



Planning Board Minutes – September 16, 2014

A meeting of the Town of Freetown **Planning Board** was held on **September 16, 2014** at the Freetown Town Hall 3 N Main St Assonet, MA. **Present:** Chairman Robert Raymond, Keven Desmarais, Mark Rogers, Nicolas Velozo, Robert Jose

A. Meeting called to order at 6:03 PM

B. ANR plan for Quitticus Avenue

John Romanelli, engineer, approached the board on behalf of the applicant, David Brown. Mr. Brown had purchased lots 45, 46, 47 on Quitticus Avenue, and is looking to gift lot 46 for his daughter to build upon. Lot 47 is a pre existing non conforming lot, and is home to a garage that straddles the existing lot line. Mr. Romanelli has adjusted the lot line to 21.6ft north of the garage. The resulting 'parcel A' will be combined with the existing lot 47. Parcel B will be combined with lot 46. Lot 45 will be dissolved and considered to be part of lot 46. Motion to endorse the plan: Nicolas Velozo; Second: Mark Rogers; Abstained: Robert Jose; Motion passes.

C. Site Plan Review for DeMoranville Solar Array, rear 108 Chace Rd (Map 228 Lot 8).

The Chairman explained the site plan review process to the audience. Mark Rogers recused himself from this hearing. Motion to waive the reading of the public hearing notice: Keven Desmarais; Second: Nicolas Velozo; Mark Rogers abstained; motion passes. Azu Etoniru, engineer, approached the board on behalf of the property owner, Jeff DeMoranville. The applicants are seeking to site a large-scale solar array on a 108 acre piece of property on the north side of Chace Rd near the rear of #108. Mr. Etoniru states there is a 24 ft access frontage on Chace which runs parallel with Marie's Way; there is a sliver of land between the site in question and Marie's Way. The southeast quadrant of the property, which is currently used as a cattle grazing field, is where the solar panels will be sited. There is an Algonquin gas line that traverses the property. All the solar work will be in the existing cleared field with no clearing of trees necessary. A 100 ft wide swath of land will be left intact as a vegetative buffer. The lease area will start 75 ft from the edge of the wetlands. The entirety of the lease area will be fenced in.

Mr. Raymond inquired as to the difference in elevation from the northerly side of the 100 ft buffer to the southerly side of the property line. Mr. Etoniru stated that there was a 10 ft drop and the trees are sitting on top of a 10 ft ridge. Mr. Desmarais inquired as to whether the 100 ft buffer is an easement or a no touch zone. Mr. Etoniru responded that it is a no touch zone. He showed on the plans where the current tree line is toward the rear of the property; there will be a 25 ft non-disturbed area measured from this tree line. Mr. Etoniru stated that they are maintaining the existing topography, but are grading to allow water to flow between panels. He has designed a swale and depression where the water will sit and flow out. There is no piping, which could raise potential of erosion. Only gravel and existing grass are proposed for access; there will be no paving. The panels are spaced, so they are not to be considered truly impervious. He states that stormwater will be contained within the entire site itself; the remaining 80 acres will be untouched.

The Chairman, for point of clarification, asked if contours will be changed via cuts and fills, and if grading work will be performed. Mr. Etoniru stated that is true, but the natural flow patterns will be mimicked, with water flowing in the same direction as it would usually. The grading work is to avoid puddles surrounding the panels. After some discussion, Mr. Etoniru stated that there will be a graveled access road around the panels that will help to intercept the flow before it gets to the swale. The Chairman asked if there would be suitable access to maintain the swale. Mr. Etoniro stated the access will follow the fence line, and the access lane runs parallel to the swale.

Mr. Etoniru stated there will be little impact to the neighborhood as far as lighting requirements, noise, traffic post construction, and wastewater; this is a low maintenance project. Mr. Etoniru introduced Andy Stanke, project engineer. After some discussion about the connectivity to a utility pole on Chace Rd, the Chairman advised the applicants to show easements or agreements on the plan that allow them to connect at said utility pole.

Mr. Etoniru stated that the right of way the applicants have is not defined by metes and bounds on record; the Chairman instructed them to refer to the documents on record.

The leased area will be surrounded by a 6 ft high chain link fence. There are no plans for privacy slatting on the fence. The Chairman opened up the hearing for public discussion. Janice Warr of 2 Marie's Way addressed the board and asked Mr. Etoniru how many acres would be utilized for the project; he responded that 25 would be used to home the panels,

but 26 acres would be used when you consider the drainage, fencing, etc. She asked about potential impacts of a large scale project – especially the visual impact when the leaves fall from the trees, and any plans for buffering the view of the panels. She stated she was also worried about the impact on her property value and any potential solar glare. Mr. Desmarais provided the FAQ document produced by the state to help answer some of Ms. Warr’s questions. He also advised Mr. Etoniru to consider the visual impact to all the neighbors, and to provide documentation as to the noise produced by the inverters. The Chairman suggested a site visit to look at the possible visual impacts to the neighbors would be helpful. After some discussion, the board planned a site visit for Thursday, 9/18/14 at 5:30 pm. Nicolas Velozo left the meeting at 6:50 PM, and will listen to the recording in order to participate in future deliberations on this project.

The Board advised the applicants that an operations and maintenance plan will be needed, indicating details about the plantings, drainage maintenance schedule, mowing, etc; drainage calculations pre and post construction will need to be submitted to the board. Mr. Desmarais stated that typically these plans call for someone to do an inspection of the site once per month. Phil Macedo, northwest abutter on Christopher Drive, asked what the panels were made of, and if they were easily degraded, and if so, would chemicals be leaked in the stormwater runoff, potentially threatening their well water. Mr. Desmarais advised the applicants to provide documentation explaining what the panels were comprised of. The Chairman stated that the board would like the applicants to submit a decommissioning plan for when the life of the panels has expired. Mr. Macedo inquired as to how long the construction period would take; Mr. Etoniru responded no longer than 6 months.

The Chairman explained that the applicant is allowed to do only what is presented on the final approved plans. Motion to continue the public hearing to October 7th at 6:00 PM at the Freetown Senior Center: Keven Desmarais; Second: Robert Jose; Abstained: Mark Rogers; motion passed.

D. Articles for Special Town Meeting

The Planning Technician proposed the Board submit an article closing the loophole that allows the ZBA to grant a variance for use. After some discussion, the Board agreed that an article should be submitted that requires anything not listed in the Table of Use to be subject to a special permit granted by the Planning Board.

Parking requirements are not currently addressed in the bylaw, only within the special permit rules & regulations, as pointed out by Sandy Conaty off SRPEDD. The Board discussed the possibility of placing that same verbage within the by law. The Planning Technician will work with the Chairman to craft the language of both articles.

The Board of Selectmen will be submitting a zoning by law for an overlay district for the Biopark area, which mirrors the allowances and requirements of Fall River’s ordinance. After brief discussion, the Board took little issue with mirroring Fall River’s ordinance.

E. Misc

The Board discussed requesting the Selectmen designate the Planning Board as Special Town Employees. Mr. Velozo explained that this would allow a Board member to present plans and work with other Town departments as part of their primary employment without it being classified as a “conflict of interest”. Motion to endorse the letter requesting the Selectmen designate Planning Board members as Special Town Employees: Keven Desmarais; Second: Mark Rogers; all in favor. The board signed the schedule of bills. Motions to approve the following minutes with the Chairman’s grammatical revisions: Minutes of July 1, 2014: Keven Desmarais; Second: Robert Jose; all in favor. Minutes of July 30, 2014: Keven Desmarais; Second: Mark Rogers; all in favor. Minutes of August 5, 2014: Keven Desmarais; Second: Robert Jose; all in favor. Minutes of August 12, 2014: Mark Rogers; Second: Keven Desmarais; all in favor.

Meeting adjourned at 9:30 pm.

Respectfully Submitted,
Lauren Moreau