

2018 SEP -6 PM 12:05

J. Brown

**Planning Board Minutes – July 17, 2018**

A meeting of the Town of Freetown **Planning Board** was held on July 17, 2018 at the Freetown Town Hall 3 N Main St Freetown, MA **Present:** Keven Desmarais, Mark Rogers, Debra Robbins, Robert Jose, Jim Frates

Meeting called to order at 6:07 PM

Continued Public Hearing- Fallbrook Subdivision

Chairman Desmarais called the public hearing for the Fallbrook Subdivision back to order.

Evan Watson, from Prime Engineering, explained how the plan for the proposed subdivision has been changed from 54 lots to 24 lots. Mr. Watson explained how the access points for the subdivision (one at the intersection of Jordan Lane and Buddy's Crossing and the other is an extension of Algonquin Way) are the same as the original plan, he also mentioned that since the subdivision is made up of 2 dead end streets no one can use the subdivision as a shortcut. Mr. Watson went on to explain the drainage system including: the detention pond and the wet basin that the applicant is hoping to connect with an easement and the dry hydrant that they plan to install in the wet basin. Mr. Watson said that the plans have gone to Environmental Partners and that he will have a response to their comments within the next couple days. Mr. Watson said that all the lots will be served by a well and septic system. Mr. Watson explained that it was determined that the water supply could support 54 new wells, so 24 wells will be fine. Mr. Watson said that the traffic study was done for the 54 lots and that since the road could handle that amount of traffic 24 lots should be fine.

Chairman Desmarais reiterated what the new plans entailed and said that this plan was done on the same public hearing. The Chairman then asked the public if they had any questions.

Carole Maclean, Algonquin Way, asked about the swale next to her house. She talked about how in February her property was flooded. Mr. Watson responded that he knows because he was actually there that day and explained how the new drainage structures work. Ms. Maclean asked if that meant that there will be no water flowing into her property. Mr. Watson said that there will be less water since the new drainage structures will be diverting a lot of the water that used to discharge at her property.

Evelynn Valero, Tommy's Lane, asked how these plans will affect her lot. Mr. Watson replied that the nice thing about the project is that it's downhill from most of the abutting properties and that there will be zero storm water that flows towards Ms. Valero's property. Ms. Valero inquired about the amount of trees that will be cleared. Mr. Watson replied enough trees will be cleared to make a house which includes a front yard, back yard, and space for septic.

James Wood, Algonquin Way, asked why the lots were perced now and not in February, which is the wet season. Chairman Desmarais said that that is a question for the Board of Health. Mr. Rogers asked Mr. Watson to explain how a perc test works. Mr. Watson explained that the perc test allows them to read the soil in order to figure out where the water table is, which means that it doesn't matter when you perc. Mr. Wood said that if Mr. Watson went to house he would see water six feet down. Mr. Watson

replied that they found water 8 feet down. Mr. Rogers asked if the models that are prepared will be higher than the water table. Mr. Watson responded in the affirmative.

Ms. Maclean asked Mr. Watson if they were going to do the solar panels first. Mr. Watson replied that they were not sure yet but that the solar panels refer back to the subdivision plan and that the drainage is necessary. Mr. Watson said that he specified in his plans that whoever builds this must install the drainage components first.

Justin Grolley, Pierce Way East, asked if the lot behind him was downhill. Mr. Watson responded that the lot is 10 feet lower.

Mr. Jose entertained a motion to continue the public hearing to August 7th at 6 p.m. at the Freetown Town Hall, seconded by Mr. Rogers. The motion carries unanimously.

Public Hearing – Bullock Road Solar

Chairman Desmarais entertained a motion to waive the reading of the public hearing notice, seconded by Ms. Robbins. The motion passed unanimously.

Chairman Desmarais called the public hearing to order for the site plan review for a project titled "Bullock Road Solar".

Evan Watson, from Prime Engineering, explained the site plan review approval process. Mr. Watson explained that the drainage has been designed to accommodate any problems from the solar. Mr. Watson then explained how the solar panels are assembled and work. Mr. Watson said that the construction access route will be the same as the subdivision road. Mr. Watson explained the erosion control plan, the landscaping plan and the construction sequence. Mr. Watson talked about the comments from Environmental Partners and said that the updated plan has been modified in response to those comments.

Mr. Watson asked for waivers from the "requirement to show all plans at 1" = 40". Mr. Watson explained that the site plan review is attached to the Form C subdivision application. Mr. Watson asked to allow the solar to be approved and move forward on the condition that they get approval on the Form C subdivision.

Carole Maclean, Algonquin Way, asked if all the trees were going to be knocked down up to the property line. Mr. Watson replied that they were not going to do that.

Lisa Lundrigan, Algonquin Way, asked if she will be able to see the gate to the solar area from her house. Mr. Watson replied that she might be able to see it in the winter since Ms. Lundrigan's property is higher up than the solar area.

Chairman Desmarais asked if the tree planting schedule goes all around the equipment pad. Mr. Watson replied that it ties into the existing vegetation. Chairman Desmarais asked if it would be unreasonable to

plant cypress trees on the southern side of the equipment pad. Mr. Watson replied that it is not unreasonable. Mr. Rogers inquired about the clearcutting being done near the houses on Jordan's Lane asked how much room was in between the clear cut area and the lot line. Mr. Watson said 10 feet and added that it would not be a problem to plant similar trees in areas that don't have as many trees.

Chairman Desmarais asked if the chain link fence would meet the burden of securing the solar array. Mr. Watson replied that that is the same kind of fence proposed for Braley Road. Mr. Jose suggested putting privacy slats in the fence in addition to the vegetative screening. Mr. Watson replied that he has found that a vinyl coated black fence works better because it blends in better.

A resident asked who is going to get the benefit from these solar panels. Mr. Watson responded that the owner, Borrego, and the landowner. Mr. Watson then explained how the electricity that is generated is distributed. A different resident stated that the town also benefits. Mr. Watson mentioned that a solar installation means no more additional people moving into town which means no new houses, no sewer, no additional strain on police and fire. Chairman Desmarais said that this gives land owners another viable option that at the same time minimalizes the impact on a locality.

Ms. Lundrigan inquired about the terms of the lease of the land that the solar is on. Peter Hawes said that the lease would be 30 years.

Chairman Desmarais entertained a motion to close the public hearing, sustained by Mr. Rogers and seconded by Mr. Jose. The motion passed unanimously.

Chairman Desmarais talked about the conditions of approval which were: planting trees around 3 sides of the equipment pad near Algonquin Way, utilization of a plastic coated fence on the north side starting at 16 Tommy's Lane and continuing East along the abutting properties on Jordan Lane as well as the abutting properties on Algonquin Way, and vegetative buffers installed behind Algonquin Way and Jordan Lane.

Mr. Rogers stated that it still was not clear if the solar was going in first. Mr. Watson replied that it is based on timing since once they get back from site plan review they have to do additional filings that could take months to get back. Mr. Rogers mentioned that people who move into the new subdivision might not know that solar is going to be installed. Mr. Watson replied that it has been there plan to install solar first and that it is based on market value.

Chairman Desmarais talked about the list of waivers and mentioned that it does not seem like the board has any problem with waiving the "requirement to show all plans at 1" = 40". The Chairman then read the applicant's request to waive the filing fee for the site plan review application.

Chairman Desmarais entertained a motion that waivers 1 & 2 from the list of requested waivers be granted, seconded by Ms. Robbins.

Chairman Desmarais explained what a decommissioning bond is. Mr. Rogers said that landscape details need to be approved by the board. Mr. Jose mentioned that areas that are in view of the public have certain landscaping requirements. Chairman Desmarais added that the electrical infrastructure needs to

be neat and maintained. Mr. Watson said there can't be grass growing against the equipment. Mr. Rogers stated that the board should approve the details of the vegetation and that there should be a caveat that the vegetation is deer resistant. Chairman Desmarais reiterated the conditions which were: the 3 sites for vegetative buffering, installation of a plastic coated fence on the north side starting at 16 Tommy's Lane and continuing East along the abutting properties on Jordan Lane as well as the abutting properties on Algonquin Way, approval by the board of the revised landscape plans, a public meeting between the Planning Board and subcontractors, and that approval is conditional on approval of the Form C subdivision and installation of the drainage structures as shown on the plan.

Mr. Jose entertained a motion to approve the site plan review for the Bullock Road Solar project with those conditions, Ms. Robbins seconded. The motion carries unanimously.

Continued Public Hearing – 68 South Main Street

Chairman Desmarais called the public hearing for 68 South Main Street back to order.

Attorney Matthew Costa said that they have made revisions to the plan based on the board's comments. Nicole Duquette, MHF Design Consultants, said that they moved the driveway slightly and moved the parking spaces. Ms. Duquette explained that in order to move the parking spaces they require a waiver since the parking spaces will be within the 40 foot setback. Ms. Duquette said that they also relocated the location of the vacuum in the updated plans.

Chairman Desmarais asked if there any other major changes to plan. Ms. Duquette stated that they changed the parking sign to 30 minutes. Chairman Desmarais asked if they were officially requesting a 30 minute limit on truck parking. Jennifer Daigle, Irving Oil, responded in the affirmative. Mr. Jose asked if there would be no idling. Chairman Desmarais said that if this project is successful a sign could be put up that say truck drivers must comply with state & federal law.

Mr. Frates mentioned that people park the wrong way on the Department of Transportation access road. Chairman Desmarais said that he and the town administrator, David DeManche, are planning to meet with Mary-Joe Perry, the director of MassDOT Highway District 5.

Ms. Duquette said that they plan to put a one-way sign on the entrance off the access road.

A resident mentioned that he was a retired truck driver and that federal law requires truck drivers to take a 30 minute break every 8 hours. The resident mentioned that it is hard to find places to park for 30 minutes. Ms. Daigle said that the store employees are going to enforce the 30 minute parking limit.

Mr. Rogers asked how many trucks can be parked there. Mr. Jose said there are 3 spots for trucks to park.

Patty Chase, a resident, asked if it was possible to do a one-way sign on the access road. Mr. Jose said that they can put a sign on their property. Chairman Desmarais mentioned any sign will have to be

approved by the board. Ms. Chase asked what would happen if MassDOT decided to not allow access to that road. Timothy Letton, GPI, said that Irving has a permit to use the access road for as long as they want. Ms. Chase said that sometimes there are tractor trailers parked across the street for hours. Chairman Desmarais mentioned there is a bylaw in place to try and prevent this. Chairman Desmarais asked the planning technician to send the relevant bylaws to the local business owners along with a narrative of what the bylaws mean.

Mr. Letton updated the board on the status of the no access line and stated they are working with MassDOT.

Ms. Chase asked if the town is doing anything to prohibit tractor trailer parking. Chairman Desmarais replied that the town has created 3 new bylaws to deal with that.

Mr. Jose entertained a motion to continue the public hearing to the September 11th Planning Board meeting, seconded by Mr. Rogers. The motion passed unanimously.

Review ANR Plan for 46 East Howland Road

George, from Outback Engineering, presented the Board with updated plans for the proposed project at 46 East Howland Road. Mr. Rogers asked where this property was located. Chairman Desmarais replied that it was located at the Musk Rat Sawmill.

Chairman Desmarais entertained a motion to endorse the plan, Mr. Rogers sustained, Ms. Robbins seconded. Mr. Jose abstained. The motion carries.

Discussion of Final As-Built Review of Chace/Parker Estates

The board discussed the Final As-Built review of Chace/Parker Estates. Mr. Rogers asked if the changes to the sidewalks that Environmental Partners suggested have been made. Chairman Desmarais said that the changes have been made.

Discussion/Approval of Housing Production Plan

Chairman Desmarais entertained a motion to approve the Housing Production Plan, Mr. Rogers sustained, Ms. Robbins seconded. The motion passed unanimously.

Discuss appointment of Planning Board designee to SRPEDD Commission

Chairman Desmarais entertained a motion to appoint the Planning Technician to the SRPEDD Commission, Mr. Rogers sustained, Ms. Robbins seconded. The motion passed unanimously.

Receive Minutes/Receive Schedule of Bills Paid

Chairman Desmarais entertained a motion to accept the minutes from May 15, 2018, Mr. Frates sustained, Mr. Jose seconded. Ms. Robbins and Mr. Rogers abstained. The motion carries.

Ms. Robbins entertained a motion to accept the minutes from June 12, 2018, Mr. Rogers seconded. Mr. Jose and Mr. Frates abstained. The motion carries.

Bills paid since the previous meeting were recounted.

Adjournment

Chairman Desmarais entertained a motion to adjourn, sustained by Ms. Robbins, seconded by Mr. Rogers, to adjourn at 8:10 p.m. The motion carried unanimously.

Respectfully submitted,

Chris McKay