

TOWN OF LAKEVILLE
Lakeville Planning Board Minutes
June 14, 2014 –8 AM
Town Office Building

On June 14, 2014 the Planning Board held a meeting at the Town Office Building in Lakeville. The meeting was called to order at 8 AM by Chairman Brian Hoeg. Planning Board members present were: Brian Hoeg, Peter Conroy, Sylvester Zienkiewicz and Janice Swanson.

Brian – Is there anyone present who is recording this meeting. No one present

Tree Hearing

Notice as it appeared in the Middleboro Gazette was read by Brian. Notice appeared on May 22, 2014 and May 29, 2014. Jeremy – the Highway Department was notified that there were certain trees on Southworth Street which were hanging over a resident's property. Upon checking I found that the trees were dieing. Linda – are they in the right of way. Jeremy yes. I will be hiring Beaver Tree to come into town and do certain other trees and will have these done at the same time. Zinc – I saw the tress and would have to say that they are in terrible shape. Linda – I worked hard to get this street concerned a scenic road but would like to go on record as saying I personally do not have a problem with the same being cut if it is a concern of safety. Peter – I make a motion that we authorize the Superintendent of Streets to have the same removed. Zinc. – 2nd the motion. Brian – all in favor. Vote was unanimous. Zinc – I make a motion that we close the hearing. Peter – 2nd the motion. Brian – all in favor. Vote was unanimous.

Site Plan – 95 Kingman Street (Richard Chaves

Jon Pink – this is basically a warehouse for storage. I have notified all of the departments and turned in the sheet to Pauline. Pauline – we need to collect a check in the amount of \$1,000 on this plan. Jon – this plan will be less than 1% coverage. There is no public access and I do not see drainage as a concern. Brian – will there be any office space. Jon – none. Janice is this a driveway? Brian – It will be through Bay State. Peter – there is one on the side. Janice – any parking. Jon – no. Janice what about outside lighting. Jon – there will be none. Zinc – this area is residential and with that I would think there would be a concern for outside lighting and signage. Jon – there will be none, if any it would be facing Bay State. Zinc – we need something in writing. Nancy – are you satisfied with the drainage. Janice – I was asking about down spouts. Jeremy – I am concerned more about what goes with the building than the down spouts. I would prefer down spouts. Peter – are gas traps necessary. Jon – I don't think so. Brian – it dowse show gas traps. Jon – I assume as a prefab it may be given. Janice – Nate indicated it was controlled construction. Jon – it should go to Nate Darling. Brian – I need a motion indicating the change in the side drainage, grating and lighting. Further that they will not be any type of public access. Zinc – I make said motion. Janice – 2nd the motion. Brian – all in favor. Vote was unanimous.

Rush Pond Road – Sidewalk removal

Brian – I have a letter from the Superintendent of Streets requesting permission to remove the sidewalk on Rush Pond Road. Jeremy – the reason that I am requesting the removal of the sidewalk basically is that we do not have the money to replace and maintain the sidewalk. It does not require a sidewalk in that area. I would replace it with Cape Cod Burma. Brian – what is the width. Jeremy 24 – 25 feet. The site distance is not good. We are going to be trimming it back. Brian – why has it broken up. Jeremy – lack of asphalt and a bad base. Once we redo the road all of the driveway will not be ADA approved. Nancy – Yeatts – what do we need to check. Zinc – do we own the sidewalk? Most of the time we take an easement. Why do you need our permission. I think we need a public hearing. I don't know if we would be the last to give permission. Jeremy – Mullen hill was done some time back. Zinc – I think it would require a public hearing. Frank Sterett – I have friends and I think we need to check on it. Jeremy – we need to do this if we are going to do the road. It is on the left and it will, not be ADA compliance. Brian – what is the time frame. Jeremy – I am not on a tight schedule but what to do what is necessary to get the go ahead. Brian – I believe that we need to get the information from Town Counsel. as to whether or not we have to hold a hearing on what procedure we need to follow. Peter – I make a motion that we contact Town Counsel and get a ruling on this. Janice – 2nd the motion. Brian – all in favor. Vote 3 in favor Zinc abstained.

Walter Egger – curb cut

Pauline – I have given each of you a copy of Jeremy's letter on this. In checking we found that this curb cut had been granted back in 2003 and that no further action needed to be taken by the Board.

Curb Cut – Alan Butler

Jon Pink – this is the proposed driveway. We want to go here. This is where Highland Road was and it has not been discontinued (pink lines) We are not proposing a change we would like to use it as it is. Peter – they would be using Town property. Jon – about 60 feet. Peter – it would be parallel. Jon – yes Jeremy – you are going to have an issue. Jon – there is no issue at this time as far as we are concerned. Jeremy – you are going to hold this at this time. I would rather see asphalt. Zinc – there was an agreement before with property across the street. This owner is allowed. Therefore the Town of Lakeville has the right to prevent and acting as agent would we have the right to say no you can't. Janice I understand that Egger had no access. Zinc – they proposed coming in the same way it is the same. Jon – it would be back here. Janice they would have to create it. Zinc it is a right of way not an access for a driveway. The cemetery has the right to what is in front. Jeremy – how does it affect the cemetery. Zinc the curb cut would be going across town property. They are creating an unbuildable lot. Peter it is not accessible. Jon – it is land locked. Nancy – has Board of Health looked at it, they may feel that it is a marginable lot. Peter – if we are allowing a driveway crossing someone else property are we setting precedent Zinc – I vote we deny this based on there is no liable access. Jeremy – if we deny this is he going to

come back with this. Brian – I want to defer crossing the front of right of layout. We need to think about the need for people to park.. I don't have a problem as a cemetery Layout.

72 Pickens Street

Zinc – I agree with all of Jeremy's note except #4. Jeremy – the foundation drain has been removed. So, I don't have a problem with it. The elevated driveway. Zinc – I make a motion that we agree to the same provided that all of the concerns in Jeremy's letter have been met. Peter – 2nd the motion. Brian – all in favor. Vote was unanimous.

Rezoning 28, 30 & 32

Brian – we have been contacted and at this time they are requesting the change from residential to business. Janice – that is adjacent to Bartlett property -- 32 is only a mailing address. Zinc – we have to hold a public hearing within 6 months. Brian – we are willing to work with the residents. Nancy -- -- need to identify what rezoning we are talking.

Form A – 16 & 22 Highland Road -- -- this is one lot Peter – I make a motion that we sign the same as submitted. . Zinc – 2nd t the motion Brian – all in favor. Vote was unanimous..

Huckleberry Shores

John Ryder – this is the information that I have gone over with Youngquist and Bill Logan. There is one more thing to be done concerning work on the drainage on highland Road. Gene and I are the only ones who should have any say. Maroney should not have any say. He should not be looking for an extension. Gene is the only one who should be able to get an extension. We would like to go ahead. Peer – we can't get involved. Ryder – we want to get this over and done with. Basil -- \$76,000 is left for black top. We want to clean it up. We will give the money to Maroney and he will have control . The road is in good shape. We are looking for a way to transfer the funds and then deed the road over to the association. He can choose when he wants to do it. Ryder – at this time the road is in Gene's name. Basil – deeding the road to the association is important. I don't think we should be the mediator. We are going to leave a buffer. Brian -- we should notify Maroney that our next meeting will be June 30, 2014 if he has any concerns that we should be aware of.

Cedar Pond Preserve

Jacobi – As you are aware I represent Cedar Pond Realty. The subdivision was started 8 or 9 years ago. Now that the lots have been sold we are ready to do the final payment to the road put first we need to fix up the base coat. Ron – we need to level and repair the base coat. We need to work on the final coat and the sidewalks. Jacobi – We have a problem concerning the bond that will be left with the town. It is our understanding that the town requires that we leave \$4. Per foot and that it is held for 2 years after the paving is done. Ron – I have spoken with Keating concerning the work that needs to be done but there will also be funds necessary to pay SITEC. Brian – did

Keating do what is here now. Ron – yes. Jacobi – it is my understanding that you are presently hold \$250,000. With the figures that we now have all that will be left is approximately \$25,000. Since this is less than is required we are looking for a waiver. We are short – everyone wants it done. You could pull the bond and do it yourself. We are asking for a waiver from the \$60,000. You would still be holding \$25,000. Approximately 207,000 is due Edwards and \$15,000 is due SITEC. Ron wants out and so do the neighbors. We are looking at your holding \$2.00 per foot rather than \$4.00. Brian – we established this rule for the protection of the homeowners as well the town. I have seen the road. There are spots that are pretty bad. Peter – based on what you just said he cannot come up with the \$60,000. Jacobi – equity says to do it. Ron – I have talked with them. Scott – 20 Cedar Pond – Ron has to follow through. Not that we would like to see the funds released but we want the road completed. Jason Cook – I would like to see approved. Brian – you will be back asking what we are going to do. Scott – what are you going to do while the money is sitting. This has gone on for 7 years. However this is difficult circumstances but we need to get it done. John -- the equity in this case says it can be done. Brian -- I would like to say at this time that they are holding a gun to our head. Peter – I make a motion that we waive the 4 foot regulation down to 2 feet and authorize the payment of the bills but we are going to need some actual figures. Frank Sterrett – if you release the funds would they then get a bond. Brian they will not be given us a bond. The work that is there was done by a different company. Jacobi – Ron will be turning over the responsibility to the association We will turning over the road once the paving is done. Ron – I have been taken care of the things at this time. Brian – has this been agreed upon. Jacobi – we need to look into the association. Plowing has to be looked into. Plantings and things like that also have to be considered. We will take care of the association. We are talking \$207,000 and approximate, cost of the as built etc. approximately \$225. That will leave \$25,000 for the next 2 years. Zinc – could we hold the \$25,000. For an indefinite time rather than 2 years. Ron – Terry Edward said it could be more. Peter – I make a motion that we will release up to \$225,000 when presented with copies of the bill from the paving company and the engineering. Zinc – 2nd the motion. Brian – all in favor. Vote was unanimous. .

Blueberry Estates

Brian – I believe that this was sent to the wrong Board. It is definitely over the size of a footprint. They should go for site plan approval to the Planning Board. Janice I make a motion that we send this back to the ZBA with a notation that it should go the Planning Board for site plan approval. Zinc – 2nd the motion. Brian – all in favor. Vote was unanimous.

Bills

Brian – I have a bill for Nancy in the amount of \$152.03. Peter I make a motion that we approve the same for payment. Zinc – 2nd the motion. Brian – all in favor. Vote was unanimous. Brian – I have a bill for the Middleboro Gazette in the amount of \$130.90. Peter – I make a motion that we approve the same for payment. Janice – 2nd the motion. Brian – all in favor. Vote was unanimous.

Brian – next meeting will be June 30, 2014 at 7:30 p.m.

Peter – I make a motion that we adjourn. Zinc – 2nd the motion. Brian – all in favor.
Vote was unanimous. Meeting adjourned at 11:30 AM