



Planning Board Minutes – April 20, 2021

A meeting of the Town of Freetown **Planning Board** was held on **April 20, 2021 at 6:00 pm** over Zoom.

Present: Chairman Keven Desmarais, Debra Robbins, Robert Jose, David Crose, Christopher Mello **Absent:** James Frates

2021 OCT - 1 AM 9:12
RECEIVED
FREETOWN CLERK
Cheryl A. Smith

Continued Public Hearing – 1 Madiecha Way

Chairman Desmarais called the public hearing back to order.

Chairman Desmarais said that the applicant has requested a continuance to May 18th because they are still dealing with the court.

Chairman Desmarais entertained a motion to continue the public hearing for 1 Madiecha Way to May 18, 2021 at 6pm via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Continued Public Hearing – Michkev RE LLC

Chairman Desmarais called the public hearing back to order.

Chairman Desmarais said that the applicant has requested a continuance to May 4th. Chairman Desmarais asked the Planning Technician to reach out and ask the engineer when they expect to file the revised plans with EPG.

Chairman Desmarais entertained a motion to continue the public hearing for Michkev RE LLC to May 4, 2021 at 6 pm via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Public Hearing – Simmons Street – Pettey Solar LLC

Chairman Desmarais explained that the applicant did not mail out the abutter's notification so he does not feel comfortable moving forward with this public hearing.

Chairman Desmarais explained that the public hearing will be reposted, readvertised, and abutters will be notified.

Chairman Desmarais entertained a motion to continue the public hearing to May 18 at 6 pm via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Public Hearing- Gurney-Mola Solar LLC

Chairman Desmarais explained that the applicant did not mail out the abutter's notification so he does not feel comfortable moving forward with this public hearing.

Chairman Desmarais explained that the public hearing will be reposted, readvertised, and abutters will be notified.

Chairman Desmarais entertained a motion to continue the public hearing to May 18 at 6 pm via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Continued Public Hearing – 12 Forge Road

Chairman Desmarais called the public hearing back to order.

Ryan Young, CVE North America, said they would like the Board to weigh in on whether or not any additional information has to be provided for further sound review.

Mr. Jose said what the Board is looking for is to make sure that the project will meet DEP noise standards, which is no more than 10 decibels above ambient at the property line. **Chairman Desmarais** said that if the project is approved, then the Board might want to make a condition that if the project does not meet or is suspected of not meeting the DEP standard then a sound study will be done. **Chairman Desmarais** added that if the sound study shows that the project exceeds the DEP standards then those issues must be rectified.

Chairman Desmarais entertained a motion to continue the public hearing for 12 Forge Road to May 4, 2021 at 6 pm via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Public Hearing – 32 Middleboro Road

Chairman Desmarais opened the public hearing.

Chairman Desmarais explained that the Planning Board has received a letter from an abutter.

Ryan Young, CVE North America, explained that CVE owns and operates the solar projects it builds. Mr. Young said that once constructed the only traffic on site will be a regular sized pickup truck for electricians/engineering. Mr. Young said the property is about 16 acres and explained that the property was recently combined after the subdivision plan was rescinded. Mr. Young said access will be down Clermont Way and that the inverter and storage is very similar to the Forge Road project. Mr. Young said they are using a DC-coupled storage, which is charged up during the day and typically discharged during between 4-6 pm. Mr. Young says CVE is invested in pollinator friendly seed blends with native species.

Chairman Desmarais asked if there are any public comments. Frank Ashley, abutter to the North, asked for a copy of the water retention and discharge plans. **Chairman Desmarais** said it looks like the bottom elevation of the pit will be at 86.5 and then it is 86 in the after pit. Christopher King, Atlantic Design Engineers, said the discharge for the basin itself along the northern edge at the bottom of the basin is at elevation 87 and relative to the bog it is higher than the bog itself. Mr. King said the main discharge from the basin is a 12 inch pipe located within a small depression area for sedimentation and water quality purposes that discharges to a level spreader. **Chairman Desmarais** asked the applicant to do whatever they can do to have Mr. Ashley have a complete understanding of what is going on over there. **Chairman Desmarais** said it appears that most activity other than a 100 year old storm is going in an easterly direction. Mr. Ashley said his major concern is that they will not be getting water when they do not want water. Shelley Hopkins, abutter, said the northwest corner of

4 Clermont way, where it connects to 32 Middleboro Road and 26 Middleboro Road, has had a history of flooding when ever there is even a minor rainstorm. Ms. Hopkins said her other concern is with the structural integrity of the culvert. **Chairman Desmarais** said it is not unusual to require some type of offsite mitigation.

Mr. King said EPG has reviewed the project and are preparing additional information as required.

Chairman Desmarais entertained a motion to continue the public hearing for the proposed solar array at 32 Middleboro Road to May 4, 2020 via Zoom. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

Receive Minutes and Schedule of Bills Payable

Ms. Robbins made a motion to accept the minutes from February 16, 2021. **Mr. Mello** seconded. The motion passed unanimously.

Any other business to properly come before the Board

Chairman Desmarais said the Board needs to get a clearer understanding from the Zoning Enforcement Official relative to the solar arrays being sited on properties that have an existing house. **Chairman Desmarais** said he would like the Zoning Enforcement Official to speak to whether a large scale solar array sited on a property with an existing house is considered a home occupation.

Mr. Jose said Board members should look in the by-laws at 11.16 which deals with home occupancy outside of the house and that is where the discussion with the Zoning Enforcement Official should begin. **Mr. Jose** asked that if there is already a house on a property then that is considered the principal use and that if the state determines that the secondary use is commercial, should 11.16 apply?

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

Respectfully Submitted,

C. Nils McKay

Planning Technician