



## Planning Board Minutes – October 22, 2019

A meeting of the Town of Freetown **Planning Board** was held on **October 22, 2019** at Freetown Town Hall Assonet, MA. **Present:** Chairman Keven Desmarais, Debra Robbins, James Frates, Mark Rogers **Absent:** Robert Jose

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2019 DEC 19 AM 8:16  
*Debra Robbins*

**Chairman Desmarais** called the meeting to order at 6:10 pm.

### Continued Public Hearing Michkev RE LLC

**Chairman Desmarais** read an email from Dan Mulloy, Site Design Engineering, asking to continue the site plan review public hearing to November 12<sup>th</sup>. **Chairman Desmarais** entertained a motion to continue the public hearing to November 12<sup>th</sup>. **Mr. Rogers** moved and **Mr. Frates** seconded. The motion passed unanimously.

### Continued Public Hearing Freetown Solar II

**Chairman Desmarais** read an email from Azu Etoniru, E. T. Engineering Enterprises, Inc., asking to continue the site plan review public hearing to November 12<sup>th</sup>. **Chairman Desmarais** entertained a motion to continue the public hearing to November 12<sup>th</sup>. **Mr. Rogers** moved and **Mr. Frates** seconded. The motion passed unanimously.

### Public Hearing for Copart – Riverfront Business Park

**Chairman Desmarais** explained that first the applicants will make their presentation, then the Board will ask their questions and then the Board will open it up to the public to ask questions.

**Chairman Desmarais** entertained a motion to waive the reading of the public hearing notice. **Mr. Rogers** moved and **Mr. Frates** seconded. The motion passed unanimously.

**Chairman Desmarais** explained that this project requires a site plan review, which the Board cannot deny. **Chairman Desmarais** added that the Board has the latitude to require certain conditions.

Attorney Thomas Killoran, representing Copart Inc., approached the Board. Mr. Killoran said that they have been working with the Town's peer review engineer EPG (Environmental Partners Group) on the plan. Mr. Killoran said that they received a comment letter from EPG that day and will be submitting a written response in the near future.

Tim Buzzell, General Manager for Copart's Mendon location, introduced himself and provided some history of Copart. Mr. Buzzell said that Copart is an online auto auction site which was founded in 1982 and that there are roughly 240 locations worldwide. Mr. Buzzell said that Copart services top tier

insurance companies and that auctions are held once a week. Mr. Buzzell explained that vehicles arrive in variety of states including accidents, fleet vehicles, and donations.

Ed Brightman, 181 S Main Street, asked if people can come in and make an auction off the street. Mr. Buzzell said no, that all auctions are done online.

Donna Amarantes, High Street, asked if vehicles would be dismantled. Mr. Buzzell said no, not at all. Mr. Killoran explained that a common misconception is that Copart is akin to a junkyard and that is not the case. Mr. Killoran added that the vehicles leave in pretty much the same condition unless there is loose piece of metal or something, which would be addressed. Ms. Amarantes asked how many vehicles or units will be on the property. Mr. Killoran explained that the presentation by Brandon Carr, Dipriete Engineering, should address a lot of these questions.

Steve, Alexander Drive, asked what the difference between Copart and the company on 79. Mr. Buzzell said he was not familiar with that company.

Mr. Carr began his presentation by explaining that the site is located on South Main Street West and South of the Stop and Shop distribution center and off of Exit 8 on 24. Mr. Carr said that they (Dipriete) have been working on this site for a number of years and that there have been a number of proposals with a mixed-use business park being the latest one. Mr. Carr added that the mixed-use business park was MEPA approved. Mr. Carr said that the proposed Copart project is the same limit of work and disturbance, just restricted to one building and auto storage. Mr. Carr said that the site is a little over 400 acres and that the MEPA approved limit of work is 198 acres. Mr. Carr explained that that the area upfront is not being developed in order to save it for a possible future use. Mr. Carr said that the public parking lot is for insurance agents and the rest of the site is fenced in.

Mr. Carr said that the majority of cars come in 1 or 2 at a time on tow trucks. Mr. Carr estimated that there would be 50 – 250 trips a day and explained that the previous proposed project for this area estimated around 9000 trips a day. Mr. Carr said that there will be higher duty asphalt for the loading area and that the rest of the site would be chipseal. Mr. Carr explained that cars are not driven on site, they are moved by loaders.

Mr. Carr said that the water would be brought up the access road, sewer would be accessed through Stop and Shops private sewer line, and that there is existing gas and electric on site. Mr. Carr said the AM peak would be from 8 – 9 and would be about 60 trips on average.

Mr. Carr explained that he has worked on the design with the town peer review engineers, EPG (Environmental Partners Group) from the beginning of the design. **Chairman Desmarais** said that the town employs EPG and the Board believes they do an excellent job. **Chairman Desmarais** said that EPG's

initial comment sheet has 50 bullet points made up of mostly technical items, which the Board usually lets EPG take care of. **Mr. Rogers** said that a lot of the items are drainage calculations.

**Chairman Desmarais** said he would like to talk about the day to day operation on site.

**Chairman Desmarais** read the Department comments.

The Board of Selectmen said it was too early for them to make a comment. The Building Inspector said the 2<sup>nd</sup> lot has partial flood plain areas.

The Fire Department said they will issue approval as long as the project is in compliance with fire department and water access.

Board of Health said that there is not much for them to review since the site will be tied into sewer.

The Assessors said that the 2 lots should be combined into one lot, Robinson's Lane seems to be missing on all sheets, 2 cemeteries are mislabeled, and access is needed to the cemeteries because veterans are buried there.

The Conservation Commission said the applicant has filed separately with them.

The Police Department said that there are contaminant concerns and concerns about unregistered vehicles.

**Chairman Desmarais** said he spoke with the Police Chief and that the Chief also had concerns with the afterhours entrance and the lack of lights in the parking lot.

**Mr. Rogers** asked what the maximum vehicles on the property would be, with full buildout. Tom Smith, Copart Property Manager, said 115 to 130 per acre. Mr. Carr estimated around 15,000 for full capacity. **Mr. Rogers** said the Board needs a hard number of cars. Mr. Smith said that they would not be able to fill up the site in 4-6 years and that the site is designed to have capacity for disaster scenarios. **Chairman Desmarais** said that typically the Board asks that the applicant apply for projected total buildout. **Mr. Rogers** asked what percentages of vehicles come in damaged. Mr. Buzzell said about 60-65%. **Mr. Rogers** asked if the timeline was 70-80 days. Mr. Smith said historically yes. **Mr. Rogers** asked if repairs happened on site. Mr. Smith said no. **Mr. Rogers** asked about the procedure for leaking cars. Mr. Buzzell said every employee at the facility is trained in spill response. Mr. Buzzell added that if a vehicle continues to leak then a drip pan is put under it and monitored weekly.

**Mr. Rogers** asked how many auctions there will a week. Mr. Buzzell said auctions are only held one day week.

**Chairman Desmarais** said that the applicant has to supply the Board with a day-to-day operation plan or the Board will set one up for them. **Chairman Desmarais** asked what kind of process there is when a vehicle is dropped off. **Chairman Desmarais** added that the Board understands that this is the first public hearing and that the Board does not expect all the answers tonight but will expect them at the next meeting.

**Chairman Desmarais** said that the Board challenged the applicant to make this location the flagship of their business and that it does not appear to they have done the best to meet that challenge.

Richard Levesque, South Main Street, asked about noise pollution and what you will be able to see from South Main Street. Mr. Carr said that the public parking lot area is about 150 ft away from South Main St and is located behind existing vegetation. Mr. Carr added that noise is limited to moving cars around, loading them. Mr. Levesque asked if there are, on average, 150 trips a day. Mr. Carr said that was correct.

**Chairman Desmarais** asked that the applicant provide the Board with the proposed hours of operation.

Gary Mendes, Chace Road, asked what will be done to stop farm equipment from leaking. Mr. Buzzell said all that equipment is handled at West Warren facility. **Chairman Desmarais** cautioned the applicant to make sure that they ask for exactly what intend to use this facility for.

George Grunwald asked if it would be possible to get a tour of the facility. **Chairman Desmarais** asked if the offer was still available. Mr. Buzzell said it was.

Mark Rosofsky, Chace Road, asked what provision and planning there is for water soluble engine leaks. Mr. Rosofsky added that there should be a provision for leaking anti-freeze. Mr. Carr said that the sand filter treats water soluble leaks. **Chairman Desmarais** said that over time he imagines that the grass swale would be coated by the contaminants. Mr. Carr said they see the highest likelihood of leaking occurring during vehicle drop-off which is why the unloading zone has asphalt. **Mr. Rogers** said that the Board needs the best means and methods to address these before the leaks enter the environment.

Ms. Amarantes asked if vehicles were going to a recycling facility. Mr. Buzzell replied that all the vehicles are sold through auctions. Ms. Aramantes asked to confirm that none of the vehicles are going to a recycling facility. Mr. Buzzell said they do not control who buys the cars at the auctions.

Mr. Levesque asked if any archaeological studies have been made on the site. **Chairman Desmarais** said that part of the MEPA process deals with that. **Chairman Desmarais** added that he believes that the property owner spent around \$4 million to clean up the site. Richard Baccari, property owner, said that they spent \$600,000 to get a clean archaeological bill.

Mr. Rosofksy thanked the Board for allowing the public to voice their opinions and holding an open public hearing.

Mr. Killoran submitted a requested waiver sheet. **Chairman Desmarais** said the Board will have to read these over and that the Board cannot grant a waiver from the Flood Plain By-law. Mr. Killoran explained that they do not believe the flood plain by-law applies because the only proposed work to occur in the flood plain is for stormwater.

**Chairman Desmarais** thanked the applicant for their professionalism.

**Chairman Desmarais** entertained a motion to continue the public hearing for Copart-Riverfront Business Park to November 12, 2019 at 6:00pm. **Mr. Rogers** moved and **Mr. Frates** seconded. The motion passed unanimously.

#### Receive Minutes

**Ms. Robbins** made a motion to approve the September 3, 2019 minutes. **Mr. Frates** seconded. **Chairman Desmarais** and **Mr. Rogers** abstained since they were absent from that meeting.

**Ms. Robbins** made a motion to approve the minutes from September 17, 2019 minutes. **Mr. Frates** seconded. **Mr. Rogers** abstained since he was absent from that meeting.

**Ms. Robbins** made a motion to make Robert Jose Vice-Chairman of the Planning Board. **Mr. Frates** seconded. The motion passed unanimously.

**Ms. Robbins** made a motion to adjourn. **Mr. Frates** seconded. The motion passed unanimously.

Respectfully Submitted,

Christopher McKay