

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, April 27, 2023**

On April 27, 2023, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m.

Members present:

Mark Knox, Chair; Michele MacEachern, Vice-Chair; John Cabral, Nora Cline

Others present:

Marc Resnick, Town Planner

Public hearing (7:00) – Stowe Estates – 35 Myricks Street

Mr. Knox read the legal ad into the record. He then made a motion to open the public hearing. It was seconded by Ms. Cline. The **vote** was **unanimous for**. Mr. Jamie Bissonnette from Zenith Consulting Engineers was present for the applicant. He advised he was presenting the plan for Stowe Estates which was located at 35 Myricks Street. The site is comprised of 11.6 acres. There is a bordering vegetative wetland to the west of the property, and they are showing the 100-foot buffer zone to the property. They have done a full boundary survey, and have done perc tests with the Board of Health for the lots and test holes for the drainage area.

Mr. Bissonnette said the proposal is to create three buildable lots with two additional parcels; Parcel B will be the right of way and Parcel A will be merged with the property to the west. They are proposing a private right of way and are requesting a waiver for 40 feet width instead of 50 feet. For the road, they are proposing 14 foot paved with two, three-foot process gravel berms on the side. They are proposing a grass swale on the low side, which would be the west and southwesterly, to collect storm water. The storm water will then be directed to the back drainage basin. It will receive some treatment as it goes through the swale. They then have a gravel filter berm, and the basin itself with a micro pool will help to treat and reduce the rates of runoff flow

Mr. Bissonnette noted they also propose municipal water and to tie into that in the street. The applicant is also requesting overhead wires. That will go through the power company of jurisdiction. There will be on-site septic systems. The percs were marginal, but all passed. The water table on site is between 18 inches and 32 inches, so they will be raised systems. Fire access was also discussed. The plan shows the fire truck being able to maneuver on the hammerhead style turnaround. Regarding the road, they have kept it just under the 750' maximum length. They also kept the proposed profile at 6% which is also the maximum. This will allow them to work with grade and try to balance out cuts and fills. They are placing the high point at Myricks Street so the gutter line will continue to let the water flow downhill. At this point down here, they will

be catching everything with their super elevated roadway, coming over to the swale and pitching it down. That will continue to happen the entire length of the road, all the way down to the basin, which is the ultimate low point. They have shown on their drainage reports that each storm event will have a reduction in rate for discharges.

Mr. Knox said the culvert is actually on Lot 3. Mr. Bissonnette said yes, and they have an easement proposed. Mr. Bissonnette then read through their list of requested waivers. Mr. Knox asked if they were using plastic concrete on the drainage pipe. Mr. Bissonnette replied reinforced concrete pipe (RCP) and high-density polyethylene (HDPE) They want to use the plastic with 12 inches of cover which meets H20 loading. Mr. Knox noted that they had not received peer review comments yet, so they would like to hear back on that. He then asked how long the leveled off area is where the roadway comes to Myricks. Mr. Bissonnette estimated that there was close to 40-45 feet before it starts to go down 6%.

Mr. Cabral then questioned the fire turn around. Would the fire apparatus have to go on the gravel? Mr. Bissonnette said that it appears that three of the tires would touch the gravel. The National Fire Protection Association (NFPA) requires 20 feet. Mr. Knox asked if they could not put an angle on the hammerhead so it was more at a 90 degree to make that turn more typical. Mr. Bissonnette said they could look at it. He stated they have a three-foot gravel strip on both sides of the road, and then a grass shoulder before the swale starts. Even if they pulled over to the edge of the three foot itself, they would still have two feet of relatively level grass.

Mr. Cabral was also concerned with the lack of lighting. Mr. Bissonnette said that he could talk to the client about driveway lights. That has been a pretty common thing that the Planning Board has previously worked with them on. Ms. MacEachern said she does get concerned when there's no sidewalks, especially as Route 79 is a busy street. There could be the potential for students walking to a bus stop, and she is concerned for pedestrian safety. Regarding the overhead electric, that was something they were looking for all new subdivisions to have the underground wires. She would also like to see at least some trees included. Mr. Bissonnette showed where they were trying to keep the existing trees.

Ms. Cline said that she is concerned about the turnaround for the Fire, as well as a secondary vehicle in there. She also questioned the lack of lighting, but would be okay with the driveway lights. Mr. Knox said he did not see the comment regarding a Homeowners Association on the Plan. He would like that to be added. Mr. Knox then asked for an explanation on the grade change. Mr. Bissonnette replied what they are trying to do is to keep it as close to natural grade as possible. This stops them from having to bring in a tremendous amount of fill, or change the course of the water flow any more than they have to. He then went through the elevation changes on the Plan.

The abutter from 39 Margaret Street, Taunton, and Ms. Lynn Haggerty were present. They were concerned about the drainage and noted that there is a stream that runs under the road. There is also a problem with flooding in the neighborhood. It was noted that it is very wet back there and several trees have fallen because the ground cannot support the roots because of the water. Mr. Bissonnette said right now the water pitches down to the wetland. They are proposing to collect it with the drainage basin and discharge it toward the back. He did not think that would exacerbate

the situation at all. After discussion, it was said that they were not here to fight this, but here to protect their property. What will he do with the water? This is his concern. Mr. Bissonnette further explained that the drainage is all being caught in a swale along the road, and brought down and discharged into a pond, where it will be treated and released at a slower rate.

Ms. MacEachern noted that there would be a peer review of these plans, so this hearing would probably be continued. Mr. Knox said that he would also like to see them apply to Conservation, in case anything should change. A few concerns have been mentioned tonight, so he would also like to see those addressed. Mr. Bissonnette felt they could get a filing in with Conservation next week and requested that the hearing be continued for two weeks. If they did not hear back from peer review, they could request another continuance.

Mr. Knox made a motion seconded by Ms. Cline, to continue the public hearing for the definitive subdivision plan at 35 Myricks Street until May 11, 2023, at 7:00 p.m. The **vote was unanimous for.**

Public hearing (7:00) – Site Plan Review – 13 Main Street, continued

Mr. Bo McMahon was present. Mr. Knox advised that currently this is a scheduled public hearing that is ongoing. However, they have had a significant change. He would like to see if Mr. McMahon would like to consult with his attorney and re-advertise this hearing. Mr. McMahon said he was not present at the last meeting, but he worked with Mr. Zagar, Mr. Forbes, and Mr. Bissonnette to incorporate a lot of the changes that were heard. Mr. Knox said they had discussed the original proposal for small houses. Would Mr. McMahon consider attempting to go to the Zoning Board of Appeals for a Variance for the lot line? Mr. McMahon said it would be two lot lines, but because this is allowed by right under the zoning, it could be a tough sell to say they needed 20 feet instead of the 40 feet because of a hardship. They went after that concept for 12 to 13 months thinking the setbacks were 20 feet. Then it was found out that the setbacks were 40 feet, so they are now trying to do the best they can, with what they have.

Ms. MacEachern noted they were adding additional units to this heavily trafficked area, was it worth a conversation with ZBA? The original plan was very much in line with what their residents want to see. It would fit better aesthetically and design wise. Mr. McMahon said that would be an expensive gamble to pursue. He had consulted with Atty. O'Shaughnessy for quite a while in regards to it, but reiterated that owner hardship would be a hard sell.

Mr. McMahon then addressed the proposed plan. He advised they had incorporated the comments of not having one parking lot and having some green space in the middle. They were also able to take the hammerhead turnaround and incorporate more parking closer to the entrances. He said it was also discussed about having first floor retail office in the front of the building. They have it shown, but it makes no difference to him. Logistically, if it's going to be residential, it should all be residential. If the Board still wants to see some mixed-use element, they would be fine incorporating it. Both the buildings will be the same size, with a mix of one and two bedrooms. It will all be age qualified housing. He noted that in comparison, the buildings would be one third

the size of the storage building next door, and in footprint also smaller than the nearby CVS building.

Mr. Knox said that initially he was in favor of the business space in the front of the building. With these bigger buildings it might add some confusion to the layout, so he was now also indifferent to it. Ms. Cline agreed, but she didn't really like this concept and had liked the initial rendering of the small houses. Mr. McMahon said that he had liked the bungalow design, but thought that from the street these buildings will look more cohesive with the neighborhood and will look better. He then displayed a rendering of the proposed buildings. There are built in balconies so nothing is protruding, a couple of jogs in the building, the overhang roof styles, and the two main entrances to access it. They are trying to blend the Lakeville rural feel with where buildings are going today, more modern, clean, and inviting.

Mr. Knox said regarding that first-floor retail space on Main Street, another reason he has turned against it is, when it was a stand alone building it had its own parking, but now it confuses the parking. Ms. MacEachern agreed. Mr. Knox said it seems as though the Board would not have a problem in keeping the whole project residential. He asked where they stood from a design standpoint. Mr. McMahon said they have gone a little further with that and once they readvertise he would push the floor plans and elevations. It would probably be 10 to 15 days from when he tells them to go.

Mr. Knox asked if the Fire Chief had seen the plan. Mr. McMahon said he has seen the previous proposed plan with the other parking. Once they have a full set, they will send it to him showing the additional parking. The width of the turnaround stayed the same. After discussion concerning the height of the buildings in comparison to the surrounding area, it was decided to continue the hearing until June 22, 2023. It was also decided to readvertise as the plan had changed significantly.

Mr. Knox made a motion, seconded by Ms. MacEachern, to continue the hearing for Site Plan Review for 13 Main Street until June 22, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

5 Harding Street – Discussion regarding possible changes to the approved Site Plan.

This was withdrawn by the applicant.

Housing Production Plan (HPP) – Discuss and possible vote

Mr. Knox advised there was a copy of the HPP and a spreadsheet in their packets. Ms. MacEachern explained they had gone over this last time, and there were many items that she had requested be incorporated. She then went through and made her own suggestions and cleaned it up. Looking through the spreadsheet from SRPEDD, it looks like they have addressed all the items and indicated whether it was their revision or a revision that she had made. Ms. MacEachern then went through each item. She had talked about removing the Housing Choice initiative, but in the final

draft it was included but red-lined. She had not liked the part about the targeted legislative reform to encourage municipalities to plan and build diverse housing stocks. It was her opinion that she didn't like top down regulations, and that communities should be able to designate that on their own.

Mr. Resnick said that it is not saying that you are going to incorporate any one thing, but just stating the facts. There wasn't a reason to not include it to make it comply. Ms. MacEachern added that she didn't see where in the guidelines that it was necessary. Mr. Resnick replied that would be something that should be discussed with SRPEDD. Ms. MacEachern said one of the items in the guidelines, which talks about implementation strategies, states participation in regional collaboration. She preferred that over the legislative reform and would not mind replacing that sentence with something like that. She would just like to see it removed and sent to DHCD. If they had to add it back in, then they could. Ms. Cline agreed. Mr. Cabral was also fine with that. Ms. MacEachern then went through the balance of the items. Most of the items requested had been incorporated into the final revision.

Ms. MacEachern said that personally, she felt that they needed to take a vote on this, with whatever revisions are necessary. They need to get this to DHCD, so it can be reviewed, and they can make any changes that are necessary. Mr. Resnick said that he would like to call Ms. Perez and ask her to complete the edits, and then send it to the Board, so it could be placed back on the agenda. SRPEDD could then come in and discuss any final changes and explain them to the Board. The Board could then vote at that meeting, and after that, it will have to go back to the Select Board. After further discussion, members wanted to have a clean copy of the plan by their next meeting. They would then review and vote on it.

Correspondence

There was no correspondence to review. Mr. Resnick gave an update regarding the proposed project at John Paun Park. He also advised the Board they had met with the owners of 310 Kenneth W. Welch Drive. They have notified the tenants about parking across the street and are in the process of identifying sites for off site parking and getting a shuttle. They continued the Conservation Commission meeting, but indicated they will have all the final comments related to the peer review submitted shortly. Once that is completed and approved, they will get an Order of Conditions and can follow up with the Planning Board for their Site Plan Review for the parking plan.

Next meeting

The next meeting is scheduled for May 11, 2023, at 7:00 p.m. at the Lakeville Police Station.

Adjourn

Mr. Knox made a motion, seconded by Ms. MacEachern, to adjourn the meeting. The **vote** was **unanimous for**.

Meeting adjourned at 8:23.