



### **Planning Board Minutes – July 13, 2021**

A meeting of the Town of Freetown **Planning Board** was held on **July 13, 2021 at 6:00 pm** at the Freetown Town Hall. **Present:** Chairman Keven Desmarais, Robert Jose, James Frates, David Crose, Christopher Mello  
**Absent:** Debra Robbins

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### **Discussion on ANR Plan for 14 & 18 Bullock Road**

Greg Nicholas, Southcoast Engineering, said the proposal is to change the property line on 2 abutting parcels.

**Chairman Desmarais** entertained a motion to endorse the ANR plan for 14 & 18 Bullock Road. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

### **Continued Public Hearing Gurney-Mola Solar**

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

**Chairman Desmarais** entertained a motion to continue the public hearing for Gurney-Mola Solar project to August 3, 2021 at 6 pm at the Freetown Police Station Community Room. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

### **Continued Public Hearing Simmons Street Solar**

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

**Chairman Desmarais** entertained a motion to continue the public hearing for Simmons Street Solar project to August 3, 2021 at 6 pm at the Freetown Police Station Community Room. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

### **Pre-Application Discussion with Longroad Development Company LLC**

Betsy Mason, Klavens Law Group, said they are proposing a solar facility on 2 parcels at 0 Oak Street and Parcel ID 206-43. Sarah Ebaugh, VHB, said the 2 parcels are about 53 acres and it is undeveloped. Ms. Ebaugh said the project is proposing about 25 acres of solar arrays, with a meadow mix for the ground cover. Ms. Ebaugh said there is high ground water so they are proposing detention basins surrounding the development.

**Mr. Jose** asked what width they are proposing the gravel would be. Ms. Ebaugh said about 20 feet. **Mr. Jose** asked where they are getting frontage from. Ms. Mason said a series of subdivision plans that have been approved by the land court.

**Chairman Desmarais** said there will be concerns with entrance and egress, especially regarding construction vehicles. **Mr. Jose** said the Board will want to see lay down sites for materials and residential screening.

### Continued Public Hearing – Michkev RE LLC

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

Dan Mulloy, Site Design Engineering, thanked the Board for their extreme patience regarding this project. Mr. Mulloy said peer review has been completed except for a few minor comments. Mr. Mulloy said that he has produced a waiver request list and that they are waiting to hear back from EPG.

Mr. Mulloy asked if the Board wants to continue or would be willing to approve with conditions. **Chairman Desmarais** said that the Board usually does not issue a decision until peer review is completed.

Maria Proulx Audi, EPG, said the primary comments were to approve the waiver request, to see a long term operation and maintenance plan, updated TSS calculations, recommended that the Board require a SWPPP, and to include test pits.

**Chairman Desmarais** entertained a motion to grant the waiver requests as requested. **Mr. Jose** moved and **Mr. Frates** seconded.

**Chairman Desmarais** entertained a motion to continue the public hearing to August 3, 2021 at the Freetown Police Station Community Room at 6 pm. **Mr. Jose** moved and **Mr. Frates** seconded. The motion passed unanimously.

### Continued Public Hearing – 32 Middleboro Road

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

Chris King, Atlantic Design Engineers, said the on-site discussion regarding using a long pipe to send water off-site would be a huge red flag from a liability and financing stand point. Mr. King what they came up with to try and solve the off-site flooding concern. Mr. King said what they came up with is putting an outlet below the clay layer on the bottom of the basins. Mr. King added that they have intermediate infiltration basin which will catch about half the field and the rest of the site will be caught by the pond itself. **Chairman Desmarais** asked Mr. King to be clearer about what they are offering to do. Mr. King said they are offering to put an infiltration trench along the bottom of the entire basin which would end up being around 120 feet. Mr. King said this would promote recharge vertically down.

**Mr. Jose** asked if you hit clay when you were digging what would you do. Mr. King said they would move the infiltration areas upslope and they would poke some vertical holes assuming the clay layer is not too thick.

Frank Ashley, 52 Middleboro Road, asked if the new test pits would be as close the corner of his property as possible because that is where the issue is. **Chairman Desmarais** said they have met the burden and the standard and what they are asking them to do now is to go above and beyond. **Mr. Jose** said they have made a large concession by agreeing to punch through the clay layer assuming it is not too thick.

**Chairman Desmarais** asked if this basin is only designed to overflow in 100 year storms. Nick Clini, Atlantic Design Engineers, said it is not designed to overflow at all.

**Chairman Desmarais** said the Board is critically aware that they cannot keep continuing this project if the burden has been met.

**Chairman Desmarais** said that the applicant has offered to create a narrative regarding this proposal.

**Chairman Desmarais** said that it will also be a condition of approval. Mr. Ashley asked how long he has to consider an appeal of the decision. **Chairman Desmarais** said 21 days after the decision is signed.

**Mr. Jose** said he has no problem issuing a conditional approval tonight.

**Mr. Jose** made a motion to conditionally approve the 32 Middleboro Road Solar project with the condition that the outstanding narrative be presented at the August 3, 2021 meeting and that the narrative is accurate to what was described tonight. **Mr. Frates** seconded. The motion passed unanimously.

**Mr. Jose** entertained a motion to continue the public to August 3, 2021 at 6 pm at the Police Station Community Room. **Mr. Frates** seconded. The motion passed unanimously.

#### **Discussion on 1 Janice Marie Way Conditional Approval**

**Chairman Desmarais** said the Board has received the development impact statement which was the outstanding item from the conditional approval.

**Mr. Jose** made the motion to accept the development impact statement. **Mr. Mello** seconded. The motion passed unanimously.

#### **Informal Discussion on Fallbrook Subdivision Potential Change of Ownership**

**Chairman Desmarais** said Peter Hawes contacted the Board and has said that they are selling the 12 lot subdivision off Algonquin Way to Long Built Homes. **Chairman Desmarais** said he met with Lee Canstignetti from Long Built Homes on-site for a pre-construction meeting. **Chairman Desmarais** said he let them know they have to come before the Board to change the covenant on the sale is final. **Chairman Desmarais** said he asked the new owners to come contact the neighbors to let them know about the change of ownership. **Chairman Desmarais** discussed on-site that any rock crushing has to be done within the hours that the state allows. **Chairman Desmarais** said they anticipate them having to crush rocks for 6 – 8 weeks.

#### **Any Business to Properly Come Before the Board**

**Chairman Desmarais** explained that there is a very small village business district that they would be like to see business that are operating during the day that aren't that busy. **Chairman Desmarais** said there have been thoughts of putting the town hall annex there. **Chairman Desmarais** said veterinary offices are not allowed so what he is proposing is that an article be added to town meeting to change the "no" to "Special Permit". **Mr. Frates** said there is no difference between an animal hospital and a veterinary office. **Chairman Desmarais** said there is a difference between a veterinary office and an animal hospital. **Chairman Desmarais** said this is just a place holder to submit for Town Meeting. **Chairman Desmarais** said what we they can do is put veterinary office and animal sales as allowable by special permit and kennel and animal hospital as prohibited still.

Lisa Lundrigan, Algonquin Way, said none of the suggested conditions for the Fallbrook Subdivision have been taking place. Ms. Lundrigan said what has happened in that area is a disgrace and that everything she worried would happen has happened and worse. Ms. Lundrigan said that the solar equipment makes loud noises every 30 seconds the past 10 days that prevent her from sleeping. Ms. Lundrigan said the trucks are driving so fast that she has to run on the grass to avoid them, that she can workers urinating on the property from her house, and that some of the workers look at her daughter while she is in their backyard.

**Chairman Desmarais** said the solar is done and installed. Ms. Lundrigan said that the main power equipment is directly behind her house and the battery equipment is one house lot over. **Chairman Desmarais** said he believes the power equipment is over 500 hundred feet. **Chairman Desmarais** said you need to email the Zoning Enforcement official for these issues. **Chairman Desmarais** said you should be calling the police on people urinating in public.

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

Respectfully Submitted,  
C. Nils McKay  
Planning Technician