



## **Planning Board Minutes – May 20, 2014**

A meeting of the Town of Freetown **Planning Board** was held on **May 20, 2014** at the Freetown Town Hall 3 N Main St Assonet, MA. **Present:** Chairman Robert Raymond, Keven Desmarais, Nicolas Velozo, Robert Jose  
**Absent:** Mark Rogers

### **A. Meeting called to order at 7:11 PM**

### **B. Public Hearing to review proposed changes to the Floodplain Overlay District Bylaw**

The Chairman read the public hearing notice, and then requested that Mary McNeil, Building Commissioner, explain the proposed changes. It was announced that both the Planning Board and Standard Times reporter John Garcia are audio recording the meeting. Several residents were in attendance.

Ms. McNeil explained that FEMA has presented the Town with newly revised Flood Insurance Rate Map (FIRM) panels, covering mostly the Assonet side of Town. Revised FIRM panels have not yet been done for the Long Pond area yet, as it abuts Lakeville (Plymouth County), and expected to be completed at a later date. The new maps have elevations based on 2010 and 2013 floods, at 2 ft geographical intervals. In the last year, this more comprehensive study was done. MS. McNeil stated that if residents are in flood zone, it is recommended that they get an elevation certificate and see if they would be eligible for a Letter of Map Amendment (LOMA). The State Department of Conservation and Recreation acts as FEMA's MA coordinator. They have met with Town Departments; they are on a contact list available for pickup at this meeting. Ms. McNeil stated that Town Departments (Building and Town Clerk) are the repository for the maps, but it is not the Town's responsibility to make any changes on behalf of residents; it is the homeowner's responsibility to make the appeal to FEMA for possible amendments.

Keven Desmarais stated that it is his understanding that this meeting is not to determine who is in and out of a flood area, but it is to discuss the adoption of revised bylaw and overlay district for Town Meeting. After some discussion it was determined that if the changes are not adopted at Town Meeting, that residents of Freetown will lose their ability to participate in the National program, and will need to pursue private flood insurance at a much higher rate. Once Freetown is suspended from the program, they can never again participate.

Ms. McNeil explained that this is the third map amendment (1980, 2009, and 2014) and the new maps will be effective July 16, 2014. She anticipates if there are any more changes near the pond side of town, they may happen next year. The Chairman stated that he saw no upside to declining this change at Town Meeting. After some discussion it was determined that if the Town is suspended from the program, should a disaster happen, the Town would be in jeopardy as far as not receiving any needed federal funds. The board stressed that it is imperative that this passes on Town Meeting floor.

Mr. Jose inquired about a LOMA that is granted and if it will get carried forward through subsequent map changes. Ms. McNeil explained that LOMAs are kept and filed in various Town Offices if a homeowner needs to locate one, but if map changes occur, it is the homeowners responsibility to see if their LOMA is still in effect,

The Chairman opened it up to the floor for comment. Selectman Pacheco stated she thought having the maps at Town Meeting would be a good idea, and if the Board could forward a recommendation ahead of time so that it could be included on the warrant. Ms. McNeil stated that she thought it would be better if the Planning Board were listed as co-authors on the article.

Motion to close the hearing: Keven Desmarais; Second: Robert Jose; all in favor

Motion to recommend the submitted article on Town Meeting floor: Keven Desmarais; Second: Nicolas Velozo; all in favor.

Motion to co-sponsor the article and to join in representing the article on Town Meeting floor: Robert Jose; Second: Keven Desmarais; all in favor.

### **C. Public Hearing for Copicut Properties LLC Site Plan Review (16 & 18 Copicut Rd)**

The Chairman read the hearing notice. He clarified it was a site plan review, not a special permit hearing. Kevin Forge of GAF Engineering approached the board. There are 2 projects both requiring site plan review since aggregate floor space will be over 10,000 sq ft. Both lots have the same owner and are adjoining, so the hearings are being held concurrently.

He addressed lot 7 first. A brand new building being proposed near an existing building on the lot. The applicant is requesting waivers from the Special Permit Rules & Regulations, mostly having to do with screening, landscaping, and placement of parking spots. The applicants propose to take the runoff from roofs of both buildings to an underground drainage system. They have run calculations, and will have an array of concrete chambers to accept the runoff. Mr. Forgue states that the soil conditions are good, and that they have brought in a copy of soil conditions per the request of Mark Rogers. It will be placed in the file. As far as the soil, there is fill on the property, as well as coarse sand, cobbles, boulders. There is a percolation grade of 30 seconds per inch. That water will not be discharged onto property. The plan proposes a vegetative swale to capture the water, to renovate it, and release back into ground. Lastly, a new entrance will provide access into Lot 7.

Lot 6 is similar, in that the project will total over 10,000 sq ft of floor space, but will be an addition onto an existing auto repair shop. This project also proposes to take runoff into an underground drainage system and to expand upon the existing vegetation in order to better meet the special permit landscaping rules & regulations. The auto repair shop owner, Nathan Ruest was in attendance and in full support of the expansion. The board consensus was that the site was an ideal location for the two projects.

Motion to close public hearing: Keven Desmarais; Second: Nicolas Velozo; All in favor

Mr. Desmarais mentioned that in the pre-application meeting, that lighting detail would be provided. The applicants supplied a plan showing photometric analysis that will be placed in the file.

Motion to approve site plan for lot 7: Keven Desmarais; Second: Robert Jose; All in favor

Motion to approve site plan for lot 6: Keven Desmarais; Second: Robert Jose; All in favor

#### **D. Misc.**

The board reviewed the list of plantings being used at the 67 Chace site, provided by Borrego. Mark Rogers had called the office earlier and requested doing a joint site walk with Con Com. Previously, the applicants had proposed an alternative to soil stabilization. The board approved their use of above ground drainage swales with ground cover to help stabilize, rather than interceptor trenches. A similar problem had occurred at the Braley I site and was remedied by Borrego, who has now received a certificate of compliance from Con Com. Mr. Desmarais stated it may be a good idea to take a look at the back portion of the site. After some discussion, it was decided that Mark Roegrs and project engineer David Albrecht should arrange a time for a site walk, and the rest of the board will go as they can.

The Board reviewed a Chapter 61 Letter received for property on Bell Rock Road– it appears they are lopping off 2 parcels, and leaving remaining in 61A, but application states that the entire lot is coming out of Chapter. The lawyer needs to provide clarity to the Assessors office, and the applicants need to file an ANR plan with the Planning Board. Keven Desmarais made a motion that the board not recommend acquisition of the property; Second: Nicolas Velozo; All in favor.

The board discussed the timing of meetings. The Chairman announced meetings will now begin at 6PM.

The board read the correspondence received that afternoon from the abutter of Aduke Way (Trepaniers, 11 Simmons St). The abutter claims the plan indicates there is a utility easement on his property, when his paperwork states it is an easement for drainage. The Planning Technician was directed to contact Ms. Pettey to see if telephone poles will be installed on her side of the property or directly on the easement.

Motion to approve minutes of April 15<sup>th</sup>: Keven Desmarais; Second: Nicolas Velozo; All in favor

Motion to approve minutes of April 1<sup>st</sup>: Robert Jose; Second: Nicolas Velozo; All in favor

Motion to pay the bills: Nicolas Velozo; Second: Keven Desmarais; all in favor.

Meeting Adjourned 8:45 PM

Respectfully submitted,  
Lauren Moreau

