

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, January 9, 2020**

On January 9, 2020, the Planning Board held a meeting at the Lakeville Police Station. 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, Mark Knox, Barbara Mancovsky

ANR Plan – continued - Meet with Outback Engineering regarding ANR submittal for Pinecrest Drive, Cedarwood Place, and Hickory Lane

Mr. Youngquist from Outback Engineering was present. He advised the proposal is to pave an eighteen-foot road to create access. It is his understanding they have to create the access in order to get the lots. He asked if the Board would like them to come in with a design for the roadway. He noted they could also come in with a Form C and they would need a turnaround to create the two lots. What would they like to see?

Mr. Hoeg asked for a clarification of what they were doing. Mr. Youngquist replied this was a continuation of a series of Form A's. This would just be one more. Mr. Hoeg noted there was a subdivision that went from Lakeside and all the way down. Mr. Youngquist said that was up Robbins Lane and coming off of Highland Street. He then gave a history of the ownership. He said the other Form A is part of Huckleberry Shores, but this is the remaining land on the end of the subdivision. He advised this way ended and the road was never built at the end of the subdivision. They want to take it and divide it in half.

Mr. Zienkiewicz said as a Form C it does fulfill all the rules but as a Form A it doesn't because the road is not built. They would need to get a drawing, inspection, build the road first, and then the properties. It was his opinion if they leave the turnaround in, that will give them the footage for the frontage. If it is left the way it is, they will have to decide whether "z" shaped frontage is acceptable. Mr. Hoeg asked where the asphalt started and ended. Mr. Youngquist indicated that on the plan and the direction of the roadway.

Ms. Mancovsky said the performance covenant that was in front of them was fifteen years old. The specifics about the construction of the roadway may be far outdated, and given the environmental changes they have seen in that area may need to be updated.

She didn't know if there was an expiration date that goes with it but she would have a hard time signing off on something this old without having another engineer advising them that what was outlined in this document was appropriate for 2020.

Mr. Hoeg said there was a lot of work that had been agreed to be done down on Robbins Lane and the areas associated with it. Mr. Michael Nashawaty of Beechtree Drive noted there was absolutely no drainage in that area and it has completely flooded his land. He has tried to speak with Mr. Maroney but to no avail. Mr. Nashawaty advised that he has had Mr. Chamberlain and Mr. Bouchard from Conservation take a look at this issue. He stated that between the existing lot and the new lot that Mr. Maroney is currently building, the groundwater is now flowing down and this will just add to the water problems. He felt that the more the area is built up, the worse they would get inundated with water but if a drainage system was put in, it could work.

Mr. Zienkiewicz said there was an engineered plan where this water was not supposed to get this far but it had been disturbed by someone else. He felt they should formally hear this as the Board was still holding Lot A, which was the lot that just had a foundation put in. Ms. Mancovsky said that they have looked at other cases with this issue and it can appear on the surface that it is one reason, but it could end up being something else. That's why she felt an engineer's report was necessary. Mr. Nashawaty noted that he had never had an issue in his basement before and now his pumps never stop running. Members then discussed a culvert that had been in the area. Frontage on the paper road was also discussed.

Residents wanted to know what would happen to their road, Huckleberry Shores. What impact would that machinery and equipment have. The road was not very wide. Mr. Youngquist replied the road was 16 to 18 feet wide. He said they would deal with it when they get to it but this is what they want to do. Mr. Nashawaty asked the Board to take into consideration the houses that are there that are now being inundated with water that they cannot control. Mr. Youngquist said he would not have any water drain onto his property, and they are not going to put any water on his property. Residents in attendance said they found that hard to believe. Mr. Youngquist replied that is why they carry insurance but they design it right and accordingly. Mr. Zienkiewicz asked if they would like to withdraw this ANR plan. After discussion with the attorney and Mr. Maroney, Mr. Youngquist said they would withdraw.

Mr. Zienkiewicz then made a motion, seconded by Mr. Knox, to accept the withdrawal of the ANR plan for Pinecrest Drive, Cedarwood Place, and Hickory Lane. The **vote was unanimous for.**

Mr. Nashawaty asked if there was anything they could do about the current situation. Ms. Mancovsky said it was important that they continue to attend meetings if it comes up as an agenda item.

ANR Plan – continued - Meet with Outback Engineering regarding ANR submittal for Hickory Lane

Mr. Youngquist said the question here is if the covenant is still in effect. Mr. Hoeg said he did not think it expires. Attorney Daniel Viera was present for the applicant. He said he saw the documentation but was unsure if the covenant had ever been recorded. Unfortunately, because he did not know of this issue before tonight, he is unprepared to speak to it. Mr. Zienkiewicz replied he had looked quickly for the covenant and had not seen it but that does not mean it hadn't been done. In his opinion, he felt this would have been done. Mr. Hoeg said they could request their attorney to research this.

Mr. Youngquist said he would prefer to table this ANR as all they were doing here was cutting off the back land. They are not doing anything else to it, but they do need to know if the covenant exists. Atty. Viera said that he would research it but they might want their attorney to confirm the information. Mr. Zienkiewicz said this one will answer the question of how the water is running down this area. Someone made modifications to the plan to allow more water to come down the hill.

Mr. Knox made a motion, seconded by Mr. Conroy, to accept the applicant's request to continue the ANR plan for Hickory Lane until their next meeting on January 23, 2020. The **vote** was **unanimous for**.

Mr. Nashawaty asked what they were going to do in the meantime about all the water runoff. He then described the environment that he and his neighbors were dealing with. After further discussion, Mr. Hoeg said that he would take a ride down there and observe the conditions.

ANR Plan - Meet with Zenith Consulting Engineers regarding ANR submittal for 49 Vaughan Street

Mr. Jonathan Pink from Zenith Consulting Engineers was present. He explained this was a simple division of the lots to allow for more privacy. Both lots will still be conforming. Mr. Hoeg said it appears to be a land swap for conveyance purposes. He asked if anyone had any questions or comments. There were none.

Mr. Zienkiewicz made a motion, seconded by Ms. Mancovsky, to endorse the ANR plan for 49 Vaughan Street. The **vote** was **unanimous for**.

ANR Plan - Meet with Zenith Consulting Engineers regarding ANR submittal for Lot 2 Equestrian Way and 5 Malbone Street

Mr. Jonathan Pink from Zenith Consulting Engineers was present. Mr. Zienkiewicz said he noticed that the drawing indicates a lot of permanent easement notes but he did not see what they refer to. Mr. Pink said the lines did come out very faint for some reason. The

railroad wanted easements. Members questioned the exact location of the easements. Mr. Pink said the rest of this is Parcel B which will be attached to 5 Malbone Street. It was clarified that there will be a division of 2A, and 2B will be combined with 5 Malbone Street. Mr. Pink said the lines should be dashed. Mr. Zienkiewicz asked about access. Mr. Pink replied they will need a wetland crossing.

Mr. Hoeg asked if there were any comments. Mr. Conroy said he did not have a problem with it but he would not endorse the plan until it was redrawn to show that Lob 2B and 5 Malbone will be one lot. They mylar was consulted and although the note was correct, the line was still incorrect.

Mr. Knox made a motion, seconded by Ms. Mancovsky, to endorse the ANR plan for Lot 2 Equestrian Way and 5 Malbone but not sign it until the plan is corrected. The **vote** was **unanimous for**.

ANR Plan - Meet with Zenith Consulting Engineers regarding ANR submittal for 74 Taunton Street, Lot 3 Cross Street

Mr. Jonathan Pink from Zenith Consulting Engineers also presented this ANR plan. Mr. Conroy asked if Lot 1 was not needed as it was not shown on the plan. Mr. Pink replied he believed so and thought it went all the way to Taunton Street. Mr. Zienkiewicz asked if these were both buildable lots. Mr. Pink said they were. Mr. Zienkiewicz asked how they were going to get access to the buildable part of the lot. Mr. Pink said they would need a wetland crossing. Mr. Hoeg clarified they were just asking for Lot 3.

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to endorse the ANR plan for 74 Taunton Street, Lot 3 Cross Street. The **vote** was **unanimous for**.

Review the following Zoning Board of Appeals petitions:

1. Ferreira – 1 Patrick Thomas Court

Mr. Conroy made a motion, seconded by Ms. Mancovsky, to make no comment on the Zoning Board of Appeals petition for Ferreira – 1 Patrick Thomas Court. The **vote** was **unanimous for**.

Review letter from Maureen Candito regarding FY21 Budget requests and guidelines

Members reviewed the letter regarding the budget guidelines. She felt the first four items did not apply but noted that once again they should submit their request for a Planner. Mr. Zienkiewicz stated the Master Plan Committee would also be making that

recommendation. Mr. Conroy added that if this past year didn't show the Town how much they need a Planner, he didn't know what would.

Ms. Mancovsky said other Towns are using Consultants that are filling this gap because communities like theirs don't really have a full time need for Planner but maybe need a shared resource. They could include a line for coverage of shared cost. Mr. Conroy added that a consultant would be advantageous to the Town as they would pay a fixed amount that would not include benefits.

Mr. Conroy was not sure of what the dollar amount would be but under additional requests he would like to get away from the giant packets of paper and move to Town issued tablets. They would still need the plans but all the back up paper work could be eliminated. Ms. Mancovsky felt that was a good idea.

Schedule public hearings

Mr. Hoeg advised they needed to schedule two public hearings. The first one would be for the Marijuana Overlay District. Ms. Murray said she would need at least ten days to get an ad in the paper and the ad must then run for two consecutive weeks. The second one was for Temporary Licenses. This was to correct a clerical error. The dates for these hearings would be February 13, 2020.

Approve Meeting Minutes

Mr. Conroy made a motion, seconded by Mr. Knox, to approve the Meeting Minutes from October 24, 2020. The **vote was unanimous for.**

New Business

Ms. Mancovsky had presented to the Board a report from entitled Housing Choice Initiative. She advised she had attended a presentation from DHCD at the last SRPEDD meeting. She felt that this was a worth a full read and she would discuss it further with anyone that was interested. She noted within the report there are some statistics that are behind the Governor's push to change how Town Meetings conduct changes and approvals of projects. She thought the report had valuable information for them to consider.

Next meeting

Mr. Hoeg advised the next meeting is scheduled for Thursday, January 23, 2020, at 7:30 p.m. at the Lakeville Police Station.

Adjourn

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

Meeting adjourned at 9:03.