

TOWN OF LAKEVILLE
Planning Board Meeting Minutes
March 23, 2015

On March 23, 2015, the Planning Board held a meeting at 7:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Hoeg at 7:30 PM. Planning Board Members present were: Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson, Peter Conroy, Donald Bissonnette Nancy Yeatts, Part-time Planner, and Pauline Ashley, Recording Secretary. LakeCAM was recording for local cable broadcast.

Justine Way Hearing

Notice as it appeared in the Middleboro Gazette was read by Brian Hoeg. Sub-division is for a 4 lot subdivision. Ad appeared on March 5, 2015 and March 12, 2015. Brian Hoeg – at this time I will allow the engineer to make his presentation. If anyone would like to speak I would request that you give your name and address. Jamie Bissonnette – I am from Prime Engineering and would be happy to answer any questions that you might have. This is a 4 lot subdivision with 3 lots being built upon and 1 that will never be built upon. I have gone over the plan with Mr. Downey and have tried to address all of the concerns of the association and the people who live on Fuller Shores Road. We have added drainage as late as today. Sheet 3 shows the grading and drainage for the 3 house lots. The lot to the east is not buildable. The property will be restricted to 3 lots forever. The roadway will be 14 feet with a 3 foot stone burms. It is 20 feet to the back to the detention basin. Each lot is over 4 acres. Each will have their own septic and well. I have met with the Fire Chief and he did not have a problem. Michael Irving, 50 Fuller Shore – where will the water go. I already have a problem with water ending up on my property. I do not need more. Jamie Bissonnette– We will not be adding to it we are holding it up and the releasing it more slowly. The amount of water will not change. Michael Irving – My lot is under water right now. It over takes my yard. Jamie Bissonnette – we are not adding water we are taking it and slowing it down. We are improving it. Michael Irving – Can you have the water go the other side. Jamie Bissonnette – we are trying to improve it. It is reducing the flow. Atty. Mather – according to law we cannot put more on to your property then is going there now. Not even a spoon full more. Brian Hoeg – it flows that way now. Kimberly Veilleaux - 21 Nelson Shore Road – I have seen spotted salamanders are they protected? Jamie Bissonnette – we are more than 100 feet away. Kimberly Veilleaux – I guess his question is if it gets worst who do we go to? Kay Martin – is there anything that we can do? Janice Swanson – do you think if he takes it off it will be better. Kay Martin I don't know – will it be worst? Jamie Bissonnette – we are trying to slow it down. Michael Irving – How will you control it? Jamie Bissonnette – it is a natural depression. Michael Irving – I am getting the over flow from the wetlands and the street. Jamie Bissonnette – we originally did not have the detention. Michael Irving – what is the recourse that you do have? Jamie Bissonnette – you have a case against our company. The basin is used in most sub-divisions. Sylvester Zienkiewicz—the detention ponds are everywhere. This is a very simple structure. Jamie Bissonnette – Bob Mather is writing up the agreement. 58 Fuller Shore Road – the last perc was 5 or 6 years ago. We have had a water problem right along. Michael Irving – what is the depth of the basin? Jamie Bissonnette – the bottom of the basin is 1.09—it is a micro pool – it slows the water down – a 100 year storm would be 112.94.3 above the bottom. There also needs to be a maintenance agreement. – if this is approved today it will be held for a 21 day appeal period. Sylvester Zienkiewicz – we have 90 days from today to act on this. Jamie Bissonnette – we have a flat bottom to slow it down.

Michael Irving – if we have a drenching storm where will the water go? Jamie Bissonnette – the water will go under the 2 driveways. Michael Irving – it will go down Fuller Shore and toward me. Jamie Bissonnette – you are already taking it on. We will not be adding anything more than you are already taking – we are just slowing it down. Jose – 64 Fuller Shore – I get a lot of water now. Jamie Bissonnette – we are on the opposite side of the ridge. We would have to pump it. It is going to be just like it is now. Each house is set now. Brian Hoeg – he is trying to explain that what he is going to do is to help with your water issues now. He will not be adding to it. Michael Irving – I will be getting all of the water from Fuller Shores. Jamie Bissonnette – the water comes down this way now toward the street. We are putting in the 6” pipe under the driveway. Sylvester Zienkiewicz – he is trying to slow the water down. There will be no change in the amount. It will be the same. Atty. Mather – the water goes that way now. No more than the current will be going that way. It sounds as though it can’t do anything but be better or the same. Michael Irving – I would like the Board to come down and look at it. Jeremy Peck – why don’t you explain the runoff from the cul-da-sac. Jamie Bissonnette – look at the runoff areas. There is the main pavement, roof areas, wooded area and the lawn. We are dealing with roof infiltration. Jeremy Peck – these are the proposed contours. Jamie Bissonnette – the water table is 2/3 feet. We are talking walk out basements. We are talking elevating it in the front. Scott – 6 Roberts Road. Were these added for the benefit of the people downstream water problems. ?? – What would happen if you wanted a built in pool? Jamie Bissonnette – it will pick up the water. We have a 20 foot no cut buffer. . Kimberly Veilleaux – we are talking the right side of Robert and Bedford. Jamie Bissonnette – there is a ridge. Bob Mather – we are making sure that there are safe guards. There are 3 houses on 20 acres. I will be preparing the deed and it will be in the deed that there will be no further development. As far as Lot 11 is concerned it will never be built upon. It will be in the deed. The deeds cannot be changed. It is valid for 30 years with provisions of up to 50 years more. Atty. Mather – Mr. Poillucci owns all of it. He also owns part of Fuller Shore Road. There will be an association for the 3 lots. Sylvester Zienkiewicz – the radius needs to be as big as possible. Jamie Bissonnette – I have spoken to the Fire Chief and he does not seem to have a problem. It will be 15 feet of pavement with 3 feet of stone. I don’t see the school bus going in there but it is large enough for a school bus or a concrete truck. Jeremy Peck – are you talking gravel. Jamie Bissonnette – It will always be a private road and it will be noted in the deeds. Brian Hoeg – at this time we would request that it also be stated on the plan. Jeremy – we are talking a gravel base. Jamie Bissonnette – I have upgraded it to good gravel. It is private and will always stay private and there will be wording in the deeds. Once the houses have been completed there will be stone shoulders on the side. Brian Hoeg – what about water during construction? Jamie Bissonnette – there will be a silk fence in place. The entrance will have an anti-tracking pad. Nancy – I don’t understand why you have to ask for all the different waivers. Brian Hoeg – I would request that you make the changes on to the plan that we have discussed.

Upon a motion made by Sylvester Zienkiewicz, and seconded by Peter Conroy, it was:

VOTED: To continue the hearing to April 13, 2015. Voting in favor were Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson, and Peter Conroy. Donald Bissonnette abstained.

Meetings

Pauline – How about April 13 and April 27, 2015. Brian Hoeg – does anyone have a problem with those dates. No objections were made. Meetings for April will be April 13, 2015 and April 27, 2015.

7 Main Street

Present on behalf of the petitioner were Attorney Robert Mather and Owner, Marcus Baptiste. Attorney Mather – as the Board may be aware we have been making the rounds of the various boards. This concerns the Quelle property located at 7 Main Street.. We are talking a gas station, convenience store, coffee shop and a 4 electric charging stations. There are 3 types of charging stations. 1 is called a slow charge, 2 charges 25 miles in an hour. 3 charges 80 miles in 30 minutes. Two will be for all day charging and the other 2 will be open. There are a number of them in the state but no one has 4 stations. We believe that there are issues and need by-law clarification 7.4.6 states there must be a public need within 1 mile and fast food 1 ½ miles. We will have diesel at each pump for the convenience of the public. There are 6 traffic lights in the area and there will be a tax value of 3 million. It will be a long term lease. Similar to what we have with CVS. There has been an interest from Shell on 105. As far as water is concerned with would be in the area serviced by Taunton Water. It will be necessary to go to the ZBA for Special Permit. We have checked on a Traffic Study and expect the results any day. This is a very busy road. The drive thru will also be an issue. There will be 4 entrances and 1 shared entrance. There will be 39 spaces for cars before the order booth. Middleboro has 12 – 16 Savas has 27 before the road with 23 in the parking lot. We feel that the site is appropriate. Jamie Bissonnette – we have hired a firm for a traffic study. We have one entrance with would be shared with New England Rental with an expanded curb cut. It will be a right entrance only and 79 with be right only. The drive thru has a by-pass line. More than enough parking is available. There will be no run off to the highway. Jeremy Peck- - what about fuel deliveries. Jamie Bissonnette – I am not sure of the delivery time. Brian Hoeg – how do they get out. Jamie Bissonnette – at the back. The tanks now a day are double fiber glass. Things are very high tech and much different. Peter Conroy – How many pumps. Jamie Bissonnette – 12 spaces. Jeremy – will it be open 24 hours. Marcus Baptiste – we believe that it will. Nancy Yeatts – will Mass DOT allow a left turn only. As of now CVS does not let you turn right. Jeremy Peck – will the traffic flow into the signals? Jamie Bissonnette – we are hoping for suggestions from the Traffic Study. Jeremy Peck – I am sure that we will have to deal with tourist traffic during the summer months. Sylvester Zienkiewicz – I feel that as far as the 1 mile matter is concerned the need is not being met. Attorney Mather – As far as the one with CVS and there left turn cards would block the area ours would not. Peter Conroy – As far as the charge stations are concerned how they will get to it. Jamie Bissonnette – there would be a crossing there. Marcus Baptiste – I would be leasing to the service station. Jamie Bissonnette – Mr. Powderly felt it would be a good place for picnic tables and a sitting area. Attorney Mather – we have to come back to you but would like to know at this time if you have any suggestions or issues. We would like your support. Jeremy Peck – what type of reception have you received from the different Boards? Attorney Mather – the reception seems to be fine. Brian Hoeg – it seems to be a good use of the property.

12 Main Street (Site Plan)

Brian Hoeg – at this point I will let Jamie Bissonnette explain the plan. I believe that this is in the area of Jack Conroy on Riverside Drive. Jamie Bissonnette – this is a strip mall containing approximately 3 offices/stores. There will be a drive-thru with a bypass lane. We are looking to have 70 % coverage – It will be a country style building with 3 store fronts. Peter Conroy – it is different. Jamie Bissonnette -- yes. This area is good, I have shown the drainage and catch basin. It has great sand and gravel. Jeremy – I have stated my conditions. There is parking on the westerly side. As far as the first parking on the North side. Is there a hydrant in the area. Jamie Bissonnette – I think there is one there. I believe there is one on the site. We have allowed for a wheel chair ramp which would be in ADA compliance. Jeremy Peck -- I would prefer to see a crosswalk. Jamie Bissonnette. I have shown the drainage and a double catch basin. All are in a low spot except the trench drain. This was figures for a 100 year storm. Jeremy Peck – Is there a reason for the 6” pipe? Jamie Bissonnette – yes, from the separator to the 6”. Jeremy Peck – I would rather see a 12”. The man hole angle will beat structural. The clean out of the roof – how will it be accessed. Jamie Bissonnette – a simple cover. Brian Hoeg – on the sidewalk? Jamie Bissonnette – no sidewalk because of the drive thru. Pre Post. What is giving in nothing coming out. Everything is a big reduction off of the site flow. I will give you an OM. Jeremy Peck – I will give the town a copy. Brian Hoeg – Hoeg – what about a snow area and the schedule for sweeping? Jeremy Peck. – what about the southwesterly corner. How will the grading work? Jamie Bissonnette – we will be putting in a 2 foot cut. Al (?) I feel it is a hazard. Jeremy Peck – how will it be marked? Jamie Bissonnette – it will be marked in yellow paint. Jamie Bissonnette – we would contact DOT` Brian Hoeg – do you have plans for a dumpster enclosure. Jamie Bissonnette – we are only thinking one. B.I.G -- I am thinking more along the line of a PVC enclosure. Jamie Bissonnette – It will be very modern – a shoe box. The poles will be no taller than 20 feet. There will be down lights under the canopy. We would have to come back in front of you for the sign. Peter Conroy – if you leave off the parking space that is the first spot off Main Street would that be a problem. Jamie Bissonnette I would like you to recommend the same. Sylvester Zienkiewicz—the lot is undersized but I feel that we should send the ZBA a memo concerning our support, for this size building on this size lot.

Upon a motion made by Sylvester Zienkiewicz, and seconded by Peter Conroy, it was

VOTED: that we send a letter of support to the ZBA stating that we support this size building on this size lot and hope that a variance we would be given for the undersized lot. Voting in favor were Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson and Peter Conroy. Donald Bissonnette abstained.

Upon a motion made by Sylvester Zienkiewicz, and seconded by Peter Conroy, it was

VOTED: that we approve the general design to enable the applicant to go to a density of 69 percent under sections 5.1.4, 7.6.1, 7.6.3 and 7.6.4. Voting in favor were Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson and Peter Conroy. Donald Bissonnette abstained.

44 Clear Pond Road (Site Plan)

Brian Hoeg – this is a site plan for the Lakeville Golf Club. At this time there is no one here to speak on behalf of the petitioner.

Upon a motion made by Sylvester Zienkiewicz, and seconded by Peter Conroy, it was

VOTED: to continue the site plan review to our next meeting on April 13, 2015. Vote was unanimously in favor.

ZBA Petition - Lakken

Brian Hoeg – has the board taken a look at the petition.

Upon a motion made by Peter Conroy, and seconded by Sylvester Zienkiewicz, it was

VOTED: to send a letter to the ZBA that based on the information available at this time the Planning Board has no comment. Vote was unanimously in favor.

36 Main Street, Lakeville, MA

Pauline – the site plan for 36 Main Street was approved at our February 23, 2015 meeting but the plan was not signed. I would ask the Board to sign the same at this time.
Plan was signed.

Bills

Brian Hoeg – I have a bill for advertising in the Middleboro Gazette in the amount of \$130.80 concerning the subdivision (Traci's Woods)

Upon a motion made by Peter Conroy and seconded by Sylvester Zienkiewicz, it was

VOTED: to approve the same for payment.

Zoning By-law Advisory Committee Member

Brian Hoeg - Notice has been received concerning the forming by the Board of Selectmen of a Zoning By-law Advisory Committee. They are requesting that we appoint one member from the Planning Board to be on the committee. Is there any member who would be interested in serving on this committee. Peter Conroy - I would be interested in serving.

Upon a motion made by Sylvester Zienkiewicz and seconded by Donald Bissonette it was

VOTED: to approve the same and notify the Board of Selectmen.

Update of Floodplain District Map

Brian Hoeg – at this time I would like to discuss available dates for a hearing concerning the Update of the Floodplain District Map. Pauline – if it is agreeable with the Board we could do the advertising in the Middleboro Gazette on April 2, 2015 and April 9, 2015 and have the hearing at 7:30 on April 27, 2015. Dates are agreeable with Board.

Meeting

Pauline – I would suggest April 13, 2015 and April 27, 2015 for our next meetings. Brian Hoeg – how does the Board feel about those dates?

Upon a motion made by Peter Conway and seconded by Janice Swanson, it was

VOTED: To set the dates April 13, 2015 and April 27, 2015 for the April , 2015 meetings at 7:30 p.m. Vote in favor was unanimous.

Adjournment

Chairman Brian Hoeg –At this time I would entertain a motion to adjourn

.Upon a motion made by Peter Conway and seconded by Sylvester Zienkiewicz, it was:

VOTED: To adjourn the meeting at 10:45 PM.
Unanimously in favor.