

Cheryl A. DiSilvestro

RECEIVED
FREETOWN TOWN CLERK

2021 NOV -4 PM 2:45



Planning Board Minutes – May 20, 2021

A meeting of the Town of Freetown **Planning Board** was held on **May 20, 2021 at 5:00 pm** over Zoom.

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

1. Informal Discussion on Potential Subvision located on Costa Drive

Jeffrey Angley, Phillips & Angley, representing Ironwood Project LLC and Mike and Karen Costa, property owners of 0 Braley Road. Mr. Angle thanked Attorney Jonathan Silverstein, Freetown Town Council, for help putting this discussion together.

Mr. Angley stated that Costa Solar seeks to put a solar facility on 2 parcels of land that are owned by the Costa Family at 0 Braley Road and a westerly parcel. The 2 parcels are separated by a railroad track that was laid out in 1839, with rights granted to the owners to pass back and forth. Mr. Angley added that this track is part of the Southcoast Rail Extension project Phase 1 and that a railroad crossing has been designed by the Commonwealth for the 2 Costa Parcels. Mr. Angley said that Mr. Costa, Mike and Cynthia's father, permitted the Definitive Subdivision Plan "Costa Drive" that provides access to the 14 acre parcel at 0 Braley Road and ends in a cul-de-sac. Mr. Angley said that they are looking to extend Costa Drive over and across the railroad track to grant frontage to the westerly parcel. This would allow the westerly parcel to meet the frontage requirements laid out in the Town of Freetown By-Laws. Mr. Angley said that originally this project went before the Zoning Board of Appeals to get a variance to build a solar array on the lot with no frontage. The Zoning Board denied the variance request for the rear lot. On behalf of the applicants and owners, Mr. Angley appealed that decision in land court and that case is pending. Mr. Angley said that the idea was presented to create a subdivision plan to give frontage to the back lot, which seemed like a great way to make the rear lot have the required frontage.

Chairman Desmarais said the conservation tonight is generally related to the creation of the Form C subdivision. **Chairman Desmarais** said they are all aware what the final intent for this project, but the solar component is a separate filing. **Chairman Desmarais** said waivers discussed tonight will be by consensus and final decisions will be reserved for the public hearing.

Greg Dixon, Krebs and Lansing Consulting Engineers, said they will be asking for a number of waivers which minimize the disturbance to the area, the stormwater, and the wetland crossing. Mr. Dixon said they have had conversations with the railroad and incorporated some of the designs they have planned. Mr. Dixon added that they expect to see very little traffic down here once everything is constructed. The road and waivers are designed for a small amount of traffic traveling very slow, kind of like an extended driveway. The applicant and property owner understand that the project would have to be conditioned to only allow solar in the rear parcel.

Chairman Desmarais said what the Board typically looks for in Subdivision roads are road width, construction detail, and road layout, which most likely be reduced due to the use of the road.

Chairman Desmarais asked if there are any stormwater engineering practices are going to be put into place, specifically for water quality.

Mr. Dixon asked if the northern portion of the eastern lot will become 2 parcels. **Chairman Desmarais** stated that this plan would create 4 parcels, as the road layout is also a parcel, so it would have to be 2 lots. Mr. Angley asked if the eastern portion of front parcel, which if divided would become mostly wetlands, would be designated as a non-buildable lot. **Chairman Desmarais** said the Planning Board can designate a lot as non-buildable.

Mr. Dixon said the do plan to do stormwater mitigation with grass roadline swales and a detention basin if needed. Mr. Dixon said at the wetland crossing they would look to reduce the road length to 10 feet. Mr. Dixon added that at the western side of the railroad they would look to increase the width to 24 feet. Mr. Dixon said they would like to only use 12 inches of gravel instead of the 24 required.

Mr. Jose asked if the deed or the plan that said that this road can only be used for access and frontage for a solar array, can never be turned over to the town, and can never be used as a residential way because of the size, dimensions, and material of the road. Mr. Angley said absolutely and that is a reasonable condition.

Mr. Frates asked if the road will be sufficient for fire trucks. Mr. Dixon said some of the waivers they will request may be related to emergency vehicles, but that he is more than willing to have a discussion with the fire department to see if the road will support the vehicles. **Chairman Desmarais** said the Planning Board is adamant that there is access sufficient for any and all apparatus that may have to go out there. **Chairman Desmarais** also stated that the Fire Department has concerns about battery storage and some of the newer technology and will give much more weight to the Fire Departments comments in the future. **Chairman Desmarais** said the road needs to be adequate for construction vehicles, like land clearing trucks and logging vehicles, and that a some pull-offs to allow vehicles to pass each other should be considered. Dale Knapp, BRI, said that the hatched lines on the plan will be used for staging and can remain as grassed areas for pull-offs or emergency vehicle staging.

Chairman Desmarais asked if, by consensus, are the Board members okay with the overall concept and the waivers that are going to be requested. **Mr. Jose** said he does not personally see anything. **Mr. Frates** said he did not have any issues. **Ms. Robbins** said she has no issues. **Mr. Mello** said he had no issues.

Attorney Jonathan Silverstein, Town Counsel, asked if the Board generally or in this instance would want autoturn analyses done for the Fire apparatus, because that could be done ahead of time. **Chairman Desmarais** said whatever needs to be done and shown on the plan to help the applicants make their case to the fire chief should be done.

Chairman Desmarais asked if any Board members had anything, concerning this project, that they would to talk to Mr. Silverstein about in executive session. **Mr. Jose** said he did not. **Mr. Frates** said he did not.

Chairman Desmarais entertained a motion to adjourn. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

Respectfully Submitted,

C. Nils McKay

Planning Technician