

**SELECTMEN'S MEETING**  
**Monday, July 10, 2006**

On July 10, 2006, the Board of Selectmen held a meeting at 7:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman LaCamera at 7:00 PM. Selectmen present were: Selectman LaCamera, Selectman Yeatts, and Selectman Evirs. Also present were: Rita Garbitt, Town Administrator, Tracie Craig, Executive Assistant and Christine Weston, Recording Secretary.

**7:00 PM License hearing continuation-Elite Auto Sales**

*Jason Bury was present for the continuation of the hearing.* Chairman LaCamera stated that he had visited the site and the garages and clam shack have been demolished and removed. The site is also all cleaned up now. He noted that during the original hearing, the Selectmen proposed that Mr. Bury demolish the three accessory buildings and then he could establish his office in the side building. Mr. Bury is asking for a transfer under the existing license and has one vehicle on his license at this time. How many are proposed to be on the lot? Mr. Bury responded that there would be five (5) or six (6) vehicles; however, he would start with three (3) or four (4) vehicles. Chairman LaCamera stated that if he wanted to increase the amount of vehicles on the license, he would have to return before the Board.

Upon a motion made by Selectman Yeatts, seconded by Selectman Evirs and it was:

VOTED: To close the license hearing for Elite Auto Sales.  
Unanimous in favor

Chairman LaCamera pointed out that Mr. Bury will need to get the specifications from the Building Commissioner regarding lighting on the premises. Lights are to be pointed down, not shining into the street and off by 10:00 PM or earlier.

Upon a motion made by Selectman Yeatts, seconded by Selectman Evirs it was:

VOTED: To transfer the license of Linda Bury, dba Elite Auto Sales from 4 Tamett Brook Road to 431 Bedford Street with the following conditions; the number of vehicles left over night on the premises is not to exceed six (6), exterior lighting will be turned off no later than 10:00 PM, there will not be tires or parts of vehicles stored on the premises or drums for storage of liquids, a letter is to be provided of where repairs will be done other than these premises, there will be no single vehicle to remain on the premises for six (6) months or longer, and hours of operation will be Monday through Friday 8:00 AM to 5:00 PM and Saturday 10:00 AM to 4:00 PM with no Sunday hours allowed.  
Unanimous in favor

### **7:15 PM Review request of Krelam Inc. for increase in number of autos**

*Richard Madden, representing Krelam Inc., dba R&B Auto Sales, was present.* Chairman LaCamera stated that the company is next to the fence company and suggested that a member or members of the Board view the site prior to anything else being done at this time to determine where the cars would be located. There is a concern with property boundaries. Selectman Yeatts asked that the meeting minutes of December 2005 be provided prior to the on site visit so that they may be reviewed of what was voted at that time. It was noted by Mr. Madden that the property owner, John Meleedy, had just surveyed the property. The section in the front yard is being taken out. He then provided a site plan showing the entrance to the business and the dimensions of the site. The middle island section will be paved, which is covered with pea stone at this time. Selectman Yeatts stated that she would prefer that the area not be paved since when it rains the water runs off into the groundwater. It was noted that the pea stone would remain and no paving would be done in the front middle island area. Mr. Madden further noted that a fence has been put in and the area is all fenced in now with an entrance and an exit area. The new section will also be fenced in now that the property has been surveyed.

The Board scheduled a site visit on Tuesday, July 18<sup>th</sup> at 7:30 am. The hearing will continue to July 24<sup>th</sup> at 7 pm.

### **Request for door to door sales permit-Southwestern Company**

Chairman LaCamera stated that the Southwestern Company has done door to door sales in the community in the past few years. They are at this time requesting a permit for a college student, who resides at Highland Avenue in Fall River to do door to door sales and future delivery. The information on the car that the student is driving and cell phone number will be on file at the police station if there are any questions or concerns.

A motion was made by Selectman Evirs; seconded by Selectman Yeatts and it was:

VOTED: To grant permission to The Southwestern Company to sell books door to door Monday through Friday 9:00 AM to 5:00 PM and Saturday 9:00 AM to 12:00 PM, July 10<sup>th</sup> through August 31, 2006. The student will check in with the police on a daily basis prior to beginning sales for the day.  
Unanimous in favor

### **Revisit request from Bob Darling for increase of Building Department fees**

*Robert Darling, Building Commissioner, was present for the discussion.* Chairman LaCamera explained that there had been some confusion at the last meeting regarding some of the fee increases that were proposed by the Building Department. Since that time, an analysis and spreadsheets were put together in order to better compare the ranges of fees in other Towns and what modifications to make in Lakeville. Selectman Evirs stated that modifications were made since the analysis was brought about. For Residential Permit Fees for new buildings, it would be a \$750 minimum for the first 1,000 square feet then .05 for every foot after that. For Residential Additions and Alterations it would be \$35.00 per 100 square feet and \$5 for any

fraction thereof. For Commercial it will be a \$200.00 minimum and the permit fee will be increased.

Selectman Evirs noted that under Electrical Permit Fees, there have been some code changes with respect to swimming pools. It is now required that there be two (2) site visits by the wiring inspector at \$80 per visit for in ground, above ground pools, visits for additions to existing buildings and alarm systems would also increase from \$40 to \$80. The Residential re-inspection fee is \$40 and the Commercial re-inspection fee is \$45. With Gas Permit Fees, the only increase now will be the re-inspection fee to \$40 for both Commercial and Residential. Plumbing Permit Fees will increase Commercial Fixture fees to \$10 and re-inspection fees to be increased to \$40. Electrical Commercial re-inspection fees will be \$45.

A motion was made by Selectman Evirs; seconded by Selectman Yeatts and it was:

VOTED: To increase the Building Inspection fees as presented by Selectman Evirs and approved by the Building Commissioner.  
Unanimous in favor

The fees will be effective July 17, 2006 and it will be advertised in the newspaper on July 13<sup>th</sup> that the fees have increased and the information regarding the increases will be available at the Building Department office.

#### **Vote to sign waiver resolution from MassDevelopment-240 Kenneth Welch Drive**

Chairman LaCamera explained that MassDevelopment was considering final approval to a revenue bond project for the property located at 240 Kenneth Welch Drive. The Selectmen need to vote to approve the Industrial Development Financing Authority waiver for the property. Chairman LaCamera read the Resolution into the record. Ms. Garbitt noted that Accudynamics, Inc./Kat Realty Trust has applied to MassDevelopment for a bond.

Upon a motion made by Selectman Yeatts; seconded by Selectman Evirs it was, upon a roll call vote:

VOTED: to approve the Resolution Requesting the Massachusetts Industrial Finance Agency to Finance a Project for the Benefit of Kat Realty Trust or an affiliate thereof as read into the record by Chairman LaCamera – aye, Selectman Yeatts – aye, Selectman Evirs – aye.  
Unanimous in favor

#### **Memo from Library Reuse Committee regarding reuse of Historic Public Library**

Chairman LaCamera explained the background that took place regarding the re-use of the former library. A Re-Use Committee was formed to look at the future potential for the building. They were to take into consideration that any use could not change the building, the character of the building and would need to be approved by the Historical Commission. It was felt that the re-use of the building should not be put out to bid. The re-use should provide a good use for the

building; involve the community and local use of the building. Two (2) interested parties came forward with proposals for the building. One (1) party wanted to use the downstairs; however, that area will be needed by the Town for storage of records. The Re-Use Committee has ultimately recommended that the Somethin's Brewin' project be permitted to lease the former library. The Historical Commission will be the group that monitors any changes and repairs to the exterior and interior of the building and the inventory of Town owned items that are to remain in the building. It is also to be noted that the dehumidifier should be hooked up to the sink so that the moisture level and odor in the former children's room is eliminated.

Selectman Evirs noted a few concerns that he had. One was maintaining the historical integrity of the building and if the amount of money earned through the lease will allow a return for the money that is needed to be spent to make repairs. Also, a new septic system will need to be built. Additionally, a two (2) year lease would be best to provide time to the business owners for success. Chairman LaCamera explained that all the money that comes from the lease or rent will go towards improvement of the building. It is known that a new septic system is needed, the windows need to be replaced, the roof replaced, repointing to be done, etc. Selectman Yeatts added that from the beginning it was made known that the building is to remain historic.

A motion was made by Selectman Evirs, seconded by Selectman Yeatts and it was:

VOTED: To have the Town Administrator put together a proposed lease or rental agreement for the Board to review.  
Unanimous in favor

Ms. Garbitt stated that there is an old split rail fence and a small shed on the property that will need to be removed for the new septic system. The Historical Commission will be contacted.

#### **Review of ZBA petitions: Troiani; Josefek; Manoli and Meunier**

Chairman LaCamera explained that Vincent Troiani of 24 Langlois Pines is looking to construct a second floor addition containing a 20' x 30' master bedroom with bath. In addition, the existing bedroom on the first floor would have an area created to be used as a computer area; this would maintain the three (3) bedroom status. An 8' x 20' deck will be constructed on the roof of the front porch. The existing 8' x 13' patio on the side of the house will be made into a mudroom. Discussion took place on the proposal.

Upon a motion made by Selectman Evirs; seconded by Selectman Yeatts it was:

VOTED: To deny the application due to conflicting information on the proposed and existing plans, the Board still needs to hear back from the Conservation Commission and Board of Health regarding their recommendations and input and that the size of the footprint is not to be increased.  
Unanimous in favor

Chairman LaCamera explained that Stephen and Sharon Josefek of 8 Langlois Pines is looking to raze all three (3) dwellings presently located on Lots 2, 3 and 4 located on Langlois

Pines (all of which are presently non-conforming) and combine the same into one (1) lot containing 20,100 square feet and to construct a year round three (3) bedroom dwelling which will be less non-conforming with an approved septic system. Discussion took place on the proposal.

Upon a motion made by Selectman Yeatts; seconded by Selectman Evirs it was:

VOTED: To approve the application subject to the combining of Lots 2, 3 and 4 with the same stipulations as stated by the Board of Health; that the same remain as a three (3) bedroom dwelling with no increase in flow to the septic system and no further expansion of the dwelling. It is also required that the two (2) existing wells be abandoned, a new well be installed, and the three (3) lots combined into one (1).  
Unanimous in favor

Chairman LaCamera explained that Christine Manoli of 4 Barberry Street is looking to demolish the existing, occupied dwelling and construct a new home dwelling. There is an up to date septic system which was approved by the Board of Health on June 1, 2006. This is a year round property. Discussion took place on the petition. It was noted that there was a revision stamped on one set of the plans having to do with the Title V to make sure that it will meet the standards as put in place on June 1, 2006. The system has not been installed yet.

Upon a motion made by Selectman Evirs, seconded by Selectman Yeatts it was:

VOTED: To recommend approval to the Board of Appeals with the following condition that the shed be removed.  
Unanimous in favor

Chairman LaCamera explained the petition from Jason and Priscilla Meunier of 8 Evergreen Road. They are looking to install an above ground pool. They have been denied by the Building Commissioner since looking for a waiver of the 20' setback requirement on both sides to an 8' setback. The Board of Health has given their approval. Discussion took place on the petition. It was noted that there were other alternatives on the property for the pool.

Upon a motion made by Selectman Yeatts; seconded by Selectman Evirs it was:

VOTED: To deny the waiver of the 20' setback to an 8' setback and to ask that the petitioner relocate the pool to conform to the set back requirements.  
Unanimous in favor

**Review and vote to approve Selectmen's meeting minutes: March 13, 2006; May 17, 2006, May 22, 2006; June 6, 2006; June 12, 2006; and June 26, 2006**

Upon a motion made by Selectman Yeatts and seconded by Chairman LaCamera stepping down to vote it was:

VOTED: To waive the reading of and approve the Selectmen's meeting minutes of March 13, 2006 as presented.  
Two in favor; one abstention.

Upon a motion made by Selectman Evirs; seconded by Selectman Yeatts it was:

VOTED: To waive the reading of and approve the Selectmen's meeting minutes of May 17, 2006; May 22, 2006; June 6, 2006, June 12, 2006; and June 26, 2006 as presented.  
Two in favor, one abstention.

**Review and vote to approve Selectmen Executive Session meeting minutes: March 13, 2006; June 6, 2006; June 12, 2006 and June 26, 2006**

Upon a motion made by Selectman Yeatts and seconded by Chairman LaCamera stepping down to vote it was:

VOTED: To waive the reading of and approve the Selectmen Executive Session meeting minutes of March 13, 2006 as presented.  
Two in favor; one abstention.

Upon a motion made by Selectman Evirs; seconded by Selectman Yeatts it was:

VOTED: To waive the reading of and approve the Selectmen Executive Session meeting minutes of June 6, 2006; June 12, 2006 and June 26, 2006 as presented.  
Unanimous in favor

**Any other business that may properly come before the meeting.**

Selectman Yeatts distributed a press release regarding the Waste Water Project Update. The Lakeville Water Study Board has scheduled a Public Hearing to take place on Tuesday, July 18, 2006, at 7:00 PM at the Apponequet Regional High School located at 100 Howland Road, Lakeville.

Selectman Evirs asked if the brush has been cut at Jon Paun Park. Selectman Yeatts responded that it has not been cut and an emergency letter had been provided from the Conservation Commission in order to do so.

Selectman LaCamera asked when the Tamarack Park would be completed since the Town has the money to do the work. Selectman Yeatts explained that Mike Schroeder was put in charge of the project and it has been about three (3) years now. Ms. Garbitt mentioned that the stone wall was hit again and will need to be fixed. The Town is waiting on an estimate to do the work at this time. Another question was if the Board wanted wood or cement picnic tables. The delivery charge for cement tables is quite expensive. If the picnic tables are put in the "no disturb" area, they cannot be anchored to the ground since it is a historical site. Chairman LaCamera suggested that boulders be put around the site so that no one would drive on the grass. Additionally, what

is taking place with the canoe launch? Selectman Yeatts responded that a sign is needed that explains the area is a canoe launch because someone was seen trying to put a motor boat into the pond. A ramp would not be needed to launch a canoe. The matter will be brought up at the next Conservation Commission meeting with Ms. Schroeder.

Ms. Garbitt mentioned that a set of sub-division plans were dropped off this afternoon regarding a four (4) lot sub-division off Pierce Avenue (Kingman Street) and is being discussed by the Planning Board this evening.

### **Other Items**

1. Letter from City of New Bedford regarding New Bedford Regional Economic & Workforce Collaborative
2. Letter from Cemetery Commission regarding reorganization
3. End of Year Report regarding Lakeville School Department
4. Memo from Town Counsel regarding health insurance for school employees
5. Memo from SRPEDD regarding municipal assistance hours
6. Abutters notice from TEC Associates regarding CSX Transportation
7. Bulletin from DOR regarding New Growth, Wireless Telecommunications Carriers – FY 06 and FY 07
8. Letter from Executive Office of Public Safety regarding NIMS Training Requirements
9. Calendar of Educational Events-July & August, 2006 – Plymouth County Cooperative Extension

Upon a motion made by Selectman Evirs; seconded by Selectman Yeatts it was:

VOTED: To adjourn the Selectmen's meeting at 8:30 PM.  
Unanimous in favor