

2019 SEP 18 AM 9:40

**Planning Board Minutes – July 23, 2019**

A meeting of the Town of Freetown **Planning Board** was held on **July 23, 2019** Freetown Town Hall Assonet, MA. **Present:** Chairman Keven Desmarais, Mark Rogers, Debra Robbins  
**Absent:** James Frates, Robert Jose (until 6:13 pm)

Chairman Desmarais called the meeting to order at 6:05 pm.

**3 Christy Lane As-Built Discussion**

Nyles Zager, Zenith Engineering, presented the Board with an as-built for the Christy Lane subdivision.

Chairman Desmarais explained that the when this subdivision was created the only requirement was that an as-built be provided and with the as-built completed there is no need for surety.

Chairman Desmarais entertained a motion that the requirement for surety not be required for the 3 Christy Lane Subdivision. **Mr. Rogers** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Chairman Desmarais asked that the minutes reflect that Robert Jose was not present during the 3 Christy Lane Subdivision discussion.

**5 Bell Rock Road ANR Plan Discussion**

Bob Berube, Pro-Line Engineering, presented the ANR plan to the Board and explained that the plan creates 3 new lots. Chairman Desmarais asked why there was a narrow strip that was not being divided. Mr. Berube replied that it can be used as an avenue to Copicut Road.

\*Robert Jose arrived at 6:13 pm\*

Chairman Desmarais entertained a motion to accept the ANR Plan for 5 Bell Rock Road. **Mr. Rogers** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Riverfront Business Park Pre-Application Conference**

Chairman Desmarais explained that he and **Mr. Jose** met with representatives of Riverfront Business Park last week and that he suggested to them that they fill out an application for a pre-conference discussion.

Attorney Thomas Killoran presented an application for a pre-application review for a potential project in the Riverfront Business Park and a rough draft plan for a project. Mr. Killoran explained that they are looking to develop westerly portion of parcel for wholesale auto sales and that the buildings would be under 10,000 sq ft.

**Chairman Desmarais** asked if this new proposed use will change the previous MEPA approval. Mr. Killoran replied that he did not believe it would change the approval. **Chairman Desmarais** stated that having a pre-application review is great because it allows the project to be peer reviewed from the beginning. Mr. Killoran said that if the pre-application review is approved tonight then the intent was to meet with Environmental Partners Group without the Planning Board. **Chairman Desmarais** said that it is typical of other projects to allow engineers to talk directly. **Chairman Desmarais** presented a challenge to make this project the best in the occupant's system. Mr. Killoran replied that the message has been received and the challenge accepted. **Mr. Rogers** asked for more information. Mr. Killoran said 80% of the sales will most likely be salvage and there is not in-person bidding. **Mr. Rogers** asked if they anticipated repair facility, recycling, scrapping. Mr. Killoran said no, the only thing done is shrink-wrapping and that the estimated turnover time is a few weeks. **Mr. Rogers** asked how many acres this use will take up. Mr. Killoran said 180 or so acres. **Mr. Jose** asked if the building on site has changed. Mr. Killoran said it hasn't. **Chairman Desmarais** stated that the challenge he issued in the previous meeting was specific to spill/fluid containment. Mr. Killoran said that there are written procedures to deal with leaks. **Mr. Jose** asked about preventative maintenance since it is an environmentally sensitive area. **Chairman Desmarais** said that with credit to Churchhill & Banks they have spent a lot of money cleaning the area up. Ray Lavey, Churchhill & Banks, said they spent about 2 million cleaning the area.

**Chairman Desmarais** explained that a site plan will require plans to limit dust, noise, and lights. **Chairman Desmarais** added that the use must be harmonious and that the Town wants this parcel developed. **Chairman Desmarais** asked about the pier being part of the limited disturbance area and asked if there were plans to do deliveries by water. Mr. Killoran said there were no intended deliveries by water.

**Mr. Jose** made a motion to authorize Environmental Partners Group to collaborate with applicant at their discretion. **Ms. Robbins** seconded. The motion passed unanimously.

### **Discussion with Building Inspector about Ground-Mounted Solar Photovoltaic Installations**

**Chairman Desmarais** explained that only Ground-Mounted Solar with 250 kw or larger require site plan approval and that Jeff Chandler, Freetown Building Inspector and Zoning Enforcement Official, has received a few applications for less than that. **Chairman Desmarais** added that Mr. Chandler has some concerns about what would happen if a plan was submitted that was 249 kw.

Mr. Chandler explained that he has received an application for a residential property to construct 34 kw of ground-mounted solar. Mr. Chandler asked where the threshold starts and stops and that he would like to see some kind of barrier around solar arrays to stop kids from playing near them. Mr. Chandler asked the Boards opinion on a more restrictive barrier since all that is required now is a 4 foot fence. **Chairman Desmarais** said that there has to be set backs, access for arrays of a certain size, and that it might require creating an additional by-law. **Mr. Jose** said he did not think that ground-mounted solar arrays are too dangerous and that his solar array has no exposed wires. Mr. Chandler said he has seen 2 in town with exposed wires. **Ms. Robbins** said those were bad installations then. **Chairman Desmarais** stated that the Town is being gracious by allowing large scale solar in residential areas and that if we are going to continue to allow it in a residential area then there has to be mitigation for their neighbors. **Chairman Desmarais** asked the Planning Technician to look into what other town's requirements are.

#### **Continued Public Hearing for Fallbrook Subdivision**

**Chairman Desmarais** read an email from the applicant's engineer requesting to continue the public hearing to the August meeting.

**Chairman Desmarais** entertained a motion to continue the public hearing to August 20<sup>th</sup> at 6:00 pm in the Freetown Town Hall First Floor Hallway. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

#### **Continued Public Hearing for Michkev RE LLC**

**Chairman Desmarais** read an email from the applicant's engineer requesting to continue the public hearing to the August meeting.

**Chairman Desmarais** entertained a motion to continue the public hearing to August 20<sup>th</sup> at 6:00 pm in the Freetown Town Hall First Floor Hallway. **Mr. Rogers** moved and **Mr. Jose** seconded. The motion passed unanimously.

#### **Receive Minutes/Receive Schedule of Bills Paid**

**Mr. Rogers** made a motion to approve the minutes from May 21, 2019. **Mr. Jose** seconded. The motion passed unanimously.

**Mr. Jose** made a motion to approve the minutes from April 16, 2019. **Mr. Rogers** seconded. **Chairman Desmarais** abstained.

**Mr. Jose** made a motion to approve the minutes from April 2, 2019. **Chairman Desmarais** seconded. **Mr. Rogers** abstained.

**Mr. Jose** made a motion to adjourn. **Mr. Rogers** seconded. The motion passed unanimously.

Respectfully Submitted,

Christopher McKay