



## **Planning Board Minutes – April 1, 2014**

A meeting of the Town of Freetown **Planning Board** was held on **April 1, 2014** at the Freetown Town Hall 3 N Main St Assonet, MA. **Present:** Chairman Robert Raymond, Nicolas Velozo, Robert Jose **Absent:** Mark Rogers, Keven Desmarais

### **A. Meeting called to order at 7:08 PM**

#### **B. Peacock Estates**

Nick Harris, developer of Peacock Estates subdivision approached the Board. He provided more detailed estimates of the work left to be done on the roadway. He is looking for 2 lots to be released and a confirmation of the estimates provided so he can then provide the Board with a letter of credit from the bank. After some discussion, Robert Jose made a motion to release one lot after the applicant provides a letter of credit for \$150,000 that is satisfactory to Town Counsel. The board will retain the 2<sup>nd</sup> lot under covenant. Nick Velozo seconds, all in favor. Mr. Harris is to provide a letter from the bank for review and let the office know which lot shall be released.

#### **C. Transfer of Development Rights within PMUD**

Sandy Conaty of SRPEDD approached the board to discuss this project. With funding from Southcoast Rail's Technical Assistance Grant, she will assist the Board in developing a process to manage and track these transfer of rights. This process will flesh out Section 7 of our PMUD Rules & Regulations. Since Mass General Law states that the Transfer of Development Rights (TDR) shall be a special permit process; and given that a PMUD project already is a special permit process, it is her hope that some consolidation can occur. Only residential rights may be transferred under the adopted PMUD by law.

The Board discussed the development of a procedure to determine the amount of residential development rights a landowner may have, which would allow the landowner to shop around to developers. The landowner may not necessarily have a specific project in mind, but in order to determine his/her allowed possibilities; the board would need a basic site plan submitted showing existing conditions and the net buildable area.

Ms. Conaty reviewed a document prepared for the board, which is a basic outline of TDR work that had been completed with Wareham. She included a number of helpful definitions; the ones applicable to Freetown, we may want to consider including in by laws as well as Rules & Regulations. MS. Conaty suggested that the other document sections be reviewed and the Board to determine what would work for Freetown.

The Board then discussed the process of once a developer acquires rights, how they would apply to a project. Mr. Raymond suggested that we should keep in mind a balance, implementing rules to guide development in the true mixed use way that was intended in the by law, but not putting so many restrictions on design, etc that it makes it prohibitive for a developer.

Mr. Raymond asked how the board can track the newly traded rights among parcels. Ms. Conaty replied that RI keeps certificates for each parcel indicating the number of units and number of development rights and any conservation restrictions. Many towns, once the development rights of a parcel are sold, will enact a conservation restriction on the remainder of the sending parcel's land.

The board discussed the scenario of a landowner selling all of their residential rights, and constructing commercial on their land – this would segregate the uses, and contradict the intention of the by law. Ms. Conaty stated that SRPEDD will take a look at the required densities for each type of use and develop some scenarios for the board to see how they would buildout as the bylaw is written.

Mr. Raymond instructed the Board to concentrate on TDR procedures; if there is anything in the current by law that conflicts, we can identify that and address later at future Town Meetings. Sandy and the board agreed that she will come back for the 6/3/14 meeting at 7:30 with the buildout sketches.

Ms. Conaty also informed the board of the DLTA grant that was awarded to assist in revising our Subdivision Rules & Regulations as well as by laws. She asked the board to identify which sections were priorities. The Chairman stated that Subdivision Rules & Regulations were the priority; the Planning Tech will send Ms. Conaty his revisions. She will gage how much that review will cost from the grant money awarded, there may be some left over for zoning by law changes. The funding will last through December 31, 2014.

**D. Misc**

Motion to approve minutes of 3/18/14 and 3/24/14 with grammatical corrections: Nick Velozo; Second: Robert Jose; all in favor.

The board discussed the Operations & Maintenance plan submitted by Republic Services, and given a satisfactory review by Environmental Partners; the Board will vote to accept and place on file when there is a quorum or members who participated in that hearing.

Motion to adjourn the meeting: Nick Velozo; Second: Robert Jose; all in favor

Meeting adjourned 9:30 PM

Respectfully Submitted,  
Lauren Moreau

