

June 18, 2007

Members present: J. Marot, G. Kashgagian and Walter Healy

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

Bill Markson

Jim – our first order of business comes from the Zoning Board of Appeals matter concerning the burm along the front. Jason -- Our design is for a 5 foot burm and landscaping. Bill – there will be brush along in here. Jim – put the trees lower than dense evergreens. Bill – I have a call to Leo's Landscaping. Jim – the parking lot is the same elevation as the burm. Bill – 4 – 6 foot plantings. Jim – the burm is adequate. We need to know the plantings. Bill – how about a row of trees a minimum of 6 feet high. Maybe 4 to 6 feet high. There is quite a difference in the price the 6 feet are kind of pricey. Greg – I think it is a small sacrifice for the 6 foot tree. Bill – it is 160 feet – approximately 16 trees (white pine) along the top of the burm – 7 maples to the street line and all other trees on the plain remain. Jim – I think we should have an additional 4 white pines along this area. Walter – I make a motion that the following trees are to be planted along the top of the burm – 20 white pines a minimum of 6 feet, 7 maples to the street line and all other trees on the plan to remain. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

QB Homes – Form A – Cedar Pond Preserve

Dan – SITEC – I have a Form A for lots 25-10B and 25-11B- Walter – I make a motion that we sign the plan. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous. Check in the amount of \$200.00 was received.

Michael Haikel (Spring Brook Estates)

M. Haikel -- I have three items left in order to finish the road. Finish coat on roadway and sidewalks, trees and grass strips. I have a quote from P. Bettie in Mansfield of \$24,100.00 Jim – I have a few notes from Chris Peck that I would like the members to review. M. Haikel – It is my understanding that once I put up the necessary bond that the lots will be released. Is that correct? Jim – you will need to funds in the amount of \$30,000.00 to be given to the Treasurer's Office and we will then release the lots. Greg – I make a motion that the amount of \$30,000.00 needs to be in place for a bond. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous. Pauline – I will notify Deb and once she has received the bond I will do a letter releasing the lots.

Jeff Youngquist – Form A (Procaccini)

Walter – I make a motion that we recommend approval of the same. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Jamie Bissonnette

Jamie -- My attorney took the plan down to the Registry to be recorded and they would not record the same because the plan did not say either required or not required. They told me that the word required need to be added. Consequently I have had the word added and I will now need the plan to be resigned and I have also brought copies of the deed restriction with a new date. Walter – I make a motion that we approve the new plan with the word required added in the Planning Board box. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Jason Youngquist – Owner – Gavin Barbosa.

Jason – we would be looking for waivers. We are looking for 1 house – this parcel is 6 acres. Jim – my first reaction – this should go to ZBA and ask for a waiver of frontage. Jason – is it worth coming to this Board or is it something that you would not consider. Jim – you can see if adjusting lot lines right around the corner. I think you should consider going to the ZBA because we have been turning people down beyond the 750.

Gerry Yarrigle

Attorney Michaud – I am here on behalf of Mr. & Mrs. Yarrigle. This is Mr. Babcock from Tibbetts Engineering. When Christen Brook was put in Mr. Yarrigle expressed his concerns the flooding of his property. After much deliberation plans were submitted with a catch basin. It was installed but it is not sufficient. Mr. Babcock – the pond has 10 acres. This dates back to 1979 – there is no outlet. The natural outlet no longer exists. It is 1 – 17 cubic foot per second in a 50 year storm. I checked with both Azor and Nick Lanney and was told that neither one of them have any calculations. The pipe line capacity $\frac{1}{2}$ - 1 per second. It is undersized by 100%. A 50 year 13.2. Attorney - Mr.Yarrigle use to see an elevation of 99. He seems considerably higher now – An eight inch pipe line will not handle it. There are no calculations. Mr. Babcock is saying it does not work. Jim – an agreement was signed. Attorney – Calculations was not done. The Town thought that what was given was correct. I feel that the town did not get what it paid for. Jim – just what are you looking for at this point. Attorney – we want the town to step in and take care of this. They sold us a plan which does not work. Jim – you and Mr. Yarrigle agreed to this. Attorney – the town gave the okay to the developer. Attorney -- we were depending on the town and their engineer. Mr. Babcock – he has not been flooded yet but this is definitely undersized. The 8" is not perforated. I am going to say it is going to fail. There is a standard for a culvert . The Army Corp of Engineers has a standard for 50 years event. Jim – the understanding that I have concern this is that it was a courtesy thing. I personally have been out there for every major storm and have not seen a problem there at all. Mr. Babcock – by raising the road you caused this problem. Attorney – we want to see if the town will help us with this problem. It was represented by Azor that it would be okay and by Mr. Lanney. We voiced objections and were assured b y both engineers that it would work. I think that it should be a concern to the Town as they were mislead with

the information given to the town by both engineers. I would think this should be a big concern to the town. Babcock – we did the calculations it does not meet the calculations of the Army Corp of Engineers. It is not build within the easement. It is outside of it. Jim – what are you suggesting? Babcock – 8” to 24” pipe to open area and abandon the rest of the way. Then to a swale 3 feet wide by 1 foot deep. Jim – I will present this to the Town Officials.

Bills

Jim – I have a bill for secretarial services in the amount of \$222.92. Walter I make a motion that we approve the same for payment. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Mail

Jim – I have a letter from Kopelman & Paige concerning Kensington Court at the Lakeville Station. I have asked Pauline to make copies for all of you so that you can have a chance to review the information. Greg – I make a motion that we table this to our next meeting at which time we can review it. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous.

Site Plan

Pauline – Jon Pink dropped off the site plan for the cold storage building – it is to be placed along side of the building that they already have there. Jim – we need to tell Jon that we need more information such as landscaping, lighting, employee count, hours of operation and snow removal plan. I would suggest that Pauline contact him and tell him that he should be prepared with this information when he comes in on July 2nd. Walter – I make a motion that Pauline contact Azor and advise him as to the information that we will be looking for. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous. Jim – I think that it will also be a good idea to send a letter to the LDC suggesting that they look at requesting more information concerning landscaping, signs, and lighting. Walter I so move. Greg – 2nd the motion. Jim – All in favor. Vote was unanimous. Letter to be sent.

Pauline – I have a Form C from Roan Barber and with permission of the Board would like to advertise the same in the Middleboro Gazette on June 28, 2007 and July 5, 2007, scheduling the hearing for July 16, 2007 at 8 p. m.

Pauline – next regular meeting July 2, 2007.

Walter – I make a motion that we adjourned. Greg 2nd the motion. Jim – all in favor. Meeting adjourned at 10:45 p.m.