



Planning Board Minutes – March 7, 2017

A meeting of the Town of Freetown **Planning Board** was held on March 7, 2017 at the Freetown Senior Center, 227 Chace Rd, Freetown, MA. **Present:** Keven Desmarais, Nicolas Velozo, Mark Rogers, Debra Robbins **Absent:** Robert Jose

The Chairman opened the meeting at 6:03. Mark Rogers joined the Board at 6:06 PM. Motion to waive the reading of the public hearing notice for the proposed definitive subdivision **Fallbrook**: Mark Rogers; Second: Nicolas Velozo; all in favor

Evan Watson of Prime Engineering approached the Board. The Planning Technician stated she is audio recording the hearing; reporter Tom Mason of the Standard Times identified himself. Mr. Watson states that he represents the owners, Jason Ritter, M.E. Hawes, and Peter Hawes for this application for a subdivision. Mr. Watson stated that the applicants have previously been before Con Com with an ANRAD to confirm the wetland locations. They have recently filed an NOI also to be reviewed by Con Com. He states that they have previously filed a form B preliminary subdivision plan with the Planning Board and presented in a general manner what they proposed to do at the time, subsequently taking the Board's input and incorporating into this current design. The plan is comprised of 3 parcels in the vicinity of Wamsutta Rd, Algonquin Way, and behind Jordan Lane (Map 248, Lot 84; Map 251 Lots 6 and 7). He presented a zoning map of a neighborhood overview; many of the houses on Bullock are situated on 30,000 sf lots, lots on Algonquin are typically 40,000 sf reflecting changes in the minimum lot size under zoning requirements. The abutting lots off Jordan Lane are 70,000 sf with 175 ft of frontage. He states this project proposes the same lots sizes typical of Jordan Lane and the newest section of Proprietors Acres; the scale is similar as the Proprietors Acres development has about 45 lots, and they are proposing 54.

The subdivision rules and regulations have a maximum limit on the length of a dead end road; so two access points are proposed: extension of Algonquin Way, with new Fallbrook Lane running east across the entire site to the other entrance which would be an extension of Buddy's Crossing; 2 additional cul de sacs are proposed within the road network. Chipaway Road could not be used as a point of entry due to its status as a wetland resource area. He states that surveyors located the wetlands and the line was approved by Con Com before any design commenced.

Mr. Watson stated that they intend to design roads and a drainage system that will not impact neighbors, but will also make the drainage situation better. Right now, the high point of the site is located on the northwesterly portion and runoff flows southeasterly to the wetlands; in the non-development current condition, there is a specific numerical rate of the runoff. Mr. Watson states that they need to show that the post-development rate is less than it was at pre-development. Part of the proposed drainage plan involves a detention basin that they are requesting be brought closer to the road that will also act as an amenity to the neighborhood. It will be pond like, and dug deep with 3- 5 ft of permanent standing water inside at elevation 112 with 6:1 side slopes; storm situations would further fill the pond and discharge points will allow the excess water to filter out and back to the wetlands. The slope is proposed to be walkable and gradual. Another drainage measure proposed is the installation of a stone bottom swale to direct stormwater from behind the homes on Algonquin to the wetlands. The swale will begin at the corner of Wamsutta Rd. and Algonquin Way behind the houses on Algonquin and run southerly directing water to the wetlands. They are proposing to tie into an existing pipe located outside of the northwesterly corner of 18 Algonquin Way, and run it back to the swale where perforated pipe will be placed under the stone bottom.

Mr. Watson presented a plan sheet¹ showing the scale of the homes proposed for the development, stating that the lots conform to the Town regulations, with room for septic and well as well as room where woods can remain. He reviews certain waivers that they are requesting: for the detention pond to be closer to the road than is currently allowed, to plant street trees, for the road layout to be 30 ft wide inclusive of berms with sidewalk on one side. He states in regard

¹ Plan set entitled Definitive Plan of Fallbrook dated 2/14/17

to the street trees, that they can preserve certain portions of the site as wooded area to compensate. He stated that Environmental Partners Group issued a review² of the project with a series of comments that they will be issuing a response to. The Chairman opened the hearing to questions from the audience.

Doug Desjardins of 10 Algonquin Way inquired as to the timing and scope of the land surveying he saw this past summer. The Chairman stated that he is also Chairman of Com and that the delineation for this land went before that Board for approval several months ago. It was sent out to the Town's reviewing engineer for confirmation, who in turn sent a botanist to survey. Once that was complete, Con Com approved the wetlands line supplied by the consulting engineering firm. Mr. Watson explained how the Prime Engineering crew surveyed property lines, measured topography, and flagged wetlands. Mr. Desjardins asked if a survey is done only when construction is proposed; Mr. Watson stated not necessarily but that it is a key step to take if any site development is to take place.

Norman Rivard of 8 Tommy's Lane stated that when he purchased his property 20 years ago, he was told it was a wildlife sanctuary. The Chairman explained that it was Chapter 61A forestry land; wherein steps would have to be taken prior to development, such as the payment of rollback taxes and offer of purchase to the Town.

Brad Paiva of 71 Bullock Rd. stated that his main concern is the groundwater aquifer; he states that when the Snuggles Way subdivision was put in, he had to dig his well 100ft deeper because of the drawdown from the new wells in the neighborhood. He also states he is concerned about the additional traffic on Bullock Rd, as well as the proposed detention pond containing standing water. He states in regard to the pond that child safety is a concern as well as mosquito breeding. The Chairman states that the applicants are requesting special permission for the detention pond, and that the final product may look quite different than what was presented tonight. He states that one of the reviewing engineer's questions was if the Board would like them to perform a traffic study review. Concerning issues related to water, one of the subdivision regulations is that if a new subdivision is within 400ft of an existing waterline, they will need to connect with it; outside of the 400ft, they are required to install a dry system for potential future connection. The Chairman states that is a preliminary conversation with the Water Commission, there is an intent in the near future to install a water line down Chipaway Road, and they most likely would not be in favor of waiving the dry line requirement.

Marvin Caddell of 4 Jordan Ln. inquired as to how these houses will affect the covenant that the Proprietor's Acres home were built under regulating house size and excluding agricultural animals. Mr. Watson stated that there are no plans for a covenant regulating the future properties. They would not entertain a covenant restricting home size, but can take a look at animal restrictions; he states that this new development would not be subject to an existing covenant over Proprietors Acres. The Chairman stated that certain aspects of the proposal could not be fixed through the Board and encouraged the abutters and property owners to reach out to each other for amenable solutions; as an example he offered a deeded "no touch" zone, visual screening, etc.

Ann Baillargeon of 146 Chipaway Rd stated that she has many wetland areas behind her property. She inquired that if drainage from Algonquin is going to be directed by the swale towards her property, if flooding will occur. Mr. Watson stated there are 2 drainage systems and that 100% of the stormwater generated by the new road network goes back into their system. The swale picks up existing drainage off of Wamsutta and Bullock which they will swale and direct toward the wetlands to spread out. The intent is to keep the amount of water on her property the same.

Discussion turned to the proposed detention pond; the Chairman said that in some instances, the ponds make it easier to control mosquitos by providing an accessible site that mosquito control can get to and treat. Mr. Watson stated they looked at the existing pond servicing Proprietor's Acres, which has water in the forebay and creatures residing, because

² RE: Fallbrook Residential Subdivision – Map 251, Lot 7 and Map 248, Lot 84 Consolidated Engineering Form C and Notice of Intent Review – Proposed Subdivision issued by Environmental Partners Group dated 3/6/17

it is deep enough to maintain wildlife habitat. He states that the deeper pool of water, which encourages wildlife people like, also discourages mosquitos. He further states that by constructing it with a 6:1 slope, it would take someone 20ft to walk to the depth.

Mark Rogers stated that during the review of the Preliminary plan, waivers had been requested for drastic slopes for the roads , which do not appear to be requested for this project. Mr. Watson confirmed that with the Board's input, they redesigned the roadway geometry to alleviate the need for some of those waivers. Mr. Rogers inquired as to the bottom and top elevations of the pond. Mr. Watson responds that there is a 6:1 slope on all sides of the basin itself. The standing water elevation is 112, the lowest elevation in the middle of the pond is 107, and highest pond elevation is 117. The road is at 117 with a slope up to 127, with the intent of catching back up to natural grade as soon as possible.

Don Viollette of 6 Algonquin Way inquired as to the width of the swale behind the Algonquin Way properties. Mr. Watson states that the bottom of the swale will be 3 ft wide, 2 feet deep with long sloping sides for a total width of around 30ft. He stated there is roughly 50 ft of vegetation from the Algonquin rear property lines to the edge of the slope for the swale.

Lisa Lundrigan of 16 Algonquin Way asked about the impact of additional school children; the Chairman stated that those considerations are not addressed through a subdivision public hearing, but rather through changes in zoning bylaws. He stated the example of allowing solar arrays within the Residential district, and how those land use patterns have led to the reduction of acres available for residential construction. He states that it should be a town-wide and department –wide conversation about how much growth we can support, but that there is no mechanism by which all residential development can be prohibited in Town.

Carol Weiner of 14 Algonquin Way asked if this was going to be 54 lots with 54 single family homes. The Chairman stated that is the proposal before us, with no proposal to increase the density. Construct duplex lots, or implementing a 40B project. Dave Lundrigan of 16 Algonquin Way asked much acreage was available for 54 house lots; Mr. Watson estimated 130 acres to accommodate house lots, road network and drainage.

Stevie Carvalho of 5 Tommy's Lane asked who the responsible party would be for the wet basin as well as the drainage swale behind the Algonquin Way homes. Mr. Watson replied it would be the responsibility of the overall site owner/developer and held in easement. Once the roads are accepted by the Town, the Town would be responsible for the drainage easements. Mr. Carvalho inquired as to whether soils have been tested for septic system installations; Mr. Watson states that some preliminary work has been done, but the best way would be to perform some limited land clearing, which they did not want to do much of at this point. The results of the preliminary testing revealed that the soil was appropriate for the construction of single family housing. Mr. Carvalho asked how they planned to keep 3 -5 ft of water in a sandy bottomed and sloped pond. Mr. Watson responded that the soil is permeable and the water table is high. For septic systems they perform a test hole, see where the water table is, and the septic systems are placed 4 feet above that. This also dictates the eventual elevation of the houses. Mr. Carvalho asked if the calculations take into consideration the impervious surfaces. Mr. Watson states they had to analyze the entire watershed, not just what is picked up by the new roadway, but what is coming from everywhere (Bullock Rd, Tommy's Lane, etc). They factored in a conservative size for the houses, the driveways, etc as a worst case scenario in drainage design.

Andy LaPierre of 16 King Philip Way asked if any potential lots off of Chipway were buildable; Mr. Watson responded that they were not, and confirmed when asked by Mr. Paiva that there will be no access points from Chipaway Rd, due to the wetlands present.

Lisa Philippe of 161 Bullock Rd stated she echoes the concerns about traffic on Bullock and about the adequacy of the groundwater. Her property lies downhill from the site; she asks if there is a way to test if there is enough water to supply the new houses without effecting existing neighbors. Mr. Watson states they will need to apply to the Board of Health

for wells and septic systems. He states the water coming through the 54 lots should be well under any threshold for drawdown; if they were putting in a public supply well, they'd have to do a study to confirm no drawdown will occur. He estimates 330 – 500 gals per house spread out throughout the day; he says he has yet to see a development on this scale that has caused issues to an aquifer. The Chairman stated the Board is going to ask EPG to do as much research as they can so we can confirm the aquifer will not experience drawdown, and we will also be asking them to review the traffic and increase in anticipated trips.

Ms. Philippe asked if this should go ahead, would it be a rapid development or lots developed as they are sold. Mr. Watson states that there is a lot of expensive infrastructure to install, and he expects it would be developed at a market dictated pace. They may build a small section of the road at a time, as in a phased building. Ms. Philippe asked if it would be left forested or clear cut all at once; Mr. Watson replied that the reviewing engineer asked him to depict the limits of clearing for the initial site work, which will be shown in our response. He further states that because the lot is so big, they intend on clearing the limits for the road, and cut for certain lots at a time, not all at once.

Mr. Rogers asked how the drainage would get phased in; Mr. Watson replied that the site sets up well for phasing – they can come in at the high point and the excavation of the pond can provide fill for the roadway. Andre Faria of 2 Jordan Ln. asked if any consideration was given to performing an archaeological survey of the area as well as any consideration made to the displacement of natural wildlife. Mr. Watson responded that nothing on the site was listed on any sort of state or federal historical register. The Chairman stated that the Historical Commission was supplied the plans for review and took no exception to the project in terms of an area of historical significance, and in terms of wildlife displacement the site is very close in proximity to 5500 permanently protected acres of state forest. During the Con Com review of the NOI, Natural Heritage will be asked to review against wildlife habitats.

Mark Rogers noted that the Fire Chief had supplied comment expressing concern for a lack of available water for firefighting purposes and extinguishment. Mr. Watson stated they will explore the use of a draft pipe that the fire department can have access to. Beth Faria of 2 Jordan Lane asked if there is a proposed date to begin construction; Mr. Watson said there is not due to further permitting. The Chairman states that a Stormwater Pollution Prevent Plan must be approved and that the EPG letter stated there may be a MEPA trigger if certain permits are required by the state. He cited a dam permit they may need to obtain from DCR. Mr. Watson states there are no thresholds on this project which would require a state permit that he is aware of. Ms. Faria asked if by rerouting the drainage and adding the pond if it would put any nearby homes within the floodzone. Mr. Watson stated it would not.

The Chairman read the departmental feedback received from the Assessors Office and Fire Dept. The Assessor's Office had pointed out that Algonquin Road on the plans should be referred to as Algonquin Way and that any extension of Buddy's Crossing would need another name due to address numbering. The Chairman also read a synopsis of a letter³ received by abutters who could not be present that night. The Chairman thanked the crowd for being respectful and stated any continuances would be stated aloud and posted on the Town website, no further mail notification would occur.

Motion to have the reviewing engineers look closely at aquifer drawdown, traffic increases, and fire suppression issues: Mark Rogers; Second: Nicolas Velozo; all in favor. Motion to continue to the Senior Center at 6PM on March 21st: Debra Robbins; Second: Nicolas Velozo; all in favor. Motion to adjourn: Mark Rogers; Second: Nicolas Velozo.

Respectfully Submitted,

Lauren Moreau, Planning Technician

³ Letter received by Victoria and Terrence Andrade dated 3/2/17

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