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## Planning Board Minutes – January 19, 2021 2021 MAY 27 AM 10: 53

A meeting of the Town of Freetown Planning Board was held on January 19, 2021 at 6:00 pm over Zoom.

**Present:** Chairman Keven Desmarais, Debra Robbins, James Frates, Robert Jose, David Crose, Christopher Mello (arrived 6:45 pm)

### Continued Public Hearing – 1 Madiecha Way

Chairman Desmarais called the public hearing back to order.

Byron Holmes, Holmes Engineering, requested to continue the public hearing to February 16, 2021.

Chairman Desmarais entertained a motion to continue the 1 Madeicha Way public hearing to February 16, 2021 at 6 pm via Zoom.

### Continued Public Hearing – Michkev RE LLC Site Plan Review Public Hearing

Chairman Desmarais called the public hearing back to order.

Chairman Desmarais said the Board received an email from the project's engineer requesting to continue the public hearing to February 16, 2021.

Chairman Desmarais entertained a motion to continue the Michkev RE LLC Site Plan Review public hearing to February 16, 2021 at 6 pm via Zoom.

### Continued Public Hearing – 12 Forge Road Site Plan Review

Chairman Desmarais called the public hearing back to order.

Chairman Desmarais said the Board received an email from the project's engineer requesting to continue the public hearing to February 16, 2021. **Ms. Robbins** moved and **Mr. Frates** seconded. The motion passed unanimously.

Chairman Desmarais entertained a motion to continue the 12 Forge Road site plan review public hearing to February 16, 2021 at 6 pm via Zoom.

### Continued Public Hearing – Quarry Drive-Bryant Hill LLC, Solar Energy System

Chairman Desmarais called the public hearing back to order.

Steve Gioiosa, Sitec, said the project received approval from the Conservation Commission at the last meeting. **Chairman Desmarais** said looking at the peer review letter it seems that the only outstanding things are the SWPPP (Stormwater Pollution Prevention Plan) and the interconnectivity utility agreement. EPG recommends that, as a condition of approval, the SWPPP be provided prior to construction and that it be reviewed by either the Planning Board or the Planning Board's agent. EPG recommends that, as a condition of approval, the interconnectivity utility agreement be provided prior to construction. Adam Kran, Environmental Partners Group (EPG), said that is correct.

**Mr. Jose** said he has no questions.

**Chairman Desmarais** entertained a motion to close the public hearing. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

**Chairman Desmarais** entertained a motion to approve the Quarry-Drive Bryant Hill LLC, Solar Energy System Site Plan with revision date December 15, 2020 with the conditions that the SWPPP and interconnectivity utility agreement must be submitted prior to start of construction and that the SWPPP be review by either the Planning Board or the Planning Board's agent. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

#### **Continued Public Hearing – 3 Friend Street Form C Subdivision**

**Chairman Desmarais** called the public hearing back to order.

Byron Holmes, Holmes Engineering, said that at the last meeting 3 waivers were discussed but there is an additional waiver that they could not discuss at the last meeting. Mr. Holmes said that the area in the flood zone and is also land subject to coastal storm flowage and that EPG recommended that the Board grant a waiver.

**Chairman Desmarais** entertained a motion grant the waiver. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Mr. Holmes asked if the Board can grant the waivers that were discussed at the previous meeting. **Chairman Desmarais** said since no Board members took issue with the waivers he has no problem doing that.

Mr. Holmes read the requested waivers:

- IV.B.1.d) Reserve strips not permitted
- IV.B.2.a) Table 1 - Maximum length of dead end  
Street = 750 ft.
- IV.B.7.b) Sidewalk shall wrap around the entire  
outside of a cul-de-sac
- IV.D.1 New subdivisions are not to result in a significant increase in the rate and volume of  
stormwater runoff.

**Chairman Desmarais** asked that either the coversheet of the plan be updated to include the IV.D.1 waiver or to send the Planning Board a narrative with that waiver included that they can keep with the file.

**Mr. Jose** made a motion to submit the 4 waiver requests as written as long as the applicant submits them in writing to the Board. **Mr. Frates** seconded. The motion passed unanimously.

Jim Rezendes, applicant, asked if they could go through the remaining items to see if everything can get resolved tonight.

Mr. Holmes went through the response letter, item by item (listed below).

#### Wetland and Environmental Comments:

1. Plans have been revised to list the Riverbank as "200' Outer Riparian Zone".
5. The 2.12 and 4 foot contour has been added to Sheet 2 of the Plan to show the limit of the site survey. The stream parallel to North Main Street is a perennial stream because it is not shown on USGS maps, the watershed to the stream is not 1 square mile, and the watershed is not over 0.5 square mile.

Mr. Kran said these comments are more pertinent to the Conservation Commission. **Chairman Desmarais** agreed and said the Wetland comments should be handled by the Conservation Commission.

#### Stormwater Management Standards:

2. The Planning Board and Conservation approved the waiver from Section IV.D.1
3. The location of soil tests, a detail of the Cutlec systems, notes regarding the Cultec system, and the maximum roof area have been added to the plans as requested.
6. The applicant agrees that the project will submit a Notice of Intent under the Construction General Permit to the Environmental Protection Agency.

#### Town of Freetown Rules and Regulations of the Planning Board Governing Subdivision of Land

7. The applicant has provided a detail for the Cultec infiltration systems on the plan.
13. A note regarding the grading of individual house lots has been added to the plans.
14. Maintenance of the easements, including the swales and the Stormceptors, will be the responsibility of the land owners of the lots where the swales exist.
15. The location of the Stabilized Construction Entrance is not shown of the Erosion and Sedimentation Control Plan.

**Chairman Desmarais** asked why the drainage easements are being maintained by the property owners and not the Town. Mr. Holmes said EPG commented that the homeowner should be responsible. **Chairman Desmarais** said even if the town does not accept the road the Town should still have easements to allow them to maintain the easements if necessary. **Mr. Jose** asked if there should be some kind of wording that says it's the homeowner's responsibility if it is not accepted by the Town but will still allow the town to maintain the easements and drainage if necessary. **Chairman Desmarais** said he thinks it should be worded so that the town maintains it and has the ability to in the future. Mr. Rezendes said that can be included in the deeds on the lots with easements on them, that the town has the right to maintain the easements. **Chairman Desmarais** said it should also be on the road acceptance paperwork, if the road is ever accepted.

**Chairman Desmarais** said he does not see anything that would prevent the Board from granting a conditional approval. **Mr. Jose** agreed.

**\*Mr. Mello joined the Zoom Call\***

**Chairman Desmarais** entertained a motion to close the public hearing. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Mr. Jose** made a motion to conditionally approve the plans dated for GM Minor Public Way dated January 18, 2021 with the condition that the updated waiver request list must be submitted to the Planning Board. **Mr. Frates** seconded. The motion passed unanimously.

**Mr. Jose** made a motion to accept the minutes from September 8, 2020, September 15, 2020, and September 29, 2020. **Mr. Frates** seconded. **Ms. Robbins** abstained.

**Any Other Business To Properly Come Before the Board**

**Mr. Crose** asked to discuss the zoning recently approved by the state that allows for multi-family housing within a ½ mile of the train station. **Chairman Desmarais** said he believes the town has already covered that with the PMUD. **Mr. Jose** asked if the 41R is covered under the same ruling, because if it does not then that may be a better option. **Chairman Desmarais** said he will look into it.

**Chairman Desmarais** entertained a motion to adjourn. **Ms. Robbins** moved and **Mr. Mello** seconded. The motion passed unanimously.

Respectfully Submitted,  
C. Nils McKay  
Planning Technician