the site walk that John had with you, you got him
18 thinking, and so he and I were brainstorming and
19 decided that and work closely with Dave Russo,
20 DiPrete, that he could maneuver a lot of things and
21 tweak the engineering so we could fit an additional
22 buffer on top of the existing buffer that we show
23 right now.

24 MS. BRADFORD: Sorry. I'm still unclear.
25 There was not a buffer originally proposed on the

1 east side. So, essentially, there's 35 is a new --
2 is a new buffer.

3 MR. CARTER: No. If I can just clarify
4 that. There was actually -- there was a proposed
5 buffer on that side that was, I believe, 30 feet --
6 excuse me, 25 feet. There was a 25-foot, no-cut
7 buffer on that side. In addition to that, there
8 will be a variable width buffer from 15 feet, and
9 it goes up in a couple of places to 30 feet.

10 MS. BRADFORD: Okay.

11 MR. BERRY: Can I ask are these plans
12 conceptual at this point?

13 MR. CARTER: Yeah. They are. They were
14 something that, you know, we're trying to stay
15 ahead of the curve and, you know, understand what
16 the concerns are. And so we put our heads together
17 and that's what we came up with.

18 MS. PATTEN: Any sense of a napkin
19 sketch --

20 MS. MC GOVERN: Yeah. I actually can
21 share my screen and maybe show it to everyone if it
22 works. Fingers crossed. So give me one second.

23 (PAUSE)

24 MS. MC GOVERN: Everyone see my screen?
25 Okay. Great. So -- I think I'm going to have John

1 walk through it. John, maybe do you want to sit
2 over here so you can see it. But essentially there
3 are two colors you can see in the plan. The green
4 is the wooded area -- wooded area to remain. And
5 the yellow represents the additional buffer that
6 we're proposing right now. So you see that it's
7 along the north and the east. So, John, along the
8 north, the buffer on the north is 50 feet.

9 MR. CARTER: The green is 50, and that's
10 existing and that's the no cut. And then
11 the yellow is 10 feet of -- we're labeling it as a
12 proposed landscape buffer area. It's 10 feet that
13 will be cleared, and then allow us to plant without
14 competing with the other plants. Then coming down
15 the east side is a 25-foot buffer which was -- was
16 and is proposed to remain. Again, it's the green.
17 That yellow goes from 15 up to 30 plus feet. It's
18 variable width. You can see it, and that would
19 allow an area for additional planting also.

20 MS. BRADFORD: Can I ask a question, John?

21 MR. CARTER: Yeah, of course.

22 MS. BRADFORD: On the north strip, does
23 that go all the way to the west of -- edge of the
24 clearing?

25 MR. CARTER: Well, if you -- is that what

1 you're showing?

2 MS. MC GOVERN: No. I'm showing --

3 MR. CARTER: Okay. That's good. Let me
4 look at what we've got. So you can see the whole
5 plan. So if you follow the gravel road --

6 MS. BRADFORD: Yes.

7 MR. CARTER: -- the strip will run along
8 the back side, the north side of the gravel road,
9 at which point it -- it stops when it gets to the
10 limit of clearing.

11 MS. BRADFORD: Okay. So it goes beyond
12 your gravel roads all the way to the limit of
13 clearing. I guess the reason I'm asking is
14 originally you had an area of evergreens, I think,
15 I don't know what it's called, C or something, in
16 the woodland -- in the woods behind one of the
17 houses up --

18 MR. CARTER: Yes.

19 MS. BRADFORD: Now, will the planting
20 strip that you're proposing essentially do the same
21 thing?

22 MR. CARTER: No. These would be -- the
23 one that we were proposing up on those -- on the
24 property line, which was a result of a conversation
25 between the property owner here, Mr. Rossi, and a

1 couple of the owners that live up in that
2 neighborhood, was an agreement they would plant
3 there with some evergreens to assist in the
4 screening. I agree with you and I think everybody
5 agrees that that's a difficult place to plant
6 because it would be within the existing trees. So
7 that's different and distinct from what we're
8 proposing. We're proposing a clear area facing
9 south that we should be able to get some plants to
10 establish. We weren't proposing to take that away
11 from the neighbors. We'll still try to do
12 something for them.

13 MS. BRADFORD: Okay. Seems that some of
14 this, as long as it went all the way to the edge of
15 the clear cut, might solve some of the problems
16 that you were trying to solve with the "C." I
17 don't know.

18 MR. CARTER: I agree. Yes.

19 MS. BRADFORD: It's difficult to see the
20 yellow on the screen. It's sort of --

21 MR. CARTER: Yeah. So -- just to be fair,
22 Sarah, let me also point out that the yellow on the
23 drawing does not extend the last hundred feet or
24 something above the -- or the last 50 feet above
25 the gravel road. But there's no reason it can't

1 extend.

2 MS. MC GOVERN: I just want to check with
3 Dave. Is that correct, Dave, can we extend that if
4 needed?

5 MR. RUSSO: We can extend that to the end
6 of the road that we have (inaudible).

7 MS. MC GOVERN: Okay. Thanks, Dave.

8 MR. CARTER. Dave, can I ask you another
9 question. Would it be possible to come to that
10 right angle or that sort of obtuse angle there and
11 bring it down a little bit like --

12 MR. RUSSO: If you're talking about coming
13 down and making the turn, I don't think there would
14 be an issue with that, Dave, if that's what you're
15 speaking about.

16 MS. MC GOVERN: So that's a great point.
17 So, Dave, we'd be going outside the lease line. So
18 if you see this dotted line right here along the
19 west, that's the lease line. That's why Dave did
20 it that way.

21 MS. BRADFORD: But if you're planning to
22 maintain beyond the lease line, you're planning to
23 keep it clear --

24 MR. CARTER: So we can extend it past the
25 lease line, continue it along the north, all the

1 way up to the edge of clearing.

2 MS. PATTEN: Just a question. This is
3 Drake in case my box isn't lighting up. So the "C"
4 that was arranged with those neighbors would be
5 outside of the project area, that existing "C."
6 I'm just confused.

7 MR. CARTER: Yes.

8 MS. PATTEN: Okay. So that was a separate
9 outside -- got it.

10 MR. CARTER: That's correct. That would
11 be on a -- yes, on the --

12 MS. PATTEN: On a separate piece of
13 property is what you mean by that.

14 MS. BRADFORD: But it is shown on the
15 inside.

16 MR. CARTER: Right. But that's outside
17 of -- so when we talk about the project area,
18 Sarah, the -- Revity is leasing this land from
19 Mr. Rossi. So it would be outside of the leased
20 land area and on Mr. Rossi's land.

21 MS. BRADFORD: Okay. It's on Mr. Rossi's
22 land. Okay.

23 MR. CARTER: But not -- yes, on
24 Mr. Rossi's land, right.

25 MR. MURRAY: Hi, this is Bob Murray. Can

1 I just clarify one thing on that. Just so we're
2 clear, those discussions took place probably a year
3 and a half, 18 months ago. So it was not -- this
4 was not a discussion held with the neighbors in the
5 last five years. This was a discussion that -- and
6 we're honoring those discussions, and that was what
7 was represented by -- I just want to -- there seems
8 to be some confusion that this was a recent
9 discussion, you know, this was a discussion we had
10 in the field when we were -- when the planning
11 commission was considering the master plan. So I
12 just want to clarify that. Thank you.

13 MS. MC GOVERN: Any other questions
14 related to the site plan just while I have it up?

15 MS. PATTEN: No. Just we're hoping that
16 we can get sent that at the end of tonight, you
17 know, that -- just so we can see it.

18 MS. BRADFORD: I think, John, it's a
19 little premature, but I think the question will
20 come whether within 10 feet, you can provide enough
21 screening for the houses or yards that are --
22 particularly for the houses and yards that are
23 close to the project area. Ten feet wide is sort
24 of one pine tree wide. Can you give us a better
25 sense of what happens within 10 feet.

1 MR. CARTER: Well, I don't think it's
2 going to be just a pure linear 10 feet. I think
3 the southerly line will be defined because of the
4 gravel maintenance road, but I think that the
5 northerly edge of that 10 feet could be wider. It
6 depends. If there's no vegetation, then it can
7 be -- be grubbed out and planted. So I think it's
8 going to require -- yeah, it may if it pinches down
9 to 10 feet, then it may just allow one tree or some
10 clusters of some smaller understory shrubs, but I
11 think it's going to be -- after the clearing
12 occurs, that northerly limit of clearing is going
13 to be a somewhat variable line. It's not going to
14 be a straight line. So the hope is we can stagger
15 and mix some of the stuff in and take advantage of
16 the -- of space, existing spaces. We won't know
17 that until we look at it. So we can promise
18 there'll be a 10-foot buffer, an addition, and then
19 there may be able to be more planting depending on
20 what the existing canopy looks like after the
21 clearing's done.

22 MS. BRADFORD: I think --

23 MR. ZEVON: This is Dan. Dan Zevon.
24 Thanks, John. I really appreciate -- it really
25 does look like you put some work into this. So we

1 appreciate that. A couple of quick questions on
2 the lines, I think you called it trans -- I'm not
3 familiar with the term, trans lines.

4 MS. MC GOVERN: Transect, yup.

5 MR. ZEVON: Like in my yard and my
6 neighbor's yard, they have a swimming pool, for
7 example, that's, you know, close to the border. So
8 I just wonder why, you know, the lines are drawn
9 from a certain (inaudible) to the middle. So I
10 think to your point, it would be nice to see like
11 multiple spots or multiple advantage points because
12 this entire piece of property, and, you know, the
13 entire piece (inaudible). The second question, you
14 know, when we do bring in the plantings or whatever
15 else is going to be brought in, is there going to
16 be like, you know, a certain height? Like to see
17 more details, I guess, in the plan, but do
18 appreciate some of the progress that seems to be
19 made here.

20 MR. CARTER: Thank you.

21 MS. PATTEN: Maybe turning to that a
22 little bit, Sarah, I want to go back again to your
23 notes and you talked about pine, white pine, and
24 red cedar, as possibilities. And one question I
25 had for you was now that you've been on the

1 property, not a question about the pines as good
2 screens. I get that, and cedars, et cetera, but
3 how do you feel they'll do in those conditions
4 because at the last meeting, one of the things that
5 came up was the ledge and, you know, that sort of
6 difficulties with planting and just knowing from my
7 own property that all of our pines, the only pines
8 we really have successfully here are in what was,
9 you know, basically old riverbeds, you know, really
10 sandy, very specific kind of environment, and they
11 strive there, but nowhere else on our property.
12 I'm just wondering how you feel now that you've
13 been out there, do you still feel that they would
14 do well there. And I'm just interested in the
15 feeder piece as well.

16 MS. BRADFORD: Well, there are cedars
17 there now. So we know that cedars (inaudible), and
18 I didn't see any reason why white pine wouldn't.
19 Indeed, there may be some issues where there are --
20 is spot folders, like ledge, whatever. So you
21 might not be able to plant it exactly in the spot
22 you were anticipating, but usually you can move a
23 little and find a reasonable spot. I'm not too
24 concerned about it and one of the concerns was
25 source of material, and I think that really the

1 (inaudible) ought to be commercially available
2 materials because those are the ones that can be
3 warranted, guaranteed, and that would be another
4 possibility is pitch pine, but it's much harder to
5 find commercially. So that might not be a
6 possibility.

7 MS. PATTEN: Yup. Thank you.

8 MS. BRADFORD: John, do you have any other
9 thoughts about -- I think it is going to be the
10 evergreens that are going to be the more important
11 ones for us, and be able to get a reasonable size
12 for the screening, particularly near the houses and
13 the yards.

14 MR. CARTER: Well, I didn't really -- what
15 was the question, I'm sorry. I --

16 MS. BRADFORD: I'm not sure -- there
17 wasn't a specific question other than just talking
18 again about the possibilities for screening
19 materials that are probably going to be red cedar
20 and white pine is reasonable available materials.
21 The red cedar is little more picky about the time
22 of year you plant it. So that may have something
23 to do with it, but those are things John can put
24 into his mix.

25 MR. CARTER: Agreed.

1 MS. PATTEN: John, what were you thinking
2 about in terms of some of the smaller things when
3 you were talking about understory and kind of
4 culling that out? Had you been thinking about
5 materials at this point?

6 MR. CARTER: Of course, always thinking
7 about plants. So, you know, as you know, if you're
8 -- because you're a plant person, you know,
9 understory evergreens in our environment are pretty
10 much ancient history because they pretty much just
11 get eaten. You know, dense deciduous plants do
12 well in terms of buffering and screening. This
13 particular -- we can't really identify anything of
14 value out there right now that we want to replicate
15 and -- because this has been farmed and forested
16 back some years back. Mr. Rossi's father forested
17 it and did it and then cut it back quite a while
18 ago. It's grown back and now it's -- so it's kind
19 of an evolutionary thing. I don't have a list. I
20 mean, we will come up with a list and certainly if
21 the committee has some suggestions for understory
22 plantings, then please let us know and we'll pay
23 attention to it.

24 MS. PATTEN: Thank you.

25 MR. BERRY: This is Joshua. I had a

1 couple of questions. I was kind of interested by
2 the cause and effect relationship of the clearing
3 of trees allowing the light to come in, which was
4 stated that that would help the understory grow
5 naturally without its own plantings. Are we going
6 to be disrupting that natural evolution by
7 planting, not that I'm opposed to do that
8 necessarily. I want the most effective buffer and
9 sort of part two, would the ledge and the
10 complications of the root systems come into play
11 with those plantings? And also, you know, if the
12 planting strip's 10-feet wide, you could still be
13 in the root zone of the no-clear zone and is that
14 wide enough to allow for a densely planted 10-foot
15 planting strip when you can have trees that, per
16 your plan, you're not -- you're not supposed to
17 touch. I feel like you'd be well within the root
18 zones of those trees -- of the root systems of
19 those trees within that type of a planting strip.
20 I don't know, John, if you can -- what level of
21 confidence that you would have that you would be
22 able to plant an effective buffer both in the
23 cleared zone and then maybe as to in the
24 understory.

25 MR. CARTER: Well, those are good

1 questions and good observations, and I can
2 basically just agree with what you said.

3 You know, the first issue about clearing
4 so there's something where the forest, they call an
5 edge condition, and the edge condition is going to
6 change here because now the trees are exposed to
7 the sun and the wind and so forth and will have a
8 different exposure than they had when they were in
9 the middle of the forest. On the other hand,
10 there's things that are going to be able to grow
11 there that can't grow there now, and I think that
12 the lower plants are going to fill in and become a
13 lot more helpful in actually visually buffering. I
14 do think that -- we do intend to plant additional,
15 but like I -- when I was explaining to Sarah
16 before, I'm not seeing this 10 feet as being an
17 absolute. It's a minimum, but I think that after
18 the clearing is done, there's going to be areas
19 within the 50 feet that are going to allow
20 plantings, and we're just going to have to assess
21 it as we go along and kind of what we'd call pocket
22 planting and we'd put plants in the areas where
23 there are no trees and there are no roots. You
24 don't want to dig up the roots of the existing
25 trees. So you'd have to pay attention to that.

1 Oaks, the good thing is it's mostly oaks.
2 Oaks are pretty tolerant. There's some trees you
3 don't want to touch the roots; and if you sneeze on
4 them, the tree dies. And oaks, you can add a
5 little fill or do a little -- you can't rip them
6 out of the ground, obviously, but they're a lot
7 more tolerant to construction, to impact from
8 construction. So -- and it's going to be, this is
9 something that's going to be organic. It's not,
10 you know, we go back to a fence and say we can
11 promise you this obstacle, this barrier will be
12 here at this height and this location on this day,
13 but if it's going to be working with a vegetative
14 buffer, there's a process to it.

15 MS. BRADFORD: Is this also -- because it
16 is not fence. It is not a hedge. There may be
17 some areas of this 10 foot that don't actually have
18 plants in it, particularly if they're near existing
19 trees; am I correct?

20 MR. CARTER: It's possible.

21 MS. BRADFORD: Okay. I think it just
22 needs to be clarified so that there aren't any
23 interpretations that we're not hearing or we're not
24 thinking.

25 MR. CARTER: You know, I'll throw this out

1 there. It's probably not what people are expecting
2 to hear, but we've had -- we've had projects where
3 we've had to do buffering, and we've actually
4 cleared some of trees that were within the -- in
5 this case the 50 feet, that we assessed as not
6 being healthy or being impacted by construction or
7 something, and then replanted it with plants that
8 are more effective and, you know, they're not going
9 to be 50 feet tall. That's the trade-off, but
10 we've done that, and it's been a nice -- it's a
11 nice trade-off for everybody. It takes a little
12 investment on everybody's time. It's not going to
13 happen the first year.

14 MS. PATTEN: So maybe -- this is Drake --
15 maybe to that point, just going back to what you
16 said a little bit ago, when you talk about this
17 approach to the buffer, you're also saying in a way
18 that you would -- it would sort of require a bit of
19 a phased approach; am I hearing that correctly?

20 MR. CARTER: Well, yeah. Well, it's
21 phased. Of course, the construction is phased. So
22 we don't really know what exactly we're looking at
23 in terms of effectiveness of the existing buffer or
24 plant density in the existing buffer until the
25 site's cleared and prepped for construction and we

1 know where the limit of clearing is. Then we would
2 have to assess where we -- where can we plant
3 within the existing 50 feet where there's areas
4 that are naturally cleared that would allow us to
5 dig holes to put plants in, where it would be more
6 effective to put evergreens within the 10 feet and
7 so forth. So it would only be phased in that, you
8 know, there's a certain process, and one of those
9 steps includes assessing what it looks like after
10 it's cleared. But the intent is not to phase in
11 the planting, it would be intended to be all done
12 in a timely fashion.

13 MS. PATTEN: Got it. And I guess maybe to
14 put out there, Josh, maybe I'll put it for you to
15 keep track of maybe, not that I want to charge you
16 with that, but that we -- if that is -- if we're
17 talking tonight about not being able to make a lot
18 of decisions until the land is cleared, that sort
19 of begs the question of the committee's role in
20 that. In other words, so we're sort of charged
21 with doing a very specific task, but if the
22 clearing has to happen to make decisions, it
23 becomes a little more unclear to me, at least,
24 maybe not to others, and I want to keep that in
25 our -- at our side table or something so we don't

1 lose track of that. Does that make sense?

2 MR. CARTER: This is John Carter again.
3 My thought on that is that there's going to be --
4 there's going to be, you know, if people want a
5 guarantee that there will be X number of plants at
6 X size and certain locations, then we can do that,
7 but then it gets back to sort of what we came in
8 way back in the beginning of the project. So we
9 can plant the big row of evergreens. It's got kind
10 of a suburban look to it. It's not necessarily a
11 naturalized -- doesn't naturalize well. But, yeah,
12 we could -- if your observation is correct and, you
13 know, I know the city doesn't want to give it
14 approval based on faith, but there's going to --
15 maybe somebody can pay attention for the city side.

16 MS. MC GOVERN: I think a solution to
17 that, if I understand what Drake is saying, is that
18 we'd be willing to, of course if the city will
19 allow it, to have Sarah Bradford stay on and, you
20 know, work with you because I think Sarah
21 understands what the city's and abutters' needs
22 are, and based on what we discussed tonight, that
23 she works with you to bring it into effect at the
24 end the day. So it's an investment, a time
25 investment, that's one approach or like you said,

1 we could take the other approach and do a row of
2 trees, which I don't think from what we've been
3 hearing is really what people want.

4 MS. PATTEN: Yeah, I don't think everyone
5 wants. I think just, as a representative, I want
6 to make sure that it's going back to the community
7 and talking about what's happening, that we don't
8 create a false expectation, in that if it is going
9 to be, the final decision happens at the time of
10 clearing, I think being really -- really
11 understanding that process and be able to lay that
12 out for people is going to be really important for
13 everyone that's involved here. So that -- thank
14 you for that, you know, clarification.

15 MR. CARTER: I think if I can speak again.
16 This is John. You know, the expectation issue, so
17 we're not building a piece of furniture, we're
18 putting in a landscape and, you know, you know
19 this, that plants die, they grow at different
20 rates. Some grow faster, some grow slower, some
21 get insects and drought and some fill in quicker
22 than others. So I don't think it's reasonable or
23 even practical or even possible to all conclude
24 upfront this is exactly what it's going to be.
25 It's going to take a little bit of, you know,

1 flexibility, I guess.

2 MR. ZEVON: Hi, this is Dan Zevon. I just
3 got a couple of quick questions, too. If we can
4 get the plans, I think that would help. So if -- I
5 heard, John, there's a couple of different options.
6 So maybe it we can see the option one, option two,
7 and then the committee and, you know, and us, we
8 can talk, you know, what makes sense, you know, it
9 makes sense. And then as far as Sarah's thing, I
10 think that obviously makes sense. And we just want
11 to make sure the city is going to stay on as well
12 to make sure that, you know, what -- what is being
13 said is going to be done. You know, I just get
14 concerned when I hear like what Mr. Doe went
15 through and other projects, what, you know, what we
16 might be faced with.

17 MS. BRADFORD: I think there -- this is
18 Sarah, again. I think that may be some middle
19 ground, John, where you could at least give us a
20 comfort level of minimum number of trees that are
21 going to be planted along the north, but -- and
22 then a number of pines, red cedar, whatever you're
23 talking about, just so we have some sense of where
24 you're starting from.

25 MR. ZEVON: And one last thing to add, the

1 fencing, does that still exist in the plans or not?
2 I didn't see that, Lindsay.

3 MS. MC GOVERN: A chain link fence exists
4 currently. So that's the current option, chain
5 link fence with proposed buffering if this went
6 through.

7 MS. BRADFORD: Chain link fence on the
8 panel side of the road, right?

9 MS. MC GOVERN: Correct.

10 MR. CARTER: If I can respond to Sarah's
11 comments that, yeah, I think that's fair and
12 necessary. We can make an assessment off what we
13 think and what will be necessary, put a plant
14 schedule saying that will be the minimum. So at
15 least everybody has some expectations of what
16 they're agreeing to with the city.

17 MR. BERRY: Josh Berry, Ron. I'm highly
18 encouraged by the discussion. Drake, I think your
19 point has been well taken in terms of the unknowns
20 after the clearing, and how to have an effective
21 advisory committee now when a lot of the decision
22 making may happen later. And, Lindsay, I really do
23 appreciate you offering to, I think, work with
24 Sarah. You said stay on. Can you expand on what
25 that would mean to you.

1 MS. MC GOVERN: Yeah. I think it would --
2 Sarah would be working with John Carter to finalize
3 the landscaping plan from this point forward. And
4 upon preliminary plan approval, assuming we get
5 approval, and we move forward with construction,
6 John will be working closely with Sarah after you
7 clear the trees to come up with a viable
8 landscaping plan that is reasonable but realistic.

9 MR. BERRY: So you would be amendable to
10 some sort of preliminary plan condition to keep
11 Sarah on at the applicant's expense to work on the
12 landscaping after the clearing?

13 MR. MURRAY: Hi, Josh, this is Bob. Yeah,
14 I think you've characterized correctly. We, you
15 know, because at some point, we need to, you know,
16 move forward with the construction, et cetera, and
17 as we have on other projects with your department,
18 you know, we're always in a stand-by position
19 available to a consult and review. You know,
20 it -- you know, I don't want to give a blank check
21 for Sarah, but her fees are reasonable, and I think
22 that we would, you know, we try to offer that as
23 a -- not a solution, but a -- something that the
24 commission and, you know, John and Sarah are two
25 professionals and we'd be willing to have her

1 participation in a monitoring is probably a good
2 word so that we, you know, you know, we fulfill,
3 you know, you know, the promises and the, you know,
4 commitment and our intent of what we're willing to
5 do here. So I think you've characterized it fine.
6 You know, I think that that's a workable solution.
7 Thank you.

8 MR. MARSELLA: Ron, this is Steve
9 Marsella. And ultimately the way to effectuate
10 that would be a condition at the preliminary plan
11 approval, you know, whatever that condition takes
12 form of, whether it's agreeable to the applicant or
13 imposed on the applicant, would certainly -- that
14 would be the legal mechanism to enforce whatever
15 comes either -- comes out of this committee or
16 comes out of the preliminary plan hearings before
17 the planning commission, whenever that's available.

18 MR. BERRY: It's all very encouraging. I
19 think I really appreciate that and the committee, I
20 think with a sense of ease about what happens since
21 a lot of the decision making, as we've identified,
22 is not at this phase. Prior to cutting, you know,
23 there's a lot of on the site decisions taking into
24 effect conditions that don't exist right now. So I
25 appreciate all of us working productively.

1 MS. PATTEN: Josh, I wonder if I could
2 suggest, I mean I know we've been meeting for a bit
3 now, and it seems like there's a group of things we
4 still need to address. Number one, we'd like to
5 see sort of a preliminary plan, be able to look at
6 it a bit, and share it with neighbors, but also
7 there were some questions that Sarah brought up and
8 I think some that overlapped questions I had about,
9 you know, where -- the issue of where things are
10 coming from because even if we don't know what
11 we're getting, we can certainly have, like, these
12 are sort of the ideal places that material would
13 come from because they are reputable and they are
14 warranted.

15 Also maintenance requirements, that kind
16 of thing, I mean, those are some conversations I
17 think the committee still needs to have and maybe
18 that -- that's the next agenda when we get a chance
19 to review these kind of preliminary revised
20 whatever we want to call them. And also, you know,
21 really kind of drilling down on the maintenance
22 side, you know, how long is the applicant
23 responsible to keep things going. At the last
24 meeting, for example, we all agreed, you know,
25 (inaudible) this summer disaster. You know, it's

1 been a really, really rough summer and drought. So
2 just some of those -- those things are not related
3 to the state of the space, but really to any
4 project that would move forward, I think. So that
5 seems like its own little topic that needs some
6 attention. I don't know if we all are ready to do
7 that now, but maybe as we'll be coming back to look
8 at the plans again, and hopefully be able to share
9 them, then -- and I know there would be some public
10 comment. So at some point, could you help kind of
11 lead us through what would be next, maybe.

12 MR. BERRY: Sure. This is all fair game.
13 It's all on the agenda. I think in terms of the
14 maintenance requirements, I think we're, you know,
15 I don't want to put words in anyone's mouth, but it
16 seems like there's a consensus that we want some
17 and I'd be curious if the applicant would want to
18 offer what they would propose and then perhaps we
19 could respond to that just as we have with the
20 plans.

21 MR. MURRAY: This is Bob. Can I
22 interject? You know, as far as this committee
23 imposing requirements for maintenance on us, I
24 think that's beyond your purview. That is
25 certainly a topic of discussion with the

1 development plan review or at preliminary with the
2 planning commission. We're not attempting to
3 circumvent that, but, you know, that is a level of
4 detail that we never contemplated with this
5 committee and, you know, this is a committee to
6 make suggestions to, you know, to Sarah and to work
7 with us. But as far as, you know, us, you know,
8 saying we're going to water these every six days
9 and we're going to replant them at three month
10 intervals if there's a problem, we're not going to
11 do that with this committee in all honesty.

12 MR. BERRY: We're all getting along so
13 well just a few minutes --

14 MS. PATTEN: Yeah. It was going well,
15 Josh.

16 MR. BERRY: I'm not here to argue about
17 any of this. I think for me, my layman's term
18 understanding of it is that the plan and the
19 maintenance of the plan aren't totally different.
20 So it's intuitive that they seem to be so related.
21 I understand Bob's position that the strict reading
22 of the condition may not intuitively incorporate
23 that. I may be somewhere in the middle there and
24 hopefully that -- hope that we can amicably agree
25 to somewhat of an understanding.

1 MS. MC GOVERN: Josh, thank you, this is
2 Lindsay. What I can promise everyone is I did some
3 research before this meeting and looked up the --
4 under the zoning ordinance, the development and
5 landscaping design standards, and there's a section
6 in there that -- Section 5 that says "Maintenance"
7 and there are three items for maintenance. The
8 first one says, "Applicant shall be responsible for
9 maintaining landscaped areas in a neat and
10 attractive manner. The applicant shall be
11 responsible for watering plantings on a regular
12 basis. The applicant shall remove and replace all
13 dead or diseased plantings annually." That's in
14 your zoning ordinance, and that applies to this
15 facility. So we are going to follow that. And to
16 me, if we're in accordance with your zoning
17 ordinance, there shouldn't be any concern for
18 maintenance.

19 MR. ZEVON: Well, can you clarify -- this
20 is Dan Zevon, Ron -- does that conflict with what
21 Mr. Murray just said? Are you in agreement because
22 now you've got me confused.

23 MR. MURRAY: To clarify, Mr. Zevon, no,
24 that is not in conflict. What I was saying was we
25 will comply with the, you know, we'll follow the

1 zoning ordinance and through the development plan
2 review process, those are topical issues that we're
3 happy to discuss and work through. I was just
4 trying to respond that somehow those detailed items
5 were going to be negotiated within this group
6 respectfully. I think that's beyond your charge
7 and that's what I was trying to say. Thank you.

8 MR. ZEVON: Thank you for thanking me,
9 but, Bob, I've just got to say from the beginning
10 from day one, you have been the flame thrower and
11 the inflammatory one here. So I asked Lindsay a
12 question just now. I didn't ask Bob Murray. So I
13 would appreciate if you would please only speak
14 when being spoken to because from day one where we
15 were called into church and you started lying to
16 us, that's when you started --

17 MR. MURRAY: Hey, Jason. Jason. Is this
18 really productive discussion here?

19 MR. ZEVON: I just don't need to hear you
20 yelling, okay. We're trying to keep it peaceful,
21 and you are inflammatory and you contradicted what
22 Lindsay and what Drake said. And if the city has
23 guidelines, that's all we're asking, Bob. We are
24 not land experts and lawyers, okay. We're common
25 people who are just looking to live here, okay, and

1 we're learning the process. Thank you.

2 MS. MC GOVERN: Dan, to answer your
3 question -- answer your question, the maintenance
4 section of the zoning ordinance I was referring to,
5 it doesn't contradict what Bob is saying. Bob was
6 referring to, you know, it's just going to be a
7 discussion where we're going to set standards for
8 the maintenance of this particular solar facility.
9 And here we felt as though it's not the proper
10 platform, and I agree, because what -- the next
11 step after this process is final plan review --

12 MR. ZEVON: That's not what he said. If
13 we went and played back his -- this recording,
14 that's not what he said. He said we're not going
15 to be in the business of maintaining things. He
16 was throwing inflammatory things in there. For
17 whatever reason, I don't know, okay, but he was.
18 Play back the recording. I agree with you,
19 Lindsay. You're right. Okay, and I keep
20 referencing the city zoning, but what Robert did is
21 not appropriate and we can play back the recording.
22 That's exactly what he said. And I'll do that
23 later.

24 MS. MC GOVERN: So I think we've answered
25 that question, Josh, is that right, for

1 maintenance?

2 MR. BERRY: Sure. I mean, you know, the
3 advisory committee can provide input, whether it's
4 accurate or erroneous to Sarah. It's her
5 professional judgment to do with that input as she
6 will. So the applicant or Bob may think that it's
7 beyond the purview of the committee and maybe I
8 agree, maybe I don't. I'm still, again, I think
9 the related issue, I'm going to take a closer look
10 at the maintenance requirement, and hopefully at
11 the next meeting I can perhaps clarify what the
12 status quo standard is going to be that is codified
13 and perhaps on the next, you know, the next
14 meeting, should we have one, would be an agenda
15 item to discuss if we're comfortable with that or
16 if we have any further input on that.

17 Again, it's really up to Sarah to
18 determine whether our input is welcome or not. So
19 that's the way I feel about it. I think -- I think
20 they're related issues, but I do appreciate you
21 pointing out what we have codified, and I think
22 we'll make people more aware of that, spend a
23 little more time thinking about whether or not that
24 would suffice. I believe that keeping Sarah on in
25 terms of when we're doing the planting, more

1 information may come to light at that point and I
2 trust in her to recommend to the planning
3 commission at any point through the process the
4 information that we need. I'm sure the planning
5 commission is going to have a lot of questions
6 about the maintenance.

7 So I think if the advisory committee
8 didn't address it fully, that it wouldn't not just
9 be addressed, and I would want the advisory
10 committee to know that, that through the
11 development plan review, we have another shot to
12 address it and then again at planning commission,
13 we're going to have another shot to address it. So
14 it doesn't necessarily need to happen. It's just
15 if we have input on it, we have input on it.

16 MS. PATTEN: Yeah, Josh, I actually really
17 appreciate that comment because I think, you know,
18 one of the perhaps good advice parts of it is that
19 we have an assignment that is not, you know, wasn't
20 fully formed, and I think everyone's trying to do
21 their best to figure out what that means, but there
22 are (inaudible) things that it does entail, and I
23 would feel, both going by my own community but also
24 bringing this to the planning commission, that, you
25 know, we want to be thorough, we want to be exact,

1 and I appreciate, Lindsay, the -- culling out the
2 zoning stuff and we can all be educated, at least
3 citizens wise, we can be educated in that, but I do
4 think to your point, Josh, that, you know, it is
5 our responsibility to make sure we looked at
6 everything, thought it through, and done the best
7 we could do in what we were asked to do which is,
8 you know, work in collaboration, and come up with
9 the best plan for this neighborhood that so --
10 that's so going to be impacted by this project.

11 MR. BERRY: Unless anyone else has any
12 other comments on that, I think you wanted to talk,
13 Drake, you brought up the materials sourcing.

14 MS. PATTEN: Yeah. I mean, we wouldn't
15 even necessarily need to talk about it tonight, but
16 I think it would be great to get some of the plant
17 spots that are out there right now and get a chance
18 to look at that revised plan. But to Sarah's point
19 that she made earlier, you know, some things are
20 hard to get. You mentioned, Sarah, pitch pine and,
21 you know, that's a harder thing, for example. I
22 think it would be great to get some thoughts from
23 the landscape architect about where they like to
24 get their plants, you know. I do a lot of work
25 with Sylvan's, but that's just one place and they

1 have certain things and don't have certain things.
2 And, you know, again, we have a region where there
3 are a lot of options. Would be great to work
4 within Rhode Island, but we don't have a ton of
5 options in Rhode Island. So we may have to go with
6 it further. So just -- I don't know that that
7 needs to be discussed this evening, but I just
8 think it would be great to know a little bit more
9 about that, and the LA's would obviously be great
10 in that conversation.

11 MS. BRADFORD: I think we can certainly
12 give you some information on that, but I'm not all
13 together sure that it is up to the committee to
14 determine where things are coming from. I have no
15 doubt that they will be sourced from more than one
16 nursery. And the landscape contractor has a number
17 of places they are familiar with. It's in their
18 best interest to have the materials that are good
19 quality that are going to make it. So they're not
20 going to be cutting short that way. I'm thinking
21 that trying to give them a list of companies is not
22 really necessary. There are good Rhode Island
23 companies, and I think they'd be going to them
24 anyway, but there are also nearby Connecticut and
25 Massachusetts, too. I don't think we want to get

1 too hung up on this is what I'm saying.

2 MS. PATTEN: Would you recommend, you
3 know, working with places that are going to
4 guarantee their plants? I mean --

5 MS. BRADFORD: Oh, I think the point is
6 going to be we have a warranty with it, yes. I
7 think John would relate to that, but that's
8 typically what would be happening.

9 MS. MC GOVERN: Sarah, we feel that, based
10 on the number of projects we've done, we've never
11 had an issue sourcing these plants, and if they're
12 not here locally, we go elsewhere. But -- never
13 had an issue.

14 MR. BERRY: If there are any other
15 comments on topics discussed so far, you can
16 interject now. Perhaps we can move on with some of
17 the other items, Agenda Number 6. We can start at
18 the top and just work our way through. It was
19 brought up the question about whether there should
20 be a chair to the committee. I'll lead off. I
21 think we're doing okay without one. I don't think
22 that we were charged to have one. If there was
23 some organizational benefit to it, I wouldn't
24 necessarily be adamantly opposed, but I think we
25 can charge forth without. That's just my initial

1 thought. Does anyone else have a thought on that?

2 MS. MC GOVERN: I agree. This is Lindsay.

3 MS. PATTEN: Yeah. I'm okay without it.

4 I'd just like to make sure we're sticking to
5 committee members speaking more often than non
6 committee members. I think we just have to keep
7 working on that.

8 MR. ZEVON: I agree 100 percent.

9 MR. BERRY: Without Committee Member
10 Vincent here, I think that's all of us. We can
11 move forward without a chair. I think we just
12 trust Jason as moderating and step in as needed.
13 Next item here would be the definitions of buffer
14 and effective buffer. I just caution that maybe we
15 shouldn't have a hard definition, but perhaps a
16 mutual understanding might be a better way to put
17 it. I think whatever is effective, bring in a
18 level of subjectivity, and I think the whole point
19 of this process is to incorporate a little bit of
20 that subjectivity, especially from the neighborhood
21 and from the abutters, and to submit that input to
22 Sarah for her professional judgment to kind of
23 filter through that and get that to the plan
24 commission. From what I'm hearing, based on the
25 discussion, I think we've got a consensus that an

1 effective buffer is not a no-clear zone and a
2 fence, but that we want a naturalized visual
3 situation within the abutters and proposed panels.

4 MS. BRADFORD: Do you redefine the buffer
5 to be buffer plus planting strip so it's an amended
6 buffer? The effective plant there is what we
7 really need.

8 MS. MC GOVERN: May I interject for a
9 second, if you don't mind, Sarah. When you speak
10 about buffer, again, I went back to Section
11 17.84.140, development and landscaping design
12 standards, and it clearly defines buffer in Section
13 6, and it says, "All -- Section 6, buffer
14 dimension, the minimum 10 feet wide landscape strip
15 shall be provided along property lines parallel to
16 a street where parking circulation abuts said
17 street." Part 2, "A minimum of five feet
18 landscaping strip will -- shall be provided
19 alongside the rear property lines where parking
20 circulation areas are adjacent."

21 So that -- this identifies the buffer area
22 dimensions. Now, we're well beyond the buffering
23 requirement. But also in this ordinance, this
24 defines what could be considered a buffer, and I'm
25 just trying to find it here. Sorry. Can't find it

1 at the moment, but it's in this ordinance. It
2 defines what a buffer -- it could be a fence. It
3 could be plantings. It could be vegetation. So I
4 know we're talking about several things, and I just
5 want to say that -- it's Number 6 that we're in.
6 Right now, the current plan stands in accordance
7 with your development plan review zoning ordinance.
8 If anything, we're going beyond what's required at
9 this point. I just wanted to say that.

10 MR. BERRY: I appreciate referring back to
11 the code. That's a good reference point,
12 absolutely. And this will be definitely heavily
13 relied upon at the development plan review phase.
14 I think we're just trying to interpret it, the plan
15 commission's approval condition out loud and
16 collectively and, for me, I think that word
17 "collectively" is important as you see what it
18 could be. It could be fence, it could be planting
19 strip, it could be existing conditions, and I think
20 it's a combination of all of that, personally. So
21 my input is that, yeah, that is a combination of
22 things. A no-clear zone plus a planting strip,
23 that's all part of what could be interpreted as an
24 effective buffer, or what is -- I was just saying
25 earlier what is effective. That could be different

1 than what is compliant with the code section. You
2 know, a 10-foot strip designated on a landscape
3 plan meets a DPR requirement, but it may not be the
4 same thing that we're trying to do here which is,
5 you know, have that more quality of understanding
6 as opposed to the quantitative understanding of
7 what is an effective buffer.

8 MS. MC GOVERN: I can appreciate that,
9 Josh, but we're trying to stick to the facts, but
10 also be flexible at the same time. We've had a
11 couple of meetings here and, you know, we want to
12 do our homework and I know the discussion point is
13 now effective versus just a general buffer and your
14 development plan review defines effective buffer,
15 too, and we're in accordance with it. But I just
16 want to say that I want to move forward. I don't
17 want to drag it on. I don't think anyone wants to
18 drag this on. I think we've had a really good
19 discussion and I want to continue to collaborate,
20 but I think a lot of the details that we're talking
21 about tonight is usually what happens at
22 development plan review, and that's why your
23 development plan reviews don't (inaudible) all
24 those items. So --

25 MR. BERRY: Anyone else have any other

1 thoughts on this topic? I think we've briefly
2 discussed the anticipated length of time for
3 vegetation to mature, at least have a surface -- at
4 a high level. I'm not sure, Sarah, if you have any
5 inputs here or guidance of maybe establishing an
6 expectation or maybe it's case by case depending on
7 what species are selected and you just don't have
8 enough information at this point. Do you think you
9 could expound?

10 MS. BRADFORD: I think John will give us
11 more information when he does the -- a preliminary
12 plant material schedule because I'm sure that we're
13 going to need to have bigger, denser materials in
14 some areas than others, but he can address that, I
15 think. I think there's no doubt that the places
16 where it's most critical or where there is a house
17 or a yard nearby and those are the ones he has to
18 look at carefully. But I think I'll throw it into
19 John's hands for the first step.

20 MS. MC GOVERN: Yes, he agrees.

21 MR. CARTER: Yes.

22 MR. BERRY: John, do you think you would
23 be able to give us, even at a high level, an
24 estimate? Once you come back with a revised
25 planting plan, what the expectations would be

1 around length of time for maturity, please.

2 MR. CARTER: Yes.

3 MS. BRADFORD: Josh, I think it's
4 effective. Go back to your effective screening or
5 effective buffer, whatever that is. That's a
6 difficult one. Maturity, we don't care so much
7 what this looks like 50 years from now. We're more
8 concerned about the next 5 to 10.

9 MR. BERRY: Duly noted.

10 MS. MC GOVERN: Again, sorry, Josh. I
11 don't mean to beat a dead horse, but in your
12 development plan review ordinance, an effective
13 buffer, said, "Plant material shall be sized and
14 planted direct to achieve a year-round effective
15 buffer height of at least 8 feet within the growing
16 season."

17 MS. BRADFORD: At the least.

18 MS. MC GOVERN: I believe that's the
19 ordinance, yup. Okay.

20 MS. PATTEN: I'm getting a little confused
21 and it's getting late, granted, but I feel like
22 we're sort of -- we're a committee that's trying to
23 do something we're asked to do by the planning
24 commission, and I respect that you're reading the
25 code, and that's great, and we can all read that

1 and it's fantastic, but we are being asked to do
2 some sort of simple things here and communicate
3 with a lot of abutters. So just -- I just -- I'm
4 not sure -- all of those things will come in and
5 that's great, but to Josh's point, we do have to go
6 back and sort of report out as a committee, not
7 only to our neighbors, but to the commission. So I
8 think it would be great if we accepted that, of
9 course, you're going to do what you need to do
10 because that's going to be part of moving forward,
11 but we're also trying to do this collaborative
12 piece, that it's about, well, what's really going
13 to work for the community. That's really what we
14 were tasked with. So maybe it's a little too warm
15 and fuzzy, but that is kind of what we were asked
16 to do. So I'm just going to try to keep us to that
17 task a little bit, if we could.

18 MS. MC GOVERN: Stephen, may I ask a
19 question to you if we legally are allowed to go
20 beyond the ordinance?

21 MR. MARSELLA: Well, you certainly --
22 well, couple of things. There's -- within the
23 scope of which venue, I guess would be my question.

24 MS. MC GOVERN: Development plan review.

25 MR. MARSELLA: So defining venue is your

1 accurately reading development plan review
2 standards --

3 MS. PATTEN: Mr. Marsella, why are you
4 advising the applicant? I'm a little confused.
5 I'm just -- you're city, right, for the attorney --

6 MR. MARSELLA: Ms. Patten, please don't
7 tell me what to do.

8 MS. PATTEN: No, I wasn't. I'm asking you
9 a question. I was asking you why the applicant is
10 getting advice --

11 MR. MARSELLA: Can I answer the applicant
12 first and then I'll answer you.

13 MS. PATTEN: Sure.

14 MR. MARSELLA: Okay. Great. So the first
15 thing is, depending on, you know, you said venue,
16 which is obviously development plan review, has
17 certain rules, preliminary plan has certain rules.
18 This body is just charged essentially under Section
19 C9 and Conditions 1 and 3 of the preliminary master
20 plan decision. So, you know, section -- the charge
21 of this board is -- was vague and, therefore, I
22 frankly agree with Josh and with Miss Patten and I
23 know she's going to say is that certainly it's not
24 limited to items in the development plan review
25 standard because that would come later -- that

1 certainly will come later on. And those are
2 minimums and certainly the planning board can
3 impose additional items later. However, you know,
4 ultimately, the report is coming out of the expert
5 that is -- which is Sarah. So, ultimately,
6 Lindsay, Josh, Drake, Mr. Zevon will give -- and
7 Mr. Vincent would give their input and ultimately
8 that input would then be transmitted through Sarah
9 or in addition to Sarah's report to the planning
10 commission. So, ultimately, that's going to be the
11 procedure for this -- for this advisory board
12 because it's really the expert that's being hired
13 by the planning commission.

14 Now, normally, that expert would do it on
15 their own. They'd give a report. In this case,
16 given the dynamic structure of this development,
17 the planning commission, as master plan, wanted all
18 the input. So that is why we're doing this right
19 now. However, ultimately, the report is going to
20 come from the expert with additional comments from
21 everyone who wants to comment further.

22 So, you know, and, again, it's own
23 advisory. So whatever comes out of here is -- will
24 be both considered by development plan review and
25 more importantly considered by the planning

1 commission at preliminary plan -- the preliminary
2 plan stage. So, you know, there's no -- there's
3 no -- the problem with this is that there's no
4 defined standards. So I think you have to give
5 everyone on the board a little leeway, including
6 the neighbors, the city, and the developer, to
7 basically give their input and then report that
8 input out through Sarah's report. And then let
9 the -- I'll call it the legal process taking place
10 which is development plan review and preliminary
11 plan.

12 MS. MC GOVERN: Understood. Thank you.

13 MR. MARSELLA: Is that helpful?

14 MS. MC GOVERN: Very helpful. Thank you.

15 MR. MARSELLA: Drake, I'm not on
16 anyone's -- I am an attorney for the planning
17 board. This board really essentially doesn't have
18 an attorney. You know, certainly I advise
19 Mr. Pezzullo, and I'll certainly help answer any
20 legal questions. I don't have a horse in the race.
21 I'm just trying to advise the board on the legal
22 issues. Whatever the decision this board makes,
23 development plan review makes, the court's make,
24 certainly, you know, that's ultimately the
25 administrative bodies that will decide it. If

1 someone has a legal question, I'll do my best to
2 answer it or certainly get back to anyone, you
3 know, to answer it. But I'm not here to advocate
4 essentially for any side. I'm just here to
5 procedurally move this along in the legally correct
6 manner to get to the next step so, you know, it can
7 be reported out either to development plan review
8 or to the planning commission at the preliminary
9 plan stage.

10 MS. PATTEN: I appreciate that. It's good
11 to know that we can ask you questions as the
12 board -- thank you for that.

13 MR. BERRY: I'll try to move this just a
14 little bit further along. I think we already
15 discussed a couple of these items that were next on
16 the agenda. Under Number 6, the maintenance
17 requirements we discussed. Plant and tree sources,
18 we discussed. And now we're on limits of clearing
19 and tree topping. I'm not sure, again, that this
20 needs to be fully wrapped up at this meeting. This
21 just can be something that is on our radar. I'm
22 not sure, again, I don't think we have the level of
23 detail at this point. I know there were some
24 questions raised about along the southern property
25 line where the limits of clearance changed near the

1 gas easement and then how we would know if the
2 applicant would be held to those limits of
3 clearance.

4 The answer to that last question is
5 obviously through conditions, either through
6 development plan review or through the planning
7 commission process. If the plan is approved, there
8 could be conditions at the preliminary plan that we
9 could provide our input about what we think, what
10 we would like to see as committee members. I'd
11 like to simply state that I would just like
12 whatever is on the plan to be what is built -- what
13 is the end resulting conditions. I probably will
14 have some questions about tree toppings. I'm not
15 sure -- I guess, John Carter, if you have any
16 specific details about that, just please share
17 that, but I'm not sure you have that level of
18 detail at this point. Obviously --

19 MR. CARTER: Not at this point, Josh, no.

20 MR. BERRY: So I would expect -- I'm
21 assuming this bottom issue along the northern
22 property line, it would just be an issue along the
23 southern property line to shade cast. So at some
24 point, I'd like some details, but, again, I don't
25 think that's something that needs to be necessarily

1 wrapped up this evening. Does anyone else have any
2 thoughts or comments on that?

3 MS. MC GOVERN: No, I do not.

4 MS. PATTEN: I just think it's important
5 for us to know if we know that the Lawrences to the
6 south were approached to top their trees and, you
7 know, that's obviously not a good thing for trees.
8 So we just want to think -- you know, it would just
9 be good to know that that's not something -- if
10 we're trying to establish a buffer and then trees
11 are topped, we might just -- that might be --
12 become, you know, we waste our time on the buffer.
13 So that would be kind of awful. So, just, yeah,
14 details would be lovely.

15 MS. MC GOVERN: Drake, I just want to
16 clarify that that's not true that we didn't
17 approach the Lawrences and discuss topping it.

18 MS. PATTEN: You didn't? Oh, that's so
19 weird because they testified to that at a public
20 meeting. So that's weird. You think that we are
21 lying?

22 MS. MC GOVERN: I don't think this is a
23 debate, let's -- no need to go back and forth, but
24 I am telling you that that's not the case. And I
25 don't think you need to task me on it and we can

1 move on and make it a more effective conversation.

2 MS. PATTEN: Great. Thank you.

3 MS. MC GOVERN: Thank you. Okay, Josh,
4 what's next?

5 MR. BERRY: (Inaudible) we discussed that
6 the owner, Mr. Rossi, did not feel comfortable with
7 some of the committee members going to the site,
8 and I do feel that there needs to be a distinction
9 that, I think when we discussed this last meeting,
10 wasn't quite clear in my mind, and I do recognize
11 that now that there needs to be a clear distinction
12 between the applicant complying with the conditions
13 and the owner complying with the conditions. So if
14 the applicant is, you know, agreeing to this
15 inclusive process, that doesn't necessarily mean
16 that the owner is obliged to comply with the
17 conditions as well. I voiced my desire to have
18 access to the site. That stands. I would like
19 maybe to receive a revised plan, but then, you
20 know, the ball is sort of out of our court in that
21 regard. Any other thoughts on that, I really do
22 appreciate that Sarah and John did the site walk
23 and that seemed to be very productive. I'm not
24 sure how much more productive another one would be.
25 Maybe Sarah can weigh in on that.

1 MS. BRADFORD: The only thing that would
2 be different is perhaps when the leaves have
3 fallen, we may be -- have more visibility, but I
4 hope we're going to be well advanced on the
5 plantings before that happens.

6 MS. MC GOVERN: That's what I was going to
7 ask, Sarah, is for you personally is it -- do you
8 feel as though you need to have another site visit?

9 MS. BRADFORD: No, I don't think so.

10 MS. MC GOVERN: But -- okay and given,
11 Josh, as a member of the planning department, Ron
12 Rossi is happy to have you come walk his property
13 if you would like to meet him out there. But when
14 it comes to the public going on Ron's property,
15 that's something that we cannot do or offer. I
16 know we had a site visit a while back and it was
17 open to the public and we just are not able to make
18 that commitment at this point. I think going back
19 to Steve Marsella's, you know, when you walk
20 through this, the whole process, it really comes
21 down to Sarah giving her opinion and her report,
22 and I know she's working closely with you, Josh,
23 and she's hearing the entire committee discussion
24 tonight. So I think with that, I'm hopeful that
25 she's able to now move forward with that versus

1 open up Ron's property to the public at this point.

2 MS. PATTEN: Sarah, do you have any
3 interest in visiting the abutting properties to
4 sort of, you know, see the other side of the view,
5 I guess?

6 MS. BRADFORD: It may become relevant. I
7 can't be specific at the moment.

8 MS. PATTEN: Thank you.

9 MR. BERRY: I guess I should ask the
10 committee, if I were invited to the site visit and
11 others were not, and the public was not, would
12 anyone object to that?

13 MS. PATTEN: I'm uncomfortable with it.
14 I'm not going to lie to you because of the whole
15 transparency discussion and the correspondence
16 discussion and that nobody should connect with each
17 other outside of the group. That makes me
18 uncomfortable. Obviously, it's Mr. Rossi's private
19 land; and if he's determined to keep you off of it,
20 there's not much we can do about it, but it does
21 seem to go against the spirit of the committee.
22 I'll be honest with you.

23 MS. MC GOVERN: I just want to say
24 respectfully that many of the abutters are suing us
25 and Ron Rossi, and that is one of the primary

1 reasons why he doesn't want the abutters on his
2 property. I think it's very valid.

3 MS. BRADFORD: Would it help if I went
4 with Josh, Drake?

5 MS. PATTEN: Oh, I think that's great
6 Sarah. I mean, I totally -- yes, it's great. I'm
7 just, you know, I think it is an odd sort of change
8 to other rules with the committee, but absolutely,
9 Sarah, yes.

10 MS. BRADFORD: It's a possibility if that
11 makes things --

12 MS. MC GOVERN: Josh, I would just ask and
13 Sarah that John's in attendance as well.

14 MR. BERRY: No objection to John being
15 there. I think it would be helpful for me if I
16 have any questions for him to be present, and it
17 would allow us more fluid dialogue, recalling all
18 of my thoughts and I'd be able to ask questions on
19 site. I'm not quite sure how to handle Drake being
20 uncomfortable with it.

21 MS. PATTEN: I just want to state that I
22 am, that I think it goes against the spirit of the
23 committee, but, you know, I have my say. Thank
24 you.

25 MR. BERRY: I guess I'll have to ponder

1 that. It's definitely not something that I want to
2 do to take any action that makes anybody
3 uncomfortable with, you know, the spirit and intent
4 of what we're trying to do. I also want to see the
5 site. So I'm not sure. Maybe I'll discuss that
6 internally.

7 MR. MARSELLA: Why don't we discuss that
8 off line tomorrow, Josh.

9 MR. BERRY: Okay. Sounds good.

10 MR. MARSELLA: Thanks.

11 MR. BERRY: Well, there's nothing left on
12 the agenda. So I guess I will just say if there's
13 any other comments outstanding, I'll lead off with
14 one before I close. The applicant, in the first
15 iteration, not the one that we saw on the screen
16 share, shows off-site plantings, and I think
17 Mr. Murray referred to a lot of those discussions
18 being held at the master plan phase, perhaps
19 eighteen months or so ago, maybe more. I just want
20 to state that if any of that is going to be on the
21 next iteration of the plan, that we have some kind
22 of supporting correspondence or documents from
23 those owners if you're going to be showing any
24 plantings that are off of the subject site that
25 we're supposed to take into account and I would

1 just like those corroborated with something from
2 that -- from those homeowners. Is that clear?
3 Does that make sense?

4 MR. MURRAY: Well, we're talking about
5 plantings on Ron Rossi's property beyond the leased
6 area. So Ron Rossi's consenting to it. We're
7 agreeing to do it. I'm not sure what corroboration
8 you're looking for.

9 MR. BERRY: That's not what I'm talking
10 about. If you look at the first iteration of the
11 plan, it has evergreen plantings labeled as A, and
12 then also as B that were not on the subject
13 property. If they're going to be shown on the
14 plan -- are those going to be shown on the future
15 plans?

16 MR. MURRAY: Yes. They'll be shown on the
17 future plans and, you know, Mr. Rossi's consented
18 to doing those on this property. So they will be
19 on the plans. If they're not on the plan that was
20 on the screen tonight, we'll incorporate them.

21 MR. BERRY: I'm not sure we're 100 percent
22 clear on the same page there, but if it's on
23 Mr. Rossi's property, I'm not asking for any
24 additional anything. If it's on Mr. Rossi's
25 procedure inside or outside the leased area but

1 still on the subject site, I'm not asking for any
2 additional documentation. If you look at the
3 evergreen plantings labeled as number -- Letter A
4 and Letter B, those look to me to be on the
5 abutter's property, and if (inaudible) the
6 abutter's property is not on the subject site, then
7 I'm just asking that those come with some sort of
8 written correspondence and agreement to acknowledge
9 this.

10 MR. MURRAY: I apologize. I was looking
11 at the other side of the project. I was looking at
12 C, but I understand what you're looking for and
13 we'll work on that. I understand. Thank you.

14 MR. BERRY: I'll just open the floor to
15 anyone who has any closing comments or concerns.

16 MS. MC GOVERN: I would just like us to
17 understand what the -- (inaudible) -- what the
18 durables you're looking for from John Carter at
19 this point, so it's clear, Sarah.

20 MS. BRADFORD: I think John was to give us
21 a little better sense of the planting on the north
22 and east buffer strips with (inaudible) leased
23 or -- and it's possible to begin to locate areas
24 where the more effective buffer would be. Also, I
25 don't know if it's necessarily John, but if I was

1 to respond to the south property line, I need more
2 information about what the boundary of the gas line
3 easement is.

4 MS. MC GOVERN: Okay.

5 MR. BERRY: Sarah, it's my input to you
6 that I'm still lacking clarity on the east. Maybe
7 a transect from that property to the northeast. Is
8 that something that you would like to see?

9 MS. BRADFORD: I think because you still
10 have a question about it, that John should do it.
11 I don't think it's a lot of work.

12 MS. MC GOVERN: We can do that. We can do
13 that, Josh.

14 MR. BERRY: Thank you. I just want to
15 clarify, Drake had a question about the transect
16 lines from her property and John Carter responded
17 to that. Drake, was that satisfactory to you?

18 MS. PATTEN: I would really like to see it
19 from the houses. I mean, just to be kind of on the
20 same page with all the other abutters from -- you
21 know, just to understand what we're facing. I
22 understand John's statement about you just pick a
23 spot, but the barn is the least likely spot for us,
24 let's put it that way. We spend considerable time
25 there, but we don't spend considerable time staring

1 out of the window. So I would appreciate, if it's
2 not too much work, to see those transects from our
3 two residences. Thank you for saying something,
4 Josh. Appreciate it. Is that something that the
5 applicant is able to do? Well, I guess we'll just
6 make a note of that then, Josh, that you brought it
7 up.

8 MS. MC GOVERN: I'm sorry. I was on mute.
9 I apologize. We have a response to you, Drake.
10 And we're going to repeat that.

11 MR. CARTER: Okay. What I was just saying
12 is that since the first time we presented these,
13 you know, I was pretty clear about the fact that we
14 had done these as a study to try to better
15 understand what the relationship is between the
16 different abutting properties and the proposed
17 solar field. They're not meant to be clearly clear
18 indications of what the site -- what the view is
19 going to be from various points on the property.
20 They're just representational. So in your case,
21 for instance, I told you we went into the middle of
22 the site to just represent the difference in
23 elevation between the homes and the project, the
24 amount of existing vegetation between the homes and
25 the project, the amount of proposed vegetation if,

1 in fact, there's some proposed, and the horizontal
2 distance between the homes and the properties. So,
3 you know, we start doing one from this house and
4 that window and this driveway and that type of
5 thing, I don't think they're going to give you the
6 clarity that you may be looking for. So I don't --
7 I don't see a lot of benefit in doing those. That
8 would just be an exercise that, as I say, I don't
9 think would provide a whole lot more information.

10 MS. PATTEN: I -- if I could just
11 respond -- sorry, Sarah -- for one second. I
12 understand you don't think it does, but I do live
13 on the property, and I do feel -- I'm asking for
14 that to be done. I hope it's not too much of a
15 request; but as an abutter, I am the only person
16 whose home was not -- two homes were not put in and
17 actually, the view out onto that future solar
18 installation will be very different from that
19 middle spot and the place where I live, and my
20 tenants live. So that, you know, I'm asking for
21 that. If you don't want to do it, that's fine. I
22 accept that, but I am asking for that. Thank you.

23 MS. BRADFORD: I heard John's question --
24 response. I'm not all together sure it's all that
25 different, but I think it should be done for

1 consistency because all the others were done from
2 the house.

3 MS. MC GOVERN: Okay. No problem.

4 MS. BRADFORD: I think that John has said
5 repeatedly and it needs to be, again, reinforced,
6 that these transects have been very valuable and
7 very helpful to us in understanding the sense of
8 what's happening, but they aren't that specific and
9 shouldn't be thought of in that way.

10 MS. MC GOVERN: Okay. Thank you. So I
11 have four items from Sarah, the plantings from the
12 north and east, buffer strips, the -- locating
13 areas where there would be more effective buffer,
14 the south property boundaries, line for the gas
15 easement, and the transect line from the east, and
16 the transect line from both of Drake's homes. Am I
17 missing anything?

18 MS. BRADFORD: I don't want to bring up
19 (inaudible) discuss, but we never did talk about
20 the entrance drive from Natick, other than trying
21 to understand what the pines were on the abutting
22 property. I don't know that we need more
23 information on that or not. I guess my question
24 really is -- well, it's not a question. I'll just
25 give my opinion. I don't think the white pines are

1 a very good answer because I don't like white pines
2 near houses because they drop branches on houses.
3 So maybe there's a better way of doing screening
4 if --

5 MS. MC GOVERN: What would you suggest?

6 MS. BRADFORD: (Inaudible).

7 MR. CARTER: I agree. I think that was
8 discussed between Ron and the owner, but, yeah, we
9 can come up with something else.

10 MS. MC GOVERN: Okay. All right. We have
11 our list. Josh, are we missing anything? Is there
12 anything else before we wrap up?

13 MR. BERRY: The only item you missed was
14 for John Carter, per se, was just -- I think Bob
15 was going to cover it, but documentation of
16 correspondence. That was for the offsite stuff
17 that we clarified. Doesn't really need to be on
18 John Carter's plans or anything, but could be some
19 separate correspondence.

20 MR. CARTER: I was just asking, do you
21 have that plant list. We've told Sarah we'd
22 provide a general list of the plantings --

23 MS. MC GOVERN: No, I don't have that.

24 MR. CARTER: I put that on there.

25 MS. MC GOVERN: I just want to make sure

1 that's why I'm summarizing all these actions,
2 that's why I want to make sure. I don't want to
3 come back or missing something. I just don't want
4 to waste anyone's time. I want to make sure we
5 have what we need to move forward. Okay.

6 MR. ZEVON: Revised plans --

7 MR. BERRY: Can you speak up, Mr. Zevon.

8 MR. ZEVON: Revised plans, we'll see that.
9 I don't know if that's on the list or not, but I
10 suppose that's something that, you know, obviously
11 we'll all see.

12 MS. MC GOVERN: So after this meeting,
13 John is going to update these plans and then you
14 all will see them in advance. So -- so where does
15 this take us, Josh?

16 MR. BERRY: So when you submit the
17 material, either to everyone on the committee or
18 Sarah, she can forward them, and then we would try
19 to schedule another meeting. Perhaps I would say
20 we need a little bit of time to review the
21 materials, but we don't want to take too long. So
22 I'm looking in the window of maybe around 10 to 14
23 days from receiving materials to hold the next
24 meeting. Does that sound agreeable to everyone, to
25 give us enough time to review the plans and to get

1 the agenda together, to get it out, to review, to
2 get our thoughts together before our next meeting?

3 MS. PATTEN: That sounds good. Can we
4 send agenda ideas to you, or does that have to go
5 to everyone? Can we just say these are some things
6 we thought about for agenda, or do you want that
7 sent to everybody?

8 MR. MARSELLA: Yeah, Drake, just send it
9 to everybody. That way nobody feels left out.

10 MS. PATTEN: Sounds good.

11 MR. MARSELLA: We don't want anyone to
12 feel left out.

13 MS. PATTEN: No, we don't.

14 MR. MARSELLA: All right, and then
15 ultimately, I guess, Sarah, do you envision a
16 written report to the -- to the file, I guess,
17 because the -- you know, they -- nothing's been
18 scheduled for preliminary plan. The master plan is
19 still under litigation, and I don't believe
20 anything's been -- Jason, stop me if I'm
21 incorrect -- has been filed for development plan
22 review; is that correct?

23 MR. PEZZULLO: That's correct.

24 MR. MARSELLA: So, Sarah, do you -- what
25 do you envision your report to be once you have all

1 this material? Is it going to be a written report?
2 Do you envision a written report from you and
3 written comments from everyone on the committee?
4 Just, obviously, the, you know, the condition. The
5 ordinance is a little bit silent as far as that
6 goes, you know. That doesn't mean preclude you
7 from testifying before the development plan review
8 in person or preliminary plan in person, but what
9 do you envision your ultimate recommendation -- the
10 form of your recommendation?

11 MS. BRADFORD: I'm not sure. It will
12 depend a little on what you need. I would have
13 thought that it would be essentially my concurrence
14 with the plan as presented or something to that
15 effect.

16 MR. MARSELLA: Again, I just want to
17 anticipate, you know, whatever your ultimate
18 opinions are and then the inclusion of the input
19 from Lindsay, Drake, you know, from the other
20 members of the board should their input differ from
21 your input, I want to make sure that's all in the
22 record, and then that's all -- that record is,
23 therefore, transmitted. When I say in the record,
24 you know, presented, and that is transmitted
25 ultimately to the next board, whether that's

1 development plan review or preliminary plan. So I
2 guess if, you know, something -- I think you should
3 put something in writing, but certainly I want
4 everyone else to have their written input also when
5 we get to the end of this. Okay. Just so you
6 know, since we have some time, just a thought
7 moving forward. I don't want, you know, just in
8 case there's not agreement on everything, then.
9 Certainly the dissenting opinion is equally
10 sometimes as valuable as the concurring opinion
11 when it's going to be reviewed by future, you know,
12 future boards or commissions. That's it. Any
13 other -- we did -- Jason, anything else or --

14 MR. PEZZULLO: Well, I think that this is
15 a very good meeting if we're getting close to
16 wrapping up at this point. So --

17 MS. MC GOVERN: I just need to interrupt,
18 if I can. We didn't -- sorry, Jason, I know Josh
19 was just talking about the 10- to 14-day window for
20 the meeting by the time we get the plans, which I
21 just talked to John and put him on the spot, and
22 he's so good. He said he can get us the plans next
23 week. So with that in mind or is that what -- is
24 that what you meant once you get the plans,
25 probably 10 to 14 days from the time you schedule

1 the meeting?

2 MR. PEZZULLO: Yeah. So that we can get
3 it -- we can do the advertising notification and
4 give everyone time to review it and then get the
5 thing scheduled. So, yes. So --

6 MR. MARSELLA: Also, Lindsay, that
7 pushes -- keep in mind, well, ten days from
8 tomorrow pushes us into the actually planning board
9 meeting at the beginning of October. So, you know,
10 Jason --

11 MR. PEZZULLO: Yeah. It's -- we're --
12 first week of October, who knows? Second week of
13 October, probably, more likely.

14 MS. MC GOVERN: Okay. Thank you.

15 MR. PEZZULLO: We have to schedule around
16 other boards as well. So we have to see what those
17 dates are. So if we get something the sooner the
18 better, then we can get moving and I'll get this
19 thing scheduled.

20 MS. MC GOVERN: Thank you.

21 MR. BERRY: I believe, unless there's
22 anything else, we can adjourn.

23 MS. PATTEN: Thanks, everyone.

24 MS. MC GOVERN: Thank you very much.
25 Appreciate everyone's time.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. PEZZULLO: Good meeting tonight,
everyone. Thank you.

MR. BERRY: Thanks, guys.

(ADJOURNED AT 8:52 P.M.)

C-E-R-T-I-F-I-C-A-T-E

1
2
3 I, RONALD M. RONZIO, Notary Public, do
4 hereby certify that I reported in shorthand the
5 foregoing proceedings, and that the foregoing
6 transcript contains a true, accurate, and complete
7 record of the proceedings at the above-entitled
8 hearing.

9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
IN WITNESS WHEREOF, I have hereunto set my
hand and seal this 12th day of October, 2020.

Ronald M. Ronzio, Notary Public

RONALD M. RONZIO, NOTARY PUBLIC/CERTIFIED COURT
REPORTER

MY COMMISSION EXPIRES: July 24, 2021

IN RE: Cranston Planning Natick Solar advisory
Committee

DATE: September 22, 2020