

September 10, 2007

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

Present: Brian Hoeg (Acting Chairman) W. Healey, G. Kashgagian and K. St. George

### **Curb Cut**

Brian – This is a curb cut for Paul Burner on Highland Road. The selectmen would like us to act on this tonight. I also have a copy of the recommendation from Chris Peck. Kevin – I make a motion that we recommend approval of the same but note that the letter of conditions from the Chris should be included with said approval. Greg – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

### **Form A**

Jon Pink – this is a Form A concerning 153 County Street. All that he is doing is cutting out his house lot from the remainder of the property. Walter I make a motion that we approve the same as submitted. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous. Check in the amount of \$200.00 was received.

### **Bills**

Brian – I have three bills that need to be approved for payment.

One is from the SouthCoast Newspapers (Middleboro Gazette) for the Lakeville Country Homes Hearing in the amount of \$93.50. Greg -- I make a motion that we approve the same for payment. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

The second is from HML concerning the Cold Storage site plan in the amount of \$1200.00 Walter I make a motion that we approve the same for payment. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

The third is for secretarial services for the month of August in the amount of \$351.39. Greg – I make a motion that we approve the same for payment. Walter – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

### **Paul Rathbun**

Pauline – Paul was in to see me on Friday. He said that he tried to record the plan as Jim suggested by crossing out the statement in the signature block and they would not accept it. He had a new linen prepared and would like to know if the Board would resign it form him. He left the old plan as well as the new plan with me so that you could see that no other changes had been made except for the signature block. Greg – I make a motion that we resign the plan as requested. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

### **Board of Appeals**

Brian – we have an application from the Board of Appeals concerning Matthew J. Robbins. What is the feeling of the Board? Kevin – I personally am in favor of it. It has a beautiful view. Kevin – I make a motion that we recommend approval of the same. Walter – I 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

### **Hearing re: Mosca – Lakeville Country Homes**

Notice as it appeared in the Middleboro Gazette was read by Brian. Ad appeared on August 16, 2007 and August 23, 2007. I would like to allow the petitioner to make their presentation and then if there are any questions I will allow you to speak. GAF – Paul Matos and Petitioner Gary Mosca. Paul M. – I represent Mr. Mosca concerning this 3 lot sub-division. The lots are 41, 45 and 45A. It is approximately 6 ½ acres. It is located off of Harcourt Avenue. We have shown the catch basins which presently go into our lot and have channeled it to the detention pond. The road is approximately 600 feet long with a 50 foot layout and pavement 24' wide. We are showing a burm on both sides. We have modified the detention basin and it has 1 foot of free board. All lots will be serviced by a well and septic system. We have reviewed Mr. Peck's suggestions and have no issue with any of them. We will be looking into the issue of emergency vehicles but would like to note that we did not receive anything from the Fire Department. Pauline – we have nothing in our file from the Fire Department. Brian – I understand that you will be addressing that issue. Eng. – yes. Brian – you need to get information from Conservation also. You need to check with them as concerns the waterhole. Are you asking for any waivers? Eng. None. Gary Mosca – Street name is wrong on the plan. It will be Morgan's Place. I am more than happy to work with the abutters and if at the end there are concerns with the small portions that will be left I am willing to sign off to the abutters at that time. Engineer – The road will be owned by the homeowners, an association or the town. Chris – can this be done as part of the project? I am concerned about modifying the basin and the concrete pipe. Robert Kershner. What will be the change? Chris – It will only improve the situation. ?? What is the elevation? Engineer – 2 & 3 will be lower. R. Kershner – will we still be able to get to the back? Brian – you would have to be crossing over someone else's property. Chris – I would also be concerned with crossing the burm and breaking it up. Engineer – we will revise the plan to show the well. Brian – you will need to do the following:

1. Change the name of the street.
2. Change the street light t—to the light at the utility pole.
3. Location of wells.
4. Chris' concern.
5. Inverts.
6. Fire Department concerns.

G. Mosca – I will say at this time that if everything works out I will be willing to give Kershner and Mary some additional land. Brian – if you are willing to do that

shouldn't you do it now? Engineer – we are willing to work with the abutters but we first have to see what will be best for our client. Brian – at this time I would suggest that you request a continuation of this hearing. Engineer – I would suggest we continue it to October 15. Pauline – I will need a request in writing. Engineer – I will see that you get it.

#### **Huntinghouse Brook – hearing continuation**

Darrin – at the last meeting it was suggested that we show the sidewalk to Lot 3 on the plan and we have done that. We have asked for the road waivers and in place of the same we are talking one build able lot with a private driveway. C. Longe – I am sorry, I was not able to be at the last meeting and do have a couple of concerns. Why the sidewalk to Lot 3? Darrin – the board requested that the sidewalk be continued to Lot 3. If the waivers are not granted 2 and 3 would be lots. We are talking a 700 foot road, at a cost of \$140,000.00 for the road. Kevin – it would be underground wiring? Walter – I make a motion that we approve the waivers as stated and send it upstairs for the 21 day appeal period. Brian – you need to make the circle touch the frontage. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

#### **Gene Bartlett – Form A – Woodland Ridge**

Outback Engineering – this is basically to change the lot lines on Lot 1 & 2. Greg – I make a motion that we sign the same as submitted. Walter – 2<sup>nd</sup> the motion. Brian – all in favor. Pauline – I believe that it should be \$200.00 for the filing fee not \$100.00. Engineer – I will bring in the additional \$100.00 on Tuesday. Vote was unanimous.

#### **Board of Appeals - Garvey**

Brian – this is a re-application from Garvey. You will see from the information that is with it that he neighbor was allowed to do a large building then what Bill is asking for. What is the feeling of the Board? Walter – I have a problem with saying no to Garvey when the Board has allowed something larger. I don't care what different opinions are but I personally feel that we have set a precedent by allowing the neighbor to have one and once you have done that how do you say no to someone who is asking for less. Brian can we have a vote? Walter – yes, Greg no. Brian yes Kevin no. Walter – I make a motion that we advise the Board of Appeals that we have a difficult time with something coming from them when they are inconsistent in their votes. Greg – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous. Letter to be sent to Board of Appeals.

#### **Bruce Taylor – earth removal**

Brian – this is for an earth removal permit for Bruce Taylor. Has the Board had an opportunity? Greg – I make a motion that we approve the same. Walter – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous. Form signed and given to Board of Selectmen.

**Gene Bartlett – partial release of funds**

Pauline – Gene Bartlett was in and is looking to have some of the funds that are being held released. Brian – do we have anything showing what Chris feels needs to be retained to finish the road? Pauline – here is a report from Chris in which he states that \$156,423.44 needs to be held to complete the work. Brian – here is the report showing what Chris feels that still needs to be done. I would suggest that we go along with Chris' figure but maybe round it off to \$156,450.00. Walter – I make a motion suggesting that we reduce the amount being held to \$156,450.00. Kevin – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

Pauline – next regular meeting will be September 24, 2007 at 7:30 p.m. By the way I will be gone from October 5, 2007 to October 21, 2007. Our first meeting in October would be the 1<sup>st</sup>.

Walter – I make a motion that we adjourn. Greg – 2<sup>nd</sup> the motion. Brian – all in favor. Vote was unanimous.

Meeting adjourned at 10:30 p.m.