



Freetown Board of Selectmen Meeting Minutes

Wednesday, August 26, 2020 – 4:30pm

Council on Aging Pavilion
227 Chace Road, East Freetown, MA 02717

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4:30 P.M. Call to Order

Chairman Lisa A. Pacheco calls the meeting to order at 4:32pm. Selectman George L. Grunwald and Selectman Trevor R. Matthews are present. Also present: Town Administrator David DeManche and Administrative Assistant Timm McIntosh. The meeting is being recorded by FREECAM.

Executive Session

At 4:32pm, motion (Matthews/Grunwald) to enter into executive session, under the following exemption, and to return to open session following; motion carries unanimously.

1. M.G.L. c. 30A, sec. 21(a)(2) – to conduct strategy sessions in preparation for negotiations with non-union personnel – Board of Health Agent Derek Macedo

The Board is joined by Executive Assistant/HR Director Ali Golz in executive session.

At 4:48pm, motion (Grunwald/Matthews) to exit executive session and return to open session; motion carries unanimously after a roll call vote.

Board of Selectmen

2. Review of Submitted Warrant Articles for Fall 2020 Special Town Meeting

Selectman Pacheco says we are going to go over the warrant and supplemental omnibus tonight, perhaps toss some articles if we agree that they are not acceptable, and we will finalize the warrant at a later date. Selectman Pacheco runs through each article, pausing for more information or to discuss articles as needed:

- On Proposed Article 2, the supplemental Fiscal Year 2021 Budget, Selectman Pacheco says the Board will come back to this, asking Mr. DeManche to take notes when they do to bring the questions to the Department Heads.
- On Proposed Articles 3-5, regarding increased pay for Election Workers, Assistant Town Clerk and Board of Registrars, Selectman Pacheco says this is due to additional election requirements and additional Town Meetings, so we cannot really go without these.
- On Proposed Article 6, regarding paying for road layouts for Elizabeth Drive and Captain Harris Drive, Selectman Pacheco has never seen this before as an article, this cost is always borne on the developer. Mr. DeManche agrees, saying these roads are still

private, so the responsibility of the developer or property owners. He will talk to the Highway Surveyor on this; the Board says they would like to hear from the Highway Surveyor.

- On Proposed Article 7, regarding a landscaping service for the new Police Station, Mr. DeManche says he put this article on as a placeholder, as he was not sure how we were going to address this. Selectman Pacheco says landscaping has always been done by the Highway Department and will continue to be done by the Highway Department, saying that we cannot hire all these new people just for the Police Station. Selectman Grunwald says this should be included in the Police Station maintenance budget; Selectman Pacheco maintains that this would be the Highway Department handling this. Mr. DeManche says that would make sense. The Board removes this article.
- On Proposed Article 12, regarding a transfer of funds to the PEG Access & Cable Related Fund, Mr. DeManche explains that the Cable Advisory Committee has been discussing cabling the new Police Station to film meetings and other events there, and this funding would be used in case that project exceeds the current appropriation. The funding would come from the Town's cable receipts fund, which needs to be transferred before it can be expended, and he is asking for \$25,000. The Board has no questions.
- On Proposed Article 13, regarding the Rescission of a 2000 Vote Regarding a Part-Time Conservation Agent, Selectman Pacheco would like an explanation on this article from Mike McCue and the Conservation Commission. She adds the Board can also ask Mr. McCue questions on the other articles he has submitted, which are Proposed Articles 14-16.
- Selectman Pacheco says Proposed Articles 17 & 18 are the same thing, changing elected positions (Town Clerk & Highway Surveyor, respectively) to appointed ones. She says that these are specialized positions. In the case of the Town Clerk, the Assistant Town Clerk will automatically cover for the Town Clerk when she retires, but if anyone decided to run against her a few months later, the new person could just take over if they win. Selectman Matthews thinks it is in the Town's best interest for these to be appointed positions. Selectman Pacheco says there is a lot of expertise required for these positions. She says if approved, these questions would also require a ballot question; the current employees could run for their positions and the Board could be appointed if the question passes. Selectman Grunwald asks if the employees would get contracts; Selectman Pacheco says either contracts or they could be added to the bylaws. She says if this all passes, the Board can appoint whoever they feel is qualified. Mr. DeManche says making these positions appointed adds an amount of professionalism to the positions; we've been very lucky with who we have now, but who knows who could come along next, and you want to make sure that person is qualified.

Selectman Pacheco moves to the supplemental omnibus budget, which goes along with Proposed Article 2. She has questions on whether or not these requests are “wants” or “needs”; Mr. McIntosh says it is his understanding that each request that was originally removed from the proposed budget back in the spring, when the budget picture was not clear, is now listed on this supplemental omnibus. Selectman Pacheco goes through each budget increase request, asking the other Board members to ask questions if they wish to.

- The Moderator has requested an increase of \$20. Selectman Pacheco asks if Mr. McCue would like to borrow the money from her instead.
- The Board of Selectmen have requested an increase of \$950 for mailings. Mr. DeManche says one of Selectman Grunwald’s requests was to send out mailings for Town Meetings. Selectman Pacheco says if it is a new idea after the budget, it should be funded with a Reserve Fund Transfer.
- On the Town Administrator Budget, Mr. DeManche says he needs his 2% cost of living increase added into the budget. Selectman Pacheco explains that we asked the employees would new contracts to hold off on their 2% raise until the financial picture was clearer, so the 2% should be added back in for Mr. DeManche and Chief Carlton Abbott, which would be retroactive to July 1st.
- The Board of Assessors budget request includes an increase for the Director of Assessing position. Selectman Pacheco says we still do not have any background on this. Mr. DeManche says Mrs. Golz contacted Chairman Mike Motta, but we have not heard back. He is starting to become concerned. Selectman Pacheco says waiting until the Town Meeting is too late; Mr. DeManche agrees, saying that is what he is concern about. Selectman Pacheco said all this previously at the Board’s working meeting, and we have gotten nowhere. Mr. DeManche says he’s made several attempts to talk to the union on this matter, but notes that ultimately this is the Board of Assessor’s purview; Selectman Pacheco says residents don’t complain to the Board of Assessors, they will be coming to the Board of Selectmen. Mr. DeManche understands. Selectman Matthews will reach out; Selectman Pacheco wants the Board of Assessors at the Board’s next meeting.

VOTE: Motion (Matthews/Grunwald) to have Selectman Matthews and Mr. DeManche work with the Board of Assessors to have something by our next meeting to ensure that the tax bills go out on time and that the Board of Selectmen is able to set the tax rate accordingly; motion carries unanimously.

- The Board of Assessors Re-Valuation has an increase, but the Board is not sure why. This will be another question for the Board of Assessors while they are present.

- The Conservation Commission has a request for 2 new seasonal part-time staff positions, which is new to Selectman Pacheco. Mr. DeManche says this would be a question for Mr. McCue. Selectman Pacheco asks if they workers are for the summer months, meaning that they are not needed any longer. Mr. DeManche will find out.
- Public Buildings has an increase for Police Station utilities. Selectman Pacheco says they have received rates from the engineers on the project, so she does not understand why it is now increased; Mr. DeManche will find out.
- The Police Department is requesting funding for an additional confidential secretary. Selectman Pacheco has her own view, but we are not able to get into the Police Station until the computers are installed; she will speak to Chief Abbott on this. She thinks the number is too high. Selectman Matthews notes the amount is prorated; Selectman Pacheco says we do not know when the employee would start, so it is too high. Additionally, the Police Department is being increased for retirement incentives; Selectman Pacheco says they still have Parade & Fireworks overtime in their budget, which should offset that increase.
- Communications sees an increase due to a retirement incentive and funding to integrate fire with the record management system; Selectman Pacheco wants to hear more information on that.
- Animal Control Officer has an increase for an iPad and wireless service, Selectman Pacheco says this has been previously discussed.
- Highway has an increase for the cost of road striping; Selectman Pacheco thinks that should be moved to Capital, so it is not included in next year's budget.
- The Transfer Station budget sees an increase due to increased disposal fees. Selectman Pacheco asks if this is above and beyond the contract; Mr. DeManche says that is the case, as costs continue to rise. Selectman Pacheco says we just signed a contract; Mr. McIntosh says that recycling is market rate, per the contract. Selectman Pacheco disagrees, saying the Board was never informed of that.
- The Library budget includes the creation of an overtime line item. Selectman Pacheco asks if library wages went up; Mr. DeManche is not sure.
- The supplemental omnibus recommends decreasing unemployment benefits. Selectman Pacheco says this is good news, but also thinks we could also leave the funding in place.
- The Capital Equipment budget has increases for fire equipment and for ticket kiosks for the transfer station; Selectman Pacheco would like more information on the fire equipment, and thinks the Board needs to talk about the ticket kiosk.

Selectman Matthews and Selectman Grunwald have no questions. Selectman Pacheco says the Board wants all this information for the next meeting.

At 5:26pm, motion (Matthews/Grunwald) to enter into recess until 6pm; motion carries unanimously.

6:00 P.M. Public Hearing

Public hearing relative to an application submitted by Copart of Connecticut, Inc. d/b/a Copart for a Class II Motor Vehicle Dealers License, for a business to be located at 170 South Main Street in Assonet

Chairman Lisa A. Pacheco calls the meeting back into order at 6:02pm. She reads the public notice aloud, and asks Mr. McIntosh to read the list of abutters aloud: the Freetown-Fall River State Forest, ISP Freetown, CSX Transportation, Inc, Stop & Shop Freetown, LLC, Thomas Sears, Robinson Burying Ground, Rezendes Family Limited Partnership, Brightman Family Living Trust, Paul Rebello & Jay Fournier, Terry Burial Ground and the Town of Freetown; Mr. Ed Brightman is present. Atty. Thomas Killoran is present, representing Copart of Connecticut, Inc, along with Brandon Carr, Lisa Doherty and Tim Buzzel. Selectman Pacheco announces that this public hearing is subject to the Governor's order, and if more than 50 people are in attendance, the Public Hearing will need to be continued (note from Administrative Assistant: a maximum of approximately 40 people attended the Public Hearing).

Atty. Killoran gives a history of the project, which began the permitting process a year ago. There was no special permit required from the Planning Board, as the proposed building on the property will be under 10,000 square feet, but they underwent the site plan review process, which included a thorough review by Environmental Partners Group. Atty. Killoran says every aspect of the project was reviewed, including stormwater management, drainage, environmental impact and more. This was completed in December of 2019. Simultaneously, Copart went before the Conservation Commission, having 2-3 hearings before finishing in early December 2019, with the order of conditions also approved that month. The site's Massachusetts Environmental Policy Act (MEPA) filing was done, and approval was received as part of a previous application and was updated and approved once more. Atty. Killoran goes over a map of the site, then shares a bit of information on the type of business Copart conducts: they are an online dealer of used automobiles, some of those automobiles being inoperable. All sales are done online, there is no everyday foot traffic in terms of people buying cars at this site. Hours of operation are listed as 6am to 7pm, but the days are typically less than that. Cars will come in from South Main Street at the front of the site, and a specialized forklift will move them to where they will be stored, cars will not be driving around the site. The site is very sensitive to the area and riverfront. There is no touching of the wetlands, no wetlands are being filled. Any work being done in the mandated buffer areas are only for environmental purposes. This site will be Copart's most modern, state of the art facility, and they have hundreds around the world. Atty. Killoran says that as part of the site plan review process, members of the Planning Board and the Building Commissioner were flown to North Carolina to view one of Copart's more modern facilities; he understands everyone was quite impressed with

the facilities. Atty. Killoran closes by reminding everyone that Copart has gone through all the previous Boards and Commissions as required, and they have received all the necessary approvals. Additionally, as part of the Conservation approval, Copart agreed to keep a large tract of land open in a Conservation Restriction; he believes that is almost at the finish line, Copart has agreed to all the changes suggested by the state, and it should be circulated to all parties, including the Board of Selectmen, soon.

Selectman Pacheco opens the public hearing to public comment.

Erika Ferreira of Assonet

Ms. Ferreira says she lives around 2500 feet from Excel Recycling, and she's heard all of this before. She had troubles attending the previous hearings for Copart, so this is her first one. She says she is overwhelmed by the impact this would have on the Town, a very negative impact. She says previous hearings had many unanswered questions that she believes to still be unanswered. She notes a letter that was signed and distributed to the Secretary of State of Affairs from many local agencies that are very concerned about this. This document says the riverfront area outlined in the document is 406 acres, which should all be conservation land, so Ms. Ferreira says this is all really scary for her. She can smell the cars over at Excel, and she is concerned about adding another 22,000 cars to Town. These cars have to go somewhere. She says something does not feel right. She recalls that when Excel came to town, she learned there was a group of neighbors being corralled to represent the Town in a suit that was funded by an anonymous party, and those residents now have their hands tied. When she initially called to get more information about that, it was Atty. Killoran on the other side of the phone. She knows there is a connection to Excel Recycling with this project, but she does not know what it is.

William Adams, Bayview Avenue in Berkley

Mr. Adams has several concerns, but his main concern is that the Taunton River is a public water supply. He does not understand how anyone could think this is a good use for the property. He understands the measures in place to protect the environment, but there is a lot of water on this property, essentially surrounding it on 3 sides. He has heard the construction equipment all the way across the river, though he understands that will go away. He notes that this site was noted by Natural Heritage as home for the endangered diamondback turtle, he is not sure if the required work was done to examine that. He notes Save the Bay identified several concerns and mentions that they strongly suggest the site be reconfigured to avoid the waterfront area. He concludes by asking why the Town would risk putting this on the river.

Marcus Baptiste of Berkley

Mr. Baptiste wants to know how many cars are going to be stored on site and what sort of turnover rate the site would have; Selectman Pacheco says she also had those questions, so they will be addressed. Mr. Baptiste says he already hears Stop & Shop all the time already, so

he would like to know how sort of backup alarms would be used. He would also like to know what sort of lighting the site will have and if they are on at all times. He appreciates that an 8' fence has been installed, but the property rises above the height of the fence, so it is ineffective at hiding anything. Mr. Baptiste requests a berm be added with the fence on top of the berm, to block the view for the residents and also to help with the noise.

Nancy Thomas of Brayton Point, Somerset

Ms. Thomas is here supporting the neighbors. She cleans the beach at Brayton Point daily and sees all those car parts that end up in the water. She notes the massive traffic in the area, and that is just 50-60 trucks in their neighborhood; Copart is proposing 300. She closes by saying she supports the residents of Freetown and urges the Board's opposition to this license.

Selectman Pacheco pauses public comment, as she would like to ask a few questions of her own. In response to her questions, the representatives from Copart provide the following information:

- The site would see 300-350 vehicle trips a day, which includes employees and deliveries.
- The maximum capacity of the property is 20,000 cars, but that includes what is called catastrophe capacity, only used for emergencies. The daily count of cars is closer to 8,000 to 12,000.
- All vehicles are intact and stabilized, with no leaks. The vehicles go through an inspection process and are never disassembled, scrapped, or shredded by Copart.
- Cars will spend 45-60 days on site.
- Car carriers are all subcontractors and would not be coming in overnight. After hours, the only deliveries would be via a tow truck, but this would be a rare occurrence.
- There is no facility provided truck drivers to stay overnight.
- Traffic flow leaving the property is required to exit to the right and utilize exit 8B; the site is actually designed to that, per the Planning Board's site plan review approval.
- Copart has not entered into any agreements with Excel Recycling or Brayton Point.
- Atty. Killoran has no knowledge of any contact with Excel Recycling or Brayton Point.
- Atty. Killoran says there are no plans to have contact with Excel Recycling or Brayton Point.
- Copart will never hold vehicles for any scrap metal facilities. Copart's business model is solely selling vehicles via online auction.
- Copart has no relationship with Excel Recycling or Brayton Point.
- Copart has 250 locations in the United States, but Atty. Killoran does not have a specific number that are located on the water. He notes, however, they have facilities in California, where it is well known that the environmental standards are far higher than anywhere else, and there have been no issues there.
- Atty. Killoran says this Copart proposal does not impact any bodies of water, based on the design.

- Atty. Killoran says Copart meets all state regulations regarding the protection of natural resources. Stormwater regulations are also met. This particular site is listed as a “higher concern site” with the state, and those standards are met as well. He adds that Copart has agreed to above and beyond treatment and testing, with full reporting to the Planning Board. They specifically worked with Environmental Partners from day one to make sure everyone was on the same page. Additionally, they meet all the required thresholds with natural barriers as well.
- Copart has a thorough spill control system, as well as a stormwater prevention system designed to prevent any chemicals leaking in the environment. Atty. Killoran stresses that the way the site is designed, no leaks would ever reach the environment.
- The Planning Board has required annual environmental testing, which Copart believes to be extremely rare, but they ultimately agreed to.
- Atty. Killoran disagreed with Selectman Pacheco’s assessment that Copart cannot guarantee that the natural resources would be untouched, citing the design of the site. Mr. Carr confirms Atty. Killoran’s assertion. Selectman Pacheco thanked Atty. Killoran for guaranteeing that the natural resources would be untouched.
- The parking lots would be chip sealed.
- A soil erosion plan is in place to deal with dust control during construction. Post construction, an impervious material was chosen specifically for dust control.
- Fire hydrants are being installed on the site, as approved by the Fire Chief, in addition to a sophisticated security system capable of detecting fires. While this system will not be directly monitored by the Police & Fire Departments, they will have access.
- Copart has occasional fires. Mr. Carr explains that runoff when putting out fires is no different than a typical parking lot. He notes, however, that the risk of fires is lower than a typical parking lot, as cars are not running at any time. All the stormwater facilities are designed to handle runoff.
- Ms. Doherty says that Copart has never left one of their facilities in the 29 years they have been in operation, so she is not aware of any remediation plan in place, should they leave the Town of Freetown.
- Atty. Killoran is not aware of the terms of a host community agreement with Fall River, as he did not represent Copart in that matter. He says Copart would typically engage with a community if approached for a host community agreement, but that is not something they would normally seek out.

Selectman Matthews says Selectman Pacheco was extremely thorough, but he did have a couple questions. In response to questions from Selectman Matthews, the representatives from Copart provide the following information:

- The site will only be lit on the driveway and around the building, not in the lots.

- A berm is not feasible for this site. Mr. Carr has viewed the site from the Berkley side of the river and noted there were only two areas where you can see the property. He believes that a berm would have an equivalent visual impact and could not be made to look natural.

Selectman Grunwald has no questions. Selectman Pacheco reopens public comment.

Ben Chester of Bay Shores, Assonet

Mr. Chester echoes the previous concerns, noting that there is no public water for our neighbors in Somerset to fall back on; any run-off into the river will go right into their drinking water. He also adds that Assonet is already overrun by truck traffic and adding more signage did nothing to help the problems with Stop & Shop trucks.

Ed Brightman of Assonet

Mr. Brightman notes that Stop & Shop already has 300 trucks on the roads a day, so this would be on top of that. He thinks a set of traffic lights will be needed to make this area passable. He also believes Copart needs a spot in their yard for stopovers, because he believes they will have stopovers.

Edward Jamison of Berkley

Mr. Jamison echoes the same concerns as his neighbors, noting that he can overlook the project from his home. He says this project has brought his property value down and would like a berm installed. He is also concerned with the lighting of the parking lot. Mr. Jamison says if forklifts are operating in the parking lot, operator error is a possibility, causing accidents. He learned previously that their state-of-the-art recovery system was just a drip pan. For 20,000 cars, that means 60,000-80,000 drip pans; who monitors that? Mr. Jamison says this project was denied in Fall River, asking why it should be approved here.

Selectman Pacheco reminds everyone that the Board's authority this evening is a Class II Motor Vehicle Dealers' License. She says many of these concerns brought up so far are the purview of the Conservation Commission and Planning Board, but the Board of Selectmen can help where we can. She asks Copart to respond to the questions raised. Atty. Killoran says lighting was already addressed, and they agree that constant lighting of the site would be a detriment to the neighbors. To address drainage from vehicles, Atty. Killoran explains that when a vehicle is in an accident, it first goes to a repair shop, where it would be drained; it only gets to Copart after insurance deals with the vehicle, so there is a lag in the time before it arrives. Once it gets to Copart, they inspect the vehicle; if any vehicle comes into the site with a leak, there is a drip pan and a treatment that is used at all of their 250 sites nationwide. He says leaks are very uncommon. Selectman Pacheco asks about cars coming directly from an accident, as Atty. Killoran mentioned that earlier. Atty. Killoran apologizes for misstating that. Ms. Doherty explains that only happens if a subcontractor did it as a result of heavy traffic, and it would happen late night very, very infrequently.

Leia Adey of Assonet

Ms. Adey says it is worth noting that there is opposition from many communities tonight. She asks why this property; Atty. Killoran says the size and location, in addition to the demand in the area. Ms. Adey asks how often vehicles go to end of life facilities; Ms. Doherty does not have that information, but notes that they do not sell to places like Excel Recycling. Ms. Adey asks if Copart is coming to Freetown due to scrap facilities in the area; Ms. Doherty says that is not a consideration when Copart chooses any of their sites. Ms. Adey asks if Ms. Doherty knows Marty or Jonathan Costa; Ms. Doherty says she does not.

Atty. Killoran says he anticipated lots of talk about Excel Recycling tonight, but stresses there is no connection between Copart and Excel Recycling or Brayton Point. He says that is the reality of this. He would prefer if Excel Recycling was not in town as well, to avoid these sorts of questions, but they are in Town.

Mary Rezendes Brown of Assonet

Mrs. Brown asks what the Town gains by this project. Atty. Killoran says they Town would be adding jobs and getting increased tax revenue. He continues that he understands that previous proposals are preferable uses, but those proposals did not get developed; this one did. He says Copart strives to be a corporate neighbor and this is an allowed use for the property. Mrs. Brown understands there was a host community agreement negotiated in other communities, asking what sort of fees Freetown could be seeing as a result of one here.

Mr. Carr says the impact analysis shows approximately \$122,000 in current taxes being paid annually, with their projections showing \$500,000 to \$700,000 annually once fully built. Mr. Carr says he has worked on previous proposals for this property and nobody signed on, but Copart ultimately did because of the size and location, just like Stop & Shop did. Selectman Pacheco asks Mr. Carr to send her that report, because she cannot come to that figure.

Pam Lowell of Berkley

Ms. Lowell presents the Board with pictures of the view from her property before construction and after. She also speaks to her birding hobby and presents the Board with photos of birds that live in the area, including a pair of bald eagles. She is very concerned with the reports not mentioning the bald eagles. Ms. Lowell speaks to concrete killing marshes, and states that by approving this project, the Board of Selectmen would be contributing to global warming. She believes this project to be rushed, and the 200-foot buffer between the project and the water to be insufficient.

Mr. Carr confirms that there is no berm proposed with this project, as today is the first he is hearing of a request for the berm. He notes that they have been working with MEPA on the property since 2015, so calling the project rushed would be inaccurate. He understands Copart came along more recently, but MEPA has approved the changes required with Copart. Mr. Carr says DOT has examined the area and has rated the roads for 9000 trips a day, and Copart is only adding

a maximum of 350. All of the environmental issues spoken of tonight were worked on with MEPA. He says the terrapin in question was found in the area, but not this particular property. This site was identified as a potential site by an outside group but Copart was not notified of this in a timely fashion. Regardless, they met with the group anyway and implemented a turtle mitigation process that is followed. A barrier will be erected to deal with the terrapins, and none have been found in the construction so far. All other wildlife impacts have been reviewed as part of the MEPA process and the Conservation Commission. Mr. Carr says Copart has never turned down anything in this process.

Donna Amarantes of High Street, Assonet

Ms. Amarantes takes South Main Street to Fall River and the tractor trailers are unbelievable. She says these roads cannot handle the tractor trailers, all of them going to Excel Recycling. She says everyone knows that all of these cars are going to Excel Recycling. She says she has pictures of cranes moving stuff at Excel, and now they will be getting all these new cars. Ms. Amarantes says she has to travel South Main Street to Fall River every day because she has to leave her home daily because of Excel Recycling.

Selectman Pacheco reminds everyone that this public hearing is not about Excel Recycling.

Coral Purse, representing the Narragansett Tribe.

Ms. Purse says nobody is talking about Peace Haven. She says this was dealt with previously, and nobody is supposed to develop this site. She says that she cannot attest to the desecration recently, but that Freetown already desecrated this land decades ago. She adds that a berm would be the worst thing for this site. She speaks to how Conservation Restrictions are never followed through; they always fall apart at the last moment. She speaks to historical concerns with the property, with the oldest deeds dating back to 1673. She urges the Board to not act on the license in question until the Conservation Restriction is approved.

Mr. Carr says that historical concerns are of interest to him, and he has worked with historical researchers on the property. He has seen the 1673 deed and a variety of other maps as well. He says Peace Haven is not within the limits of this project and was removed long ago and is actually part of the Conservation Restriction. He reiterates that the Conservation Restriction is in final draft form, Copart has agreed to all changes proposed by the Town and State and will be circulated soon. He adds that there is a condition that this restriction is required to be signed before a Certificate of Occupancy can be issued.

Marcus Baptiste of Berkley

Mr. Baptiste reiterates his request for the berm, saying Mr. Carr is first hearing of it today due to the Berkley residents not being noticed of the Planning Board hearings. Mr. Baptiste says he and his neighbors are direct abutters to the site, just on the other side of the river.

Jeff Cardell of Somerset

Mr. Cardell says he is here from Save Our Bay but is neither for nor against this project. He says companies like Copart are here to make money. He says that when Somerset granted the permits for Brayton Point, they added a laundry list of conditions, but none of them were enforceable. He urges Freetown to make sure any conditions are actually enforceable, and that the Town is doing more than Somerset to protect their residents.

Atty. Killoran speaks to the abutter notifications, saying that for all of the public hearings with the Town, they have gone through the proper channels in terms of abutter notifications. He adds that he does not think that Copart should be penalized for the sins of other businesses.

Selectman Pacheco thanks everyone for their testimony this evening. She would like to take it all in and come back in two weeks, continuing the meeting until then, and public comment will be closed as part of that meeting. Selectman Grunwald and Selectman Matthews have no problem with that.

VOTE: Motion (Matthews/Grunwald) to continue the public hearing for two weeks, to be held at 5pm in the same place; motion carries unanimously.

At 7:42pm, motion (Matthews/Grunwald) to adjourn; motion carries unanimously.

Respectfully submitted,



Timm McIntosh
Administrative Assistant

List of Documents/Exhibits Used by the Board in this Meeting

- Draft (labeled "v3") of Warrant for October Special Town Meeting
- Draft (labeled "v3-1") of Warrant for October Special Town Meeting
- Draft Supplemental Omnibus, dated August 12, 2020
- Application for Class II Motor Vehicles Dealers License, as submitted by Atty. Thomas Killoran on behalf of Copart, Inc.
 - Includes application, zoning determination, worker's compensation affidavit, abutters list and \$100 public hearing fee
- Text of Article 20 Town of Freetown General & Zoning By-Laws (Junk & Used Auto Dealers and Collectors)
- E-Mail correspondence between Administrative Assistant and Building Commissioner re: written report of Copart site

- Public comment submitted via email by B. French
- Site Plan Review Approval, issued by the Planning Board on December 19, 2019
- Draft Conservation Restriction for Copart of Connecticut, Inc., granted by Freetown Conservation Commission