

Town of Lakeville
PLANNING BOARD
Meeting Minutes
Thursday, September 6, 2018

On September 6, 2018, the Planning Board held a meeting at the Lakeville Senior Center. The meeting was called to order by Chairman Hoeg at 7:30 PM.

Members present

Brian Hoeg, Chair; Sylvester Zienkiewicz, Vice-Chair; Peter Conroy, Barbara Mancovsky, Janice Swanson

Lorraine Carboni, Town Coordinator, was also present.

Meet with Jamie Bissonnette from Zenith Consulting Engineers (ZCE), regarding an ANR Submittal for 9 Harding Street.

Ms. Carboni advised that she spoke with Mr. Bissonnette, and he was withdrawing his application at this time. He is still working with the developer and will return at a later date. It was also noted that the address on the agenda was incorrect. The correct address is 9 and not 5 Harding Street.

Discuss and vote on request to utilize SRPEDD Municipal Assistance for the Lakeville Master Plan.

Upon a motion made by Ms. Mancovsky and seconded by Mr. Zienkiewicz, the Board

VOTED: To utilize SRPEDD Municipal Assistance for the Lakeville Master Plan.
Unanimous in favor.

Receive and discuss neighborhood letter dated August 17, 2018, sent to the Planning Board regarding the Nemasket River Landing and the Residences at Nemasket River projects.

In attendance to discuss this were the following residents: Patrick Marshall, Bridge Street; Chris Delisle, 3 Sunset Drive; Ron Worthington, 4 Sunset Drive; Robert Flynn, 6 Sunset Drive. Atty. Michael O'Shaughnessy was also present.

Atty. O'Shaughnessy advised that a response letter had been sent to Ms. Carboni yesterday, and he had also included an aerial so that they could see where the properties are. Mr. Hoeg asked the residents if they had spoken to anyone from the development. They replied that they had sent a letter to Ms. Carboni in order to follow the correct protocol. Two of the neighbors had a brief discussion with Mr. Poillucci after the Board of Selectmen's meeting, and they did forward to him a copy of the letter. Mr. Hoeg asked if Atty. O'Shaughnessy would like to speak to this.

Atty. O'Shaughnessy stated that this project has been around since April. It started off as a 40B and the Town voted to approve the 40R. Almost three months ago, they issued a Permit to approve the work. While he understands the neighbors' concerns, he really did not feel it was a Planning Board issue. As noted in his letter, Mr. Poillucci wants to be a good neighbor, and he is not saying he won't do anything. On his site there is not really too much he can do because the difference in elevation. This site is about ten feet lower than Sunset Drive, but he is willing to meet with the neighbors and see if there are some plantings or something that could be done. Atty. O'Shaughnessy said he felt that anything that had to be done would have to be on the neighboring properties. If they can figure something out, Mr. Poillucci may be willing to contribute some money for some plantings along the existing fence that is there. He did feel there was a solution.

Mr. Hoeg asked the residents if they were aware of that. They had not heard anything about that proposal but were open to it. They noted that they were not in opposition to the project but thought that maybe somewhere within the development of the project there had been a breakdown in the process of notification. There also was perhaps a lack of understanding of how much clearing was going to be done. It was noted that two neighbors had just moved in last week, and they had been a little shocked about what was going on.

Atty. O'Shaughnessy responded regarding notification. Notices would have been sent out via Certified Mail. If there is no one home to accept the mail, the carrier will try one or two more additional times and then he'll leave the sticker saying he is not coming back again. He felt this is what happened in this case. He did not think anyone was at fault just that no one was at home to receive the mail. He thought the process had been followed. He noted that this was also advertised in the newspaper.

Atty. O'Shaughnessy said Mr. Poillucci was willing to sit down with whomever and work this out. The easiest thing might be to meet at the end of Sunset Drive and see what can be done. As long as it was reasonable, he thought Mr. Poillucci was happy to cooperate. Residents were agreeable to that. Ms. Mancovsky noted that there has been a policy proposed about cutting down trees. The Town did not have that right now, as far as she was aware, but there had been talk with Conservation about having some sort of bylaw that would protect buffer zones and certain types of trees in certain locations. This is something they might want to look into now that they are seeing the impact of what developers can do.

After further discussion, Mr. Hoeg asked if a time had been proposed for a meeting. Atty. O'Shaughnessy replied that he would like to coordinate this through Ms. Carboni. He will speak to Mr. Poillucci and come up with some dates and see what could be arranged. All were agreeable to this suggestion. Mr. Hoeg asked Atty. O'Shaughnessy to notify them of any agreements that were made. Atty. O'Shaughnessy responded that he would either email or send a letter to the Board.

Receive Air BNB update from Board Member Sylvester Zienkiewicz

Mr. Zienkiewicz advised he had spoken to the legislative coordinator, or the person that had drafted the bill, in Senator Rodrigues Office. The Senate has it on its list to take up, and they think it will be alright but they have not heard anything from the House at all. The House has not taken it up. He would say it sounds a lot less hopeful than it had before that it would pass this year. Even though it passed the House and Senate and was amended by the Governor, the amendment hasn't been officially accepted by the Senate. Mr. Hoeg clarified that it is more than likely that the Senate

would ratify it but the House hasn't. Mr. Zienkiewicz replied that is what it sounds like. He has looked on the site and was only able to find two houses available in Lakeville. Ms. Mancovsky said there may be other sources of these short term rentals other than that particular site. Ms. Swanson noted that they are getting more inquiries from residents about this. She will be trying to address it because the Board of Health will need to make sure that people are safe as they are living there, and the neighborhood is preserved. Mr. Hoeg felt that they were just going to have wait, and let it play out a bit.

Discuss scheduling future meeting dates through the end of the year

Mr. Hoeg suggested that they try to maintain the second and fourth Thursdays of the month. They would schedule the fifth Thursday in November due to the Thanksgiving holiday. The dates were as follows:

October 11 and October 25
November 8 and November 29
December 13 and December 27

Mr. Hoeg advised that their next meeting would be on Thursday, September 27, 2018, at 7:30 p.m. at the Lakeville Senior Center.

Old Business

Mr. Zienkiewicz advised that he had compiled a list of all the open Form C's that they are working on. He noted that this had been a tremendous load on Jeremy Peck. He had been responsible for a great deal of inspections as well as peer review, and they no longer have that available to them. He felt that they needed to plan something fairly quickly as there are roads that will need to be inspected. They don't want to call a civil engineer do they? Mr. Hoeg replied that they might have to.

After discussion, Ms. Swanson said that she thought they were going to switch over to having the applicant pay for that type of service. Mr. Conroy said that it should be someone they pick but the applicant pays for. Mr. Hoeg said that was correct. He thought that possibly they could use Mr. Lanney or he could have someone go out and record the temperature of the asphalt and collect the slips. They do need to get what records Jeremy had left for them from the Highway Surveyor.

Mr. Zienkiewicz noted that they also have private roads that are serving a lot of houses that aren't in the Oliver database. If they looked it up, they would see that. Somehow this is not getting recorded. It is not their job to do this, but whose is it? Ms. Swanson asked how old these were. Mr. Zienkiewicz replied they were within the last five years. Ms. Mancovsky stated that their deposit should not be returned unless everything is done. Mr. Zienkiewicz said that when they have private roads, there are no deposits.

Mr. Hoeg thought that they should solicit the Highway Surveyor now. Mr. Conroy thought that he should also know that now, without an engineer at the DPW, there would be a bit of a lag in the process. Ms. Mancovsky asked if the position that was vacated previously had been held by a civil engineer and now the person that sits in it is not. Mr. Hoeg said the position was held by someone with civil engineering experience and education, and he was willing to review subdivisions as they

were built. He was also willing to review plans as they came out because he believed that was his responsibility. He did not think the current Highway Surveyor was an engineer or familiar with that aspect of construction of subdivisions. He has a different expertise, with utilities and maybe some roadways, but not necessarily design.

Ms. Swanson asked if most municipalities had Highway Superintendents that did this job. Mr. Hoeg did not believe so. Ms. Swanson said that it was probably better that they did not put that responsibility back on the Highway Surveyor, but that they have the applicant bear that cost. Mr. Hoeg asked if it was okay with the Board for him to discuss this with Nick Lanney and see if he would take this responsibility on. He would also call the Highway Surveyor to discuss it. Board members were in agreement this was a good idea.

Adjournment

Upon a motion made by Ms. Mancovsky and seconded by Mr. Conroy, the Board

VOTED: To adjourn the meeting at 8:09 PM.
Unanimous in favor.