



## **Planning Board Minutes – February 18, 2020**

A meeting of the Town of Freetown **Planning Board** was held on **February 18, 2020** Freetown Town Hall Assonet, MA. **Present:** Chairman Keven Desmarais, James Frates, Debra Robbins, Robert Jose Absee, Mark Rogers

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*Debra Robbins*

### **Associate Planning Board Member Interviews**

#### **a. Lisa Lundrigan**

**Chairman Desmarais** said there was no laid out process on interviewing for the Associate Member position. **Chairman Desmarais** explained that the Associate Member position only acts on special permit applications in case the Board does not have a quorum for a special permit.

Ms. Lundrigan said what motivated her to apply for the Associate member position is to learn and contribute and that she really became aware of what she did not know about town government. **Mr. Jose** asked if there was anything that would prohibit her from performing this duty. Ms. Lundrigan said she will have to work around her kid's schedules and that she had to have some babysit to attend the meeting. **Mr. Frates** said the Board meets twice a month. **Chairman Desmarais** said in the summer the Board tries to do one meeting a month. **Chairman Desmarais** explained that the Associate Member role allows the opportunity to learn and that they are different from the other Planning Board members because the other members are elected. Ms. Lundrigan asked if Associate members are privy to meeting items. **Chairman Desmarais** said that they are. **Mr. Jose** said alternate members have to be there for all special permit public hearings. **Mr. Frates** asked **Chairman Desmarais** what type of projects are special permits. **Chairman Desmarais** said signs, towers over 100 ft, non-conforming use.

**Chairman Desmarais** thanked Ms. Lundrigan for her interest in the position.

#### **b. Daniel St. Rock**

**Chairman Desmarais** explained that the Associate Member position only acts on Special Permit applications. Mr. St. Rock said he thinks the position would be a good learning opportunity and that the position sparked his interest. **Chairman Desmarais** said that the Board meets every other Tuesday and that availability is one of the most important things because the Board needs the Associate member to be present for quorum purposes.

Mr. St. Rock said that he might not always be available and that the Board know what he does for work. **Chairman Desmarais** said he recognizes what a time commitment it is to attend the meeting and that the Associate Member would be expected to be present. **Mr. Jose** added that it is especially true for Special Permits. **Mr. Jose** advised Mr. St. Rock to get a copy of the zoning by-laws from Town Hall.

**Chairman Desmarais** thanked Mr. St. Rock for coming to the meeting.

c. **David Crose**

**Chairman Desmarais** thanked Mr. Crose for his interest in the position and explained that the Associate Members role is to attend special permit public hearings and to vote if necessary. **Chairman Desmarais** said that the Board is looking for likeminded people because it would not make sense to have someone on the board that would be butting heads with us.

**Chairman Desmarais** asked Mr. Crose what sparked his interest in the position. Mr. Crose said he is interested in getting involved in town government and that the position seems kind of like an alternate juror. **Chairman Desmarais** said the primary role is to be there for special permits and the associate member may not even get a chance to vote. **Chairman Desmarais** said that the time commitment is the 1<sup>st</sup> and 3<sup>rd</sup> Thursday usually and attendance is expected at all special permit hearings.

Mr. Crose asked if the associate can ask questions. **Chairman Desmarais** said they can during the special permit, but not generally. **Mr. Jose** said it's chairman's prerogative if they can ask questions. Mr. Crose asked if any of the members started on the Board as an associate member. **Ms. Robbins** said she did. **Mr. Jose** said most of their meetings are not very big and it is easier to ask questions. Mr. Crose asked if there is a cheat sheet he can study. **Chairman Desmarais** said the Zoning By-Law and Mass General Law.

**Chairman Desmarais** thanked Mr. Crose for coming to the meeting.

**Continued Public Hearing – High Street – Farias Solar LLC**

**Chairman Desmarais** called the public hearing back to order and explained that the Board received a request from the applicant's engineer to continue the public hearing to March 17<sup>th</sup>.

**Mr. Jose** made a motion to continue the public hearing for High Street – Farias Solar LLC to March 17<sup>th</sup> 2020. **Ms. Robbins** seconded. The motion passed unanimously.

**Continued Public Hearing – 76 Quanaoag Road**

**Chairman Desmarais** called the public hearing back to order.

Dean Smith, Borrego, introduced himself and provided some preliminary information about the project. Mr. Smith said the proposed solar array is very much like other solar facilities here in town, would occupy about 42 acres of 60 plus acres of the site, would stay out of the 100 ft buffer, and the submitted plan shows current proposed clearing.

**Chairman Desmarais** asked Mr. Smith to explain the peer review engineer's role. Mr. Smith said that they received comments from EPG and sent a detailed response back.

**Chairman Desmarais** asked what the size of the equipment pad will be. Mr. Smith said 70 feet and that it will be set in gravel. **Chairman Desmarais** asked if the equipment will be kept inside the building. Mr. Smith said the energy storage is in a fire safe building. **Chairman Desmarais** said make sure it's firesafe and not noisy. Mr. Smith said the inverter and HVAC have some noise but it drops down to ambient levels at around 100 feet away. **Mr. Jose** said he would like to see how close the nearest house is on the next plan. Mr. Smith said the site layout meets all setback requirements.

Sandy Reynolds, 52 Quanopoag, asked which way water would run off from the site. Mr. Smith said west, towards Bullock and that they would not be doing anything to grade that would change the drainage pattern. Mr. Smith added that there is a state level system that will certify that.

Steve Mendes, Quanopoag Road, asked who benefits from the solar array. Mr. Smith said he believes this will be community energy which allows local residents to apply for discount. Mr. Smith said that a P.I.L.O.T. agreement will be reached to provide payment in lieu of taxes and that solar arrays do not use a lot of town resources.

Roberta Oulette, 11 Chipaway Lane, said she thought the town was changing the buffer to 100 ft. **Chairman Desmarais** said that it will be proposed for the Fall Town meeting.

Caroline, 15 Chipaway Lane, asked if the trees in the vegetated buffer will be cut down to stumps. **Chairman Desmarais** said the buffer is no touch and that the Board is asking for it to be more than 50 ft.

Ms. Reynolds asked if the project will be loud. Mr. Smith said no, nothing out of the ordinary.

Alice, Chipaway Lane, asked where the trucks will go in to the site. Mr. Smith said there will be employee parking and staging at the southern part of the site. **Chairman Desmarais** said they will require offsite mitigation, signage, police detail, and that there have been previous issues with construction vehicles. **Chairman Desmarais** added that a sequencing plan, signage plan, workzone safety plan will have to be submitted. **Chairman Desmarais** said that they should consider having a detail officer, especially when schoolbuses are out.

Robert Reynolds, 52 Quanopoag, asked if there would be drain runoff or smell. Mr. Smith said no, that the water is not held for long.

Alice, Chipaway Road, asked if there would be new pole put in on Quanapoag. Mr. Smith said no, 6 poles are proposed on site, along the internal driveway.

**Mr. Jose** asked what plantings were being proposed. Mr. Smith said none have been proposed. **Chairman Desmarais** said some sort of cosmetic softening of the entrance would be great. **Mr. Jose** asked if there would be a light. Mr. Smith said it would be motion activated. **Mr. Jose** asked what the floor covering would. Mr. Smith said they would use native species, mow once or twice a year. **Mr. Jose** asked if there is a delivery plan. Mr. Smith said they space deliveries out and that there are usually 2 or 3 deliveries a day. **Chairman Desmarais** said we need the site to be managed and that the Board will require a pre-construction meeting and that the concern is more with construction. **Mr. Jose** asked what was being proposed for the gate. Mr. Smith said just a standard gate. **Mr. Jose** said if it can be seen from the road it should be softened.

Catelyn asked if it was too late to request a berm. Mr. Smith said he did not think it was necessary. **Chairman Desmarais** said it is something to consider, if you're already moving land and that maybe something more robust can be done.

A resident asked why there is so much solar in town. **Chairman Desmarais** said it gives another option for landowners other than building houses and that they may be a bit more permissive but the Board sees the value in allowing this. **Mr. Jose** they don't do PILOTS and solar pays taxes by commercial rates. **Mr. Jose** added

that the Town of Freetown voted to allow it and that the Board is tasked with implanting and making it palatable.

**Chairman Desmarais** entertained a motion to continue Quannapoag Solar array public hearing to March 17, 2020. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

#### **Continued Public Hearing – Michkev RE LLC**

**Chairman Desmarais** called the public hearing back to order. **Chairman Desmarais** asked the Planning Technician to contact engineer and say that the Board is going to continue to April 7<sup>th</sup> and that if nothing is done by that hearing than the Board will consider it an abandoned application.

**Mr. Jose** made a motion to continue the Michkev RE LLC public hearing to April 7, 2020. **Ms. Robbins** seconded. The motion passed unanimously.

#### **Continued Public Hearing – Quarry Drive-Bryant Hill LLC**

**Chairman Desmarais** called the public hearing back to order. **Chairman Desmarais** read an email from the projects engineer asking to continue the public hearing to March 17, 2020.

**Mr. Jose** made a motion to continue the Quarry Drive – Bryant Hill LLC public hearing to March 17, 2020. **Ms. Robbins** seconded. The motion passed unanimously.

#### **Continued Public Hearing – 45 Braley Road**

**Chairman Desmarais** called the public hearing back to order.

Dean Smith, Borrego, said that the project is located on Braley Road at the rear of the property. Mr. Smith said that they have received and responded to EPG's comments and that a lot of the comments were technical. Mr. Smith said the project is quite a bit smaller and that the area within the fence is 8.5 acres. Mr. Smith said that they will re-use material from evacuation area to offset wetland impact. Mr. Smith said they need to provide additional stormwater mitigation at northern part and that they need to prove they will not increase the drainage after the site is constructed. Mr. Smith added that the project will be gated all the time and there are no residences near the array.

**Chairman Desmarais** asked if the project is in the same stage as the Quannapoag one. Mr. Smith said they are still working things out with EPG. **Chairman Desmarais** said he is concerned with the environmental impact.

**Mr. Jose** said he would like the distance to the closest residence to be included on the plan. **Chairman Desmarais** said everything that was mentioned in the Quannapoag public hearing applies for this one as well.

**Chairman Desmarais** entertained a motion to continue the public hearing to March 17, 2020. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Discussion on Submitting and Article to the Board of Selectmen for the June Annual Town Meeting that would Update the Flood Zone Panels (Section 11.11b of Freetown's Zoning and Protective By-Laws)**

**Chairman Desmarais** explained how adopting the new Flood Zone panels is necessary because without it no one in Freetown would be able to get flood insurance.

**Mr. Jose** made a motion to recommend this article for Town Meeting. **Ms. Robbins** seconded. The motion passed unanimously.

**Continued Public Hearing – TJA Clean Energy LLC**

**Chairman Desmarais** called the public hearing back to order and read an email from the applicant's engineers asking to continue the public hearing.

Azu Etoniru, E.T. Engineering, approached the Board. **Chairman Desmarais** asked if the project was still in engineering review. Mr. Etoniru said there is 1 item remaining, which is the amount of stormwater after the project is done. Mr. Etoniru said he has submitted an ongoing operation & maintenance plan, as well as a drainage report.

Mr. Etoniru said they are proposing a 3 foot berm with 8 foot center plantings. Doug Simmons, Christopher Drive, said that it was still not high enough and asked if a berm with not trees is a possibility. **Chairman Desmarais** said they need to find a happy medium. Mr. Simmons said he bought this property because he never thought it would be developed. Mr. Etoniru said the original plan did not have a berm. **Mr. Jose** asked how much excavation there would be. Mr. Etoniru said almost none. **Chairman Desmarais** asked Mr. Etoniru to get with his client and figure out a way to get an appropriate size berm.

Matt, 17 Breezeway, said he would like to see where a berm will be so he can see the limit of work.

**Chairman Desmarais** asked Mr. Etoniru how long he expected construction to last. Mr. Etoniru said 4-5 months, probably starting in May.

**Mr. Jose** suggested that Mr. Etoniru contact EPG and asked them about deer resistant trees/shrubs.

**Chairman Desmarais** entertained a motion to continue the public hearing for Freetown Solar II to March 17, 2020. **Mr Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Any Other Business to Properly Come Before the Board**

**Mr. Jose** recused himself and left the Town Hall.

The Board endorsed an updated 3 Christy Lane plan. **Chairman Desmarais** explained that the previous iteration plan had a clerical error on it.

**Mr. Jose** reentered the building and rejoined the Board.

### **Discussion on Associate Member Recommendation**

**Chairman Desmarais** said Lisa Lundrigan would be his first choice but her and Dan St. Rock both have commitments that may interfere with their ability to attend meetings. **Mr. Jose** said let's talk about David Crose. **Chairman Desmarais** said he asked people who knew him and they said he was a good guy. **Chairman Desmarais** added that David said he had more time.

**Chairman Desmarais** said that the selectmen voted to do whatever the Board recommends.

**Mr. Jose** made a motion to make the David Crose as the primary choice for Associate member and Lisa Lundrigan as the secondary choice. **Ms. Robbins** seconded. The motion passed unanimously.

**Chairman Desmarais** entertained a motion to adjourn. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

Respectfully Submitted,

C. Nils McKay