

TOWN OF LAKEVILLE
Lakeville Planning Board Minutes
August 13, 2013 – 7:30 PM
Town Office Building

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

Present: Acting Chairman Sylvester Zienkiewicz, Peter Conroy and Donald Bissonnette. (Jim Marot – arrived late)

Zinc – As we have a quorum present I will begin the meeting

Robert Pollucci

Pauline – I have a request from Bob Pollucci concerning Roberts Road. I also have a letter from Chris Peck concerning the okay as concerns the condition of the road. Zinc – does anyone have any objection to the release of the funds? Peter – I make a motion that we approve the release of the funds. Don – 2nd the motion. Zinc – all in favor. Vote was unanimous. Pauline – I also have a copy of Bob's request to the DEP concerning a dock. This is only a formality to keep the Board informed. Nothing is required of the Board.

SRPEDD

Zinc – SRPEDD allows us 20 hours of time to assist us with any projects that we might have in mind. The last few years we have given the time to the Board of Selectmen. I would like to keep this time for the use of the Board itself this year as we may need the hours for zoning changes. As such, I would suggest we keep this time for our own use. Don – I make a motion that we allow Zinc to fill out the forms separate from the Board of Selectmen. Peter – 2nd the motion. Zinc – all in favor. Vote was unanimous.

Zoning Issue

Michele Bird - -- I am here about the rezoning article that failed at the Town Meeting. – My property is located at 132 Rhode Island Road at the corner of 79 & 18. I am interested in my property being zoned business. My mother who is located at 131 is also interested.. What can we do to make it happen? Zinc – it is on the agenda. It will come back. We will be doing it in pieces instead of one large portion. I was in favor and I feel it will go forward by the next town meeting. Michele Bird – will it come back in individual pieces. Zinc – we will go through it in small pieces. Michel Bird – will it be in time for the next meeting. Zinc – we will be discussing it before the next meeting. Hopefully it will be on the warrant. If there is a fall meeting it will be on otherwise it will be at the annual town meeting. Michele Bird – we are in favor. Don – by making it smaller pieces we get a chance to look at it more closely. Zinc – we will need to clean up the situation. People were confused with the mention of a Walmart. That will not

happen again. Don – you are interested in lots 1`31, 132 and 134? Michele Bird – that's correct. Zinc – Rhode Island Road is going to be widened.

Robbins Lane

P. J. – Outback Engineering. – I am here on behalf of Gene Bartlett. We are looking for direction as concerns the road.. We were looking at a 40 foot layout with 20 feet of pavement. First this is the entrance at Highland Road. Brandon – we are looking to have the area cleaned. P. J. – We can go 22 feet wide keeping the telephone poles that are not in the way. Mr. Zimmerman – Highland Road – how will this affect the stone wall. Steve Maguire – 40 Beech Street Dr. – will the stonewall be moved. P. J. – not this one. This is owned by Mr. Zimmerman. Steve Maguire – this stonewall has been there for a long time. Why are we trying to reconstruct the road? Zinc – As far as a Form A is concerned is being requested for the party. One of the questions is there access to the property. 1. A public way is not the case. 2. This roadway was accepted previously by a Planning Board . 3 – If the Planning Board decides that it provides virtual access to the property. In this case I believe that this is all we can do. John Ryder – I agree. Zinc – it is not so complicated. Brandon Richards – 18 feet of pavement with 3 feet on the side from the left side to the telephone poles. It is 20 feet. I don't know what we are gaining. If you move the poles it is different. Nothing needs to be removed. Jim – what is the width. There is an issue with the width to the pole. Brandon – what is existing is okay. PJ – it is 20 in some places. Brandon – we are not against the houses. Steve Maguire – 4 Beech tree Drive – Folkman & Zola planned to protect the stonewall. It is historical. Cheryl Maguire – we feel that road is adequate. Brandon – if the poles are not removed what is the problem. Steve Maguire – the houses are placed nicely and the stonewall has become nice. Jim – we asked for a 40 foot layout. It was never an issue about the walls. Zinc – I feel there is access to the property as it is. John Ryder -- -- the agreement with Folkman & Zola is what we will be working off the agreement to complete what is necessary. We will purchase Robbins Lane. Brandon – will the funds be made available before permits are issued. Jim – we will need a copy of the agreement so that it can be sent to Town Counsel to review. We have a right to make a determination as a Form A. Brandon – how does it work if it is a Form A. There will be an agreement between Bartlett and the association. Mr. Zimmerman – I have some questions concerning changes for the drainage and the way that the water comes Into my yard. Jim – the engineer has to prove that it will work. The drainage way will break it up as part of the storm water management. Mr. Bartlett – said that drains will be worked on Brandon – it was suggested. P. J. – the water will go where it goes now. There will be swales . All the water goes that way now. Mr. Zimmerman – this will take the water from the road. It will just get worst. Tad Zimmerman – this is a sponge. My land is flooded at least 3 times a year. We have to do something with the water up here. It is going to flood my property. It will be a marsh. We are at the bottom of the hill. P. J. – If we are going to keep the road like it is now with the swale there will not be more water. Jim – anyone else. Ryan Trainer 1`7 Robbins Lane. I would not like to see the property be cleared cut. Jim – the

plan shows the information concerning storm water management. P. J. – paving the road and adding the topcoat where necessary is what we had in mind. ?? has anyone checked with the associations that are involved.? Jim – I would need to talk with Mr. Ryder. We have some drainage issues. This has been submitted as a Form A not a Form C. I need someone to look over the plan with an engineer. Peter C – how is the entrance and exit from Highland Road. Jim – it will always remain a private e way. Brandon – it would be where the mail boxes are. John Ryder – The Form C agreement is nullified. P. J. – are we talking a one way. Jim – no. He will have to be in agreement with Mr. Bartlett. We have a definite drainage issue. P. J. – this is just a Form A. Ryan – I would like an opportunity to look at it more. Jim – three should be no additional run off. Zinc – he is taking more run off and not adding any additional runoff from the additional lots. Jim – as it stands the runoff is not sufficient. At this point we could turn the plan down until they give us the additional information for storm water management. The pavement is less width. We will turn it down and they will come back with modifications and it will still be a Form A. You could take over Folkman & Zola and it would be accepted as a Form A. J. Ryder. – yes. Brandon --- it shows us in some detail. There is a lot of detail missing. Gene – A Form A contains certain things How much information will you need. Jim – there is nothing said about the swale. P. J. – does the road have sufficient width and grade but not drainage. Jim – we need the information from you. Give us the detail that we need and the information that you have been given as far as working with the associations are concerned. John Ryder – we are taking over the work but not the expansion. Brandon – this plan is different. Jim – the plans are not the same. They will reduce the pavement, keep the stonewall and poles where they are. C. Noguera – the water flows down the other side of the road. S. Maguire – it has been crazy weather. The house are nice. Ryan – can we see more of the plan with the swales. Jim – we need to see enough detail. P. J. we will do a drainage plan. Brandon How about the associations. Huckleberry Shore has 17, Huckleberry Knolls – 8 lots and 3 additional house. There are another 5 lots. Also the other 9 might go in Huckleberry Knolls. S. Maguire Huckleberry Knolls was exclusive to the 8 lots. Ryan – this is the bus turnoff. Brandon – it is part of the road. Jim – this is being handled as a Form A. S. Maguire – we cannot hold him to a Form A. Jim – Mr. Ryder said all thins will be cancelled out. Atty Ryder – you have to deal with many parties. It will all start to fall apart. It would be an improvement. Don – is the width the same 3 feet on each side if we keep it as a Form A. They need to come back with more information on the drainage. Ryan – I am not opposed to the development but all of the work has not been done. Atty Ryder – it is our plan with a sizeable amount of work put into the town. Ryan – do you have any time frame. Atty – Ryder – 1 – acquire title 2 – deed the road over to the association and 3 we need the money to take care of the road work. S. Maguire – it is not normal. It is an added protection. It doesn't seem to have worked. S. Maguire – how is it going to happen. Jim – if it is a member I would favor what Mr. Bartlett has done. He has made modifications to the project. A Form A is handled differently from Form C. We can ask the engineering firm for a letter to extend time and we will turn

the plan down. Our next meeting will be August 27, 2013 – we need a letter from the attorney and the modifications to the plan. S. Maguire – I appreciate your opinion of Mr. Bartlett but can I take that to the bank? Don B – it is true. Jim – it is not the first time that Gene has solved our problem. Don – I make a motion that we allow Gene the additional time. Peter – 2nd the motion. Jim – any further discussion? Will that be enough time. Jim – I believe it will be okay. Atty. Ryder – the engineer will make reference to the previous plan and agreement and it would be helpful. Jim – all in favor. Vote was unanimous.

Form A – Prime Engineering

Gilliam Dr – 2 lots – Check received in the amount of \$200. Zinc – I make a motion that we sign the plan as submitted. Peter – 2nd the motion. Jim – all in favor. Vote was 3 in favor (Don Bissionnette abstained.)

Bills

Jim – I have a bill in the amount of \$40.54 for Nancy Yeatts. Peter – I make a motion that we sign the same. Don – 2nd the motion. Jim – all in favor. Vote was 3 in favor and Zinc –against.

Marijuana By-law

Jim – I would like to have the members take home the information concerning Marijuana and we can then discussed it more at the next meeting.

Rezoning article

Zinc – I assured Mrs. Bird that we would be taking it up for the next town meeting but in separate pieces. Jim – we will take it up starting at our next meeting on the 27th.

Adjourn

Zinc –I make a ,motion that we adjourn. Peter – 2nd the motion. Jim – all in favor. Meeting adjourned at 10:30 p.m.