



Planning Board Minutes – September 11, 2018

A meeting of the Town of Freetown **Planning Board** was held on September 11, 2018 at the Freetown Town Hall 3 N Main St Freetown, MA **Present:** Mark Rogers, Debra Robbins, Robert Jose, Jim Frates **Absent:** Keven Desmarais

Meeting called to order at 6:07 PM

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Debra Robbins

Continued Public Hearing- Fallbrook Subdivision

Mr. Jose read the email from Evan Watson, Prime Engineering, requesting to continue the public hearing for the Fallbrook Subdivision to the October meeting.

Mr. Jose made a motion to continue the public hearing for the Fallbrook Subdivision to October 16th at 6:00 pm at Freetown Town Hall. Ms. Robbins seconded. The motion passed unanimously.

Continued Public Hearing- Irving Oil

Vice Chairman Rogers called the public hearing for Irving Oil back to order.

Attorney Matthew Costa, of Gay and Gay P.C., approached the board and stated his concern that the Chairman was absent in case there was a vote and explained that there was preference that any vote be made with a full board. Atty. Costa requested short a recess with his clients to figure out how they want to proceed. Vice Chairman Rogers called a short recess at 6:13 pm.

Atty. Costa returned at 6:16 pm and stated that their plan was to provide the board with an update on where they are in relation to the peer review and provide an additional letter that was submitted for additional waiver requests. Atty. Costa asked if the town adopted a statute that allows the Chairman to listen to the recording of the meeting and act at the next meeting. Vice Chairman Rogers answered in the affirmative and stated that it is called the Mullin Rule. Atty. Costa explained that the peer review consultant recommended additional waiver requests and that the new waiver request is included in the revised waiver request letter. Atty. Costa asked the board to continue the public hearing until a full board will be present. Mr. Jose asked Atty. Costa when the board received the letter and Atty. Costa responded that it was emailed to the board yesterday. Mr. Jose asked Jim Fitzgerald, from Environmental Partners Group, if he had a chance to review the revised waiver request list. Mr. Fitzgerald responded that he didn't but that he assumed it has something to do with their peer review recommendation. Mr. Rogers asked Atty. Costa if there were any other changes since the time he last presented and Atty. Costa replied that there were no other changes. Ms. Robbins asked Vice Chairman Rogers if he thought waiver for drainage pipes would be an issue. Vice Chairman Rogers responded that it doesn't appear to be. Mr. Jose asked Mr. Fitzgerald if the plan has changed since he last reviewed it. Mr. Fitzgerald said that it has not.

Mr. Jose made a motion to continue the public hearing to Tuesday, October 2nd at 6:00 pm at Town Hall. Ms. Robbins seconded. The motion passed unanimously.

Receive Minutes/ Receive Schedule of Bills Paid

Mr. Jose made a motion to accept the minutes from the August 7th, 2018 Planning Board meeting. Ms. Robbins seconded. Mr. Rogers abstained.

The list of bills paid was reviewed by the board.

Correspondence on Proposed Zoning Articles for the October 15, 2018 Special Town Meeting

Mr. Jose read the proposed article that would change the Zoning Table of Use to allow truck stops by special permit in the STOD (Science and Technology Overlay District). Mr. Jose explained that this was originally discussed when the board proposed the Truck Stop by-law 2 town meeting ago and that the goal was to pull truck traffic away from the center of town. Mr. Jose added that the STOD bylaw allows truck stops in the area and the proposed article would just be updating the Table of Use to change Truck Stops from a "No" to "Special Permit".

Mr. Jose read the proposed article that would allow ARC (Adult Retirement Communities) on 5 acres lots as long as the lots were serviced by municipal water and/or sewer. Vice Chairman Rogers explained that there was a lot of discussion years ago about allowing ARCs on smaller lots. Vice Chairman Rogers asked the Planning Technician to edit the explanation so that it mirrors the wording of the proposed article.

Mr. Jose read the proposed article that would allow for limited additional development in the Assonet Bay Shores neighborhood. The Board then read the rough draft of the proposed Section 11.18.F ½. Vice Chairman Rogers said that board members should take the rough draft home, take notes on things that stand out, and bring them back at another meeting. Mr. Jose stated that a map should be made to show the affected properties. Mr. Frates asked why houses would be limited to 2 bedrooms. Vice Chairman Rogers responded that the board looked at what was feasible on the lot size. Mr. Jose added that he was not intending for this by-law to be limited to Assonet Bay shores and that he had wanted to do it in multiple areas.

Mr. Jose read and explained the proposed article that would rezone certain parcels owned by the Conservation Commission, the Department of Conservation and Recreation (Freetown State Forest), and municipal water departments from their current zoning to Open Space & Recreation.

Vice Chairman Rogers entertained a motion to adjourn at 6:50, Mr. Jose sustained and Ms. Robbins seconded. The motion passed unanimously.

Respectfully submitted,

Christopher McKay

Planning Technician