



### **Planning Board Minutes – December 8, 2015**

A meeting of the Town of Freetown **Planning Board** was held on **December 8, 2015** at the Freetown Senior Center Freetown, MA. **Present:** Chairman Keven Desmarais , Nicolas Velozo, Mark Rogers, Debra Robbins, Robert Jose and Assoc. Tony DeMelo

#### **A. Meeting called to order 6:01 PM**

#### **B. Misc**

The Chairman stated he was going to take the agenda out of order. Peter Borges approached the Board with new business related to surety on his 2 lot subdivision on High Street, known as Terry's Lane. Nicolas Velozo recused himself. Mr. Borges presented a letter requesting a change in surety; currently the vacant lot is held in covenant. The Chairman read the letter; Mr. Borges is seeking a lot release so that his family members can pursue a building permit for construction of a residence. He also submitted a cost estimate prepared by JRD Incorporated, which outlines the remaining work to be done at roughly \$3500. The Chairman visited the site to verify the items remaining, which include the completion of the stilling basin, asphalt entrance, and loaming and seeding. The road will remain a private roadway to service the residences. Mr. Borges is willing to provide a bank check in the amount agreed upon by the Board; the Board explained there is typically a contingency fee of 20%. Motion for release the lot subsequent to Mr. Borges providing the Board with a check in the amount of \$4200: Mark Rogers; Second: Robert Jose. Nicolas Velozo rejoined the Board at 6:07 pm

#### **C. Continued Public Hearing for subdivision application of Luis Coelho off Cameron's Way (6:10 pm)**

Luis Coelho approached the Board; he has completed the changes requested of him at the meeting of 11/3/15 and is submitting a revised plan dated through 12/2/15. Mr. Coelho stated that changes include widening the proposed roadway pavement from 16 ft to 18ft; the overflow pipe has been replaced with a stone swale; a 10ft wide gravel road was added to one side of the detention pond. Mr. Coelho also requested a new waiver to change pavement from a 1.5 inch surface to a 1 inch surface and binder from 3 inches to 2 inches. All requested waivers are listed on the resubmitted plans. Ryan Trahan, reviewing engineer from Environmental Partners Group was in attendance. He had submitted a comment letter relative to the project which he described the original comments as minor in nature. Mr. Trahan stated that with the substitution of the swale, and the engineer stamping the plans, in general he is satisfied with the proposal, and has no exception to any part of the plans. The Chairman stated that at the last meeting, there was some unclear language relative to restrictions within the deed. Mr. Coelho had sent in a letter from his attorney, Joseph Michaud, dated 11/23/15. The Board reviewed and the Chairman stated that he was in agreement with the Attorney's interpretation of the deed; that the restriction prohibits extension to the abutting properties of the original lot lines. Motion to approve the set of plans with the revision date of 12/2/2015: Robert Jose; Second: Debra Robbins; Mark Rogers Abstained; all in favor.

#### **D. Continued Public Hearing for site plan review of the AmeriCann facility at 0 Campanelli Dr. (6:15 pm)**

Robert Jose apologized for his absence due to family circumstances at the previous meeting, which could not start due to lack of quorum. Atty. Thomas Killoran approached the Board; he stated that he project team received the reviewing engineer's latest comment letter this afternoon. David Kelly, lead engineer, could not be in attendance, but David Mackwell of Kelly Engineering Group was on hand to address Mr. Trahan's letter. Atty. Killoran presented 2 paper copies of a revised plan set to the Board. The Chairman invited Ryan Trahan, reviewing engineer, to present his findings to the Board.

Mr. Trahan states that there has been a history of review of the site by Environmental Partners Group. He was personally involved with the stormwater review during the site plan review of the Republic Services project, which is permitted to be situated on an adjoining parcel. The review includes some of the site background, a summary of the waivers requested, a summary of waivers that the applicant should consider requesting, and some general comments relative to drainage. Mr. Trahan states that the biggest concern was relative to the detention pond across the street. That pond was originally designed to handle the capacity of the entire

business park at full build out; however, there were concerns about its ability to do so that were raised during the Republic Services hearings. Mr. Trahan states that the AmeriCann applicants have incorporated infiltration and pre treatment of stormwater before any water reaches that pond, along with incorporating additional mitigation measures on their own parcel. These efforts have alleviated many of his initial concerns.

Mr. Trahan outlined the waivers requested by the applicant:

II.B.4.a – “Off Street Parking Regulations”: The regulations require 1664 spaces to be constructed to accommodate the usage; 313 spaces are provided and the applicants attest that this count is sufficient to meet project needs. Mr. Trahan takes no exception to the granting of this waiver.

II.B.4.f. – “Off Street Loading Requirements”: The regulations require 17 spaces; the applicant is proposing 2 which shall meet the needs of the project. Mr. Trahan takes no exception to the granting of this waiver.

II B.4.h.11 : The regulations require that driveways be no wider than 24 ft. The applicants are proposing a 30 ft wide driveway to accommodate trucks; Mr. Trahan takes no exception to this request to increase the impervious area since much of the site will remain gravel.

II.B.5.a – “Buffer Zones”: Regulations require the provision of 40ft side and rear buffers. The applicants are using this space to install a gravel emergency drive; Mr. Trahan takes no exception to the granting of this waiver as it is a public safety measure.

Mr. Trahan addressed additional comments from his 12/8/15 letter. He explained that these comments indicate additional waivers of the **SPGA Rules and Regulations** that the applicant may want to consider requesting from Board. He takes no exception to the granting of these waivers:

II.B.3: Requires that project plans be submitted on sheets sized 24 x 36 inches, including a ¾ inch border. The plans submitted by the applicants are larger.

II. B. 3.v: Requires that the plans include a locus map at 1:2000’ scale. The scale is not indicated on the plans.

II.B.5.e: Requires a 10ft median for every 2 bays of parking; the current plan does not provide a median.

Mr. Trahan stated that the Special Permit Rules and Regulations also refer to the **Rules and Regulations Governing the Subdivision of Land**. He reviewed waivers from these regulations that the applicants will want to consider requesting from the Board. He takes no exception from the granting of these waivers:

IV.D.2d: Prohibits the use of flared end sections at outfalls and requires reinforced concrete headwalls instead; Mr. Trahan states this is a commonly requested waiver in many towns.

IV.d.2.e.: The applicant’s plans call for drainage pipes with velocities in excess of the regulations; Mr. Trahan states that they have provided him with manufacturer’s information about the pipe, and the exceedances will not adversely affected the service life of the pipe.

IV.D.2.e: The applicant is proposing the use of high-density polyethylene pipe as opposed to the concrete pipe required by the regulations. Mr. Trahan states the proposed pipe material is becoming more popular than concrete and meets all standards.

IV.D.2.l: Requires that existing systems have sufficient capacity to accept post-development run off, as well as an additional 25% reserve capacity. Mr. Trahan states that all their proposed stormwater mitigations should give them more than enough capacity.

IV.D.2.m.5: Requires detention ponds be constructed with a 6:1 side slope. Mr. Trahan has no issues with the granting of this waiver.

IV.D.2.m.6: Requires detention ponds be constructed with a 50' naturally vegetated buffer zone on all sides. Mr. Trahan states that since the site has very little natural vegetation as is, he has no issue with the granting of the waiver.

IV. D.2.o: Requires all drain lines to be installed with a minimum 3 feet of cover; the applicants depict pipes shallower than what is required.

Atty. Killoran provided the Board a letter produced by Kelly Engineering dated 12/8/15 that touches on all of Mr. Trahan's points, and is requesting all of the aforementioned waivers. Mr. Trahan stated that in his review he also had some general comments related to drainage. He stated that the applicants need to address the issue of the manholes' rim elevations being several feet below grade during Phase 1; they need to provide information on grading those areas to facilitate site drainage. Mr. Mackwell stated that this can be addressed when Phase 1 goes out to bid, and the Board can condition this in their approval. Mr. Trahan also addressed comments in his review relative to operations and maintenance; the deep sump catch basins should be on a cleaning schedule, and sediment should be removed from the basins every 10 years in accordance with DEP guidelines. Mr. Mackwell stated they can specify this in a resubmitted O & M plan.

Mr. Trahan stated that his firm took a cursory look at the traffic study compiled by the applicants. He states that in summary it is satisfactory, but wanted to make some minor points. After review, the crash rates at the Ridge Hill Rd/S Main intersection were off a little bit from the report supplied; the crash history of the site is closer to the DOT district average. He stated that one of the tables indicates a 3 second delay in merging onto the road, but that this does not affect the level of service. Nothing proposed will adversely increase traffic in the area. Mr. Trahan stated the applicants had forwarded to him an as-built of the recent Ridge Hill Rd/S Main intersection improvements, which alleviated any remaining safety concerns.

Mr. Trahan also suggested that the applicants coordinate with the Water Department to ensure that the service is sufficient to meet the demands of the operation. He also suggested that sedimentation controls that will be used during construction be depicted on the plan. Mr. Mackwell stated that they will be preparing pre construction documents that can include this, and will forward to the Planning Board prior to filing with the EPA. The Chairman stated that often times the reviewing engineer will go out to the site to ensure the pre-construction mitigation is in place; he anticipates the Board will request that for this project.

The Chairman asked the applicants if they had any additional waiver requests. Mr. Mackwell states that they had their original four, and that the letter they presented requests all of the suggested waivers that Mr. Trahan addressed in his final review and that were discussed in order tonight. The Chairman opened the discussion up to the public.

Charles Sullivan (High Street) asked how the water from the 2 detention ponds at the rear of the site can be filtered to pond at front. Mr. Mackwell stated via underground gravity pipes. Mr. Sullivan asked to which level the water rises to before it reaches pipes. Mr. Mackwell answered a couple of feet deep. Mr. Sullivan asked if standing water could create a mosquito problem. Mr. Mackwell stated that these ponds should drain within

the standard 72 hours, but if any problem should occur they will address it, and stated the Board could condition mosquito control. The Chairman stated that he has visited the site after significant rainfall, and in the areas with existing ponds, standing water doesn't appear to be a problem. Mr. Jose inquired as to the quality of the soils on site. Mr. Mackwell stated that borings have been completed and that they are willing to meet on site with the review engineer when the basins are installed. Mr. Trahan states that there is 10 ft of sand and gravel below the existing elevations. The estimate is that the pond percolates within 9 to 10 hours; the requirement is within 72 hours.

Mr. Sullivan asked if there were any plans for a natural barrier along the rear of the property; his concern is that with a clear view to the building, people will congregate, etc. He would like the building to not be visible or accessible to anyone who may be near the back of the property. Mr. Mackwell stated that there is security fencing along the perimeter of the entire property, and the train tracks provide a natural barrier at the rear of the parcel. Mr. Keough stated that if a thick vegetated buffer were to be put in place, it would be difficult for the cameras to properly monitor the property.

No additional comments were offered by the public. The Chairman thanked both the applicants and Mr. Trahan for their participation, and urged the applicants to work with the neighbors. The Board closed the public hearing. Mr. Trahan stated that he has no issue with any of the waivers requested by the applicants verbally and through the letter they submitted tonight. The Chairman states that Mr. Rogers has reviewed the documents and audio from the first public hearing date, as well as signed the Mullin Rule form, which will allow him to vote on the matter tonight. Motion to grants the requested waivers as discussed tonight and on the letter submitted by Kelly Engineering; Robert Jose; Second: Nicolas Velozo; all in favor.

The Board discussed the following possible conditions of approval.

1. The applicant shall be responsible for maintaining mosquito control relative to areas of stormwater retention.
2. Prior to construction, the applicant shall provide the Board with information relative to sedimentation controls used during construction.
3. The applicant shall be responsible for arranging a meeting with the Town's review engineer prior to construction. The Board shall be copied on correspondence related to the construction and inspection schedule.
4. The applicant shall adjust the final rim elevations of the drainage manholes during project construction.
5. The applicant shall resubmit an operations & maintenance plan to reflect project's compliance with DEP's Stormwater Handbook relative to the cleaning of deep sump catch basins.

Motion to approve the site plan with aforementioned conditions: Nicolas Velozo; Second: Robert Jose; all in favor.

Motion to pay the schedule of bills: Nicolas Velozo; Second: Debra Robbins; all in favor.

Meeting Adjourned at 7:30

Respectfully Submitted,  
Lauren Moreau  
Planning Technician

