

May 21, 2007

Members present: J. Marot, G. Kashgagian and W. Healey

Meeting called to order at 7:30 p.m.

Bills

Jim – I have a bill for secretarial services in the amount of \$182.39 for the month of April. Walt – I make a motion that we approve the same for payment. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Form A

Marcus Baptiste (Pauline Leonard property) – This is a Form A. Lot C is unbuildable. B & C are owned by the same person. If 79 does not go thru the will still have frontage. This line is from 25% design phase. Marcus – what will the fee be? Jim – technically it is 7 lots but 4 are being given to the abutters I would entertain a motion that we charge him for only 3. Walter I make a motion that we approve the plan and that we only charge for 3 lots since he is giving the other 4 lots to the abutters. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

DiCroce (Millennium Circle) – Pauline – this is a Form A showing only a correction in the numbers. Jim – it is only a minor change and I don't believe that it changes anything except for the numbers as noted in the block. Walter – I make a motion that we approve of the same. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

8 p.m. Lori Lane Hearing (rezoning)

Notice as it appeared in the Middleboro Gazette on April 26, 2007 and May 3, 2007 was read by Jim. It was noted that none of the petitioners were present for the hearing. It was also noted that Lori Lane is a town accepted street and is own by the town. Walter – I make a motion that we recommend approval of the same at town meeting. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

8:15 p.m. Intensity By-law

Notice as it appeared in the Middleboro Gazette on April 26, 2007 and May 3, 2007 was read by Jim. Bill Markson – who propose the one building to a lot. This is a silly restriction in many cases it is more preferable to have more than one building. You can max taxable property. More than one is okay as long as it is sensible. Jim – you have the ability to appeal anything. It overlays every area in town not just business. Bill – I think it should be amended to only a residential zone. Jim – this clarifies it. Bill – is there a good reason for it to apply to a business zone. I feel that you would have to modify the by-law. It could be amended at the Town Meeting. I would want it to apply to residential not

business. Walter – I make a motion to recommend approval of the article as read. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

8:30 p.m. Rules and Regulations (Drive thru)

Notice as it appeared in the Middleboro Gazette on April 26, 2007 and May 3, 2007 and on the web site. Walter – I make a motion that we approve the change to Section E and change the word from Restaurant to Facility on Page 2 and make the part of our Rules and Regulations. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Cedar Pond

Jim – I am quite pleased with the developer but I am not always happy with the engineer. They have put in close to 400 trees. They will all be street trees.

Trinity Lane

Jim – I will try to explain our thoughts on this. I would first like to explain that most of it will be in Freetown. Since the applicant can comply with our by-laws which are stricter than Freetown's I don't believe that we have any grounds upon which to turn him down. Taking that into consideration the Board was looking into what would be the least impact for these additional 3 lots to the sub-division to Trinity Lane. He is able to comply with the building out of the road but our feeling was that it would be less of an impact if we did not make him built the road and instead had him do one driveway of the back of the property. I have to stress that the Freetown Planning Board would be the one that he would have to deal with in most cases. The cul-de-sac would not be changed and the house would be 40 feet back. It is a flat road. The material is good. Everything can be done according to our Rules and Regulations. We could send a letter to the Freetown Planning Board letting them know that would be our decision and see if they would agree with it. Mr. Andrade – 4 Trinity Lane – What benefit would it be to Lakeville? Jim – no particular benefit. You have to remember that we understand that you do not want any further development but if he can comply with all of our Rules and Regulations we can not say no. You also have to remember that when we were approached with Trinity Lane that the abutters at that time were not happy with it either. Mr. Andrade – It is basically in Freetown. Jim correct. Michael – 7 Trinity Lane – will the driveway be off of the cul-de-sac? Jim – they have the ability to push the road to 750. This is a matter in which both town lines are involved. They have to comply with the rules and regulations of both towns. Michael - What about snow removal? Jim – there is a mutual agreement between the two towns. Michael – has anyone considered what the increased traffic – 2 more houses will be a 30% increase in the traffic. Jim – it is a town accepted road. Michael – the original plan was for 7 houses not 9 – that is an increase of 30%. I don't think that is what we were agreeing to when we purchased our properties. We were told that it would only be 7 houses and that is what our deeds refer to. Jim – do you have covenants within the development? Michael – Long Built has to approve. Why is this one developer getting preference for this? Jim – I am required to follow our Rules and

Regulations and our by-laws. Anyone can sub-divide there land if they can comply. They are not exceeding that. Do you want a further extension of the road or a driveway off the cul-de-sac? If most of the abutters would prefer the road you should tell us now. We suggested the driveway as we felt that it was better for the abutters but if the abutters would rather have the road he is able to comply. We are not the ultimate authority. The Freetown Planning Board is. Michael – does it comply with Lakeville's Rules and Regulations? Jim – yes. We can waive the construction of the road. We thought one driveway with the house 60 feet off the road. Michael – what protection do we have? Jim – if you look at this you will see that is why we though this was the best for the abutters. We can not stop them. David – I will keep it the same. Michael – I am suggesting that it should be kept the same as it is. Jim – I am sure that if the developer had all of the land he would have done it. Marilyn – 2 Trinity Lane. There are restrictions. Will Freetown be servicing those lots? Where is the cemetery – I don't believe that there is any access from the back. What about electrical service. Jim – it will have to be underground from Lakeville. As I am sure you are all aware this is a public meeting but it is not a hearing. They need to go to Freetown for this. Michael. This is a copy of the covenants if you like to make a copy for your file.

Site Plan – VitalMed, Inc.

Robert Guary – Atlantic Engineering – we are here on behalf of VitalMed. This is a proposed warehouse to be located on 4 Kenneth Welch Drive. We are looking for the 10% lot coverage. Site will handle a reduced runoff of storm water. Jim – what exactly is VitalMed? Director of Operations – we are a distributor of light plastic molded parts. We basically are a distributed world wide Jim – will this be in 2 phases. Bob – we will be building in 2 phases but we want it to be one project. Walter – what is your time line? Greg – are you going to have all the concrete poured? Bob – it will be handled as an addition. It will be an open grassed space. Walter how many employees – Director – 30 employees – we have 15 right now. Walter – what about parking. Where are you planning on putting the extra parking? Director --- there will be no overlay of employees. There is a retaining wall in this area. It is about 10 feet high. Greg – what about the guard rail.? Bob – yes, it will be along this area. Walter – where are you going to put the snow? Bob – we will be putting in the grassed area. It is the only place we can put it. Greg – what about the loading docks. Bob – in the back along this area about 60 feet. There will be three of them. Jim – do you have details for the addition. Matt Pelletier – I am sure you can get something outback –there will only be 3 loading docks. Greg – there will be no access from the outside of the building. You are going to enter from the inside. Director – yes. Jim – is that the color scheme. M. Pelletier – yes. Jim – we would like this to address these concerns. We would want additional landscaping for the additional 10%. Our next meeting is June 4, 2007. What is this area on the store front. Matt. – windows.—glass with dark panes behind it. Jim – 2 stories. – We will also need the retaining wall information. Walter – how many trucks are we talking a day, 4, 6 or 8. Jim would be comfortable with Chris looking at it. If he sees something then we could pass it on to Nick. Jim – to petitioners – we will let

you know at our next meeting. Bob – can you put us on the calendar for 8 p.m. on June 4, 2007. Jim – we will also need additional information concerning the signage. Bob – we will have the information on the next plan. Jim – we would prefer a monument sign, below 10 feet, lighting, address in large numbers. We would like to see cut sheets on the wall packs. We would also like a landscaping plan as to the plantings. Give us something to make the basin look more natural. Bob – we will see what we can do. We are talking sand on the bottom and the side loamed and seeded. There is an O & M in the plan set. They will be mowed a couple of times per year. The slopes on the basin are 3 to 1.

Robert DeGrazia

Lee- Long Built Homes – we are here to get the feeling of the Board concerning this parcel. We would be looking for a private way – 40 feet with 2 house lots. Darrin had informed us that there was some town owned land in this area. He (Robert) is willing to convey some land to the town. Jim - you are going to take it off County Street – this is wetland. I don't think you would have to get it approved thru conservation. You would have to have a town accepted way. Lee – we realize it would require a lot. Jim – you have to get approval of all boards. You have to show that you could build the road. Greg – how many acres. Lee – 33. Once you have the road layout what do we have to do. Jim – we need to look at the grading and some type of drainage. We would be looking for approximately 50 feet of pavement at the entrance and then gravel the rest of the way. Robert – do you think it would be possible that it would past Conservation and that they would be in agreement. Jim – that is something that you would have to discuss with them. Robert – thanks for taking time to discuss this with us.

Meeting

Pauline – our next regularly scheduled meeting with be June 4, 2007 at 7:30 p.m.

Walter – I make a motion that we adjourn. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous. Meeting adjourned at 11 p.m.