



Planning Board Minutes – May 7, 2019

A meeting of the Town of Freetown Planning Board was held on May 7, 2019 at the Freetown Town Hall 3 N Main St Freetown, MA **Present:** Keven Desmarais, James Frates, Mark Rogers, Debra Robbins **Absent:** Robert Jose

Meeting called to order at 6:00 PM

Chairman Desmarais took the agenda out of order.

Public Hearing on Annual Town Meeting By-law Changes

Chairman Desmarais opened the public hearing for the Annual Town Meeting By-law Changes.

Mr. Rogers made a motion to waive the reading of the public hearing notice. Ms. Robbins seconded.

Ms. Robbins recused herself from the discussion on the proposed PMUD By-law due to owning property in the area.

Chairman Desmarais explained the history of the PMUD. The Chairman explained that PMUD stands for Planned Mixed-Use Development Area and is located on South Main Street within a greater commercial industrial area. The Chairman added that the PMUD allows the development around the train station to take on different characteristics that would not normally be allowed within its current zone. The Chairman stated that it is an overlay district, which means it is a smaller zone within the larger zone and that it may never be utilized as a Planned Mixed Use Development. Mr. Rogers said it is a way to entice someone to do a nice project in Freetown. Chairman Desmarais stated that what the Board would like to do is remove the regulations dealing with the PMUD from the by-laws and to insert them into the Planning Board's rules and regulations instead. The Chairman explained that this would allow the Planning Board to grant relief when appropriate, similar to what the Planning Board does for subdivision control. Chairman Desmarais asked the board if they saw any outstanding issues that would prevent the proposed PMUD by-law being moved forward to Town Meeting. Mr. Rogers added that the original PMUD by-law took over 2 years and countless meetings to create. Chairman Desmarais read the proposed article out loud and asked if there were any questions. No one from the public or the board asked any questions. Chairman Desmarais entertained a motion that the Planning Board recommend for Town Meeting proposed Article 1. Mr. Rogers moved and Mr. Frates seconded. The motion passed unanimously.

Ms. Robbins rejoined the Planning Board at the table.

Chairman Desmarais explained that the proposed truck stop by-law would limit truck stops to the STOD (Science and Technology Overlay District), while also still requiring a special permit. Chairman Desmarais said that the board does not want to shut anyone out from Town but the board does not want them to ruin the character of the Town either. Chairman Desmarais added that only allowing truck stops in the STOD would encourage truck stops to use Route 24 instead of driving through Town. Chairman Desmarais asked if there were any questions or comments from the public or the board. Mr. Rogers said that the proposed article was sensible. Chairman Desmarais entertained a motion that the Truck-Stop

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Zoning Article be recommended for Town Meeting. Mr. Rogers moved and Mr. Frates seconded. The motion passed unanimously.

Chairman Desmarais explained that the proposed Zoning Map By-law is clerical and shows the parcels that were voted to be rezoned at last October's Special Town Meeting. Chairman Desmarais said that the Attorney General requested a map be produced to show which parcels were being changed.

Chairman Desmarais asked the public and board if there were any questions or comments. No one from the public or the board had any comments or questions. Mr. Rogers made a motion that the Zoning Map article be recommended for Town Meeting. Ms. Robbins seconded. The motion passed unanimously.

Chairman Desmarais said that Jeff Chandler, the Zoning Enforcement Officer and Building Inspector, brought a concern about the definition of "Lot Coverage" to the board's attention. Chairman Desmarais said that the concern was that structures that do not require a building permit or have a permanent foundation are counted when determining lot coverage. Chairman Desmarais stated that the proposed article excludes these structures when determining lot coverage. Chairman Desmarais explained that the original intent behind the Lot Coverage by-law was to allow room for septic installations. Chairman Desmarais read the by-law out loud and asked if anyone from the public or the board had any questions. No one from the public or the board had any questions. Mr. Rogers made a motion to recommend the Lot Coverage by-law to Town Meeting. Mr. Frates seconded. The motion passed unanimously.

Chairman Desmarais entertained a motion to close the public hearing for the Annual Town Meeting By-law Changes. Mr. Rogers moved and Mr. Frates seconded. The motion passed unanimously.

Continued Public Hearing – Doctor Braley Road Solar

Chairman Desmarais stated that he listened to the audio recording of the April 16th public hearing and signed the Mullin Rule form.

Chairman Desmarais reopened the public hearing for Doctor Braley Road Solar.

Evan Watson, Prime Engineering, said that the major outstanding item from last time was the peer review letter from EPG (Environmental Partners Group). Mr. Watson said he responded to the original letter from EPG and that he received a final review letter today.

Mr. Watson produced revised plans and stated that the overall design did not change. Mr. Watson read the letter from EPG that listed the items that were not addressed.

These items were:

1. Zoning bylaw requirement 11.28.E.2.a.ii requiring that a site plan shall not be depicted in a scale greater than 1" = 40'. Mr. Watson read the comment from EPG that said the

applicant requested a waiver from this requirement and that EPG recommends the Board approve it.

2. Zoning bylaw requirement 11.28.E.2.a.vii requiring the name, address, and contact information for the system installed should be submitted and included on the plan set. Mr. Watson read the comment from EPG which said that the system installer has not been identified and that a pre-construction meeting has been proposed by the applicant. Mr. Watson added that EPG recommend the Board allows this as a condition of approval.
3. Stormwater Management Standard 2 requires calculations to demonstrate compliance. Mr. Watson read a comment from EPG which said that for this project, where there is little change and grading and cover type, they recommend the Board grant a waiver from providing peak rate of runoff calculations if the Applicant were to request such a waiver.
4. Stormwater Management Standard 3, Mr. Watson said he erroneously checked box saying they provided calculations for sizing BMP's.
5. Stormwater Management Standard 8 requires a Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of the Standard 8 prior to land disturbance. Mr. Watson read the comment from EPG which said that the applicant requested this to be a condition of approval and that EPG recommends the Board approve this request.

Mr. Rogers asked why a SWPPP was not provided. Mr. Watson said that different site contractors prefer different materials and that they like to defer to site contractors judgement, to an extent. Chairman Desmarais said he would like the erosion control to be reviewed by EPG once it's installed and have that review be a condition of approval.

Mr. Rogers said this project is different than most because there is no land clearing and very little grading required.

Chairman Desmarais said this is a pretty straightforward use for a property. Chairman Desmarais asked if there was a vegetation plan. Mr. Watson said that the Construction Sequence plan states that disturbed areas are to be loamed if necessary and seeded. Mr. Watson suggested a performance based condition that the vegetation must be healthy and stable at project completion. Chairman Desmarais added that it must be done in a manner that will sustain what it planted.

Chairman Desmarais entertained a motion that the Planning Board grant the waivers as requested. Mr. Rogers moved and Ms. Robbins seconded. The motion passed unanimously.

Chairman Desmarais entertained a motion to approve site plan review application with aforementioned conditions. Mr. Rogers moved and Ms. Robbins seconded. The motion passed unanimously.

Mr. Rogers left at 6:32.

Preliminary Discussion about Proposed Building Addition at Bradford Steel

Ken Motta, Field Engineering, introduced himself as the engineer representing Bradford Steel. Mr. Motta explained that the proposed addition would 20,550 square feet and that there would some modification to existing conditions. Mr. Motta stated that he would like the Board to decide if this is a major or minor impact. Chairman Desmarais asked if all the stuff that was previously outside is now going to be stored inside the addition. Mr. Motta said that it would be and the owner doesn't anticipate having any additional employees or additional traffic because of this addition. Chairman Desmarais said he does not think the addition constitutes a major change. Mr. Frates agreed and Ms. Robbins said she thinks it is a minor change. Chairman Desmarais said that by consensus the Board agrees that this only rises to the level of a minor site plan review. Chairman Desmarais added that engineering review will be discussed at the full presentation. Chairman Desmarais mentioned that the applicant will need to get a Zoning Determination from the Zoning Enforcement Officer.

Discussion on Right-of-First- Refusal Letter Concerning Acushnet Saw Mills forestland

Chairman Desmarais explained that the Town gets notified when certified forestland is being sold or converted to another purpose, so that the Town might purchase it if desired. The Board discussed the land in question and by consensus politely declined.

Continued Public Hearing for Fallbrook Subdivision

Chairman Desmarais read the letter for Evan Watson, engineer for Fallbrook, requesting a continuance to the next meeting.

Chairman Desmarais entertained a motion to continue the public hearing to May 21, 2019 at the Town Hall at 6:00 pm. Ms. Robbins moved and Mr. Frates seconded.

Endorsement of Betty Spring Road Plans

Chairman Desmarais, Mr. Frates, and Ms. Robbins endorsed the mylar for Betty Springs road.

Chairman Desmarais entertained a motion to adjourn. Ms. Robbins moved and Mr. Frates seconded.

Respectfully Submitted,

Christopher McKay