

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
December 10, 2020
Remote meeting**

On December 10, 2020, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

Mark Knox, Chair; Barbara Mancovsky, Vice-Chair; Peter Conroy, Michele MacEachern, Jack Lynch

Others present:

Madelyn Maksy, applicant, Liam Conroy, Jamie Bissonnette, engineer, Zenith Consulting Engineers, David Quinn, Bob Messier, Skip and Michele Bird, abutters; Jim Larson, Prime Engineering

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Site Plan Review – 149 Bedford Street, continued – Meet with Jamie Bissonnette from Zenith Consulting Engineers, LLC (ZCE)

Mr. Knox advised that this plan has been revised since the last time they saw it so he would like to open the floor to Mr. Bissonnette to go over those changes. Mr. Bissonnette then shared his screen. He advised since they had met with the Planning Board, they subsequently met with the Zoning Board of Appeals. That hearing was continued as they look into a few items, including checking with the Fire Department and the Police Department regarding the sign. Mr. Bissonnette said the first thing they did to address the concerns brought up by the Planning Board and Zoning Board is to move the sign from approximately 58 feet away, that was in the old driveway, down to approximately 184 feet from the intersection.

Mr. Bissonnette advised the next change they made was to make some modifications to the building. The shape of the building has been reconfigured from a 1,480 square foot building which was long and thin to a 50' x 36' which is shorter and a little bit wider. In doing that, they were able to get from 15.1 feet to the property line to 19.3 feet. In the other direction, they got from 18.7 feet to 25.2 feet which was a significant increase in both directions especially considering that right now the existing building is 1.6 feet off the property line and 12.1 feet. Mr. Bissonnette

stated that in order to reconfigure the building, they had to go to a slab foundation. That will accommodate the setback to the septic system, will get the grading to work in this vicinity, and which also allowed them to slide the building back approximately 1.3 feet from the street. They are now closer to 41.6 feet off the back with a 40-foot setback. Mr. Bissonnette said those are the big changes that they made and the areas that needed to be addressed from the last meeting.

Mr. Conroy liked that the sign had been moved. He thought they are doing everything in their power to make this work, and he didn't have any issues with it. Ms. MacEachern said that she was hoping to see more of the plantings in that buffer zone, and she didn't see them going as far down as had been discussed. Mr. Bissonnette said he had forgotten to make the modification for when they are turning in with the lights in the backyard. He will add those to the plan. Mr. Bissonnette then displayed the planting detail sheet of the plan. He indicated where the arborvitaes would be extended which should prevent any lights from cars entering from Bedford Street from coming through and hitting the abutting dwelling.

Ms. MacEachern asked if it was a one level building now. Mr. Bissonnette replied it would probably be a two-story structure. The first story will be constructed and built with the upstairs being storage for now. It would be the same plan as before if the second story was ever constructed then the additional parking and the additional Site Plan Review would be triggered. In this case, it is over 1,800 square feet which would trigger that review.

Mr. Knox then read a document from Chief O'Brien into the record. It stated that the concerns that were raised have been addressed. The creation of the exit for emergency vehicles satisfies the needs of the Fire Department as long as the gate is secured with a department approved lock and is kept clear of snow and other obstructions. The Fire Department has no position or jurisdiction regarding the position of the proposed sign but recommends that care be taken to provide reasonable sight lines onto Bedford Street. Mr. Bissonnette said that he did not see a sight line issue that they were creating here with the sign or from their site. He thought both appeared to be fine.

Mr. Knox then asked Mr. & Mrs. Bird if they would like to comment. Mrs. Bird was glad that the trees had been added on the property line. Mr. Bird asked for clarification on the location of the trees. Mr. Bissonnette replied this is probably approximately 100 feet of trees, and they did plan on extending it a little bit. Mr. Bird's property goes all the way back to Tamarack so the plan was not to continue all the way down along the property line but more up towards the front, which would make sure there wouldn't be any type of a visual impact, and it would give them some good screening. Mr. Bird asked the height of the trees. Mr. Bissonnette said it would be giant arborvitaes staggered and they would be a minimum of six feet. They stagger them because when they're first put in, there is going to be some spacing, and they will grow into each other.

Mrs. Bird asked if some of the large trees already there would be coming out. Mr. Bissonnette replied yes in order to provide the screening of the evergreens, they will have to take down some of the existing trees that are in that vicinity. Mr. Bird asked regarding the drainage would it be altered in any way so that water goes further into his backyard. Mr. Bissonnette explained that now there is a head wall with a pipe system that flows underneath Bedford Street. There is a catch basin structure on the side, and there is a discharge with a ditch on Mr. Bird's property which is

part of the State's. What they are looking to do to help reduce peak rate of flow is creating an infiltration basin. That is going to take the storm water, and it's going to try to recharge into the groundwater so that instead of water flowing down to Mr. Bird's property, it will get back into the groundwater. There is going to always be flow coming through because the State discharges there. Right now, their entire site pitches down towards that drainage ditch, so at the point of that ditch, they must make sure that they are not sending a larger quantity of water at a specific time onto the Bird's site and that it will not over top the ditch or cause damage that isn't already modeled to happen now. This shouldn't be detrimental, and they are hoping it will make an improvement to the situation.

Mr. Bird asked if the size of the sign had been reduced. Mr. Knox replied he did not believe the sign had been reduced but just moved further down. Mrs. Bird asked if the sign would be shut down at night or made dimmer. Mr. Messier said the brightness of the sign automatically dims to the ambient light conditions, typically about 4% less than what it is during the day which is still not as bright as a streetlight or a parking lot light. Mr. Knox asked about hours of operation. Mr. Messier said the software can blank the sign, have it go to sleep, or have it set to the business hours or whatever the ordinance is. Mr. Knox suggested the Bird's attend the Zoning Board meeting next week for further information regarding the sign and hours of operation.

Mr. Knox asked if there were any other abutters present. No one spoke. He then said he did have a letter of comments from the Board of Selectmen. They had concerns about the setbacks which was also the purview of the Zoning Board, as well as concerns about the emergency access onto Route 79. They also had concerns about the gate being left open, but he thought that had been addressed with the lock. The Route 79 reconstruction project was also mentioned. Mr. Knox said that he had been told that none of the property that is part of 149 Bedford Street outside of the layout of the road would be taken or affect the setbacks that are proposed on the plan.

Mr. Knox asked if they had applied to the Conservation Commission yet. Mr. Bissonnette replied they had not. They were hoping to be able to present a whole package that they've gotten through ZBA to Conservation. Right now, their project is merely buffer zone work, and they believed it meets all the performance standards. Mr. Knox said that he would assume that Conservation would want the storm water management to have a peer review check of the calculations. He would like to initiate that through the Planning Board, if he felt they were going to go through Conservation. Ms. Maksy said she would like to wait until they got the approvals from the Planning Board and the Zoning Board and then they would submit to Conservation.

Mr. Knox then brought up the concern of signing off on something that could be changed again. He asked Board members how they felt about that. Ms. Mancovsky stated if certain conditions were met, she was in favor. It is an improvement to what they have there now, but she was concerned about the signage and the distance from the property. One condition was related to the trees. She would like to have the type clarified from what is on the plan. It was explained that there were three different types of trees on the detail set and some of those trees on that page are the landscape trees around the building. The privacy row is all green giant arborvitaes for the entire way. Ms. Mancovsky wanted to make sure that was written on the plan and that the trees were maintained and watered until they were well established. Another condition would be the

locking of the gate which they had talked about. Lastly, that there is a stormwater management program.

Mr. Bissonnette then shared his screen to display the drainage report. The Operation and Maintenance Plan was detailed within the report. He noted that Conservation will be looking at that thoroughly. Ms. Mancovsky asked if that should be peer reviewed, or if the review by Conservation would be sufficient. Mr. Knox said if it goes to Conservation it will be peer reviewed, but to the applicant's point, it may not go there if they don't get their approvals from ZBA. Mr. Conroy then stated that this project would be a huge improvement over what is there. The applicant has done what everyone has asked for. He was in favor of it. He also noted he didn't see any problems with the sight lines and thought the issue had been resolved. Mr. Knox agreed and said he was not sure where that was coming from although they had gotten a lot of feedback concerning it. The building as it was constructed right now is 1.6 feet from the property line and three to four feet from the pavement. Mr. Knox added that it is a stop light and not a stop sign. Especially in moving the building back 19 feet, there's no argument that could be had that sight lines would be an issue.

Ms. MacEachern asked if the lighting plan was available. Ms. Maksy responded that she had contacted Granite City Electric and emailed them the plan. They are working on it and understand what the Planning Board wants, but she did not yet have it. She will do whatever the code requires. Mr. Knox asked Mr. Bissonnette to make a note on the plan that all the lighting will comply with the Town of Lakeville's lighting bylaw including all wall mounted sconces and everything on the building.

Mr. Knox said he would entertain a motion to recommend approval pending the approval of the Zoning Board of Appeals and pending approval of the Conservation Commission with storm water management peer review. The following notes will be on the Site Plan: all exterior lighting including building lights and parking lights will comply with Lakeville's lighting bylaw; Stormwater management operations and maintenance will be in place; the emergency exit gate will be locked and meet the requirements of the Fire Chief with a Knox padlock; the row of green giant arbovitae will be extended all the way to the existing State runoff drainage swale and would be maintained and watered for a one-year time period.

Mr. Conroy moved the motion. Mr. Lynch seconded the motion.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

ANR Plan – 138 County Street/1 Julia's Way – Meet with Jim Larson from Prime Engineering, Inc.

Mr. Larson was present. He then shared his screen. Mr. Larson said the plan before them is for two abutting parcels; 1 Julia's Way owned by Christopher and Cassandra Hudson and 138 County Street, owned by Stephen and Erica Pereira. The Pereira's had constructed an extensive vegetable garden at the back of what they thought was their property. When a fence was to be erected, it

came to everyone's attention that the garden was over the line onto the Hudson's property. The parties then agreed to come up with some sort of a land swap so that the garden could remain. The land was surveyed, and parcels A and B were created. Parcel A would come out of the Hudson parcel and be conveyed to the Pereira's. Parcel B comes out of Pereira and goes to Hudson. There's no changes in lot areas, no net changes in frontages, and no net changes in setbacks to primary buildings. He also noted that every corner has been monumented, so there will be no mistaking in the future where the lines are.

Mr. Knox said he had spoken to the Zoning Enforcement Officer who said the Plan created no additional non-conformities. Mr. Knox said he would motion to recommend they endorse this ANR Plan. Ms. Mancovsky seconded the motion.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Master Plan Implementation- Update on Site Plan Review costs

Ms. Mancovsky advised that she and Ms. MacEachern had researched some surrounding communities and looked at their fee structure, and then tried to put that information into a format that they could compare and contrast. The median home sales price has been included at the top as it is relative to what kinds of houses are being constructed. Ms. MacEachern said she felt this was exactly where they should be aiming to. When you look at the median sale price of Lakeville homes compared to Raynham, Easton, and Plymouth, it's right in between those three. All the costs are higher so maybe they should be up at least in the same range with those Towns.

Site Plan Review costs were then discussed. Some of the eight towns had nothing listed as they had not been posted on their websites. Lakeville is \$250 for a minor review and \$1,000 for a major review. Ms. MacEachern asked that they look at Easton which had a tiered fee structure. Ms. Mancovsky suggested they go line by line and settle on a recommendation for each item. The following was then decided:

ANR Plan	currently	\$100 per lot	proposed	\$250 per lot
Form B	currently	\$100 per plan	proposed	\$500 + \$100 per lot
Form C	currently	\$700 + \$100 per lot	proposed	\$2,000 + \$100 per lot to be discounted if a Form B is submitted
Changes	currently	\$100	proposed/minor Proposed/major	\$200 under discussion

There were other items that were discussed, but the Board agreed to look over them before their next meeting in January. Mr. Knox also wanted to see a tier listing for Site Plan Review with at least three to four settings.

Development Opportunities District – Update

There was no discussion on this item.

Southeastern Regional Planning & Economic Development District (SRPEDD) – Update by Barbara Mancovsky

Ms. Mancovsky advised that one item discussed was the Cannabis Control Commission (CCC) had created a new business option for manufacturers who would now be allowed to sell and deliver directly to the public. That means that community impact fee would be bypassed. The other thing mentioned was that SRPEDD is setting up a resource for affordable housing management. She was not sure of all the aspects of it, but they would be sending them a presentation which she would then share with the Board. They have done deed research and have found units that weren't counted but should have counted. For example, in Mansfield, that was 23 units. However, that resource might be something that they as a community could take advantage of.

Approve meeting minutes

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to approve the meeting minutes from the November 12, 2020, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox made a motion, seconded by Ms. Mancovsky, to approve the meeting minutes from the February 27, 2020, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Mr. Knox-Aye
Ms. MacEachern-Abstain, Mr. Lynch-Abstain

Old Business

There was no old business.

New Business – Drafting Zoning Amendments handouts from CPTC

This was informational for the Board members. Mr. Knox asked all members to review it.

New Business – Draft meeting schedule for 2021

It was noted that one of their meetings fell on November 11, 2021, but they would not be able to meet due to the Veteran's Day holiday. Mr. Knox said they would keep that open and revisit the

month before to see if or when they should hold a meeting. There was also a meeting scheduled for December 23, 2021. Mr. Knox said they would keep it on the schedule and see what they have for business at that point, and if they would be able to achieve a quorum.

Ms. Mancovsky made a motion to accept the Planning Board proposed meeting schedule for 2021. It was seconded by Mr. Knox.

Roll Call Vote: Ms. Mancovsky-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Next meeting

Mr. Knox advised the next meeting is scheduled for January 14, 2021, at 7:00 p.m.

Adjourn

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

Roll Call Vote: Ms. Mancovsky-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Meeting adjourned at 8:45.