



## **Planning Board Minutes – June 7, 2016**

A meeting of the Town of Freetown **Planning Board** was held on **June 7, 2016** at the Freetown Senior Center, 227 Chace Rd, Freetown, MA. **Present:** Nicolas Velozo, Keven Desmarais, Mark Rogers, Robert Jose; Debra Robbins arrived at 6:13 PM

### **A. Site Plan Review for Solar Array located at 30 Washburn Road (Map 227 Lot 20)**

The Chairman opened the hearing at 6:02 PM. Motion to waive the reading of public hearing notice: Nicolas Velozo; Second: Mark Rogers; all in favor. David Albrecht of Borrego Solar approached the Board, stating that this is a unique project for Borrego in that they are undertaking the project for the landowners (Simeone Associates) directly, rather than for a venture capital investment firm. Proposed is the construction of a 13.9 acre solar array on a parcel situated on the north side of Washburn Rd, abutted by Route 140 to the east. He states that the Town's review engineer has issued a review letter, to which he is in the process of issuing a response; thus far a LIDAR survey of the topography and wetlands delineation have been performed and there are a number of trails present on site, including a major south to north trail on the vacant western part of the property; large outcroppings of ledge are also present. He submitted an aerial photo view of the property, and displayed the site layout plan; wetlands transect the frontage on Washburn Rd, however Mr. Albrecht states the property deed includes rights to a 60 ft easement on Map 227, Lot 19 (AKA Beatrice Chace Estate) which lies to the west of the subject parcel's frontage. A 14 ft gravel road is proposed to be constructed on this easement which will join with an existing path on the property to accommodate emergency vehicles.

He reviewed the tree clearing plan with the Board. The fence line is depicted in red and is where trees and stumps will be removed. The chain link barbed wire fence will allow for a 6 inch gap at the bottom for wildlife crossing, and total 7.5 ft in height. There is an area surrounding the perimeter in which wherein trees will be cut, but stumps will remain. He described the panel units themselves, which will be mounted on racks angled at roughly 25 degrees; rack height will vary between 8 and 9 ft due to topography. No site grading is proposed. There will be a total of 8,200 modules 3 x 5.5 ft in size. Ms. Robbins joined the Board at 6:13 PM. Mr. Albrecht explained that the electrical for the arrays will run underground in a conduit to string inverters mounted on racks facing south; 34 inverters in total located in groups of 3 to 5 each. All electrical from inverters will run to one of two equipment pads that each house a transformer and data acquisition system that feeds information to parties responsible for site maintenance. These inverters are quieter and more efficient according to Mr. Albrecht. All electric will run underground south until it is brought up to a riser pole and through 3-4 additional standard size utility poles running south along the gravel road to the entrance at Washburn Rd.

Mr. Albrecht addressed the issue of King Philip's cave, a local historic landmark present on the property, close to Rt 140. He states he is unaware of any official access, but that people have used the highway to walk to it; he says the property owners are prepared to work with the Town and are willing to surround it with a 50ft no touch radius. He points on the plans to the rough location of the cave, which was identified by waypoints provided by the Chairman, who tagged it with an iPhone. Mr. Albrecht states he is unaware of any official historic recognition or rights to public access, which the owners are not willing to grant. No owners were in attendance.

Mr. Albrecht states that 2 ft wide x 1 ft deep swale will be constructed along the gravel road; water will be culverted to the western side of property. Each of the racks holding the panels are held up by (4) 6 ft long screws driven into the ground, installed within a 5-6 day period. A variety of erosion controls will be utilized: wood strand berms, silt fencing, erosion control mats for steeper areas near the swale where the ground needs extra stabilizing. There will be (2) access gates each 14 – 16 ft wide and (4) 4 ft wide maintenance gates. No grass will be planted on the ledge; in areas where trees will be removed and stumps left, a mixture of wildflower and wild grass seed will be planted. Grass in between racks, in the areas where trees and stumps are to be removed, grows slower than directly under the racks, so a different mix will be utilized so they will grow at the same rate. Grass will be mowed 2-3 times annually as standard maintenance. He states that the

construction period is about 6 months; trucks bring in gravel, flatbeds for transformers, trailers bring the racks and panels; post-installation, standard pickup trucks for maintenance visits.

The Chairman opens discussion to the public, and states that the Board received a letter from Donna Edmonds Mitchell that she had asked to be read into the record, which subsequently was. The Chairman also mentions that the Board is in receipt of an article from 1974, from Villager newspaper in which the Simeones had agreed to donate a one acre area near cave to Freetown Historical Society. The Chairman states that he appreciates you made the offer of the 50 ft radius, but that they may find push back, especially in light of the fact that originally the owners were willing to donate an acre. The Chairman stated that he is dismayed that consideration to public access has been dismissed by the owner, and further, that it would be helpful if they were present to hear the concerns voiced. He states that although the cave is not on a historic register, there is enough local history and significance to the Wampanoags that he would challenge the applicants to make an effort toward those earlier promises. Mr. Albrecht states he will discuss with the landowner.

Mary Brown (23 S. Main St.), member of the Freetown Historical Commission, states that the cave doesn't have to be on the national register to warrant review. Since this is part of an overall area that is on the National Historic Register, Mass Historic Commission usually weighs in on any excavation being undertaken; projects requesting federal subsidies in these areas are often reviewed. She states that a couple of years ago, the local Commission had organized a walk to King Philip's cave, in which many people participated. The Chairman states that he had geotagged the cave location recently with an iPhone, but that the location should be professionally surveyed.

Steve Martin (31 & 33 Washburn Rd) stated he was concerned about the upkeep of the arrays, and that several, including the Braley Rd array, look like they haven't been maintained. He states he is also worried about the drainage changes that may result after the clearing of the trees; he experienced a situation in another community where drainage mitigations put in after major excavation near his house failed, resulting in water in his basement. He is worried about the potential impact of altered drainage patterns on nearby homes. Mr. Albrecht states that there will be an operations and maintenance protocol. The Chairman stated that Braley Rd is a Borrego project, and that Mr. Martin is probably referring to the berm in the front; he suggests planting seed on it and regular mowing. He states that the Board will, together with the Zoning Enforcement Officer, make sure that site is in compliance with its approval. Mr. Albrecht states that the O & M plan usually addresses an annual budget, mowing schedule, etc and that conditions can be discussed. Relative to the changed landscape and topography, he states that overall watersheds will be maintained, and they will significantly reduce post development runoff in accordance with state standards. He states that swales and culverts will be put in place to ensure water gets to where it needs to go. Mr. Martin states that due to his prior experience, he disagrees that the clearing and mitigations will not have an adverse impact on the drainage pattern.

Donna Silva (35 Washburn Rd) asked that if water running over land has had its own natural path for so long, how would that pattern change once pipes are brought in. She also states concern for the displacement of animals, and inquired about increased traffic during the construction period. Mr. Albrecht states that no blasting will occur. Relative to traffic, he stated this was a typical size project for Borrego; no more than 6 semi truck trailers on any given day based on the amount of equipment. The modules themselves will be brought in over a 2 week period, involving possibly 12 trucks in total; a backhoe will be driven in to excavate for the equipment pads.

Janet Bullock (81 Chipaway Rd) stated her father is an abutter directly across the street. She is concerned with maintaining the character of the rural road, and access to the cave. She inquired as to how the entrance would look like from the street. Mr. Albrecht states that a gravel road from Washburn will lead into the project site. To the east of the proposed gravel road is an existing asphalt driveway. The Chairman suggested that a curved road into the entrance could preserve the appearance of the current rural roadscape on Washburn. Mr. Albrecht states they can work on a graphic depiction.

Kenneth Leonard (Lakeville resident) asked if the cave was adjacent to Proprietors Way, an existing ancient path, which would indicate current public access. Michael McCue (Cemetery Commission) stated the land was not located on or near Proprietor's Way. John Anderson (8 E Howland Rd) stated that his house is to the west of the property; there is currently a stream that comes out of the woods, often times his yard is flooded. He asked if flood would increase if the water is being diverted west and trees cleared. Mr. Albrecht states that based on calculations, there will be less runoff, and at the next meeting, he will provide information related to volume. Mr. Jose asked for clarification as to whether or not grading will be performed; Mr. Albrecht responds that the racks will be built on top of current topography, the legs are adjustable. John Anderson stated that the area is very rocky and asked how they would get around all the ledge to get the piping through. Mr. Albrecht responded that there are locations in which a hoe ram will need to be used after geoengeers test the stability of the ledge. Mr. Rogers stated that issues relative to any blasting may be a condition in the approval document. He inquired as to the utility companies performing any offsite infrastructure updates, or poles being switched out. Mr. Albrecht stated not to his knowledge. Mr. Rogers asked as to whether soil was going to be removed from the site; Mr. Albrecht stated that once trees are cleared and stumps removed, not much additional material is proposed to be removed. Mr. Rogers asked the applicant to come up with a respectable traffic count and a clearer indication to the neighbors as to how much traffic and what will be involved in the construction process.

Mr. Velozo inquired as to the array appeared from the street on any other sites with similar topography. Mr. Albrecht states there is a similar site in Southbridge with no grass; ledge was shaved in places where it would have touched the rack. Paul Ziobro (16 Assonet Blvd) stated that there are maps drawn by local children from the 1950's of the Rocky Woods and ancient features such as "Devil's Bowling Alley". Some of these features were destroyed by Rt. 140, however, some remain. He asked if Borrego had any plans to do a cultural or archeological survey to locate these ceremonial stones. Mr. Albrecht states that there are no plans; they undertake when there is a state requirement for a state historical landmark. Nancy Foster (170 County Rd) inquired as to what the owners were going to do with Chace house, one of the oldest in Town, built in 1700's; she asked if it would be made to look presentable. It was determined by looking up the assessors field card that a Frances Simeone is owner of the property; Mrs. Foster also stated there was an article from the newspaper from 1934 which provided details about the cave. She states there are other access points: behind the Grange Hall, behind Fletcher's House, and that people should be able to access the cave still. Mr. Albrecht states there is a path to the eastern edge of their frontage; The Chairman said he had taken this path recently and it was relatively easy to travel. He remarked that Freetown has been traditionally supportive of private property rights, and for the audience to understand that the applicants have the right to cut down trees and they are not necessarily obligated to provide public access, although it would be desirable.

Mr. Martin asked how the Meditech project in Assonet was able to be stopped due to the presence of Native American artifacts, but this site did not trigger state involvement. The Chairman stated that the Peacehaven site was a larger footprint and much more recognized as a historic site. He stated however, that in looking at the rock formation in question, long ago people spent some time there. He states that this project will go before peer review, including the meeting minutes. He encouraged residents to forward any significant information for the record to the Planning Office, and asked Mr. Albrecht to provide the entire deed to show if there are any restrictions on the land and to speak with the property owners regarding the neighbors' concerns. The Chairman closed the hearing at 7:45. Motion to continue to July 12<sup>th</sup> at the Senior Center at 6: 00 PM: Mark Rogers; Second: Robert Jose; all in favor.

**B. Misc**

The Board discussed the Community Compact Cabinet initiative from Gov. Baker's office, which gives incentives and technical assistance to communities who pledge to implement best practices for up to 3 areas outlined. The Board reviewed the list and asked the Planning Technician to forward her recommendations to the Selectmen. The Board paid the schedule of bills. Meeting adjourned at 8:00 PM. Respectfully submitted: Lauren Moreau, Planning Technician

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