



### Planning Board Minutes – August 24, 2021

A meeting of the Town of Freetown **Planning Board** was held on **August 24, 2021 at 6:00 pm** at the Freetown Town Hall. **Present:** Chairman Keven Desmarais, Robert Jose, Debra Robbins, David Crose, Christopher Mello  
**Absent:** James Frates

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#### Continued Public Hearing – Michkev RE LLC

Chairman Desmarais called the public hearing back to order.

**Mr. Jose** entertained a motion to continue the public hearing for the Michkev RE LLC project to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded. The motion passed unanimously.

#### Continued Public Hearing Gurney-Mola Solar

Chairman Desmarais called the public hearing back to order.

**Mr. Jose** entertained a motion to continue the public hearing for the Gurney-Mola Solar to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded. The motion passed unanimously.

#### Continued Public Hearing Simmons Street Solar

Chairman Desmarais called the public hearing back to order.

**Mr. Jose** entertained a motion to continue the public hearing for the Simmons Street Solar project to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded. The motion passed unanimously.

#### Continued Public Hearing Just Solar LLC

Chairman Desmarais called the public hearing back to order.

**Mr. Jose** entertained a motion to continue the public hearing for the Just Solar LLC project to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded. The motion passed unanimously.

#### Continued Public Hearing TJA Clean Energy LLC

Chairman Desmarais called the public hearing back to order.

**Mr. Jose** entertained a motion to continue the public hearing for the TJA Clean Energy LLC project to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded. The motion passed unanimously..

**\*Christopher Mello** recused himself from the Board prior to the ANR discussion\*

**Discussion on ANR Plan for Chace Road (Assessors Map 241, Lot 40)**

**Mr. Jose** made a motion to endorse the ANR plan for Chace Road (Assessors Map 241, Lot 40). **Ms. Robbins** seconded. The motion passed unanimously.

**\*Christopher Mello** rejoined the Board after the ANR discussion and vote\*

**Discussion regarding KR Rezendes request to post a performance bond to complete the 5 Friend Street Subdivision at a later date**

Jim Rezendes, applicant and owner, requested that he post a performance bond in the amount of \$260,000.

**Chairman Desmarais** entertained a motion to approve the posting of a performance bond in the amount of \$260,000 to complete work remaining on the Friend Street subdivision project. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Discussion regarding Longbuilt Homes Covenant Request for the Westerly Portion of Fallbrook Subdivision**

Lee Castignetti, Long Built Homes, requested that the Board sign a new covenant for the portion of the subdivision Longbuilt Homes owns. Mr. Castignetti said that once this covenant gets signed he will record it, with the understanding that the original covenant will only be removed once the owners of the other half of the project get a covenant signed and recorded for their portion of the subdivision.

**Chairman Desmarais** asked what the name of the business is that is agreeing to the covenant. Mr. Castignetti said Fallbrook LLC. **Chairman Desmarais** said that covenant says it will be under Long Built Homes.

**Chairman Desmarais** entertained a motion endorse the Form F covenant once it is revised with the correct owner's name and to recognize the transfer of ownership of the westerly portion of the Fallbrook Subdivision project. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

**Public Hearing – 1 Mason Road Sign Special Permit**

**Chairman Desmarais** opened the public hearing.

Bill Gavigan, Poyant Signs, said that the signs and drive-thru requested are part of the a redesign that is being instituted at all of the franchises. Mr. Gavins explained that the standalone sign will be on the Mason Road side of the property facing the roundabout and that text on the sign is Dunkin Drive-Thru and will be internally lit on both sides. Mr. Gavin added that the sign is 3' 6" long, 13.6" wide, and 20' tall and that the purpose of the sign is to advertise the Dunkin Drive-Thru to traffic on Mason Road and the roundabout.

David and Linda Cass, 150 Country Road, said they were concerned with possible about light pollution since they live across the street.

**Chairman Desmarais** asked that the proposed number of lumens from the sign be sent to the Board as some kind of narrative so that it can be reviewed at the next meeting.

Mr. Gavigan explained that the side of the proposed sign, which would face Mason Road and their house, is opaque. Mrs. Cass also expressed concern about the amount of trash on both sides of the street. Bruce Thomas, owner, said that he is taking over running the gas station and that they will no longer have to worry about trash. Mr. Thomas provided Mr. and Mrs. Cass with a phone number in case they needed to reach him about anything else.

**Chairman Desmarais** told the applicant that he believes the Board can only make a decision on the sign permits and a drive-thru permit as a separate application and hearing. **Chairman Desmarais** said he will double check with the Building Inspector.

**Mr. Jose** made a motion to continue the public hearing to September 7, 2021 at 6 pm at the Freetown Police Station Community Room. **Ms. Robbins** seconded the motion passed unanimously.

#### Public Hearing – 1 Jessica Lane

**Chairman Desmarais** opened the public hearing.

Byron Holmes, Holmes Engineering, said this is a 21 acre parcel with 1 house currently located on the parcel. Mr. Holmes said that this project would create 2 lots. Mr. Holmes said that Jessica Road is a private road. Mr. Holmes said the new road would go through the existing cul-de-sac creating a t-style turnaround.

**Chairman Desmarais** said the plans needs a signature block for the Town Clerk, any approved waivers, the tee turnaround and a road detail.

**Chairman Desmarais** entertained a motion to continue this project to September 7, 2021 at 6 pm at Freetown Police Station Community Room. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

\*Robert Jose recused himself from the Costa Solar Subdivision discussion as he is a member of the Zoning Board of Appeals which is currently under litigation by the owner of the property\*

#### Public Hearing – Costa Solar Subdivision

**Chairman Desmarais** opened the public hearing.

**Chairman Desmarais** said there was an application to the Zoning Board Appeals to build a solar array on the rear property due to the Zoning Enforcement Official's ruling that there was no frontage on the rear lot. **Chairman Desmarais** explained that the Zoning Board of Appeals affirmed the decision of the Zoning Enforcement Official. **Chairman Desmarais** said that a remedy of sorts was found which is to create a Form C Subdivision to create legal frontage.

Attorney Jeff Angley, Phillips and Angley, said that this plan proposes to extend Costa Drive via a Form C Subdivision plan. Mr. Angley showed the Board the deed that allows access to the rear parcel by crossing the rail road track.

**Chairman Desmarais** said that the Board understands that the end use of the subdivision is to give frontage to the rear parcel to allow for construction of a solar array.

**Chairman Desmarais** said it will be easier if they just list the requirements they are meeting and then ask for waivers from all the other ones.

Greg Dixon, Krebs and Lansing Consulting Engineers, said they are proposing a concrete box for the wetland crossing. **Chairman Desmarais** said the Board will need to see that the box will be able to adequately handle the load, especially for construction and other heavy vehicles.

**Chairman Desmarais** asked that the applicant see if the entrance to the proposed road can be softened to make it easier for large vehicles and emergency vehicles to enter and exit. Mr. Dixon said that should not be a problem.

**Chairman Desmarais** said he will talk to Environmental Partners Group about the review sequencing for the project.

**Chairman Desmarais** entertained a motion to continue the public hearing to October 5, 2021 at 6 pm at the Freetown Police Station Community Room. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

\*Robert Jose rejoined the Board after the Costa Solar Subdivision public hearing was continued\*

#### **Public Hearing – Proposed Article for Special Town Meeting to amend Article 11.18 H.1**

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

**Chairman Desmarais** explained that the purpose of this by-law is to allow veterinary offices and animal sales in the Village Business district.

**Chairman Desmarais** entertained a motion to recommend this Article for adoption at the October Special Town Meeting. **Mr. Jose** moved and **Ms. Robbins** seconded. The motion passed unanimously.

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

Respectfully Submitted,  
C. Nils McKay  
Planning Technician