



Planning Board Minutes – October 17, 2016

A meeting of the Town of Freetown **Planning Board** was held on **October 17, 2016** at the Freetown Town Hall, 3 N Main St. **Present:** Keven Desmarais, Robert Jose, Debra Robbins, Mark Rogers **Absent:** Nicolas Velozo

The Chairman called the continued public hearing to order at 6:05 PM; the hearing is for the petition article received creating a bylaw and overlay district for electronic billboard signs. Debra Robbins was in the audience but has recused herself from participation in the public hearing.

The Chairman states that the petitioners gave a thorough presentation at the last meeting; he states the Planning Board is not allowed to make changes during the public hearing, but can make a recommendation at Town Meeting. Atty. Tom Pursley approached the board on behalf of Cove Outdoor LLC, and distributed a revised draft¹ of the petition bylaw with the suggestions made at the last meeting in bold print, as well as a revised map. The Map now excludes Residential districts from being depicted in the Overlay District, but shows it over commercial, industrial, and general use districts along Rt. 24. Atty. Pursley stated that due to state regulations, the signs could never be erected in a residential zone anyway, but the revised map eliminates confusion.

Atty. Pursley walked the Board through each of the revisions; the first change is included in 11.20J.2.C and 11.20J.5.A giving the Board the ability to promulgate rules and regulations relative to electronic billboards. He states the state regulations are fairly extensive, but local regulations can further address concerns specific to Freetown. The second change was to 11.20J.4 which specifies the Overlay District includes parcels zoned Industrial/Industrial 2, Business, and General Use adjacent to Rt. 24, and includes a notation that the map had been revised accordingly. The third change is an addition to 11.20J.5.A.ii, which specifies that billboard lighting will comply with foot candle requirements set out by state regulations. Peter McClary of Cove Outdoor LLC stated that he asked one of his project managers who administers the blocking technology about light trespass; the blocking technology would eliminate 99% of the lighting viewed from angles and perspectives other than directly on Rt. 24. He states that brightness can be adjusted to any level, and that typical municipal regulations require that nits not exceed 500, their boards are set to 250 nits. Mr. McClary reiterated that the images could be seen by cars traveling Rt. 24 only, and that in the areas where the signs could possibly be placed, the route is completely straight.

The Chairman inquired as to standards for the height of the signs; Mr. McClary responded that the sign face is a standard 14ft high x 48 ft long. The total height of the sign on the pedestal posts can vary, due to the topography of the site. The Chairman asked what typical elevation do they need to be above the pavement. Mr. McClary stated that typically, the bottom of the sign will be 30 ft above the ground; Atty. Pursley states that the bylaw calls for a height of 75ft to the top of the sign as a maximum. The fourth change to the proposed bylaw is to 11.20J.5.A.vii which changes the rear yard setback from 40 ft to 20ft to ensure placement as close to the highway as possible; according to Mr. McClary the signs are placed outside of the state highway layout. Atty. Pursley brought up the issue of flashing images; the bylaw specifies the images change no more frequently than every 10 seconds and the images will be static without moving or flashing components. This is a requirement of the state regulations.

Discussion ensued around the length of the permit; Mr. McClary stated that DOT will continue to permit the signs for as long as they are in compliance. However, if the state permit is lost, the local permitting is lost as well. The Board and applicants discussed the pedestals holding the signs. The Chairman stated that some of the signs on Rt 24 seem quite high and wondered if any efforts can be put in to make them less noticeable, and more in tune with the surrounding environment. Mr. McClary stated that to some degree, the material used for the pedestals and surrounding

¹ Petition for October 2016 Special Town Meeting; 11;20J Digital/Electric Billboard Zoning Overlay District and Requirements; received via email by the Planning Board from Atty. Tom Pursley 10/14/16

vegetation can mask this telescoping like appearance. Atty. Pursley states that a section in the bylaw specifies that poles must blend in with the surrounding environment. He states there is also a section in the bylaw for assessment of an impact fee, which could allow the Town to seek monies and/or public service messages to be used by the Town.

The Chairman opened the hearing up to the public. Mary Brown, Chairman of the Freetown Historical Commission, asked the Board how long they have been studying and learning about the content of the petition bylaw. The Chairman states the petition was received 3 -4 weeks prior, and the Board has had the opportunity to review since the opening of the public hearing October 4th. Mrs. Brown states that this is a big change for the Town, and people will need a lot more information than is at hand to understand this implications of passing this bylaw. The Chairman states that it is incumbent upon the applicants to inform the voters, but in his opinion, this petition article gives much discretion to the Board in terms of placement and specifications. Atty. Pursley states that the document the Board is reviewing tonight incorporates Board suggestions from the prior meeting, and that a Town resident will need to motion on Town Meeting floor the amendments that are being discussed tonight. Mrs. Brown states that it is not clear on the map the extent of the overlay district boundaries; she doesn't want to see bookends on either end of Rt. 24. Mr. Rogers states that the Board had the same discussion with the applicants about educating the public, and that the map should be more "user friendly". Mr. McClary stated they will bring a powerpoint handout to the meeting to address a lot of the issues. He asked Mrs. Brown which particular questions he could answer for her. Mrs. Brown asked what the signs looked like; she states she is concerned about the rural character of the Town and the impression people would have of Freetown if they see these on the highway. Discussion ensued regarding including the Historical Commission of the list of departments that review projects before the Planning Board.

Mike McCue, Town Moderator stated that he recommends that handouts be available outlining the proposed amendments. He states that the version of the Overlay they have presented tonight, seems to be different than the one submitted with the petition. He states that this map depicts the overlay north of the river, and that because it is an extension of the original proposal, it changes the scope, and therefore may not be allowable. Atty. Pursley states his research suggests it is within the allowable scope. Motion to close the public hearing: Mark Rogers; Second: Robert Jose; all in favor. Motion to recommend the petition article with the changes as presented tonight: Mark Rogers; Second: Robert Jose; all in favor.

Meeting Adjourned at 7:00 PM

Respectfully Submitted,

Lauren Moreau
Planning Technician

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