



(original)

Telephone 644-2201

**TOWN OF FREETOWN
BOARD OF SELECTMEN**

Town Hall
3 North Main Street
P.O. Box 438
Assonet, Massachusetts 02702

*7/26/04
received*

July 22, 2004

Ms. Shelley Puleo, Mail Code C.M.U.
Environmental Protection Agency
One Congress Street, Suite 1100
Boston, MA 02114

Dear Ms. Puleo:

As per our conversation today, I am respectfully submitting the enclosed Notice of Intent for the Town of Freetown in order to obtain coverage under the Small Municipal Separate Storm Sewer System (MS4) permit in relation to the National Pollutant Discharge Elimination System (NPDES) Program. We are grateful for the opportunity to send you the data and information available at the present time.

In the future, the Town of Freetown plans to secure the engineering services of Woodard & Curran, Inc., Andover, MA, for the remaining phases of this project. I have spoken with our contacts, Alan Benevides and Ron St. Michel from Woodard and Curran. The Town has now earmarked up to \$5,000.00 for engineering to spend within the Conservation Commission budget, with a likely possibility of further funds being secured at a Fall Town Meeting or through Transfer Requests from the Finance Committee.

Since commencing the preparation of the project documents, I have attempted to work closely with the Highway Surveyor and members of the Board of Selectmen, as well as personnel from the Conservation Commission, Water Commission, and Board of Assessors. I certainly appreciate your cooperation and patience in assisting me with the guidelines of this project.

If you have any questions, please feel free to contact me at the Selectmen's Office at 508-644-2201.

Sincerely,

Linda H. Lynn Remedis

Linda H. Lynn Remedis
Administrative Assistant

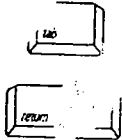
NOTICE OF INTENT

For Coverage Under the NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)



A. Instructions

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Submission of this Notice of Intent constitutes notice that the entity named at item B1. of this form intends to be authorized by the NPDES General Permit issued by EPA for storm water discharges from the small municipal separate storm sewer system (MS4), in the location identified at item B2. of this form. Submission of the Notice of Intent also constitutes notice that the party identified at item B1. has read, understands and meets the eligibility conditions of Part I.B. of the NPDES Small MS4 General Permit, agrees to comply with all applicable terms and conditions of the NPDES Small MS4 General Permit, and understands that continued authorization to discharge is contingent on maintaining eligibility for coverage. **In order to be granted coverage, all of the information required on this Notice of Intent form and the separate Storm Water Management Program (SWMP) Implementation Schedule form (Excel Spreadsheet), must be completed. Please read the permit and make sure you comply with all requirements, including the requirement to develop and implement a storm water management program.**

B. Applicant Information

1. Small MS4 Operator/Owner Information:

Town of Freetown

Name

Freetown Town Hall, P.O. Box 438

Mailing Address
Assonet,

MA 02702-0438

State and Zip Code

City/Town

508-644-2201

Telephone Number

Email (if available)

2. Municipality Name

Town of Freetown

City/Town

3. Legal Status:

☐ Federal

☒ City/Town

☐ State

☐ County

☐ Private

☐ Other public entity:

Specify Public Entity

4. Other regulated MS4(s) within municipal boundaries:

None to our knowledge.

5. Based on the instructions provided in Part I of the NPDES Small MS4 General Permit, have the eligibility criteria for "listed species" and critical habitat been met?

☐ yes

☐ pending

☐ no

B. Applicant Information (cont.)

NOTICE OF INTENT

For Coverage Under the NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)



6. Based on the instructions provided in Part I of the NPDES Small MS4 General Permit, have the eligibility criteria for protection of historic properties been met?

☐ yes ☐ pending ☐ no

Note:
Section C may
be duplicated to
accommodate a
larger list of
receiving waters

C. Names of (Presently Known) Receiving Waters

Receiving Water:	No. of Outfalls	Listed as Impaired?	Impairment
Mill Pond Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Taunton River Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Assonet Bay Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Forge Pond Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Terry Brook Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Long Pond Name _____ To be Determined.	Number _____	☐ Yes ☒ No	Specify _____
Fall Brook Name _____ To be Determined.	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____
Name _____	Number _____	☐ Yes ☐ No	Specify _____

D. Storm Water Management Program Summary

NOTICE OF INTENT

For Coverage Under the NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)



1. Public Education:

1		
BMP ID #		
Creation of Stormwater Program	Various Town	Public Education and in
Specify Best Management Practice	Responsible Dept./Person Name	Specify Measurable Goal
2		
BMP ID #		
Presentations to	Boards and Commissions,	all cases, stimulating
groups likely to impact	such as Selectmen, Highway	public awareness.
Town's stormwater.	Dept., and Conservation	Discussion at public meet-
Specify Best Management Practice	Commission. These Town	ings, publicity.
3		
BMP ID #		
Presentations to local	officials would be responsible	Team up with local students
students.	for following the steps outlined	& school system.
Specify Best Management Practice	on the following pages.	Scheduling of hazardous waste
4		
BMP ID #		
Promotion of hazardous	Responsible Dept./Person Name	Town-wide collection days.
waste recycling for	Specify Best Management Practice	Specify Measurable Goal
local residences.	Responsible Dept./Person Name	Develop a talkshow and/or
BMP ID # 5		
Use local cable channel		video to be aired at local
Specify Best Management Practice	Responsible Dept./Person Name	cable studio.
to stimulate public awareness.	Specify Best Management Practice	Specify Measurable Goal

2. Public Participation:

1		
BMP ID #		
Public meetings & distribution of fliers.		Become more involved with
Specify Best Management Practice	Responsible Dept./Person Name	local groups monitoring water
2		
BMP ID #		
Cleanups of various community areas.		Form cleanup committees w/
Specify Best Management Practice	Responsible Dept./Person Name	local volunteers.
3		
BMP ID #		
Hazardous Waste Cleanup Days		Organize waste collection
Specify Best Management Practice	Responsible Dept./Person Name	days for Freetown homes.
4		
BMP ID #		
Water Monitoring by Volunteers		Develop sense of responsibility
Specify Best Management Practice	Responsible Dept./Person Name	in Freetown residents for
5		
BMP ID #		
Solicit volunteers to assist in creating		the town's watersheds.
Specify Best Management Practice	Responsible Dept./Person Name	Adopting a Town-wide program.
stormwater awareness and practices.	Specify Best Management Practice	Specify Measurable Goal

D. Storm Water Management Program Summary (Cont.)

NOTICE OF INTENT

For Coverage Under the NPDES General Permit
for Storm Water Discharges from
Small Municipal Separate Storm Sewer Systems (MS4s)



3. Illicit Discharge Detection and Elimination:

1	
BMP ID #	
Review of current by-laws.	
Specify Best Management Practice	Responsible Dept./Person Name
2	
BMP ID #	
Map local outfalls.	
Specify Best Management Practice	Responsible Dept./Person Name
3	
BMP ID #	
Map Town's infrastructure.	
Specify Best Management Practice	Responsible Dept./Person Name
4	
BMP ID #	
Develop procedure for non-stormwater discharge.	
Specify Best Management Practice	Responsible Dept./Person Name
5	
BMP ID #	
Stimulate public awareness for reporting of illegal dumping.	
Specify Best Management Practice	Responsible Dept./Person Name

Submit Town Meeting Articles to update by-laws if needed.

Specify Measurable Goal
Working with an engineer and Assessors & Cons. Comm., to have receiving waters and outfalls mapped.

Specify Measurable Goal
Map storm drainage system of Freetown.

Specify Measurable Goal
To search out and prosecute any illegal dumping found in Freetown.

Specify Measurable Goal
Publicize local and state contacts in Public Notices and Annual Town Reports.

4. Construction Site Runoff Control:

1	
BMP ID #	
Review of local current by-laws.	
Specify Best Management Practice	Responsible Dept./Person Name
2	
BMP ID #	
Publicize and adopt changes.	
Specify Best Management Practice	Responsible Dept./Person Name
BMP ID #	
Specify Best Management Practice	Responsible Dept./Person Name
BMP ID #	
Specify Best Management Practice	Responsible Dept./Person Name
BMP ID #	
Specify Best Management Practice	Responsible Dept./Person Name
BMP ID #	
Specify Best Management Practice	Responsible Dept./Person Name

Submit Town Meeting Articles to update, if needed.

Specify Measurable Goal
To conform with best manager practices and stimulate public awareness.

Specify Measurable Goal

Specify Measurable Goal

Specify Measurable Goal

D. Storm Water Management Program Summary (Cont.)

NOTICE OF INTENT

For Coverage Under the NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)



5. Post Construction Runoff Control:

1

BMP ID #
Review current by-laws.

Specify Best Management Practice

Responsible Dept./Person Name

By Town Meeting Articles,
updating, if needed.

2

BMP ID #
Work w/ local committees to
Develop a final Open Space Plan.

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal
Open Space Plan in conjuncti
with plans for watershed
areas.

Specify Measurable Goal

BMP ID #

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

BMP ID #

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

BMP ID #

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

6. Municipal Good Housekeeping:

1

BMP ID #
Review of existing Town areas.

Specify Best Management Practice

Responsible Dept./Person Name

With Highway Dept., plan to
conduct maintenance and
repair of Town's drainage
system.

2

BMP ID #
Develop a Toxins' Prevention Plan.

Specify Best Management Practice

Responsible Dept./Person Name

If needed, to coincide with
the Town's drainage plan.

3

BMP ID #
Maintaining ongoing awareness
on the part of local officials.

Specify Best Management Practice

Responsible Dept./Person Name

Continuing the program

relative to stormwater
drainage.

BMP ID #

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

BMP ID #

Specify Best Management Practice

Responsible Dept./Person Name

Specify Measurable Goal

BMP ID #

Specify Best Management Practice

D. Stormwater Management Program Summary (cont.)

NOTICE OF INTENT

For Coverage Under the NPDES General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)



7. BMPs for Meeting Requirements of Part I.C. (Discharges to Water Quality Impaired Waters) and Part I.D. (Total Maximum Daily Load Allocations):

BMP ID # _____

Specify Best Management Practice _____

Responsible Dept./Person Name _____

Specify Measurable Goal _____

BMP ID # _____

Specify Best Management Practice _____

Responsible Dept./Person Name _____

Specify Measurable Goal _____

BMP ID # _____

Specify Best Management Practice _____

Responsible Dept./Person Name _____

Specify Measurable Goal _____

BMP ID # _____

Specify Best Management Practice _____

Responsible Dept./Person Name _____

Specify Measurable Goal _____

BMP ID # _____

Specify Best Management Practice _____

Responsible Dept./Person Name _____

Specify Measurable Goal _____

E. Certification

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Lawrence M. Ashley, Chairman, Freetown Board of Selectmen

Printed Name

Signature

2/22/04
Date



Telephone 644-2201

TOWN OF FREETOWN BOARD OF SELECTMEN

Town Hall
3 North Main Street
P.O. Box 438
Assonet, Massachusetts 02702

FACTS ABOUT FREETOWN

Settled: In 1659. Incorporated: In 1683.

Population, Federal Census, 2000: 8,475.

Registered Voters: Precinct I:	1,684
Precinct II:	1,662
Precinct III:	1,805
TOTAL:	5,151

Town Mileage: Accepted Town Roads:	76.68 Miles
State Forest:	15.36 Miles
State Highway:	15.93 Miles
Private:	20.44 Miles

Total Square Miles of Area: 34.57 Miles

The Town of Freetown, located in Bristol County in Southeastern Massachusetts, is comprised of the two smaller village areas known as Assonet and East Freetown. Freetown, in its entirety, is situated between the City of Fall River, the City of New Bedford, and the Towns of Lakeville, Acushnet, Dartmouth, Rochester, and Berkley, Massachusetts.

The Town of Freetown is partially located in the Taunton River Watershed Area and also the Buzzards Bay Watershed Area in conjunction with the Narragansett Bay Watershed Area.

The Town of Freetown, served primarily by private wells, is also serviced by two city water supplies: The City of New Bedford provides water to various portions of East Freetown, while the City of Fall River provides water to some sections of Assonet. Relative to the city water, the Freetown Water Commission (3 part-time elected members) with a part-time Clerk, oversees the delivery of services to Freetown residents.

WATER RESOURCES – TOWN OF FREETOWN

The Freetown Highway Surveyor, Joseph F. Simmons, Jr., has identified seven sources of presently known “receiving waters:”

- A. Mill Pond located on Mill Street, Assonet;
- B. The Taunton River, that passes through the Village of Assonet and borders the area known as Assonet Bay Shores; This area eventually connects with Mount Hope Bay in the Fall River area.
- C. Assonet Bay, (related to Taunton River, mentioned above;)
- D. Forge Pond, located off Forge Road, Assonet;
- E. Terry Brook, located off Route 24, South Main Street, and Copicut Road, Assonet;
- F. Long Pond, in the vicinity of Middleboro and County Roads, East Freetown, that also extends into the Town of Lakeville and is part of the Assawompsett Ponds Complex;
- G. Fall Brook, visible from County and Washburn Roads, East Freetown, that eventually feeds into Long Pond.

The Town of Freetown stands ready to protect its water resources and has consulted a number of websites recommended by the Environmental Protection Agency.

We believe that if we strive to coordinate with other Town officials and Commissions to provide public education and awareness, create a stormwater management program, monitor local water systems, and provide opportunities for the disposal of household hazardous wastes, as well as basically defining clearly the stormwater drainage system of the Town, the residents of Freetown and the general public will be better protected in the future.

Although we were subject to severe financial restraints in preparation of this document, we have done our best to comply and emphasize our desire to meet the guidelines in an effort to protect the waterways and drainage systems of the Town in the years to come.

USEFUL TOOLS OF INFORMATION PERTAINING TO THE TOWN OF FREETOWN

In conferring with the Freetown Board of Assessors, we are equipped to gather data via ortho-photography that was provided by Mass. G.I.S. Our information is based on aerial flights from 2001. We have access relative to several “layers” of Geographical Information through the G.I.S. of the Town:

- A. Soil Types;
- B. Flood Map;
- C. Topography;
- D. Wetlands;
- E. Steep Slopes.

Our current mapping firm is Cartographic Associates of New Hampshire.

Through the years, the Town has made several efforts to adopt by-laws to preserve the natural resources of the Town. Included in this package are the Town By-Laws relative to the Freetown Conservation Commission, and the Soil Removal By-Laws of the Soil Conservation Board. We have also included copies of the pages from our Protective By-Laws.

The Town of Freetown successfully adopted zoning in 1996. It is hoped that the zoning districts will be further enhanced in the future.

The Town of Freetown has received several maps and tools of information that apply to this project and are attached herein as follows: Copies of various maps from “Save the Bay” including: “Freetown, MA – Surface Water Resources; Freetown, MA – Drinking Water Resources; Freetown, MA – Wildlife and Habitat Resources; Freetown, MA – Critical Resource Concentrations; Freetown, MA – Open Space Parcels; Freetown Land Use.”

Other documents attached include: “Watershed Key, Buzzards Bay and Narragansett Bay Watersheds,” “Urban Runoff Potential Map, 1990,” documentation relative to “Rivers in Massachusetts – Massachusetts Watersheds,” and a map of “Outstanding Resource Waters;; Contributing Area of a Public Surface Water Supply prepared for the Town of Freetown Conservation Commission.”

ARTICLE XI

Protective By-Law

The purpose of this by-law is to promote the health, safety, convenience, morals and welfare of the inhabitants of the Town of Freetown.

SECTION 1 PURPOSE

For the purpose of this By-law, a map of the Town of Freetown entitled "Protective By-Law Map of the Town of Freetown", dated January 1, 1978, signed by the Planning Board and filed with the office of the Town Clerk, which map together with all explanatory matter thereon, is hereby incorporated in, and made a part of this by-law.

ATM-5/2/78

SECTION 2 DEFINITIONS

In this by-law the following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings: (Words used in the present tense include the future, and the plural numbers and words include the singular; the word "lot" includes the word "plot"; the word "may" is intended to be "permissive"; the word "shall" is mandatory and directive; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied"; the word "person" includes corporations, trusts, estates, partnerships, or other entities as well as an individual.) ATM-5/1/89

Accessory Building or Use:

A building or use customarily subordinate to and incidental to and located on the same lot with the principal building or use, except that if more than 30 percent of the lot area is occupied by such building or use, it shall no longer be considered accessory.

Building:

See definition for "Structure".

Building, Attached:

A building having any portion of one or more walls in common with the adjoining buildings. STM - 3/24/97

Building, Detached:

A building having open space on all sides.

Building Coverage:

That percentage of the lot area covered by the horizontal projection of the largest single floor area of the principal building plus all accessory buildings and paved areas. ATM - 5/1/89

Building Principal:

A building in which is conducted the principal use of the lot on which it is located. STM - 3/24/97

Dwelling:

A building designed or used exclusively as the living quarters for one or more families.

Dwelling Unit:

A single independent housekeeping unit with permanent provisions for living, sleeping, eating, cooking and sanitation, occupied or intended for occupancy by one separate family.

Lot:

An area of land in one ownership with definite boundaries recorded in the Registry of Deeds or in Land Court in accordance with State Statute, Chapter 183, Section 6A.

Lot Line, Rear:

The lot line opposite the front lot line. STM - 3/24/97

Lot Line, Side:

Any lot line not a front or rear lot line.

Mobile Home and/or "Trailer Coach:"

Any vehicle or object on wheels having no motive power of its own but which is drawn by or used in connection with a motor vehicle, and which is so designed and constructed, or reconstructed or added to by means of such accessories, as to permit use and occupancy thereof for human habitation whether resting on wheels, jacks, or other foundation. ATM - 5/1/89

Mobile Home Park:

Any lot, tract, or parcel of land used or intended to be occupied by two or more mobile homes for a period of over three weeks in any calendar year. A park shall be one unit per 40,000 square feet, excluding water and public land.

Recreational Vehicle:

A vehicle or vehicular attachment which is designed for sleeping or living quarters for one or more persons, with or without utilities, flush toilets, or bath facilities, is used for recreational purposes, is not a residence and including among other items, a travel trailer, a pick-up camper; a tent trailer, beach buggy, and a motor home.

Setback, Front:

A setback extending for the full width of the lot between any part of the foundation and/or supporting structures and the front lot line excluding stairs and bulkheads. *STM - 3/24/97*

Setback, Rear:

A setback extending for the full width of the lot between any part of the foundation and/or supporting structures and the rear lot line excluding stairs and bulkheads.

Setback, Side:

a setback extending for the full length of a building between any part of the foundation and/or supporting structures and any side lot line excluding stairs and bulkheads.

Street:

(a) a public way or a way which the Town Clerk certifies is maintained and used as a public way, or (b) a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or (c) a way in existence when the subdivision control law became effective in Freetown having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon. *ATM - 5/1/89*

Structure:

Any combination of materials attached to or requiring a fixed location on or in the ground. Includes, but not limited to, a principal building or a shed, garage, stable, greenhouse, bridge, trestle, tower, framework, stadium, reviewing stand, platform, inground swimming pool, or other accessory building. *STM - 3/24/97*

Trailer:

A vehicle without motive power, designed to be towed by a passenger automobile or other powered vehicle of similar size but not designed and intended for human occupancy, such as utility trailers, boat trailers, and horse trailers. *ATM - 5/1/89*

Use:

The purpose for which a structure or lot is arranged, designed, or intended to be used, occupied, or maintained. *STM - 3/24/97*

Use, Accessory:

A use incidental and subordinate to the principal use of a structure or lot, or a use, not the principal use, which is located on the same lot as the principal structure.

Use, Principal:

The main or primary purpose for which a structure or lot is designed, arranged, or intended, or for which it may be used, occupied, or maintained under this By-law. Any other use within the main structure or the use of any other structure or land on the same lot and incidental or supplementary to the principal use and permitted under this By-law shall be considered an accessory use.

Use, Substantially Different:

A use which by reason of its normal operation would cause readily observable differences in patronage, service, sight, noise, employment or similar characteristics from the use to which it is being compared.

- (C) Within Zone A1-30, all mobile homes shall be provided with:
- (a) Stands or lots elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level; and
 - (b) Adequate surface drainage and access for a hauler; and
 - (c) In the instance of elevation on pilings, lots large enough to permit steps, and piling foundations placed in stable soil no more than ten (10) feet apart, and reinforcement for piers more than six (6) feet above ground level.
- (D) Where provisions of this section impose greater restrictions than other sections of these bylaws, the provisions of this section shall prevail.

SECTION 19 RADIOACTIVE WASTES

No land within the Town of Freetown may be used for the collection, treatment, storage, burial, incineration, or disposal of radioactive wastes, including, but not limited to, wastes classified as low-level radioactive wastes.
ATM 5/3/82

SECTION 20 DELETED 8/1/88

SECTION 21 HAZARDOUS WASTE FACILITIES

The operation of hazardous waste facilities, including the operation of such facilities at commercial dump sites or sanitary landfills is prohibited within the Town of Freetown. *STM 1/24/83*

SECTION 22 NEW LOT LINES

All conveyances of land from one parcel to an adjoining parcel resulting in new lot lines, and all joinings of land eliminating lot lines shall be subject to the review and approval of the Planning Board. Submission of the proposed conveyance or joining shall be on such forms or in such manner as the Planning Board determines in its rules and regulations and shall be accompanied by new title deed documents that shall be registered with the Town Clerk and the Register of Deeds prior to any application for special permits or building permits. *STM 9/22/86*

SECTION 23 PRIVATE OR COMMERCIAL DUMP

That the operation of a private or commercial dump or sanitary landfill, refuse transfer station, refuse incinerator or compacting or treatment station is prohibited in the Town of Freetown. *STM 3/9/87*

SECTION 24 HOME OCCUPATIONS

Voted to approve a by-law permitting Home Occupations not currently permitted under Chapter 40A within residential structures on legally created pre-existing, non-conforming lots. Home Occupations shall be defined as: A Home Occupation is a use conducted entirely within an enclosed dwelling, employing only the inhabitants thereof, and is clearly incidental and secondary to residential occupancy and does not change the character thereof and constitutes no more than twenty-five (25) percent of ground floor area. Specifically excluded is the storage and display of merchandise not produced by such home occupation, any activity involving any building alterations, window display, construction features, equipment, machinery, or outdoor storage, any of which is visible from off the lot on which such use is located. Any proposed business or occupation which in the opinion of the Building Inspector exceeds the limitations defined herein shall be subject to the review, approval, and conditions of a special permit issued by the special permit granting authority. *STM 3/12/90*

SECTION 25 SPECIAL PERMITS/HOME OCCUPATIONS

Voted to allow the Zoning Board of Appeals to issue Special Permits for Home Occupations which do not comply with Article V (Section 24.) *STM 3/12/90*

Such permits may be granted after the filing of an application for Special Permit and a public hearing held in accordance with Chapter 40A of Massachusetts General Law.

Any permits issued may also impose conditions, safeguards, and limitations on time, use or ownership. Other conditions that may apply, include but are not limited to the following:

The proposed use is appropriate to the specific site in question. Adequate and appropriate facilities will be provided for the proper operation of said use.

There will be no hazard to pedestrians or vehicles.

There will be no nuisance or adverse effect upon the neighborhood.

Setback requirements of front, side, or rear yards may be greater than the minimum otherwise prescribed by existing by-law.

Requirements of screening of service or parking areas of the site by walls, fence, planting, or other approved means.

SECTION 26 100' HIGH STRUCTURES

No buildings, antennas, water tanks, chimneys, towers, spires, and other structural features used for human occupancy or other purpose shall be erected that are in excess of one hundred (100) feet in height. A projection erected that shall exceed the height shown above may be authorized by special permit providing the special permit granting authority finds the proposal is not contrary to the best interest of the inhabitants of the Town of Freetown and is in accordance with Article XI, Section 5, Board of Appeals. In no case shall an antenna be erected on a lot that does not have a width and length twice the height of the antenna. *TM 11/1/94*

SECTION 27 ZONING BY-LAWS

STM 10/7/96

Section 1. Purpose and Scope

1.1 Purpose:

The purpose of this By-law shall be to promote the welfare of the inhabitants of the town of Freetown; to conserve the value of land and buildings; to encourage the appropriate use of land throughout the town; to preserve and increase its amenities; and to provide for the Town the protection authorized by the General Laws, Chapter 40A, as amended.

1.2 Scope:

This By-law will not apply to buildings, structures and uses of land lawfully begun or in existence at the time this By-law is adopted; but all new construction, relocation, expansion, alteration, or change of use shall conform with the provisions of this By-law.

1.3 Minimum Provisions:

The provisions of this by-law shall be deemed to be minimum requirements adopted for the purposes stated in Section 1. 1. whenever any other by-law of the town of Freetown or any law or regulation of the Commonwealth of Massachusetts imposes greater restrictions than this By-law, such other by-law, law or regulation shall prevail to the extent of such greater restrictions.

Section 2: Definitions

For the purpose of this ordinance certain terms and words shall have the following meanings. Words used in the present tense include the future; the singular number includes the plural, the plural the singular; the words "used" or "occupied" include the words "designed", "arranged", "intended", or "offered", to be used or occupied; the words "building", "structure", "lot", "land", or "premises" shall be construed as though followed by the words "or any portion thereof" and the word "shall" is always mandatory and not merely directory. Terms and words not defined herein but defined in the State Building Code or By-laws of the town of Freetown shall have the meanings given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in the Merriam Webster Dictionary, Home and Office Edition. Uses listed in the Table of Use Regulations under the classes Business and Industrial Uses shall be further defined by the current Standard Industrial Classification Manual published by the Executive Office of Management and Budget.

Adult Bookstore

An establishment having as a substantial or significant portion of its stock in trade printed matter, books, magazines, and other matter which are distinguished or characterized by their emphasis on matter depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.
STM 3/24/97

Adult Motion Picture Theater

An enclosed building or outdoor facility used for presenting material distinguished or characterized by an emphasis on matter depicting, describing or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Paraphernalia Store

An establishment having as a substantial or significant portion of its stock devices, objects, tools, or toys which are distinguished or characterized by their association with sexual activity, including sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Video Store

An establishment having as a substantial or significant portion of its stock in trade, videos, movies, or other film material which are distinguished or characterized by their emphasis depicting, describing, or relating to sexual conduct or sexual excitement as defined in M.G.L. Chapter 272, Section 31.

Adult Live Entertainment Establishments

"Establishments which displays live nudity for its patrons". An establishment which provides live entertainment for its patrons which includes the display of nudity, as that term is defined in M.G.L. Chapter 272, Section 31.

Alteration

A change or modification of a building or structure or the service equipment thereof, that affects safety or health and that is not classified as an ordinary repair, so as to provide no increase in its height or gross floor area. *STM 10/7/96*

Agriculture

The use of land, buildings or structures for agriculture and farming including floriculture, aquaculture, horticulture and viticulture: farming in all its branches and the cultivation and tillage of the soil; dairying; the production, cultivation, growing and harvesting of any agricultural, floriculture or horticultural commodities; the raising of livestock, the keeping and raising of poultry, swine, cattle and other domesticated animals used for food purposes, bees, fur bearing animals; and any practices, including any forestry or lumbering operations performed by a farmer, who is hereby defined as one engaged in agriculture or farming as herein defined.

Dwelling Single Family Detached

A single unit providing independent living facilities for one household, including permanent provisions for living, sleeping, cooking, eating and sanitation.

Duplex House

A free standing building exclusively for residential uses by two families but not more than two families.

Industry

Extraction, developing, manufacturing, assembling, processing or treatment of raw or processed materials, parts, or assemblies using other than manual power. A Light Industry is one using quiet motive power and processes which do not generate more noise, odor, smoke, fumes, vibrations, glare, electrical or magnetic interference, or hazard of fire, explosion or pollution of ground water than could be expected of any of the other permitted uses in that location. A Heavy Industry is one generating one or more of the above neighborhood impacts.

Hotel or Motel

A building or group of buildings providing accommodations for compensation on a transient basis.

Manufacturing

Fabrication, assembly, finishing, packaging, processing or research.

Non-conforming District Use

A building or land lawfully occupied at the time of the adoption of this By-law or of amendments thereto by a use which does not conform to the adopted regulations of the district in which it is situated.

Special Permit

A written authority granted after a duly advertised public hearing to locate, build, or use structures or land in accordance with the provisions of this By-law, for certain uses, including the expansion or alteration of existing non-conforming uses and buildings.

Section 3: Establishment of Districts

- 3.1 Types of Districts For the purpose of this By-law, the Town of Freetown is hereby divided into the following types of use districts: *STM 3/24/97*
R - Residential, I - Industrial, B - Business, G - General Use
- 3.2 Location of Districts The sections of the Town to which these By-laws are applicable and the boundaries of the districts above referred to are hereby established as shown on the map entitled "Zoning Map Town of Freetown," dated September 3, 1996, on file with the Town Clerk, which accompanies and is hereby declared to be a part of these By-laws. *STM 10/7/96*

Section 4: District Regulation

- 4.1 Existing Uses and Non-conforming Uses The lawful use of any structure or land existing at the enactment or subsequent amendment of this By-law may be continued although such structure or use does not conform with the provisions of this By-law, subject, however, to the following exceptions:
- A. Reconstruction of Non-conforming Structure In event that a non-conforming structure is destroyed by fire or other natural cause, the same may be reconstructed or repaired at the same location for the same non-conforming use, provided the new structure would not exceed in size and square footage the original structure and that such construction is commenced not later than 24 months from the occurrence of such natural cause.
 - B. Abandonment A non-conforming use which has been abandoned for a period of 24 months shall not be re-established. Any further use shall conform to the current district standards.
 - C. Expansion, Alteration or Change of Use of One or Two Family Residential Nonconforming Uses Existing one or two family residential structures which are non-conforming uses, may expand or be altered without a Special Permit from the Planning Board if the expansion or alteration meets the setback, height, and lot coverage standards of the zoning district in which the residential use is located.
 - D. Expansion, Alteration or Change of Use of Non-conforming Uses Other than One or Two Family Residential Uses Non-conforming uses other than a one or two family residential use may be expanded, altered or changed to another non-conforming use only by Special Permit granted by the Planning Board. The Planning Board shall not issue a Special Permit unless the Board finds that the expansion, alteration or change shall not be substantially more detrimental to the neighborhood than the existing non-conforming use.
- 4.2 Uses A use listed in the table in Section 4.2.A is permitted in any district under which it is denoted by the letter "Y" subject to such requirements as may be specified elsewhere in this, or other, bylaw. If designated in the Table by the letters "SP" the use may be permitted as an exception only if the Special Permit Granting Authority so determines and grants a Special Permit, subject to such restrictions as set forth elsewhere in this by-law and such further restrictions as said Special Permit Granting Authority may establish. The letter "N" shall designate that the use is not permitted.

4.2.A TABLE OF USE REGULATIONS: STM 3/24/97

USE	DISTRICT				
	R	B	I	I/2	G
Single-family detached dwellings	Y	SP	N	N	Y
A duplex house	Y	SP	N	N	Y
Multi-family	SP	SP	N	N	SP
Agriculture including the care, feeding or sheltering of farm animals, including the raising of crops-indoors or outdoors.	Y	Y	Y	Y	Y
Religious, educational, or municipal use by the Town of Freetown	Y	Y	Y	Y	Y
Retail or wholesale business or service not involving manufacture on the premises	N	Y	SP	SP	Y
Business or professional office	N	Y	Y	Y	Y
Restaurant	N	Y	Y	Y	Y
Theater, bowling alley or other commercial amusement provided all business is conducted within the structure	N	Y	SP	SP	Y
Hotel or Motel	N	Y	Y	Y	Y
Bus or railroad terminal or passenger station	N	SP	SP	SP	SP
Hospital, convalescent or nursing home	N	Y	N	N	Y
Cemetery	SP	SP	SP	SP	SP
Golf Course	SP	SP	SP	SP	SP
Recreational or sports facilities including day or seasonal camp for children	SP	SP	SP	SP	SP
Warehouse or facilities for distributing merchandise	N	SP	Y	Y	Y
Plant for manufacturing, processing, fabricating or assembly	N	SP	Y	Y	Y
Research Laboratory	N	SP	SP	SP	SP
Dry Cleaning Plant	N	SP	SP	SP	SP
Retail or wholesale Fuel establishment involving storage and distribution	N	SP	SP	SP	SP
Uses accessory to permitted scientific research and development, whether or not located on the same lot as the principal permitted use	N	SP	SP	SP	SP
Hazardous waste facilities for the storage, treatment, dewatering, refining, incinerating, reclamation, stabilization, solidification, or disposal of hazardous waste	N	N	N	N	N
Commercial tower and/or antenna "See also Article 11 Section 26 of the Freetown Protective By-laws	N	Y	Y	Y	Y
Adult Entertainment Establishments	N	N	N	SP	N

Section 5 Special Permits

The Planning Board is designated as the Special Permit Granting Authority. The Special Permit Granting Authority shall have the power to impose reasonable conditions and modifications, including limitations of time and use, as a condition of a Special Permit, and may secure compliance or performance by requiring the posting of a bond or other safeguards. This special permit can only be granted by the Special Permit Granting Authority following Sections 6, 7, 9, 9a, 9b, AND 9c of Massachusetts General Laws Chapter 40a. STM 3/24/97

5.1 Special Permits Non-Conforming Uses Where any use is allowed by Special Permit from the Planning Board, said board may grant such Special Permit subject to appropriate conditions and safeguards if necessary, provided that it finds that such permitted use will not be of substantial harm to the neighborhood, will be in harmony with the intent of the By-law and that nuisance, hazard, or congestion will not be created by the issuance thereof.

5.2 Special Permits Table of Use Regulations Certain specific uses, buildings and structures identified in the table of use regulations of this By-law shall be allowed to be located, relocated, altered or substantially expanded in specified districts only upon the issuance of a Special Permit by the Special Permit Granting Authority, as designated herein. All applications for Special Permits from the Planning Board shall be subject to the procedural requirements established by that board. Special Permits shall only be issued for uses which are in harmony with the general purpose and intent of this By-law and subject to its general or specific provisions and only if the Special Permit Granting Authority finds that the following conditions are met.

- a. The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.
- b. The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development which could occur if the Special Permit were denied.
- c. The applicant has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.

The Special Permit Granting Authority shall determine that the proposal generally conforms to the principals of good engineering, sound planning, and correct land use, and that the applicant has the means to implement the proposal if a Special Permit is granted.

5.3 Special Permits for Adult Entertainment Establishments

- a. Special Permits for Adult Entertainment Establishments may not be located within Five Hundred (500) feet of each other and of any residential zone, single or multiple dwelling, church, park, school, day care facility, or any establishment licensed under the provisions of M.G.L. Chapter 138, Section 12.
- b. Special Permits for Adult Entertainment Establishments shall not be granted to any person convicted of violating the provisions of M.G.L. Chapter 119, Section 63 or Chapter 272, Section 28.
- c. Special Permits for Adult Entertainment Establishments shall only be issued following public hearings held within 65 days after filing an application with the Special Permit Granting Authority, a copy of which the applicant shall give to the Town Clerk simultaneously.
- d. A Special Permit for Adult Entertainment Establishments shall lapse within one year, including the time required to pursue or await the determination of an appeal filed pursuant to M.G.L. Chapter 40A, Section 17, from the grant thereof, if a substantial use thereof has not sooner commenced except for good cause or, in the case of permit for construction, if construction has not begun by such date except for good cause.
- e. Any existing Adult Entertainment Establishments shall apply for such permit within ninety days following the adoption of said zoning ordinance or by-law by a municipality.

Section 6. Invalidity

The invalidity of any section, sentence or provision of this by-law shall not affect the validity of any other section, sentence, or provision thereof.

ARTICLE XII

Volatile Liquids

SECTION 1 DISPOSAL OF VOLATILE LIQUIDS

No person shall dispose of, or cause to be disposed of, any volatile or nonvolatile inflammable liquids, in closed containers in any public dump, in or adjacent to any public way, or on any property belonging to or under the control of the town. *ATM-3/12/60*

SECTION 5 TIRE STORAGE

No person, owner, business or corporation shall establish, maintain or allow to exist on any property within the Town of Freetown, a tire storage yard or facility consisting of the open or outside storage of new rubber tires, tire casings, tire tubes, rubber scraps or any other by-product of rubber tires, and not more than one hundred (100) used tires. Any person who shall violate any of the provisions of this by-law shall be subject to a penalty of not less than \$20.00 or more than \$100.00 for each such offense. Each day the violation continues or is allowed to remain shall be considered a separate offense. *ATM-5/5/80*

SECTION 6 TIRE REGULATIONS

Regulations governing the existing storage of new or used rubber tires, tire casings, tire tubes, rubber scraps, and/or any other by-product of rubber tires as on file in the office of the Town Clerk: *ATM-5/5/80*

The storage site shall be reasonably level, solid ground, preferably surfaced with fine gravel. Refuse or filled-land, swampy ground, or areas where the hazard of underground fire is present shall not be used.

All-weather roadways, alley-ways, and fire lanes capable of supporting fire department apparatus shall be provided to the plant and throughout the storage yard from town ways.

All sides of storage piles shall be accessible by means of alley-ways and fire lanes. An alley-way width of 1 1/2 times pile-height, but not less than twenty feet is required with fire lanes between alternate rows of two pile groups, providing a clear space of at least 100 feet. The length of each pile shall not exceed 125 feet in length, 25 feet in width, or 15 feet in height. Fire lanes for access across each end providing a clear space of at least 100 feet to adjacent pile rows, or other exposed property shall be provided.

Where practical, greater widths are desirable to minimize the effects of radiated heat, particularly in high-piled yards. Fire lanes shall be kept unobstructed at all times to permit maneuvering of fire suppression equipment. For basic fire protection, a water supply shall be provided where practical. The supply should be large enough to provide 1,000 G.P.M. for a period of two hours, and shall be accessible to fire apparatus as directed by fire department personnel.

Weeds, grass, and similar vegetation shall be prevented throughout the yard, and should be sprayed as often as needed with a satisfactory herbicide or ground sterilizer or grubbed out. Dead vegetation shall be removed after destruction. Weed burners should not be used.

Good housekeeping should be maintained at all times, including regular and frequent cleaning of materials handling equipment.

Smoking shall be prohibited in tire storage yards. No Smoking signs shall be posted in storage yards.

Access into yard areas by unauthorized persons shall be prohibited. Where needed, storage areas should be enclosed with a suitable fence equipped with proper gates located as necessary, to permit entry of fire department apparatus.

Miscellaneous occupancy hazards such as vehicle storage and repair shops, cutting and welding operations, flammable liquid storage, liquefied petroleum gas storage and similar operations shall be safe-guarded in accordance with recognized good practice. Refer to various N.F.P.A. standards applicable to specific occupancy hazards.

Vehicles and other power devices should be of an approved type, safely maintained and operated. Vehicle fueling operations should be conducted in specified safe locations, isolated from storage areas and principal operating buildings. (Refer to standard for Powered Industrial Trucks, N.F.P.A., 505.)

All electrical equipment and installations shall conform to the provisions of the National Electrical Code, N.F.P.A., 70.

No cutting, welding, or other use of open flames or spark-producing equipment shall be permitted in the storage area.

The owner of the storage yard shall be responsible for the hiring of any heavy equipment to aid in the extinguishing of a fire, should it be deemed necessary.

SECTION 8 BY-LAW FOR OPEN BURNING AND BURNING PERMIT FEE

Date TM Convened: September 14, 1992

- A. The Town of Freetown hereby adopts the following by-law for governing open burning or the burning of any material out-of-doors: Any person who violates any provisions of M.G.L. Chapter 48, Section 13, (setting fires in open air, etc.) or 310 C.M.R. 7.07 (Department of Environmental Protection Open Burning Regulations) shall be subject to a penalty of Fifty (\$50.00) dollars for each offense. This by-law may be enforced by the Fire Chief, any firefighter whom the Fire Chief has delegated written authority under the provisions of Chapter 148, any Police Officer, or the Building Inspector through non-criminal disposition, civil action or criminal penalty.
- B. The permit fee for open burning shall be Five (\$5.00) dollars for the burning season.

ARTICLE XIV Conservation Commission

Adopted by vote of the Annual Town Meeting, May 3, 1975,

There shall be a commission called the Conservation Commission of the Town of Freetown established under G.L. Chapter 40, Section 8C for the purposes and with the rights and duties provided by law, to be composed of seven residents of the town appointed by the Selectmen for the terms of three years, except the initial appointments shall be two for one year, two for two years and three for three years, and that there be established a Conservation Fund as authorized by law.

SECTION 1 PROTECTION OF LAND, ETC.

The purpose of this by-law is to protect the foreshores and wetlands of the Town of Freetown by controlling activities deemed to have a significant effect upon wetland values, including, but not limited to the following: Public or private water supply, groundwater, flood control, erosion control, storm damage, water pollution, fisheries, shellfish, wildlife, recreation, and esthetics. No persons shall remove, fill, dredge or alter any bank, fresh water wetland, coastal wetland, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on any estuary, creek, river, stream, pond or lake, or any land under said waters or any land subject to tidal action, coastal storm flowage, or flooding, other than in the course of maintaining, repairing, or replacing, but not substantially changing or enlarging, an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, telephone, telegraph and other telecommunication services, without filing written notice of his intention to so remove, fill, dredge, or alter, including such plans as may be necessary to describe such proposed activity and its effect on the environment. Said notice shall be sent by certified mail to the Freetown Conservation Commission. The same plans and specifications required to be filed by an applicant under Massachusetts General Laws, Chapter 131, Section 40, will be accepted as fulfilling the requirements of this by-law. The said Commission, in its discretion, may hear any oral presentation under this by-law at the same public hearing required to be held under the provisions of said Chapter 131, Section 40, of the Massachusetts General Laws, as amended. The definitions contained herein shall be as set forth in MGL, Chapter 131, Section 40 and in Regulations issued and as may be amended by the Department of Environmental Quality Engineering thereunder and such definitions are hereby part of. *ATM-5/5/80*

SECTION 2 DEFINITIONS

The term "person" as used in this section, shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or political subdivision thereof, administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representative agents or assigns.

The term "bogs" as used in this section shall mean areas where standing or slowly running water is near or at the surface during a normal growing season, and where a vegetational community has a significant portion of the ground or water surface covered with sphagnum moss (*Sphagnum*) and where the vegetational community is made up of a significant portion of one or more of, but not limited to nor necessarily including all of the following plants or groups of plants: Aster (*Aster nemoralis*), azaleas (*Rhododendron canadense* and *Rhododendron viscosum*), black spruce (*Picea mariana*), bog cotton (*Eriophorum*), cranberry (*Vaccinium macrocarpon*), high-bush blueberry (*Vaccinium corymbosum*), larch (*Larix laricina*), laurels (*Kalmia angustifolia* and *Kalmia polifolia*), leather-leaf (*Chamaedaphne calyculata*), orchids (*Arethusa*, *Calopogon pogonia*), pitcher plant (*Sarracenia purpurea*), sedges (*Cyperaceae*), sundews (*Droseraceae*), sweet gale (*Myrica gale*), white cedar (*Chamaecyparis thyoides*).

The term "coastal wetlands" as used in this section shall mean any bank, marsh, swamp, meadow, flat or other low-land, subject to tidal action or coastal storm flowage.

The term "freshwater wetlands", as used in this section shall mean wet meadows, marshes, swamps, bogs, areas where groundwater, flowing or standing surface water or ice provide a significant part of the supporting substrate for a plant community for at least five months of the year, emergent and submergent plant communities in inland waters; that portion of any bank which touches any inland waters.

The term "swamps", as used in this section, shall mean areas where groundwater is at or near the surface of the ground for a significant part of the growing season or where runoff water from surface drainage frequently collects above the soil surface, and where a significant part of the vegetational community is made up of, but not limited to nor necessarily including all of the following plants or groups of plants: Alders (*Alnus*), ashes (*Fraxinus*), azaleas (*Rhododendron canadense* and *Rhododendron viscosum*), black alder (*Ilex verticillata*), black spruce (*Picea mariana*), buttonbush (*Cephalanthus occidentalis*), American or white elm (*Ulmus americana*), white Hellebore (*Veratrum viride*), hemlock (*Tsuga canadensis*), highbush blueberry (*Vaccinium corymbosum*), larch (*Larix laricina*), cowslip (*Caltha palustris*), poison sumac (*Toxicodendron vernix*), red maple (*Acer rubrum*), skunk cabbage (*Symplocarpus foetidus*), sphagnum mosses (*Sphagnum*), spicebush (*Lindera benzoin*), black gum tupelo (*Nyssa sylvatica*), sweet pepperbush (*Clethra alnifolia*), white cedar (*Chamaecyparis thyoides*), willow (*Salicaceae*).

The term "wet meadows", as used in this section, where groundwater is at the surface for a significant part of the growing season and near the surface throughout the year, and where a significant part of the vegetational community is composed of various grasses, sedges and rushes, made up of, but not limited to nor necessarily including all of the following plants or groups of plants: Blue flag (*Iris*), gervain (*Berberis*), thoroughwort (*Eupatorium*), dock (*Rumex*), false loosestrife (*Ludwigia*), hydrophilic grasses (*Gramineae*), loosestrife (*Lythrum*), marsh fern (*Dryopteris thelypteris*), rushes (*Juncaceae*), sedges (*Cyperaceae*), sensitive fern (*Onoclea sensibilis*), smartweed (*Polygonum*).

The term "marshes", as used in this section, shall mean areas where vegetational community exists in standing or running water during the growing season and where a significant part of the vegetational community is composed of, but not limited to nor necessarily including all of the following plants or groups of plants: Arums (*Araceae*), bladder warts (*Utricularis*), bur reeds (*Sparganiaceae*), button bush (*Cephalanthus occidentalis*), cattails (*Thypha*), duck weeds (*Lemnaceae*), eelgrass (*Vallisneria*), frog bits (*Nydrocharitaceae*), horsetails (*Equisetaceae*), hydrophilic grasses (*Gramineae*), leather-leaf (*Chamaedaphne calyculata*), pickerel weeds (*Pontederaceae*), pipeworts (*Eriocaulon*), pond weeds (*Pontamogeton*), rushes (*Juncaceae*), sedges (*Cyperaceae*), smartweeds (*Polygonum*), sweet gale (*Myrica gale*), water milfoil (*Malvaceae*), water lilies (*Nymphaeaceae*), water water starworts (*Callitrichaceae*), water willow (*Decodon verticillatus*).

SECTION 3 WRITTEN DETERMINATION

Upon written request of any persons, the Conservation Commission shall within ten (10) days, make a written determination as to whether or not this By-law applies to a specific situation prior to the filing of a written notice of intent under the provisions thereof, upon receipt of a written request from any person desiring such determination. The Commission, its agent, officers, and employees; may enter upon the land which the proposed work is to be done in response to a request for a prior determination or for the purpose of carrying out its duties under this By-Law and may make or cause to be made such examination or survey as deemed necessary.

SECTION 4 DENIALS

The Conservation Commission is empowered to deny permission for any dredging, filling or altering of subject lands within the town, if, in its judgment such denial is necessary to preserve environmental quality of either or both the subject lands and contiguous lands. Due consideration shall be given to possible effects of the proposal on all values to be protected under this By-law, and to any demonstrated hardship on the petitioner by reason of a denial, as brought forth at the public hearing.

SECTION 5 IMPOSE CONDITIONS

The Commission may, as an alternative to a denial, impose such conditions as it deems necessary to contribute to the protection and preservation of subject lands in accordance with the purposes of this by-law. Any Order of Conditions issued under this by-law shall be subject to the same constraints and be identical to any such order issued by the Freetown Conservation Commission under the provisions of Massachusetts General Laws, Chapter 131, Section 40, as amended.

SECTION 6 EMERGENCY PROJECTS

The first paragraph of this by-law shall not apply to emergency projects necessary for the protection of the health and safety of the citizens of Freetown, and to be performed or ordered to be performed by an administrative agency of the Commonwealth or by the Town. Emergency projects shall mean any projects certified to be an emergency by the Commissioner of the Department of Natural Resources and the Conservation Commission, if this by-law and Massachusetts General Laws, Chapter 131, Section 40, are both applicable, or by the Conservation Commission only of this by-law is applicable.

ARTICLE XV

Council on Aging

Annual Town Meeting, March 6, 1971

SECTION 1 PURPOSE

The Board of Selectmen shall appoint a Council on Aging for the purpose of co-ordinating or carrying out programs designed to meet the problems of the aging in cooperation with programs of the Commission on Aging established under Chapter 6, section 73 of the General Laws.

SECTION 2 APPOINTMENTS

The Board of Selectmen shall appoint the Council on Aging consisting of seven (7) members. Upon acceptance of this by-law, the Board shall appoint three (3) members for three (3) years, two (2) members for two years and two (2) members for one (1) year. Thereafter, each member shall be appointed for a three (3) year term. Members can be re-appointed for concurrent terms. The members of the Council shall serve without pay.

SECTION 3 VACANCY

Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled by appointment by the Selectmen for the remainder of the term.

SECTION 4 ELECTION OF OFFICERS

The Council on Aging at its first annual meeting and thereafter, annually in April of each year, shall elect from its membership, A President, 1st Vice President, 2nd Vice President, Secretary and Treasurer. Each officer shall hold office until the next annual election. In the event a vacancy occurs in any of the offices above, the Council shall hold a special meeting for the purpose of electing one of its members to fill such vacancy.

SECTION 5 ANNUAL REPORT

The Council shall prepare and submit an annual report of its activities to the Town and shall send a copy thereof to the Commission on Aging.

SECTION 6 APPOINTMENT OF EMPLOYEES

The Council may appoint such clerks and other employees as it may require.

ARTICLE XVII

Soil Removal - Soil Conservation Board

Soil Removal by-laws accepted by vote of the Town at the Annual Town Meeting, March 10, 1956

SECTION 1 MEMBERS

A Soil Conservation Board is hereby established in the Town of Freetown for the purpose of regulating the removal of earth minerals from land within the town and in enforcing the provisions of this by-law.

*The members of the Board shall consist of three Selectmen, two members of the Planning Board to be selected by such Board, two members of the Conservation Commission to be selected by such Commission and the Highway Surveyor. *STM-10/25/76

*The Planning Board and Conservation Commission shall annually in June submit to the Board in writing the names of their respective members who will serve on the Soil Conservation Board for the term of the forthcoming fiscal year. *STM-10/25/76

SECTION 2 REMOVAL OF EARTH MINERALS

The stripping or removal of earth minerals from any parcel of land not in public use in the Town of Freetown, except as hereinafter provided is prohibited, unless a written permit therefor is obtained from the Board after a public hearing of which due notice is given.

SECTION 2A DENIAL TO REMOVE

After permission for a earth mineral permit has been denied by the Board, no operator or owner shall be allowed to reapply for a period of one (1) year.

SECTION 3 CONTINUOUS OPERATION

Whenever the Board is satisfied that the removal of any earth minerals had previously been undertaken in a particular location and was in continuous operation, at the time when notice of the warrant for the Town Meeting at which this by-law was adopted was given, a permit for the further continuance of such operation with the same territorial limits shall be issued without a hearing; but such permit may be issued subject to conditions in the same manner as other permits.

SECTION 4 ISSUING PERMIT - CONDITIONS

In issuing a permit under this By-Law, the Board may impose such conditions not specifically provided for herein as it may deem necessary for the adequate protection of the neighborhood and the Town. Any conditions imposed by the Board shall be attached to and made a part of the permit. The Board shall require a bond for the compliance with said conditions as evidence of good faith for the completion of any proposed construction. The Board shall, after a public hearing on proof of violation of any condition, revoke any permit so issued. No permit shall be issued under the provisions of said By-Law for a period of more than three (3) years. No revocation shall endure for less than thirty (30) days.

SECTION 5 REPEALED

SECTION 6 AUTHORIZATION & CONDITIONS CONTINUED

Earth minerals may be removed from any parcel of land within the town only after a permit authorizing such removal has been issued by the Board after satisfactory evidence that such removal will not be seriously detrimental, injurious or hazardous to the neighborhood; provided further that the Board shall impose reasonable conditions as to the method of removal, the maintaining or re-establishment of ground levels and grades, and the planting of the area to suitable cover, as it may deem necessary. The Board may also designate the Town roads over which such earth minerals may be transported in the process of removal. Removal of earth minerals under authority of this section shall be further subject to the provision of Section 3 and 4.

SECTION 7 TRANSFER OF EARTH MINERALS OVER OWNER'S LAND

No permit shall be required by an owner of real estate for the transfer of earth minerals from one part of his own premises to another part thereof for the improvement of his own premises, nor shall any permit be required for removal of earth minerals in connection with the improvement or construction of any road over his premises provided such earth minerals so removed are used on said premises to improve the same and is not contrary to the regulations of this by-law as adopted. No permit shall be required by quarries operating at the time this by-law is adopted so long as the sale of earth minerals is not involved.

SECTION 8 ORGANIZATION OF BOARD

No person interested in the application for a permit for the removal of earth minerals, shall be eligible to participate in the action of the Board with reference to such permit. Replacement of any member or members so disqualified shall be determined by the other members of the Soil Conservation Board. A majority of the Board shall constitute a quorum. The Board shall elect its own Chairman and Secretary. Its Secretary need not be a member of the Board. The Secretary shall keep a true record of the proceedings of the Board, which shall be public record.

SECTION 9 PENALTIES

The penalty for violation of this article shall be for the first offense, \$50.00; for the second offense, \$100.00; and for each subsequent offense, \$200.00.

SECTION 10 DEFINITION "EARTH MINERALS"

"Earth Minerals" are defined in this by-law to include all forms of soil without limitation, specifically including loam, sand, gravel, clay, humus, peat, hardpan or rock, iron, coal, etc. *ATM-3/3/75*

SECTION 11 DEFINITION "REMOVAL"

"Removal" is defined as stripping, digging, excavating, or blasting of earth minerals from a lot for the purpose of removing or clearing it away from the lot. *ATM-3/3/75*

Watershed Key

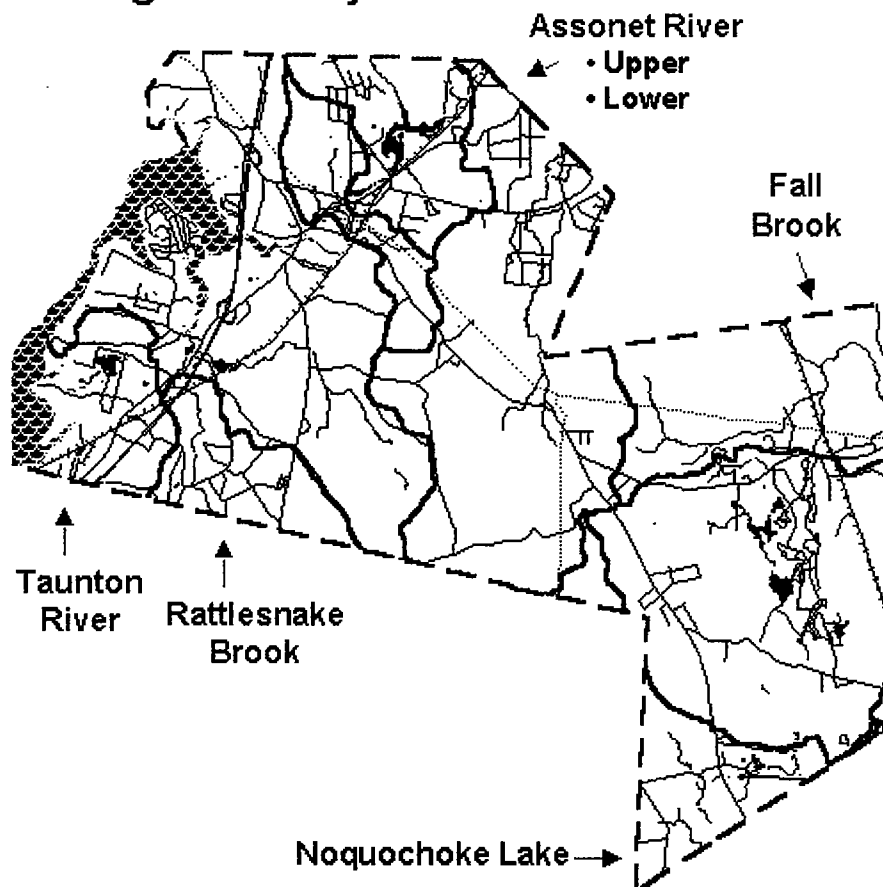
Buzzards Bay →

Narragansett Bay →

Freetown, MA

Located within the
Buzzards Bay &
Narragansett Bay
Watersheds.

Click on names to view local
maps.



Website maintained by stopnps.com, Inc. contact@MyWatershed.com

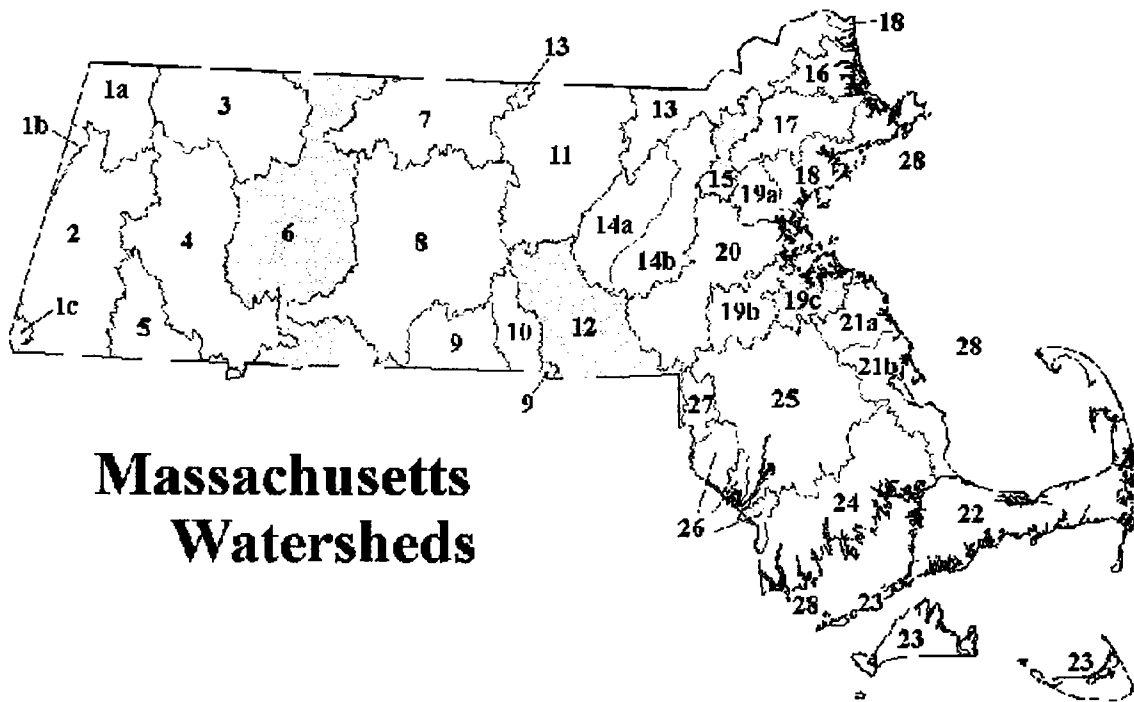
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Rivers in Massachusetts

Everywhere you go, you are in a watershed for a river, stream, lake or pond. A watershed is also called a drainage basin -- it's the area of land from which water flows downhill into a particular body of water.

The map below shows the major watersheds in Massachusetts.

Many watersheds have local citizen groups who are working on protecting and restoring their rivers and streams. To find out who to contact in your watershed, follow the link below the map or call the Riverways Programs at (617) 626-1540. If you have a link or address you would like to be included below please feel free to send us an e-mail with your request.



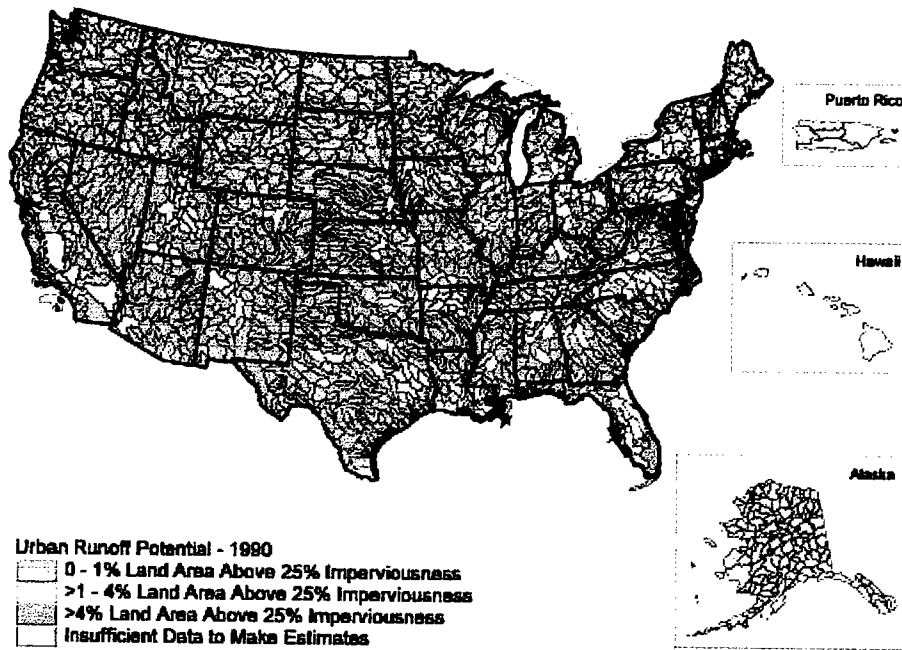
Massachusetts Watersheds

[Click here for a listing of rivers within each watershed.](#)

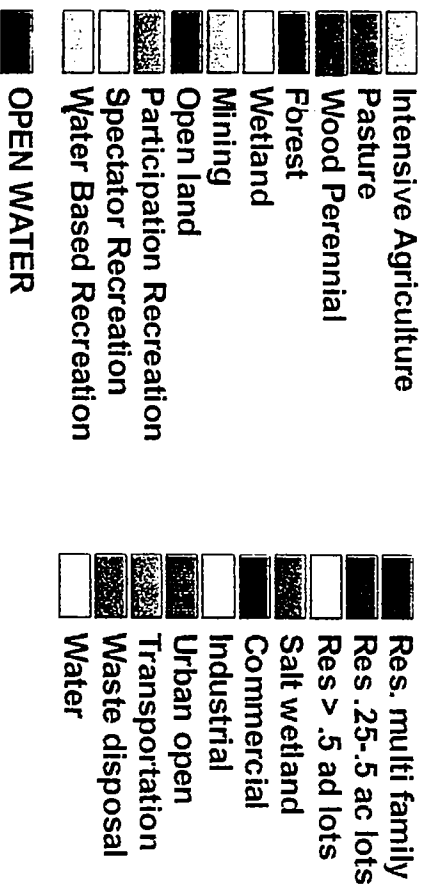
(This list is long and may take a few moments to load)

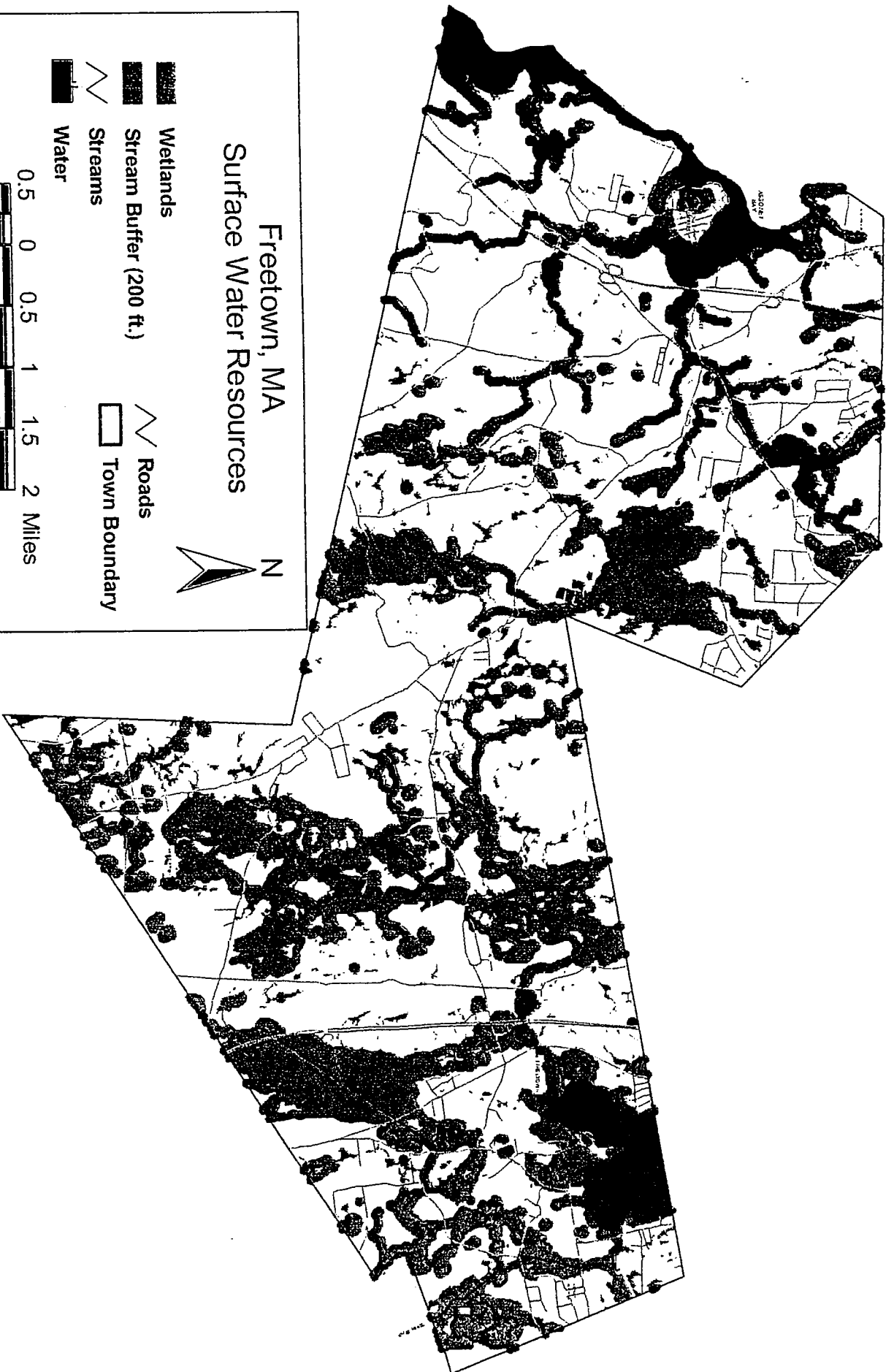
Please note a link to a site does not necessarily constitute an endorsement.

-
- 1. Hudson River Watershed**
 - a. Hoosic**
Hoosic River Watershed Association
P.O. Box 667
Williamstown, MA 02167



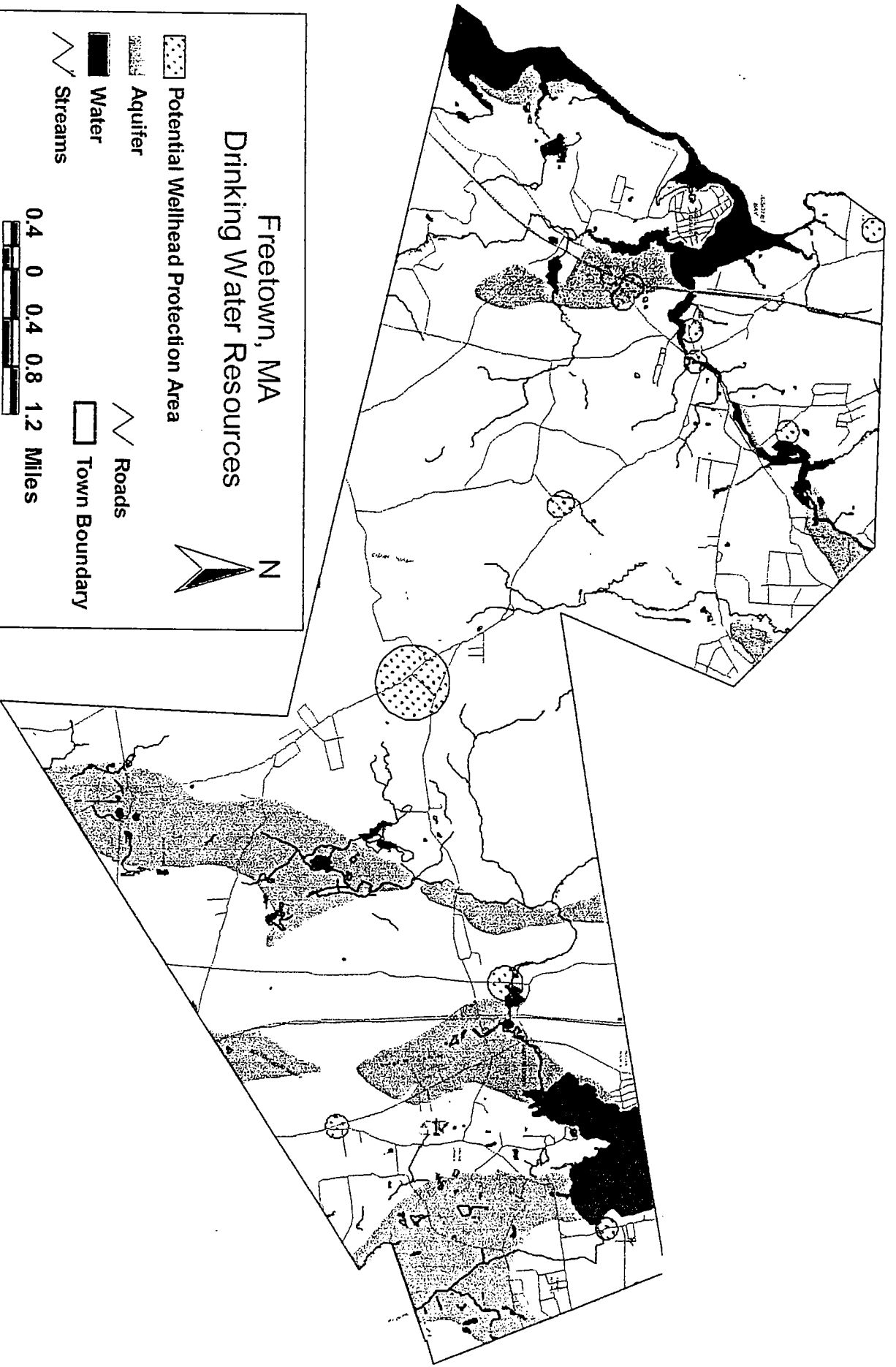
Freetown Land Use





Data Sources:
Roads, Streams, Towns, Water - MASSGIS - 1:25,000 scale.
Wildlife, Priority, Core Habitat and Supporting Natural Landscape
from NEH SP BioMap Project.
Map prepared by Save The Bay (2003).
Partial funding for this project was provided by
the Partnership for Narragansett Bay via a grant to the New England
Interstate Water Pollution Control Commission.

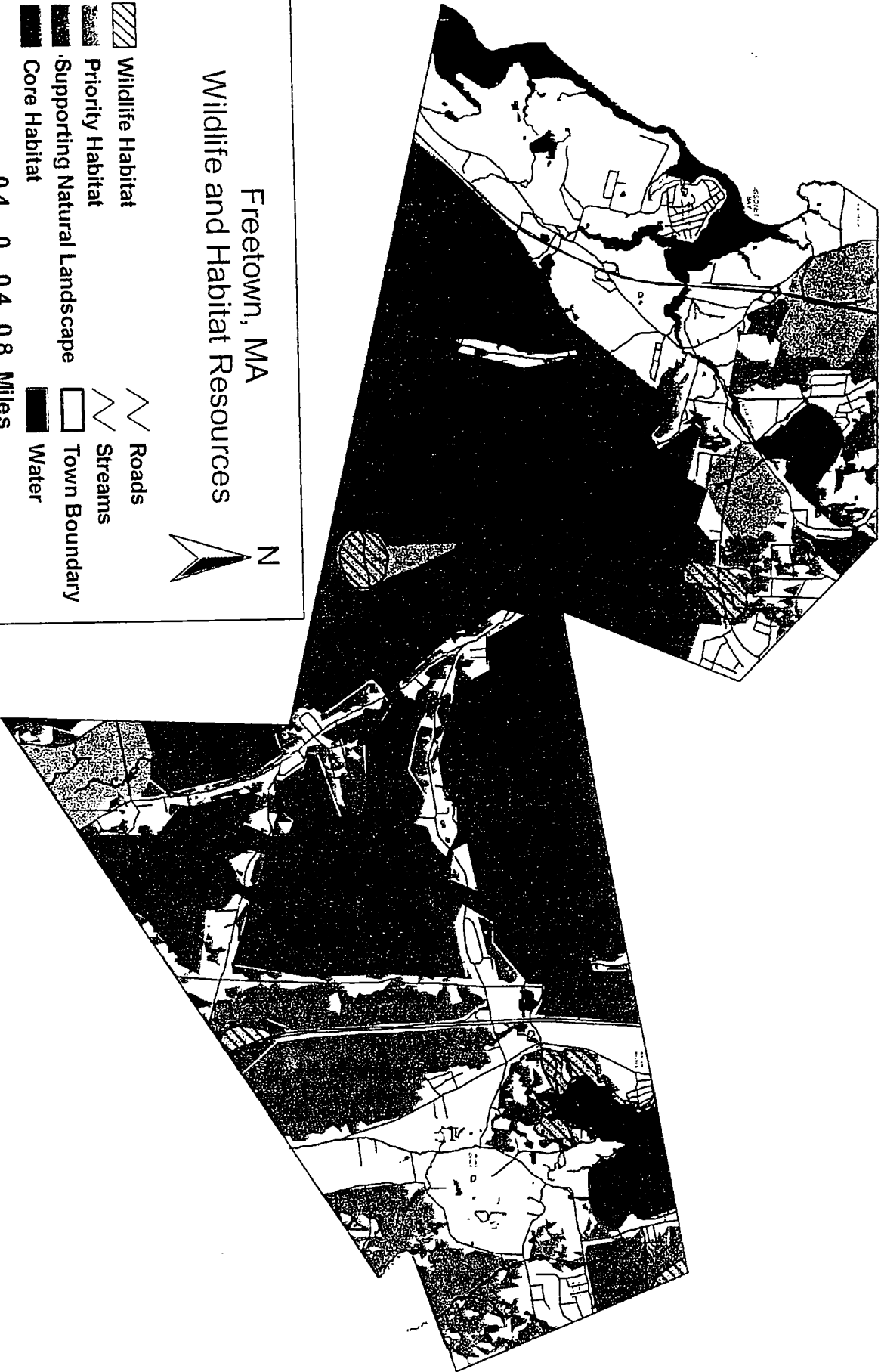
SAVE THE BAY.
PEOPLE FOR NARRAGANSETT BAY



Data Sources:
 PW/PAs, Aquifers, Roads, Streams, Towns,
 Water 1 MASSGIS - 1:25,000 scale.
 Map prepared by Save The Bay (2003).
 Partial funding for this project was provided by
 the Partnership for Narragansett Bay via a grant to the New England
 Interstate Water Pollution Control Commission.

SAVE THE BAY.

PEOPLE FOR NARRAGANSETT BAY



Freetown, MA Wildlife and Habitat Resources



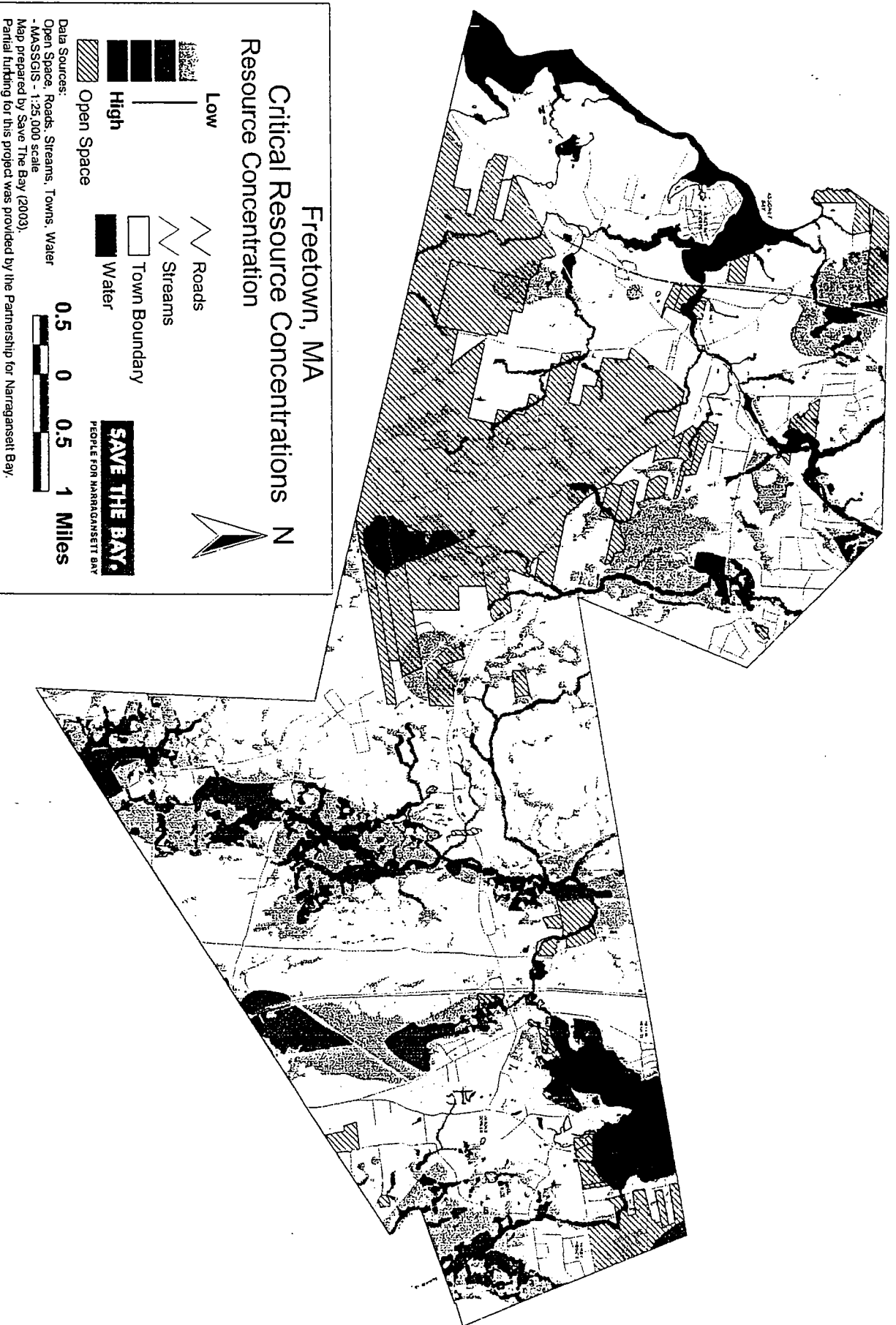
- Wildlife Habitat
- Priority Habitat
- Supporting Natural Landscape
- Core Habitat
- Roads
- Streams
- Town Boundary
- Water

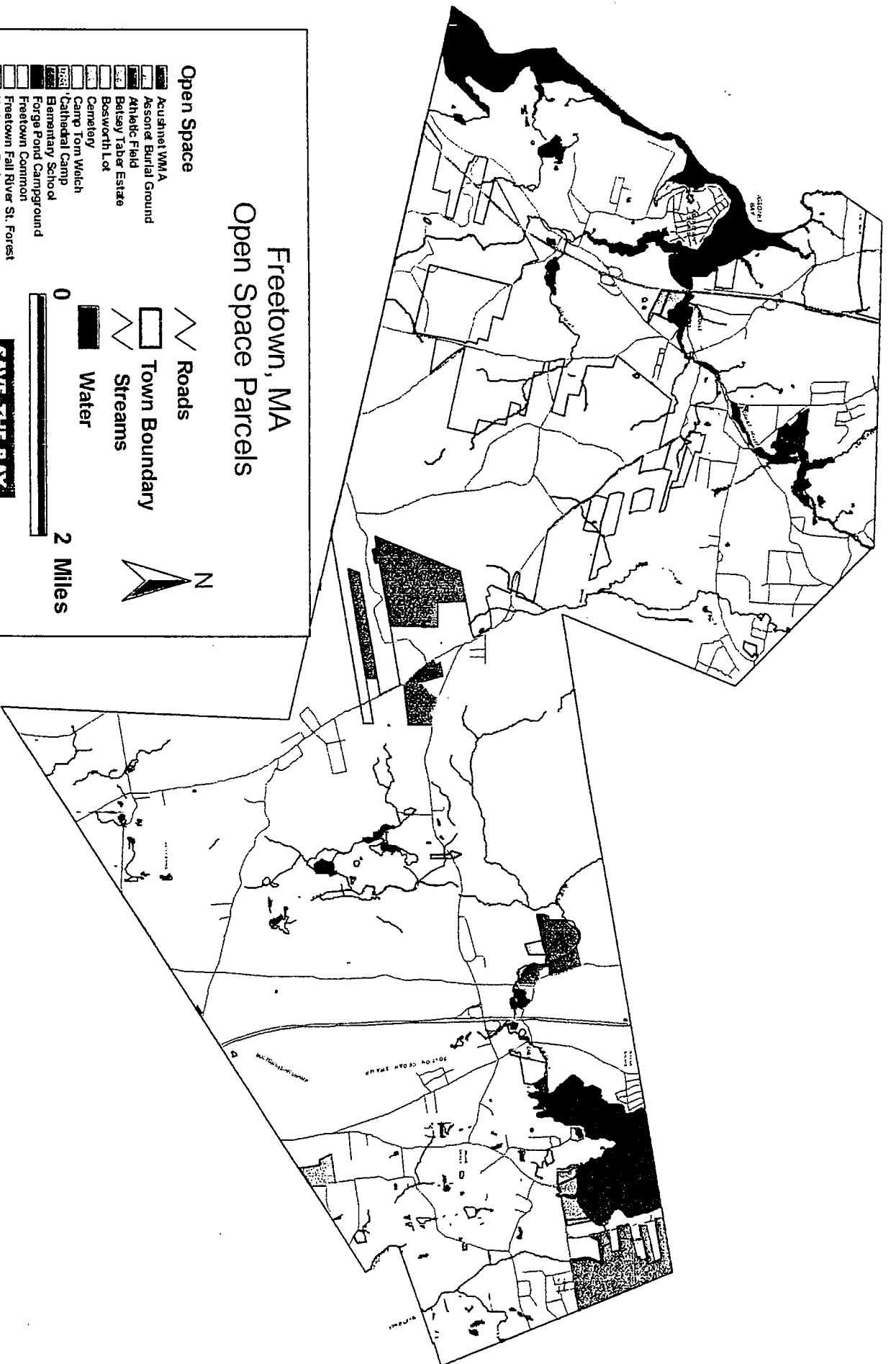
0.4 0 0.4 0.8 Miles



Data Sources:
Roads, Streams, Towns, Water - MASSGIS - 1:25,000 scale.
Wildlife, Priority, Core Habitat and Supporting Natural Landscape
from NEHSP Biomap Project.
Map prepared by Save The Bay (2003).
Partial funding for this project was provided by
the Partnership for Narragansett Bay via a grant to the New England
Interstate Water Pollution Control Commission.

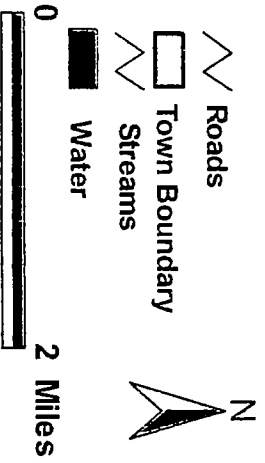
SAVE THE BAY
PEOPLE FOR NARRAGANSETT BAY





Freetown, MA Open Space Parcels

- Open Space**
- Acushnet WMA
 - Assonet Burial Ground
 - Athletic Field
 - Batsley Taber Estate
 - Besworth Lot
 - Cemetary
 - Camp Tom Welch
 - Cathedral Camp
 - Elementary School
 - Forge Pond Campground
 - Freetown Common
 - Freetown Fall River St. Forest
 - Hathaway Park
 - Hilhop Park
 - Kenswood Estate
 - Long Pond Town Beach
 - Mett Property
 - New Bedford Watershed
 - Porter Pasture

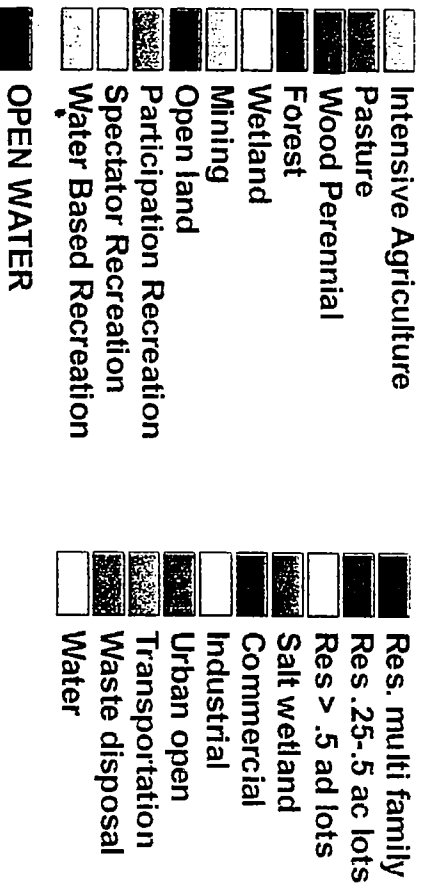


SAVE THE BAY

PEOPLE FOR NARRAGANSETT BAY

Data Sources:
Open Space, Roads, Streams, Towns, Water
- MASSGIS - 1:25,000 scale.
Map prepared by Save The Bay (2003).
Partial funding for this project was provided by
the Partnership for Narragansett Bay.

Freetown Land Use



Storm Water Management Program Implementation Schedule

Regulated MS4:

BMP ID #	PERMIT YEAR ONE				PERMIT YEAR TWO				PERMIT YEAR THREE				PERMIT YEAR FOUR				PERMIT YEAR FIVE			
	Spring 03	Summer 03	Fall 03	Winter 03	Spring 04	Summer 04	Fall 04	Winter 04	Spring 05	Summer 05	Fall 05	Winter 05	Spring 06	Summer 06	Fall 06	Winter 06	Spring 07	Summer 07	Fall 07	Winter 07
Public Education																				
1					Articles Newsletter/Website			Articles Newsletter/Website			Articles Newsletter/Website			Articles Newsletter/Website			Articles Newsletter/Website			
2						Stencil storm drains				Stencil storm drains				Stencil storm drains			Stencil storm drains			
3					Dev Edu Resources			Dev Edu Resources			Dev Edu Resources			Dev Edu Resources			Dev Edu Resources			
4					Pet Waste Management			Pet Waste Management			Pet Waste Management			Pet Waste Management			Pet Waste Management			
5					UNH Video			UNH Video			UNH Video			UNH Video			UNH Video			
6					School Outreach			School Outreach			School Outreach			School Outreach			School Outreach			
7						Mosquitos/Catch Basins				Mosquitos/Catch Basins				Mosquitos/Catch Basins			Mosquitos/Catch Basins			
8					Door Hangers			Door Hangers			Door Hangers			Door Hangers			Door Hangers			
Public Participation																				
9					Community Cleanups			Community Cleanups			Community Cleanups			Community Cleanups			Community Cleanups			
10					Stencil storm drains			Stencil storm drains			Stencil storm drains			Stencil storm drains			Stencil storm drains			
11					Seacoast Stormwater Coalition Mtg X2			Seacoast Stormwater Coalition Mtg X2			Seacoast Stormwater Coalition Mtg X2			Seacoast Stormwater Coalition Mtg X2			Seacoast Stormwater Coalition Mtg X2			

SWMP Implementation Schedule

Regulated MSA:

BMP ID #	PERMIT YEAR ONE				PERMIT YEAR TWO				PERMIT YEAR THREE				PERMIT YEAR FOUR				PERMIT YEAR FIVE			
	Spring 03	Summer 03	Fall 03	Winter 03	Spring 04	Summer 04	Fall 04	Winter 04	Spring 05	Summer 05	Fall 05	Winter 05	Spring 06	Summer 06	Fall 06	Winter 06	Spring 07	Summer 07	Fall 07	Winter 07
Illicit Discharge Detection & Elimination																				
12					Public Information								Public Information							
13					Remove Illicit Connections				Remove Illicit Connections				Remove Illicit Connections				Remove Illicit Connections			
14					Review Town Ordinances				Review Town Ordinances				Review Town Ordinances				Review Town Ordinances			
Construction Site Runoff Control																				
15					Enforce LDR Sec. 604 & 605				Enforce LDR Sec. 604 & 605				Enforce LDR Sec. 604 & 605				Enforce LDR Sec. 604 & 605			

Regulated MISA:

FROM : FAX NO. : Oct. 23 2003 09:56AM P4

8/31/04



**TOWN OF FREETOWN
BOARD OF SELECTMEN**
*Town Hall
3 North Main Street
P.O. Box 438
Assonet, MA 02702-0438
TEL: 508-644-2201
FAX: 508-644-3342*

FAX MEMO

DATE: August 27, 2004, 4:38 P.M.

TO: Ms. Shelley Pulleo, Mail Code C.M.U., E.P.A., Fax No. 617-918-2064.

FROM: Linda H. Lynn Remedis, Freetown Selectmen's Office, 508-644-2201.

SUBJ: Stormwater Drainage.

Shelley, As per our conversation, these are the final three sheets relative to the Measurable Goals and Timetables. (Original copies being sent via regular mail.) We still plan to meet with our engineer on September 13th. If you have any questions, or need anything further, please feel free to call me at 508-644-2201. I did my best in attempting to complete this assignment. Thank you for all your help.

Linda

PAGES: 4 including cover sheet.



Telephone 644-2201

TOWN OF FREETOWN BOARD OF SELECTMEN

Town Hall
3 North Main Street
P.O. Box 438
Assonet, Massachusetts 02702

TOWN OF FREETOWN

ATTACHMENT RELATIVE TO NOTICE OF INTENT UNDER THE NPDES GENERAL PERMIT FOR STORMWATER DISCHARGES FROM SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS (MS4s)

Minimum Control Measure #1 - Public Education:

The Town of Freetown is in the process of developing a Stormwater Management Program. We hope to gather further information via the Internet and circulate it throughout various Town groups. We hope to schedule household hazardous waste collection day. By hiring an engineer to assist us with this project, we hope to tap his resources as well as creativity to stimulate public awareness. We will also continue our close working relationship with the Offices of the Board of Health Agent, Highway Department, Water Commission, and Conservation Commission.

Measurable Goals and Timetable:

1. Mentioning progress of the development of the plan at regular Selectmen's meetings, Special Town Meetings, and the Annual Town Meeting. We are hopeful that this can be done throughout the program in each of the applicable permit years.
 2. By the end of Year 1, we hope to have made sufficient presentations so that our local Boards and committees, as well as students can aid in the further progression of the program. After presentations are made to local students, we feel they could help to create a local cable video relative to waste recycling and to stimulate public awareness.
-

Minimum Control Measure #2 – Public Participation:

The Town of Freetown will hold public meetings with the various Town committees listed above. We will solicit volunteers for cleanups of various community areas. In the past, we have obtained grants for the cleanup of Fall Brook, off Cleveland Park, East Freetown, as well as a Brownfields site on County Road. In conducting the Hazardous Waste Cleanup Days, and performing water monitoring and awareness, we feel we will meet the guidelines of the program. Because of our severe financial constraints and lack of manpower, it appears we will have to rely heavily on volunteers.

Timetable: We hope to commence the above measures during Year 1 and be substantially established by the end of Year 2. We will continue our quest for public awareness through the years of the program.

Minimum Control Measure #3 – Illicit Discharge Detection and Elimination:

The Town will work closely with the engineer and other local Boards to identify and map local outfalls, as well as mapping the Town's infrastructure such as catch basins and stormwater drainage patterns and system of the Town. We hope to identify and test any areas of potential illicit discharges. We hope to continue to stimulate public awareness and emphasize the need for reporting any illegal dumping.

Timetable: In years 2, 3, and 4, we plan to continue working with the engineer to verify the outfall locations, while developing procedures for detection of non-stormwater discharges.

We will continue to foster awareness of this program and will plan to address illicit discharges and address the situations accordingly.

We are currently working with our Highway Department to determine if a list of locations of catchbasins exists, or if there is a map showing stormwater drainage patterns of the Town of Freetown. Again, we hope that additional funds can be included in the Town's budget so that the program can be performed to its greatest advantage.

We will further update our by-laws, if necessary, to provide the coinciding guidelines to meet the requirements of the program.

Minimum Control Measure #4 – Construction Site Stormwater Runoff Control:

The Town of Freetown will look for protection for the Town in the form of by-laws. We are fortunate that our Conservation Commission, as well as our Soil Conservation Board, (that handles all gravel removal applications,) have by-laws in place to preserve the valuable natural resources of the Town.

Timetable: By the end of Year 2, we hope to have a Committee of representatives from other local committees, such as Conservation, Planning, Board of Health, to review any proposed by-law amendments or additions, and to create a Runoff Control By-Law pertaining to Construction Site Runoff. In turn, we will also work more diligently to create an Open Space Plan.

We will further work with Town employees, particularly those of the Highway Department and Water Commission, to instill in them a respect for the Town's natural resources as they relate to highway and stormwater management in terms of their functions of highway sweeping, snowplowing, and roadway repairing. We will utilize our local cable channel to its fullest extent.

Minimum Control Measure #5 – Post Construction Runoff Control:

The Town of Freetown will continue to protect its natural resources and prevent pollution by reviewing its By-Laws and making amendments and changes as necessary. We hope to work to continue to map the outfalls, and continue to stimulate public awareness. We will continue the monitoring, testing, and mapping with our engineer as necessary.

Timetable: By the end of Year 3, we hope to have reviewed all current by-laws that relate to stormwater drainage, and therefore proceed knowledgeably in enacting any new by-laws necessary to the process. We will continue to schedule Hazardous Waste Collection Days, as funds permit.

Minimum Control Measure #6 – Good Housekeeping:

The Town of Freetown will continue to review its stormwater management system, and create the corresponding maps of the stormwater drainage system, if necessary. We hope to conduct maintenance and repair of the Town's drainage system, as funds permit, and develop a Toxins and Pollution Prevention Plan to help alleviate and/or handle illicit discharges. We will continue to stimulate ongoing awareness of Town officials, employees, and residents. We will continue to make our student population aware of the importance of protecting the stormwater system.

We will work closely with the designated engineer, and state and federal agencies to make certain that all requirements of the program are met to the best of our ability.

Timetable: By the end of Year 5, we hope not only to have created our Stormwater Management Plan, but to have better protected the Town by the formulation of a Toxins' and Pollution Prevention Plan.