



### **Planning Board Minutes – April 11, 2017**

A meeting of the Town of Freetown **Planning Board** was held on **April 11, 2017** at the Freetown Town Hall, 3 N Main St, Assonet, MA. **Present:** Keven Desmarais, Robert Jose, Nicolas Velozo, Debra Robbins **Absent:** Mark Rogers

The Chairman opened the meeting at 6:06PM

#### **A. Form A Plan located on, Keene Rd (Map 245, Lot 26)**

Engineer Jon Pink and son of the owner/applicant, John Ashley approached the Board. The subject lot has two houses on it, and is proposed to be divided into two conforming lots to isolate each dwelling. Lot A contains over 11 remaining acres with frontage of 380ft. Lot B contains 80,000sf with 411 ft of frontage. Motion to endorse: Robert Jose; Second: Nicolas Velozo; all in favor.

#### **B. Form B for 8 proposed lots off Middleboro Rd (Map 245, Lots 29 & 30)**

John Churchill, engineer, and Chris Smith, applicant, approached the Board. Mr. Smith currently has a purchase & sale agreement with the property owners pending Planning Board approval of the proposed subdivision. The Form B proposes dividing the 16 acre property into a total of 8 lots; 1 lot containing the existing Clermont dwelling, and 7 vacant lots. The original subdivision and roadway was approved and constructed in 1973. Mr. Churchill presented a plan and pointed out the existing extent of the roadway depicted in green; it is currently a gravel driveway and has a 40ft layout. Because they are proposing to extend the dead end road to a length greater than 750, the regulations require that it be brought up to secondary road status; this being the case, they are asking for a waiver to keep the 40ft layout for the length of the existing roadway, and the extension will be brought to the required 50ft layout. He states they are also seeking a waiver for a pavement width of 24ft rather than the required 30ft, and noted that he has observed other roads in town measuring 24ft wide in pavement. He states they are also requesting a waiver from the installation of the 5ft sidewalk, and a waiver from installing underground utilities for the length of the existing roadway, which already has overhead utilities. He is also seeking a waiver from installing street lights and instead proposes the installation of lanterns at the end of each driveway, which would be ensured by a covenant on the property.

The Chairman asked Mr. Churchill if he intended for the Town to accept the road; Mr. Churchill replied that he defers to the Town preference, but the initial intention was to form a Homeowners Association (HOA) in the interim where residents would be responsible for the road maintenance and would have the responsibility of laying out the road for Town acceptance if they choose. The Board discussed the proposed cul de sac which shows plantings in the center, rather than complete pavement. Mr. Churchill states it is a larger than average cul de sac with an 80 ft radius; he would like to put Cape Cod berm along the edges of all roadway rather than curbing; granite curbing would be installed adjacent to catch basins.

Mr. Churchill states that he has not engineered for drainage and stormwater yet, but there will need to be a wetlands crossing and proposed replication area. The Chairman stated that they will need to appear before Conservation to determine the presence and extent of wetlands. Several Board members noted there was no detention basin located on the plans; Mr. Churchill stated that they may install sub surface infiltration in the front of the site due to challenging grading, but it would be a last resort. Ideally, they would like to be able to place a basin in the rear of lot 8 or lot 1.

The Chairman stated that the applicants have had some informal conversation with the Water Commission relative to the requirement to hook up to the water line on Middleboro Road; the Fire Dept is also requesting that this take place

for the purposes of fire suppression. Mr. Churchill stated that the water line nearby is owned by the City of New Bedford, and they are making headway with the city's infrastructure department to make that happen.

The Chairman stated that he will ask the Water Commissioners to reach out to the City to further facilitate the connection to New Bedford's main. He stated that an alternate option would be to tie into Freetown's 8 inch main, about 600 ft north to Pinewood Court.

The Chairman asked if the Board is amenable to the reduction of pavement to 24ft and no sidewalks; Mr. Jose stated he would rather not grant both waivers. The Board deferred to Mr. Churchill as to which he would rather include. After some discussion, Mr. Churchill concluded he would prefer to do a 24 paved roadway with a 1ft Cape Cod berm and a 5ft sidewalk on one side. The Board seemed amenable to this compromise and the Chairman stated this was a gentleman's agreement on what may be allowed in the Form C process. Mr. Churchill discussed the HOA; the homeowners would need to maintain lanterns, but the covenant will touch upon conformance with zoning, no junk on property, etc. He does not anticipate it will regulate style and color of homes. The Chairman suggested to the applicants that they reach out to the 2 existing homes on Clermont Way to see if they are amenable to switching to underground utilities at the time they are installed for the new lots.

Motion to approve to Form B application with the mentioned changes: Nicolas Velozo; Second: Robert Jose; all in favor.

### **C. Proposed Articles for Town Meeting**

The Board discussed the overhaul of the Table of Use; the article drafted takes the whole table out, and inserts a new one in. The changes incorporated are the addition of a truck terminal, a new column for the Science and Technology Overlay District (STOD), and footnotes indicating the adoption of hours of operation for certain types of business. The Board discussed submitting them as separate articles so in the case that one fails, the others wont. The Board also directed the Planning Technician to include hours of operation for scrap/junk/salvage yards, and to add a new bylaw section regarding hours of operation and how it will not effect business currently operating outside specified hours.

The Planning Technician also review a draft of an article to correct the numbering within the sign bylaw; changes to the text of the STOD bylaw; and text for a moratorium on retail sale of marijuana.

Nicholas Velozo and Debra Robbins left the meeting at 9:00pm.

Mr. Jose and Mr. Desmarais discussed the submission of an article for a Medical Marijuana Overlay District (MMOD). The Planning Technician found sample wording from KP Law and they discussed geographic parameters, settling on the remainder of the Riverfront Business properties (minus the PMUS area) and the Industrial properties of Copicut Road.

Meeting Adjourned at 9:15

Respectfully submitted,

Lauren Moreau, Planning Technician

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