CAPE COD
COMMISSION

Cape Cod Country Club Solar (CCC File No. 25009)
Development of Regional Impact Review
Subcommittee Hearing

Minutes | August 4, 2025 at 5:00 p.m.

Virtual via Zoom

APPROVED 10/16/2025

Summary of Actions Taken

- The subcommittee voted to direct staff to prepare a draft DRI decision approving the project, with conditions, for review and potential recommendation by the subcommittee for adoption by the full Cape Cod Commission.
- The subcommittee continued the hearing on the Cape Cod Country Club Solar Project to the regularly scheduled meeting of the full Cape Cod Commission on September 11, 2025.

Hearing Open

Thomas Wilson, as Chair, called the meeting to order at 5:00pm. He began by reading opening announcements and asked Jeffrey Ribeiro, Regulatory Planner, to call roll.

Roll Call:

- Thomas Wilson, Chair, Present
- John Druly, Present
- Catherine Ledec, Absent
- Peter Okun, Present
- Ernest Virgilio, Present
- Kevin Grunwald, Alternate, Present

With five members present, a quorum of the subcommittee was in attendance. As Ms. Ledec was absent, Mr. Grunwald participated as a voting member.

Staff Presentation

The Chair then asked Mr. Ribeiro for staff comments. Mr. Ribeiro presented with the assistance of a slide presentation. He said a Staff Memo had been distributed along with an additional submission from the Applicant. He provided an overview of the project timeline. He stated the review of the Applicant's submission as discussed in the Staff Memo. He said

that with this information the Project meets the requirements of the RPP and the Technical Bulletins. He went over proposed benefits and detriments of the Project, and he said that the Subcommittee should discuss these later in the hearing. He provided an overview of the rest of the agenda for the meeting, and he turned the floor back to the Chair.

Applicant Presentation

The Chair asked Manjoor Vahora to present.

Mr. Vahora presented with the assistance of a slide presentation. He provided an overview of the supplemental filing that had been submitted, including details of the land donation structure, the updated nitrogen loading calculations, further detail in the Restoration Plan, further detail on operations and maintenance, the battery risk management protocols, invasive species management protocols, and commitments regarding archaeological resources. He showed a plan detailing sight distance analysis at site drives and details for hazardous materials containment. He said he was happy to answer any questions.

Subcommittee Discussion

The Chair then asked for initial questions from the Subcommittee.

The Chair asked Mr. Ribeiro if the containment structures for hazardous materials were consistent with Commission regulations. Mr. Ribeiro said that the regulations typically require a flow arresting device to prevent stormwater from overwhelming containment of materials. Tara Lewis, Commission Water Resources Analyst, said that the Project exceeds the Commission's 110% containment requirement. She said that the roofs would adequately address stormwater concerns.

The Chair asked to see the Open Space Plan and then asked Mr. Vahora to explain the plan. Mr. Vahora said the yellow hatched area is the open space to be provided by deed to the Town. He said the areas along roadways would serve as visual screening. The Chair asked for further information on the plan showing sight distance at the site drives to Boxberry Hill Road. Project Engineer Raul Lizardi-Rivera described the plans. The Chair asked for a visualization of the landscape buffers. Mr. Vahora said that the buffers could be seen in Exhibit 10.3. Mr. Ribeiro showed the visual simulations of the screening included in the application along with the landscape plan. He said that the berms and plantings were developed in consultation with the Town.

Mr. Okun asked if a windblown storm would affect the effectiveness of the roof structures. Ms. Lewis said that was not taken into consideration, but she said that the batteries have triple-layered containment, and the structures provide in excess of the 110% requirement. Mr. Okun said he was satisfied.

Mr. Grunwald asked if the loss of the golf course as a recreational resource was part of the Commission's review. Mr. Ribeiro said that the existing use was not under review as part of

the application, only the proposed use. He said that there is no existing regulatory authority currently over the golf course. He said that the Commission does not have anything in the regulations that would classify the golf course as a protected resource.

Mr. Virgilio said that he was concerned the Project would impede the movement of wildlife through the site.

Mr. Druly asked if the site was 137 acres. Mr. Vahora confirmed. Mr. Druly asked if portions of the site would be set aside for housing. The Chair said that the Project is not being reviewed for housing. Mr. Ribeiro said that there is no requirement to provide housing. The Applicant's Atty. Matthew Terry said that in early planning there had been the consideration of some housing. He said that was not part of the current project. He said the change was made based on input from the Falmouth Select Board and the Falmouth Planning Board. He said it is not part of the application.

Mr. Druly asked how many yards of soil would be moved as part of the Project. Mr. Lizardi-Rivera said that information was on the site plan. He said he would look up the number and provide it later.

Mr. Druly asked if the service roads would need crushed gravel and how much would be brought to the site. Mr. Druly said that housing should be provided on some of the golf course. He said he has concerns about stormwater management.

Mr. Lizardi-Rivera provided the amounts of soil to be graded. He said that the holes with low elevations would be improved with natural vegetation and would not be changed.

Project Environmental Consultant Brian Madden said that the Project was designed to provide habitat connectivity. He noted there will be a gap at the bottom of the fence to allow small animals to travel through the solar areas.

Mr. Virgilio said that the Project would impact larger animals.

Public Comment

The Chair asked Mr. Ribeiro to begin public comment, and he did so starting with public officials. Hearing none, comment was taken from the general public.

Ken Jones said he is a resident of the area and a representative of the Falmouth Pond Coalition. He said he supports the Project as it will improve the quality of Coonamessett Pond and of other areas downgradient of the site through the removal of fertilizers. He said renewable energy is needed. He said the Project should be supported.

Eric Stoermer said that he lives on Coonamessett Pond and supports the Project. He said the Project would improve the quality of the pond and the environment more

generally. He said the removal of existing dwellings on the Property would reduce impervious surfaces and wastewater adjacent to the pond.

Robert Young said he opposes the Project. He said the Project would clear a significant number of trees on the site.

Patrick Duggan said that he is a member of the Professional Golfers Association of America and the PPA. He said that he does not support the Project. He said the golf course is historic and should be preserved. He said the Project will negatively impact recreation and the environment. He said he started a petition to preserve the golf course.

Kim Comart said that he is a member of the Coonamessett Pond Association. He said that the owner does not want to operate a golf course. He said that the Project is an environmental benefit. He said the site may become housing if the Project is not approved, and this is a bad location for housing.

Randy Walsh said that the golf course should be preserved. He said the existing terrain was not modified when the golf course was built. He said some wetlands on the site were not shown on the plan. He said that there is too much grading associated with the Project.

Seeing no more comment, Mr. Ribeiro noted written comment can be provided through September 11, 2025.

Further Subcommittee Discussion and Actions

The Chair asked for discussion from the Subcommittee regarding the benefits and detriments proposed in the Staff Memo. He said that water quality improvements to Coonamessett Pond and pond monitoring should be included in the benefits. He said that the removal of impervious surfaces is a benefit.

Mr. Druly said that the grading of the site should be considered a detriment. He said solar should not be installed in greenfield areas.

Mr. Okun said the restoration of the vernal pool buffer is significant benefit. He said the elimination of fertilizer adjacent to the pond should be included. Mr. Ribeiro noted that is included in the nitrogen loading calculations, which could be included explicitly in the benefits.

Mr. Virgilio said that the impact on wildlife should be included as a detriment.

Mr. Ribeiro said that the suggestions of the subcommittee would be included in a draft decision for their review.

Mr. Ribeiro noted that Robert Young who had lost his connection during public comment had returned to the meeting. Mr. Ribeiro asked the chair if he would recognize Mr. Young. The Chair allowed Mr. Young to speak.

Mr. Young said that the proposed use was not appropriate for the site. He said that the Project would damage recreational values as stated in the Commission Act.

Mr. Grunwald said that he did not feel that the grading activities should not be considered as a detriment.

Mr. Druly said that the installation of fencing and the construction of roads should be considered a detriment.

The Chair asked Mr. Vahora for information on the roadways. Mr. Lizardi-Rivera provided the volume of material for the access roads and that they would be crushed stone. He also stated the volume of soils to be moved, noting that no soil would be brought to the site or removed from the site.

Commission Counsel Jessica Weilgus stated that Staff could also answer any questions regarding review criteria not yet discussed. The Chair noted that those criteria were discussed in the Staff Report.

Mr. Ribeiro said that at the next meeting the Subcommittee would review a draft decision to be prepared by Staff. He said that the draft decision would include the amendments to the benefits and detriments discussed as well as all relevant review criteria and the standards of review. He noted that the Commission has no requirements regarding linear feet of fencing or cubic feet of earth.

Motions

The Chair asked for a motion to direct staff to prepare a draft DRI decision approving the project, with conditions, for review and potential recommendation by the subcommittee for adoption by the full Cape Cod Commission.

Mr. Grunwald made the motion and Mr. Okun seconded the motion.

Roll Call:

- Thomas Wilson, yes
- John Druly, yes
- Peter Okun, yes
- Ernest Virgilio, yes
- Kevin Grunwald, yes

With all in favor, the motion carried.

The Chair asked for a motion to continue the public hearing on the project to the regularly scheduled meeting of the full Cape Cod Commission on September 11, 2025 at 3:00pm to be held virtually via Zoom.

Mr. Okun made the motion and Mr. Grunwald seconded the motion.

Roll Call:

- Thomas Wilson, yes
- John Druly, yes
- Peter Okun, yes
- Ernest Virgilio, yes
- Kevin Grunwald, yes

All members voting yes to continue the hearing, the motion carried and the hearing was continued at 6:29pm.

Materials Used

- Subcommittee Hearing Notice/Agenda
- Staff Memo, dated 7/28/2025
- Staff Presentation
- Applicant Presentation