

June 1, 2009

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

Present: Brian (Acting Chairman), Kevin St. George and Gregory Kashgagian

ZBA Petition – DeMoura

Jon Pink -DeMoura – Hemlocks (127/129) they are presently on a share septic system. They are talking demolishing 2 dwellings. Are you going to require that I show the easement. What is there presently is more than what will be put there. Money will be put in escrow. Brian – will it then be more conforming? Jon – system is pumped up and gravity fed. We need to have your blessing for ZBA. It will be less non-conforming. Greg – you are talking taking down 2 buildings. Jon – this is right on the water. We are reducing bedrooms by 1. Greg – is this a new driveway. Do they have 2 wells now? Jon – they share a well now. Brian – any further discussion? Kevin – I make a motion that we recommend approval. Greg – 2nd the motion. Brian – all in favor. Vote was unanimous.

CVS

Gary McCoy – I am here on behalf of CVS concerning the signs that they would like to be allowed to put on the building. The Board has expressed about face lit letters. We have deleted that and are talking what is called halo letters. I have deleted 4 signs on the building and have reduced the pylon sign to 10 feet and will be using the halo lighting also. All of the directional signs will be double sided. I have delete footage off of the building from 332 to 227. I have deleted the free standing from 52 to 27. I have changed the lighting to halo lighting. The plan shows signs on the 2nd page. Brian – I like the halo lighting. Greg – You took out about 100 feet. Gary – pylon sign has been cut in half and I got rid of the lighting. Greg – are you talking 3 feet tall for the letters? Gary – we could omit this and just have exit. We need something on the entry side. Greg – we are giving him a lot. I don't think Walgreen's has that much. Gary – CVS does try to keep it top class. Brian – we are talking 227 square feet. Greg – I am not in favor. Gary – 65 square feet is in the code. You need to look at it as a whole. It is a big building. Marcus – how much is Walgreen's. Gary – I did everything that you asked me to do. Greg – It would be my suggestion that you not ask for a vote tonight. I think you would fair better to come back. Pauline – we will be meeting on June 8, 2009. Do you want me to put you down for 7:30 p.m. Gary – please I would like to have your backing before I go to the ZBA. I want to say again I believe that I did everything that you asked of me. Greg – I make a motion that we ask him to return to our next meeting when hopefully there will be more members present. Kevin – 2nd the motion. Brian – all in favor. Vote was unanimous.

Hearing re Electronic Signs by-law

Brian – read the notice as it appeared in the Middleboro Gazette on May 7, 2009 and May 14, 2009. Please give your name and address when addressing the Board. Steve Savas – 36 Montgomery Street. – I guess my only question is why? Brian – The town has indicated to the Board that the residents have a preference for the town. People are really interested in the night sky by-law. Steve Savas – How many business zoned areas are there in town. Greg – we have to be concerned with the future and what areas there will be as well as the ones that are here. Steve S – Am I correct when I say the intent is not to allow the signs at all. Brian – this is nothing personal we are working for the people of the town. We take direction from the Master Plan Committee. Rocky Savas – 12 Edgewater Drive. – How did they come to this idea? Did they do a survey? Greg O'Brian – Hazel Street – I think I am hearing that this is something that came from Master Plan. I believe from what I am hearing that you are trying to prohibit them. Brian – We are trying to prohibit them from this point on. We are not trying to deal with the signs that are already here. They will be grandfathered. I believe that the residents are concerned with this looking like another Route 44 in Taunton and Raynham. Greg O'Brian – are you talking going forward. Why do you want to stop them. Why not put a moratorium on for one year and get more information and get the people together. Doug Mills – 334 Bedford St—why do we need to have a by-law. If you have a home in business where will the signs be? You are making a mistake. You have more concerns then signs. Rocky S. – the town is interested in more commercial but no matter who goes into it business needs to succeed – they need the advertisings. Our sign helps us greatly. Any business coming into town needs need the technical. They need this. We recently had a sign up for Boar's Head Cheese and because of the sign we out sold Shaws. We are there you are not going to take it away. We could sue the town for violation of our 1st amendment. We advertised my son-in-law's business and were told to take it off. I think we should pay attention on ways for the business in town to advance their business and make money from the town. The law states 1 – 2 seconds. Steve – it sounds quick but it is within the limit. Why are you bring it up to the night sky by-law, Greg – I think the town is worried about a number of places and it becoming congested with signs on anyone street. Darlene – Main St. – is commercial different than business. Brian – are district at this time are residential, business and industrial. Dennis Savas – 6 Pine Bluff. We follow all the guidelines. The difference between the sign that I now have and a sign that you change the letters on. Brian – we are looking at this on behalf of the town. Doug Mills – I think that you are making a mistake. Greg O'Brien – have we done research on this. Dennis – the guidelines seem to target us. They are all over town. Steve – I am doing what I am allowed to do with my sign. Brian – you have to realize that commercial usually look at it from their point of view. Darlene – Master Plan sent our a questionnaire and then asked the Planning Board to review it and make a recommendation when it goes to Town Meeting. Rocky Savas – we are here to help others who interested in getting their signs. We can give you proof. Greg O'Brien – I think that we need to do more research on this. Jim – Any further discussion. Greg – I make a

motion that we close the hearing. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous.

Blueberry Estates

Paul Meleedy—I am here because we are trying to help the new owner of Blueberry Estates. As far as the Assessors' Office is concerned this is being handled as if it were 23 individual parcels and consequently his tax bill is way higher than if it was handled as 1 parcel. Jim – I believe.

Neighborhood Business Zone

Cindy Bissell – I wanted to come in and explain my position on this article. I originally did not want it changed to a business zone. I educated myself and have since found that I would be in favor of the Neighborhood Zone instead of a regular business zone. You have to bear in mind that the Neighborhood Zone has restrictions and I would like the board to know that I am in favor of it and would like to be included. The special permit does not go with a new owner. I am not against it. We have to try to work with our neighbors. Darlene is a good neighbor and now that I understand the concept I want you to know that I am in favor and will say so at Town Meeting. Steve Couet does not want it but I don't see where it would do any harm. Why not include him in it. Steve Couet – I am not against the Neighborhood Zone. We felt that our property also is on Old Main Street and we feel it is not for us. We want it to stay as it is. I know there are restrictions. I have nice neighbors on only Main Street. Personally I am not opposed but I am not interested in being included at this time. Cynthia Bissell – If you don't do it at this time and you want to be included at a later date you will have to go through all that we are going thru now. ?? -- I thought that you were opposed to this? Cynthia – why would you think I was opposed. ?? I thought that you were. Cynthia – I was opposed to business but NBZ is very different. Steve Couet – Kim and I are not interested in being a part of it. Cynthia – the main entrance is on Main Street. I am here to be a part of this. Is this going to help Darlene's operate. ?? – what are you going to be able to do, that you can't do or are now doing. Darlene – as it stands now I recommend that people do not come around 9 a.m. or 3 p.m. Steve Couet – are you talking about 105? Brian – previously Lori Lane was residential. It is now business and it has been combined as all one zone. ?? that is a good point but as I see it we already have more commercial then we need. Brian – NBZ is better then out and out commercial. Cynthia B – I had to protect myself. She went above and beyond and she needs to go back to business. I am trying to comprise with going along with the NBZ. Steve C. – Is it a problem if we did not want to be included. Brian – we can suggest that the properties be included or excluded. David Pespi – when Luke was talking it made me think. I have looked at it and I like it being residential. Brian – is there anything different, which we have not previously discussed, I would at this time close the hearing. I would also ask the Board if they would like to take a vote at this time. Greg – I make a motion that we recommend approval of this article with the 2 parcels being eliminated as

requested by the owners. Kevin – 2nd the motion. Brian – all in favor. Vote was unanimous.

74 A Pickens Street

Marcus Baptiste – I am here requesting that your Board act on my request for a curb cut at 74A Pickens Street. Brian – I have a letter from Chris Peck with his recommendations and I would like to read it to you at this point. (Letter read by Brian and made a part of the file) Greg – I make a motion that we recommend approval of the same provided that Chris' statements are addressed. Kevin – 2nd the motion. Brian – all in favor. Vote was unanimous.

Cedar Pond Preserve

Pauline – I received a call from one of the residents of Cedar Pond concerning certain requests and problems that they are having. Do you want me to contact Ron? Greg – I make a motion that we request the residents prepare a list and then contact Ron and ask him to come into the Board. Kevin – 2nd the motion. Brian – all in favor. Vote was unanimous. Pauline to contact resident and once we receive the list the Board will review it and get in touch with Ron.

Greg – I make a motion that we adjourn. Kevin 2nd the motion. Brian – all in favor. Meeting adjourned at 10:15 p.m.