



Planning Board Minutes – December 17, 2013

A meeting of the Town of Freetown Planning Board was held on December 17, 2013 at the Freetown Town Hall 3 N Main St Assonet, MA. Present: Chairman Robert Raymond, Nicolas Velozo, Mark Rogers (arrived 7:10 PM), Keven Desmarais, Robert Jose

A. Peter Borges with a Form C Endorsement (97 High Street, Assonet)

Mr. Borges presented a mylar showing minor modifications to a previously approved plan endorsed December 4, 2012. Changes to the registered land were required by Land Court and include: redefining of the southerly property line and minor dimensional changes as specified in a letter from Thompson Farland dated December 17, 2013. All setbacks, lot sizes, and frontage still conform to Town zoning by laws. **Motion to accept modified Form C Keven Desmarais; Second: Nick Velozo; Abstained: Bob Jose**

B. The board signed the schedule of bills payable (postage, WB Mason, engineering bills for: Pine Cone Lane, Holly Ridge, Republic Services, Braley Road III solar array).

C. The Planning Board acting as Special Permit Granting Authority (SPGA) reconvened special permit and site plan review hearing for Republic Services (7:11PM)

Chris October approached the board with a revised site plan. Republic reviewed the second letter from the Town's review engineer (Ryan Trahan of Environmental Partners) dated 12/12/13 and have submitted documents in response to Mr. Trahan's concerns, as well as a revised set of site plans. Documents received since their last submission on December 3, 2013, with date of receipt by the planning board include:

- Memorandum entitled: "Responses to Comments Republic Services Environmental Solutions II Facility" From Jennifer Conley, PE of Connelly Associates Dated: November 26, 2013. Received by the Planning Board office: December 9, 2013
- Revised Plans Entitled: "Commercial Development Materials Recovery Facility (MRF)" Dated through December 3, 2013. Received by the Planning Board Office: December 16, 2013
- "Subsurface Sewage Disposal System New Construction" Dated December 2013. Received by the Planning Board Office: December 16, 2013
- "Ridge Hill Rd/S Main Street Concept Plan" and "Ridge Hill Rd/ S Main St Turning Radius Plan" revisions dated December 17, 2013. Received by the Planning Board Office: December 17, 2013

Mr. Trahan approached the board stating that his first review was submitted 10/29/13. Some of those issues were addressed by the submittal from Republic Services, received by the board at their 12/3/13 meeting. He had a chance to briefly look at the revised site plans received on 12/16/13, and in his review, found some big picture items still needing to be addressed. Generally, the detention basin on west of property is not working, inundated w/ water and inlet submerged. Applicant needs to prove via calculations that no more runoff is going to the basin. Any Best Management Practices (BMPs) constructed before 2008 and are now grown in and/or wet year round can be possibly considered a wetland and subject to Wetlands Protection Act regulations. Mr. Trahan stated he was concerned since water levels appear high and that the basin is not functioning as intended and not draining properly; without a forebay, there is no treatment of any water going in.

Mr. Desmarais stated that the applicant is filing with Con Com and is mindful that they may need to treat the basin as a wetland, and all treatment needs to happen prior to discharge. Mr. October acknowledged that the basin was originally built with a forebay that has now been submerged for some time. Republic is having internal discussions on how to treat the issue. After some discussion, the conclusion was reached that TSS regulations might be met by adding storm sepiors or some other BMP.

Mr. Trahan stated another concern was that the plan shows the addition being built over an existing drain pipe, with no details on the depth of the foundation over the pipe, he is just looking for details that show good engineering practices. He also stated that he hasn't received calculations for the entire stormwater system. With new considerations including additional parking, he wants to ensure all pipes are the correct size. Mr. Trahan stated that the plan lacks information on ADA compliance; Mr. Desmarais suggested the applicants present a conceptual

ADA plan to the building inspector for feedback/approval. Lastly, Mr. Trahan stated that if the detention pond was going to be determined a wetland, the applicants will have to supply calculations to meet each wetlands standard and create an operations and maintenance plan.

Mr. Trahan stated that they have received the applicant's latest plans for the intersection improvements, the sub contractor will send another memo after thorough review. Mr. Desmarais stated he has seen nothing official from the property owners stating that they are on board with the proposed improvements that involve the taking of their land. He would be more comfortable seeing a notarized or signed letter. The Chairman brought up the request made of the Planning Technician at the 11/12/13 Board of Selectmen's meeting that the board consider requesting the applicants to install a forced main as part of the intersection improvements. The applicants agent, Mr. October, was asked for comment on the request and he stated that he would consult with other Republic Services representatives and get back to the board on that matter. After some discussion the board concluded they would not request that of the applicants.

The Chairman opened the hearing up to the public. Tommy Borges, owner of the properties (24 Alexandra Drive and 71 S Main St) needed to be used for the road improvements, approached the board. He stated he spoke with Mr. October, and they discussed marking out in temporary paint where cuts and improvements will be made. Mr. October said within the week they can address the concerns of Mr. Borges.

Mr. Trahan stated that EP was able to briefly look at the revised plans sent over on 12/16/13. He stated that of all the comments sent in his reviewed, 5 or 6 were addressed by these revisions.

Ruth Silman, attorney for the abutting Boston Beer (BB) property owners brought up a concern about waivers requested by the applicant. They have requested a waiver from a buffering and landscaping, and currently show none on the shared border with BB. Her clients are not in favor of granting this waiver. Also, in the noise report supplied by the applicant, there was no receptor near the BB property, so there is no verification that the noise will not affect their possible future tenants. Ms. Silman requests that they demonstrate noise levels with a revised report showing a receptor on the BB property. Mr. October stated that Epsilon, who conducted the study, has had this information relayed to them, he is waiting for a response. Mr. Rogers asked if we will see the revised study showing noise levels at BB, Mr. October answered affirmatively.

The board discussed the lack of buffer on the north property line. After some discussion, it was relayed to the applicant that they would like to see some softening of the landscape. Mr. October stated they would address this. Mr. Desmarais asked if it was reasonable that these outstanding issues will be addressed in 2 weeks. Mr. October responded that their intent is to meet as much of the peer review comments as possible. The Chairman added that they are looking for a simple narrative, outlining hours of operation, tonnage, etc.

Motion to continue the hearing to Jan 7, 2014 at 7PM at town hall: Keven Desmarais; Second: Nick Velozo

D. Ryan Trahan to update the board on Holly Ridge and Aduke Way construction

Ryan went out to Holly Ridge, where they are excavating trenches for the sub drain installation on Christopher Drive. He will forward the inspection reports. In regards to Aduke Way; he informed the board that there may be a change in the material comprising the swale from what is on the approved plans. The developers are working with Sitec on a solution. He is fine with changes.

E. The Planning Board acting as Site Plan Review Authority (SPRA) reconvened site plan review public hearing for Stop and Shop (8:11 PM)

Dave Taglianetti of VHB approached the board, stating he did not plan to present additional info. In response to questioning from the public at the opening of the public hearing on 12/3/13, a supplemental memo was submitted to the board on 12/11/13. The applicants have received approval from Conservation for a submitted RDA, and state permitting with DEP is ongoing. He stated the project team was back here tonight to answer any additional comments.

Mr. Raymond stated he watched the video showing the CA operation, and asked how Freetown's would compare;

Chris Rife of VHB stated it would be 3 times the size. Walter Szczepkowski inquired as to the temperature of the product brought in and how it will be stored. Mr. Rife stated product will be at room temperature within the building. Normal processing time from a delivery when brought in the door is typically 4 hours, no longer than 24 hours. There will be continual 24 hour processing, but no delivery in particular will be stored overnight. He added that the facility was designed to handle twice the through put rate, and that all product will be enclosed in bins covered with plastic. Mr. Rife stated that because all product is enclosed, odor will be prevented; the CA facility has not received any odor complaints.

After some discussion about equipment maintenance and potential backup of product coming to the facility for processing, Mr. Rife stated that several safeguards are in place to prevent backup, these are outlined in their RCC permit with the DEP. The facility was designed at twice the capacity it needs to prevent backup and address seasonal variations, not to eventually increase product load coming in. All product received is from Stop & Shop stores, the facility does not plan to take additional product from third parties. Mike Pillarella inquired as to the size of the generator, Mr. Rife replied 1.25 MW.

After some discussion, Keven Desmarais motioned to close the hearing; Mark Rogers seconds; Bob Jose abstained. Motion to approve the project: Keven Desmarais; Second: Mark Rogers; Bob Jose abstained; Nick Velozo and Bob Raymond vote to approve.

Meeting adjourned at 8:45