



Planning Board Minutes – February 21, 2017

A meeting of the Town of Freetown **Planning Board** was held on **February 21, 2017** at the Freetown Town Hall, 3 N Main St, Assonet, MA. **Present:** Keven Desmarais, Mark Rogers, Debra Robbins **Absent:** Robert Jose, Nicolas Velozo

The Chairman opened the meeting at 6:01 PM.

The Board reviewed the draft of the DLTA application¹, which requests assistance with a Housing Production Plan and in identifying best practices for the Community Compact Cabinet. The Board consensus was that the application was sufficient to submit.

Mary and John McIntosh approached the Board to discuss the possible subdivision of Map 211 Lot 214, a 5.8 acre back parcel with a narrow right of way at Water Street. They produced a conceptual plan showing a proposed roadway which would be 28ft wide paved at the beginning, and increasing to a width of 36 ft paved once room accommodates, in order to service 3 additional lots. They wanted to see if the Board would be amenable to having a narrow start of roadway to gage if they should commence the project. After some discussion, the Board consensus was that since it would only be servicing 3 lots, waiving certain roadway standards wouldn't be out of the question. The Board related to the McIntoshes that drainage accommodations must be made to retain as much water as possible onsite.

The Board discussed the upcoming ZBA public hearing for a petition for a variance for use for a medical marijuana cultivation site at the 170 S. Main St property owned by Riverfront Business Park LLC. The Chairman briefed the Board and audience member that medical marijuana cultivation is currently not allowed in the Industrial district, where the proposed site is located. He stated that in prior meetings the Board has discussed expanding the areas to which medical marijuana is allowed, since the I2 district parcels are becoming increasingly scarce due to the AmeriCann Inc and Republic Services projects. This is being considered for the next Town Meeting. The property in question had been discussed previously due to its proximity to utilities and other amenities. The Chairman read a letter² the Planning Technician had drafted to the ZBA relaying certain members non opposition to the variance being granted.

Barry French, in attendance asked if the Board recommends this goes to Town Meeting. The Chairman clarified that due to the Board's awareness of the industry growth, and that available parcels of land for medical marijuana are nearly exhausted, they are recommending to the ZBA that these members take no exception to a variance being granted. The Chairman states that they see this as a low impact use of the land, being a greenhouse. The variance, if granted would apply to the one facility, but the Board is considering putting the entirety of the parcel allowable for medical marijuana at Town Meeting.

The Board discussed potential zoning amendments for Town Meeting. The first potential article concerns the specification of hours of operation for businesses that are retail and/or open to the public in nature. Generally, different districts would have by right hours open to the public, and anything outside of those hours would be permissible by special permit only. After some discussion, the Board consensus was that the Planning Board should be the Special Permit Granting Authority (SPGA), and the Chairman remarked that this should be a simplified special permit process with its own rules and regulations. The Board reviewed 3 format options put together by the Planning Technician to enact this bylaw change, which included³: footnotes within the Table of Use; a narrative inserted into 11.18 H. Uses; a standalone protective bylaw. After some discussion, the board consensus was that it would work best as footnotes within the Table of Use, with footnotes on each page. The Board discussed the following by right areas for each district: Business (5AM-10PM); Village Business (7AM-9PM); General Use (7AM – 7PM); Industrial/I2 (5AM – 12 AM). They also

¹ DLTA application modified 2/13/17

² Letter on behalf of Keven Desmarais, Debra Robbins, Mark Rogers to ZBA dated 2/22/17

³ PDF Document 'Hours of Operation Options 02212017'

discussed a provision similar to a one day liquor license whereby for special events, applicants could have hours extended by the majority vote of the Board of Selectmen.

The Board discussed expanding the uses currently allowed in the Science and Technology Overlay District (STOD). The STOD was originally written to match Fall River's corresponding overlay bylaw. There is a developer interested in a multiuse project which are amenities to the existing Amazon Warehouse, including a hotel, which is not allowed by the underlying zoning district. The Planning Technician produced a revision⁴ of the existing table of use which includes a new column for STOD making most of the uses permissible by right, as well as amendments to section 11.30.

The Board discussed drafting a bylaw that would prohibit trucks that are not affiliated with a business from parking on vacant or otherwise random lots. There are gypsy trucks that have been utilizing vacant land as parking areas, many times overnight. The Planning Technician stated that many towns include this use within their definition of a "truck terminal" and that we can add the definition as well as include it within the Table of Use. The Board consensus was that truck terminals should be allowed only by Special Permit in the Industrial and I2 areas. The Chairman stated that the definition should include a duration a truck is parked, over which, the property then is defined as a truck terminal and in non-compliance of the bylaw. This time frame would likely be 24 hours, and the property owners would be subject to enforcement action.

Meeting Adjourned at 7:30 PM

Respectfully Submitted,

Lauren Moreau, Planning Technician

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⁴ PDF 'STOD Revisions 02212017'