

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, June 27, 2019**

On June 27, 2019, the Planning Board held a meeting at the Lakeville Senior Center. The meeting was called to order by Chairman Hoeg at 7:30 p.m. Ms. Murray, recording secretary, was audio recording, and LakeCAM was making a video recording of the meeting.

Members present:

Brian Hoeg, Chair; Sylvester Zienkiewicz, Vice-Chair; Peter Conroy

Members absent:

Mark Knox, Barbara Mancovsky

Meet with Maddigan Land Surveying, LLC regarding ANR submittal for 45 Southworth Street

Mr. Dave Maddigan from Maddigan Land Surveying was present. He advised he was in front of this Board two weeks ago with a Form A plan to create one buildable lot from several parcels that were being combined. The issue was the land is agricultural and in Chapter 61A. The Board felt that issue should be resolved. Over the last couple of weeks, Mrs. Rink has been working with the Town and it was discovered through Counsel that the First Right of Refusal of the Town is not triggered if the change of use is for the construction of a residence for an immediate family member. There should be a letter from the Board of Assessors to the Planning Board that will confirm that information.

Mr. Maddigan then briefly reviewed the original Plan that had been presented.

Mr. Zienkiewicz then made the motion, seconded by Mr. Conroy, to approve and certify the ANR plan for 45 Southworth Street. The **vote** was **unanimous for**.

Meet with Roan Barber regarding the release of covenant for Satucket Trail

Mr. Roan Barber was present. He advised that he was before the Board to have the last lot at Satucket Trail, Lot E, released. He noted there had been a small problem at Town Meeting in regards to having the road accepted. Mr. Moniz had called him a week prior

to the meeting and advised him that he still had items that needed to be completed before the road could be accepted. They needed some invert elevations for the As-built. He had the surveyors down there and the updated plan completed for the Friday before Town Meeting. He noted the original inspection letter from Ryan Trahan wanted him to mow the infiltration basin which has been completed. He had put a riser pipe in to protect the overflow pipe, and it was covered over. He then explained the specifics of how it had been installed and what the final result had been. This was done for protection, observation, and accessibility if necessary. The issue was when the surveyors came down and saw the riser, they put it on the updated As-built and Ryan wanted the detail on the plan which would include the field conditions as it was built. The problem was they couldn't do that on the Friday and Monday was Town Meeting.

Mr. Barber explained they wanted to try to amend the Article at Town Meeting, but that was an option they found out could not legally be pursued. That is still outstanding. Mr. Moniz advised him to get that done and he would write a recommendation letter and be all set for the fall. He also still needs to clean the catch basins. He expected after all that was complete Mr. Trahan would also write a recommendation letter for Town the fall Meeting. Mr. Barber then discussed an email chain from Mr. Trahan. It confirmed the details he had just given to the Board and also identified the items that still needed action. Mr. Hoeg advised the Board does still require he submit an As-built to them. It should include the design elevations and either beside them or underneath them the As-built elevations in parentheses so they can tell what the design was and what the existing is.

After a brief discussion, Mr. Zienkiewicz made a motion, seconded by Mr. Conroy, to release Lot E and sign the Form F. The **vote** was **unanimous for**.

Mr. Conroy said he did have one question regarding the cost to clean the stormceptor. Mr. Barber replied the cost was \$500. Mr. Conroy noted that he wanted to bring this item forward as the Town does not have a truck that can clean these. Mr. Barber also submitted the email chain that he had referenced earlier for the record. The Board then signed the Form F.

Review the following petitions from the Board of Appeals for:

1. Arruda – 13 Cottage Lane

Mr. Zienkiewicz made a motion, seconded by Mr. Conroy, to make no comment on the Zoning Board of Appeals petition for Arruda – 13 Cottage Lane. The **vote** was **unanimous for**.

Approve Meeting Minutes

Mr. Conroy made a motion, seconded by Mr. Zienkiewicz, to approve the Meeting Minutes from March 28, 2019. The **vote** was **unanimous for**.

Mr. Conroy made a motion, seconded by Mr. Zienkiewicz, to approve the Meeting Minutes from April 25, 2019. The **vote** was **unanimous for**.

Old Business

Members reviewed the draft maps that had been provided that indicated the proposed Marijuana Overlay District. Mr. Hoeg said these maps identify where they would like to permit marijuana facilities in Lakeville. Right now they are permitted on any Industrial Parcel. The Planning Board would like to limit these facilities to areas that would be more conducive to an influx of people coming in to purchase marijuana and the traffic that would be generated. There were two areas they identified. The first area was on Harding Street on Millennium Circle and the second area was on land that has frontage on Kenneth Welch Drive. He asked if anyone would like to speak.

Mr. Zienkiewicz said these are the maps that would go to Town Meeting. He noted parcels 2 and 4 on Harding Street are in the Business Zone and are not included. He also pointed out a parcel on Kenneth Welch Drive that had not been included. Although it was Industrial, there was a residence on the property and it had been used as Residential for many years. Everything else that has frontage on Kenneth Welch has been included. Mr. Zienkiewicz advised that everything that has been done with marijuana uses has been within these two identified areas.

Mr. Zienkiewicz said he believed they would also have to identify each parcel by its Map, Block, and Lot number. Ms. Carboni, Town Coordinator, replied that she would have to check with Town Counsel to get the proper direction to see what they will need for content. After further clarification regarding the proposed Overlay District, Mr. Zienkiewicz advised their schedule called for only one meeting in August. He would suggest they schedule the Public Hearing on this topic at that meeting. Mr. Conroy noted Town Counsel should be consulted to see if abutters would need to be notified of this change.

Mr. Zienkiewicz then made a motion, seconded by Mr. Conroy, to schedule a Public Hearing at 7:30 p.m. on August 8, 2019, regarding the proposed zoning change to create a Marijuana Overlay District. The **vote** was **unanimous for**.

New Business

Mr. Conroy advised last week the Zoning Board Review Advisory Committee (ZBRAC) attended the Zoning Board of Appeals meeting. They want to start work on the seasonal properties. Their involvement would be very limited. The Board of Health would be taking the lead, and the ZBA has been very accommodating in letting it advance in that manner. He noted there would be approximately between 100 and 200 homes that would get year round water but are still listed as seasonal properties. Although not directly involved, Mr. Conroy said he wanted the Board to be aware of this ongoing project.

Next meeting

Mr. Hoeg advised the next meeting is scheduled for Thursday, July 11, 2019, at the Lakeville Senior Center.

Adjourn

Mr. Conroy made a motion, seconded by Mr. Zienkiewicz, to adjourn the meeting.

Meeting adjourned at 8:32.