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PROJECT NARRATIVE

TO:
The Cape Cod Commission

FROM:
NextGrid

APPLICANT:
NextGrid: Representative, Daniel Serber

SUBJECT:
Request for Development of Regional Impact (DRI) Exemption
2 Sand Pit Road / 9 Noons Drive – Truro, Massachusetts

The subject properties consist of two adjacent parcels located at 2 Sand Pit Road (Map 39, Lot 107) and 9 Noons Drive (Map 39, Lot 108) in the Town of Truro, Massachusetts. The parcels are currently held in common ownership by the Donald W. Noons Trust and together contain approximately 55.9 acres of land.

NextGrid, together with the Trustees of the Donald W. Noons Trust, is submitting an Approval Not Required (ANR) Plan to the Truro Planning Board for the sole purpose of adjusting the interior lot line between these two existing parcels. No new lots are being created as part of this proposal, and the total land area under common ownership will remain unchanged.

Under existing conditions, 2 Sand Pit Road contains approximately 38.7 acres, while 9 Noons Drive contains approximately 17.2 acres. The proposed lot line adjustment will result in 2 Sand Pit Road becoming a 16.7-acre parcel and 9 Noons Drive becoming a 39.19-acre parcel.

The purpose of this lot line adjustment is to allow 9 Noons Drive to fully encompass a proposed ground-mounted solar photovoltaic facility of approximately 8 megawatts, which is planned entirely within the floor of an existing sand and gravel pit that will cease operations. The proposed solar facility is located exclusively on previously disturbed land and within an area that includes a MassDEP-recognized Brownfield associated with PFAS contamination. No tree clearing is proposed, and no undisturbed land will be impacted by the solar development.

Following the lot line adjustment, the remaining land at 2 Sand Pit Road will remain in its current ownership and will continue to support its existing community-serving commercial

uses. No changes are proposed to access, circulation, utilities, or site infrastructure on either parcel as a result of the ANR Plan.

The proposed ANR Plan:
- Does not increase the number of lots
- Does not create any new access points
- Does not grant either parcel any new development rights under local, state, or federal law
- Does not alter zoning compliance or buildability
- Does not enable development that could not otherwise lawfully occur

Notably, the proposed solar project could proceed without Development of Regional Impact review under a lease arrangement on the existing parcels. The sole purpose of the proposed lot line adjustment is to allow the solar facility to be located entirely on a single parcel (9 Noons Drive) so that the property may be conveyed to the eventual owner of the solar project. The lot line adjustment is therefore not a prerequisite to development, nor does it facilitate, intensify, or condition the proposed solar use.

While the ANR Plan is administrative in nature, the Applicants recognize that the Cape Cod Commission may consider the characteristics of the associated solar photovoltaic facility, which will be contained entirely within updated boundaries of 9 Noons, in evaluating whether the project constitutes a Development of Regional Impact. As such, the following demonstrates that the transition from active sand and gravel extraction to a solar energy facility will result in no increase—and in several respects, a reduction—in potential regional impacts.

The existing use of the property as a sand and gravel extraction operation constitutes an industrial use involving the removal and processing of natural materials. The proposed solar photovoltaic facility similarly represents an industrial-scale use that utilizes natural resources without introducing a more intensive or impactful use. Consistent with prior Cape Cod Commission determinations, the project represents a continuation of an industrial use with reduced intensity and fewer external impacts.

The existing sand and gravel operation generates regular truck traffic associated with material extraction and hauling. Upon completion of construction of the solar facility, site activity will be minimal, consisting of approximately 4 to 8 vehicle trips per year for periodic maintenance. This represents a substantial and permanent reduction in traffic volume, particularly heavy truck traffic.

Current operations at the site involve heavy equipment and machinery, resulting in ongoing noise generation. The proposed solar facility will be effectively silent following construction, eliminating operational noise impacts and improving existing conditions.

The existing sand pit includes exposed soils, stockpiles, and active industrial activity that contribute to visual disturbance. The proposed solar facility will consist of low-profile

equipment with no vertical structures, with the exception of a limited noise barrier surrounding the equipment pad, and no site lighting is proposed. The project will therefore reduce visual impacts while maintaining the character of the surrounding area.

The existing site does not include formalized stormwater management infrastructure. The proposed development will incorporate engineered stormwater management features, including infiltration areas and vegetated systems, resulting in improved water quality and drainage conditions relative to existing conditions.

The project will include the installation of native vegetation, including beach grasses and other regionally appropriate species, to stabilize soils and enhance ecological function. These measures will improve habitat conditions relative to the currently disturbed state of the sand pit.

The site includes a MassDEP-listed Brownfield associated with PFAS contamination. The future owner of the solar facility will assume responsibility for ongoing compliance and remediation under the MassDEP Release Tracking Number (RTN) program. The Applicants are experienced and financially established entities with a demonstrated record of responsible environmental management, ensuring continued and accountable stewardship of the site.

The proposed solar facility will not require potable water or wastewater infrastructure and will generate no wastewater and no new nitrogen loading, resulting in no new nitrate impacts to groundwater or regional water resources.

The project will not generate demand for municipal services. There will be no impact on local schools, no demand for public water or sewer infrastructure, and no meaningful increase in emergency service demand.

The project advances regional objectives by facilitating the reuse of previously disturbed land, supporting renewable energy generation, and enabling the productive redevelopment of a Brownfield site without impacting undeveloped or sensitive areas.

Pursuant to Chapter A of the Cape Cod Commission Enabling Regulations, Section 3(c) requires referral as a Development of Regional Impact for divisions of land totaling thirty (30) acres or more in common ownership, including where such division occurs in conjunction with development activity. While the subject parcels exceed this threshold, the proposed ANR Plan does not occur in conjunction with development activity as contemplated by the regulations, as the solar facility could proceed without any change to the existing lot configuration.

The proposed ANR Plan constitutes a purely administrative reconfiguration of an interior lot line that does not create new lots, new access, or new development potential, and does not bestow any new rights under applicable law.

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Accordingly, although the proposal meets the acreage threshold identified in Section 3(c), it qualifies for an exemption pursuant to Section 22(e) because it is administrative in nature, confers no new development rights, and results in no local or regional impacts.

Based on the foregoing, the Applicants respectfully request that the Cape Cod Commission grant an exemption from Development of Regional Impact review for the proposed ANR Plan and associated solar development at 2 Sand Pit Road / 9 Noons Drive, Truro.

Respectfully submitted,

Daniel Serber

Daniel Serber
Senior Director of Land Development
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