



## Planning Board Minutes – January 19, 2016

A meeting of the Town of Freetown **Planning Board** was held on **January 19, 2016** at the Freetown Town Hall Freetown, MA. **Present:** Nicolas Velozo, Debra Robbins, Robert Jose, Mark Rogers and Chairman Keven Desmarais. A meeting was called to order at 6:05 pm.

### **A. Status of Older Subdivisions**

First on the agenda was developer Nick Harris to discuss potential resurrection of expired Weetamoe Estates subdivision. He has requested to attend the next meeting, and was not in attendance tonight. The Chairman opened up a discussion involving the status of USRV Way, a vacant 4 lot subdivision originally approved in 2005. He had asked the Planning Technician to take a look at older subdivisions that were still incomplete and where the developers had not given an update in some time. The Planning Technician stated that there appeared to be no surety in place; a performance bond that had been provided had since expired, and there was no paperwork on file for additional surety. The applicant, James Rezendes, was contacted by phone to discuss the work completed thus far. He stated that the roadway is at subgrade, but that the gravel and asphalt were not yet installed. Utilities have been installed. Mr. Rezendes stated that there should be a performance bond in effect; similar to the performance bond the Board is holding for Chace Parker Estates. He will look into the files to see if he can send the paperwork. The Planning Technician stated that he would be contacted in a week regarding status of the bond; one must be provided for the Town to retain as surety. He will also be asked to provide an estimated time of completion.

Owner Janice Boehler and applicant Michael Boehler for the subdivision Ole Blue Way approached the Board. This 4 lot subdivision was originally approved in 2006. The Board was initially approached by Michael and Paula Lecuyer, the property owner of Lot 2, who inquired as to how his lot could be released from covenant in order to begin construction of a home. Lots 2 and 3 of the subdivision are currently held in a covenant. The last time the Board had heard from the Boehlers relative to Ole Blue Way was at a regularly scheduled meeting on November 9, 2010. They requested at that meeting the following waivers. The Board did not vote on any of the waivers at that time.

1. Change original 22,500 gallon leaching chambers to a swale area for 2,500 gallon tanks to drain into for overflow.
2. Change from a secondary overflow from leaching chambers to tie into Beech Bluff Road manhole for overflow. Would like to NOT tie into Beech Bluff Road for leaching field overflow.
3. Reduce amount of binder asphalt put down on road original 3 inches binder 1 ½ inch top course. Reduce to 2 ½ inches binder and 1 ½ inch top finish coat.

The Board asked Mr. Boehler to provide a summary of where the subdivision work stands now. Mr. Boehler states that they are at the same point as when they last appeared before the Board in 2010. The drainage is in the roadway, including catch basins and tanks; however the drainage has not been tied into Beech Bluff Road. In addition, the gravel is installed, but binder and pavement have not been put down. Mr. Boehler states that is interested in moving the project forward.

Chairman Desmarais states that from the Board's perspective, they expect completion. He states that the certificate of approval that was issued specifies that all utilities and base course shall be installed prior to any occupancy permits being issued. Mr. Boehler was given an occupancy permit for Lot 4 before this condition was met. Further, if the top coat of asphalt is not put it within 2 years of the binder, which would also null the permit.

Mr. Lecuyer states that he is the owner of one of the covenant lots. He was gotten estimates that to finish the remaining drainage work, it is less than \$20,000; estimates to finish the paving run at \$22,000. He is requesting that the Board release his lot. The other currently vacant lot has been valued in excess of \$40,000.

The Board discussed how lots under covenant could change ownership; the Chairman believes if hands are changed, the Planning Board should be notified. The Chairman states that the Board needs to see a legitimate construction estimate for all the remaining work, in writing. The Board can then visit the site to confirm that there is no additional remaining work beyond the scope of the estimate. If the cost of remaining work does not exceed the value of the one lot, the Board can consider a release. The Chairman instructed Mr. Lecuyer to supply the Board with a letter requesting release of the lot; Mr. Boehler was directed to get a construction estimate. Mr. Lecuyer asked if it would help if he got his own engineer to go out and inspect the subdivision. Mr. Desmarais stated that it wouldn't hurt, but the Board is not requesting that at this point. He states that if the Board sees something out of order, we may want to get the Town's reviewing engineer to take a look. He states he would like to see this project completed by spring or summer.

The Board sent both Mr. Lecuyer and Mr. Boehler home with some directives. Mr. Boehler is to pay the negative \$273 balance in the project's engineering fund, and get an estimate for completion of the work. Mr. Lecuyer is to submit a request for lot release in writing. The Chairman further asked for a backup letter from the Boehler's stating that they are in support of Mr. Lecuyer's request for lot release.

#### **B. Weetamoe Estates**

The Chairman briefed the Board on Nick Harris's involvement with the expired subdivision. This subdivision is off of Howland Rd, and was approved in the early 80's prior to zoning changes to minimum lot size and frontage. Some parcels have been taken and foreclosed on by Town. A new Form C would have to be approved by the Board.

#### **C. DLTA Grant**

The Board discussed the DLTA grant for 2016 and what we could use Technical Assistance for. Housing is one of the priorities for funding. The Board discussed revamping the minimum lot and frontage requirements for the Village Residential zones; these parcels in denser areas still have to conform to all the requirements that much larger lots do. The Board also discussed the fact that the previous Planning staffperson had worked on a Housing Production Plan (HPP) draft that needed to be approved by the state. After some discussion, the Board determined that the request for Technical Assistance should be for getting the HPP finished and adopted. The Board could work on defining the Village Residential on its own.

#### **D. Misc**

The Planning Technician briefed the Board on the search for SRPEDD's new Executive Director. The January 27, 2016 Commission meeting will interview (2) finalists including former Selectmen Jeanne Fox, and Jeffrey Walker of VA. The Board reviewed and signed the covenant paperwork for Luis Coelho's subdivision off of Cameron's Way; motion to set the anticipated completion date to 12/31/20: Nicolas Velozo; Second: Robert Jose; all in favor.

Motion to pay the schedule of bills: Robert Jose; Second: Nicolas Velozo; all in favor. Motion to approve minutes of 11/24/15, 11/3/15, 12/1/15, and 12/8/15: Nicolas Velozo; Second: Debra Robbins; all in favor. The Board reviewed a letter received from Janice Gurney relative to the Town's right of first refusal for land (124 County Road) coming out of Chapter 61A. Motion to pass: Debra Robbins; Second: Nicolas Velozo; all in favor. Meeting adjourned at 7:30 PM.

Respectfully Submitted,  
Lauren Moreau, Planning Technician

