

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, January 24, 2019**

On January 24, 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; Barbara Mancovsky, and Janice Swanson

Members absent:

Peter Conroy

Meet with Ken Motta from Field Engineering Co., Inc. for Site Plan Review for 14 Harding Street

Mr. Motta was present and representing Farrell Storage. As they would recall, he was before the Board in November with their pre-application presentation, and their request for the density bonus. This plan is essentially the same plan they saw then. There were some slight modifications made in regards to a concern raised by a Board member regarding fire accessibility. They did work with the Fire Chief in addressing that concern. Mr. Motta then submitted the December 3, 2018, letter from the Fire Chief which had detailed their concerns. He explained what had been done to address the issues.

Another issue had been with the site drainage. Presently, all the impervious area drains towards the northerly side of the site. There is a series of existing leaching basins that are located at the ends of the aisles. There are no outlets to this as it all recharges into the ground. The soils are all very well drained with low water tables. When they brought in the new building, they looked at the entire design for Millennium Circle.

Mr. Motta then displayed the aerial view of the property. The existing detention basins that had been on an old previous plan had been moved, and a large detention basin had been constructed. He indicated where on the view. This basin had been sized to accommodate the entire build out of the Park. They took the drainage from the site and tied it into a 24 inch pipe that runs into Millennium Circle. There are also two twin 30 inch pipes that come across the GE Capital site, go into the recharge system and around the back. They updated the analysis that had been done in 2004 to reflect some of the current conditions, and the calculations worked out fine. They did add some additional catch basins to accommodate some of the grades and tied it into the 24 inch pipe and checked its capacity which was also fine.

Ms. Mancovsky asked who was responsible for maintaining the catch basins. Mr. Motta replied for the on-site catch basins it would be Farrell, and for Millennium Circle there is an Association of the lot owners there which was part of the original commitment. He was unsure of the details. The Architectural Plans were also discussed.

Ms. Mancovsky made the motion, seconded by Mr. Zienkiewicz, to approve the Site Plan for 14 Harding Street. The **vote** was **unanimous for**.

Mr. Motta clarified if that did include the density bonus. Mr. Hoeg replied that was correct. Mr. Zienkiewicz noted there had been a letter from the Board of Health. Mr. Motta said that he had spoken to Mr. Bernardo, Health Agent, and he did send him the information he had. They were in agreement that before they went for a Building Permit application they would either do a Title V inspection, or they would find out if one had been done when the property had been transferred.

Mr. Hoeg noted there was no signature block on the plan. Mr. Motta said he could update the plan and have it for them to sign at their next meeting. Mr. Hoeg said that would be fine.

Review the following petitions from the Board of Appeals for:

1. Kenneth Chainay – 153 County Street

Ms. Mancovsky made a motion, seconded by Ms. Swanson, to make no comment on the Zoning Board of Appeals petition for Kenneth Chainay– 153 County Street. The **vote** was **unanimous for**.

Receive SRPEDD update from Board Member Barbara Mancovsky

Ms. Mancovsky advised she would update them at their next meeting.

Receive Air BNB Bylaw update from Board Member Sylvester Zienkiewicz

Mr. Zienkiewicz advised that members should have received a copy of the Act. There was also a section with the frequently asked questions which he felt was more valuable than reading the entire Act. He explained they took an Act that is already there, Room Occupancy and Excise Tax, which Lakeville had already signed on to at 4%. This was in 1995 and was meant to be used for regular Bed and Breakfast and motels and other legal uses at that time. This Act takes Air BNB and adds it in as one more use.

Mr. Zienkiewicz said the Executive Office of Housing and Economic Development will set up the regulations for this and set up a system. You will have to get a Certificate from the State. The Department of Revenue will know this and expect you to have a return but this hasn't been designed yet. They expect this Act to go into effect in July of this year. They expect to do this through the Public Hearing process.

Mr. Zienkiewicz advised this process does not hurt the Air BNB operator. The State will want their 5% with another .7% and Lakeville will get 4%. The State will collect the money and reimburse the Town its 4% with their local aid. This would go into the General Fund. The Town would also be allowed to establish any local ordinance or bylaw that it wants in order to further regulate this. Mr. Zienkiewicz added that the Town could get up to 3% more over the 4% as a Community Impact fee but you would have to explain and justify the fee and also collect it from the individual operator.

Ms. Swanson asked if they thought this Planning Board should go over this and present something at a later date. Would ZBRAC be involved in this or should the Planning Board spearhead something? Mr. Zienkiewicz replied that ZBRAC was an ad-hoc committee that meets irregularly, and that they could not count on. Mr. Zienkiewicz said that without knowing what the regulations of the State will be, he would hesitate to write any regulations for the Town yet. Members also discussed the definition of short term rental and what would qualify. It was agreed to wait and see what comes down from the State.

Approve Meeting Minutes for May 10, 2018, June 28, 2018, and November 8, 2018.

Ms. Mancovsky made a motion, seconded by Ms. Swanson, to approve the Meeting Minutes from May 10, 2018. The vote was **unanimous for**.

Ms. Mancovsky made a motion, seconded by Mr. Zienkiewicz, to approve the Meeting Minutes from June 28, 2018.

VOTE: Ms. Mancovsky, Mr. Zienkiewicz, Mr. Hoeg – **AYE**
Ms. Swanson – **ABSTAIN**

Ms. Mancovsky made a motion, seconded by Mr. Zienkiewicz, to approve the Meeting Minutes from November 8, 2018. The vote was **unanimous for**.

Next meeting

Mr. Hoeg stated their next meeting would be Thursday, February 7, 2019, at 7:30 PM at the Lakeville Senior Center.

Adjournment

Ms. Mancovsky made a motion, seconded by Ms. Swanson, to adjourn the meeting. The vote was **unanimous for**.

The meeting was adjourned at 8:23.