

**March 2, 2009**

**Continued to 3/16/09**

**March 16, 2009**

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

Present: J. Marot, K. St. George, and Gregory Kashgagian

**Ed Faria – Nelson Shore**

Jim – I have looked over the Release and have made changes taking out the Town of Lakeville and inserting Priscilla Shores Association. If it is agreeable I would suggest that we have Pauline type up a new release and return it to us at our next meeting. Greg – I make a motion that we have Pauline type up a new release with the changes and then submit them to Nelson Shore. Kevin – 2<sup>nd</sup> the motion.

**CVS**

Pauline – I received a call from CVS and they requested to be put on our Agenda. I gave the April 6, 2009 and April 28, 2009. According to Bob they are asking for more signs then appear on the site plan. He told them that they would have to go to the ZBA for a Special Permit.

**Huckleberry Shores\**

Pauline Mr. Nashawaty and Mr. Folkman were in to the last meeting and have agreed to try for better communication and they will come back to the Board if there are any further misunderstandings.

**Savas – Dunkin Donuts**

Nancy – I have been asked whether or not there is anything in the plan with the Planning Board concerning the Drive-Up Greg – Is there a problem with the septic failing. Nancy – yes there is a problem and they are suggesting cutting the size of the drive thru path to the drive up window. Jim – this was a ZBA petition. When they came in later for a modification our minutes show that one of our greatest concerns was parking. I believe that the ZBA should have the plan. Nancy – who are they suppose to go to. I don't want to see them getting really involved in this project and then being told that they are doing something that they are not allowed to do. I want to be sure it is done right. I just want to make sure it is done correctly. Jim – It requires the petitioner to go back to the ZBA. Greg – will they be able to keep it open while they are working on the septic system. Jim – he needs to go to the ZBA.

**8 p.m.**

**National Development Hearing continuation**

Same members present

Jim – at this time I would like to turn the hearing over to Sherry. After she has made her presentation I will take questions or comments from those present but please remember to give you name and address.

Sherry – I believe that we were going to try for a working session. I have noted and heard from you concerning your issues. Greg – do we have a better count. Sherry – 75 units. I think it will fit well in this area. Greg – I believe that one of the biggest concerns is the kid factor. Sherry – this plan does respect the buffer zone. It is a 100 foot buffer zone. Driveways are allowed but no buildings. We are respectful of the buffer zone. I am sure we will require conservation's notice of intent. We were thinking in phases. 100 would be very hard to shoe in here. I have tried to come up with some other ways. I hope this would mitigate. Greg – could there be something with age. Sherry -- Oak Point does not allow children. At least 1 member must be 55 under present conditions. Under current zoning there could still have a child. I talked to legal counsel. It is unlawful to state occupancy except as adult community or older community. Jim – Massachusetts Planners state that almost every community has been inundated with 55 and over. All most all communities has been asked to eliminate e the age restrictions. Sherry – no amenities geared to children. We are trying to limit occupancy by the design or restrictions. There are no limits to rules, regulations and policy. There are conditions that could be made a part of the development. We have looked at three categories, nursing and assisted, senior or elderly, active senior. Limited occupancy adult target. Kevin – what are you doing about driveways and parking areas? Sherry – this is an area for parking or staging. It will be gone. We had to show we would not be parking on the road. Greg –will you be cleaning up the dump first? Sherry – the bigger issue is and will be to clean it up. We have to remove the dump. Greg – what about the rest of the buildings? Sherry – we would have to do the dump but not necessarily all the rest of it. The person we are working with feels the 8 story building would have to come down. Greg – the only access is Rhode Island Road. There is a desire on our part to have more than the one type of design. You have to make it special. Sherry – we have to work with the topography. It is relatively flat. We want to make it look natural. I tried to make notes concerning what we have been talking about. This is expounded from the last time. This would take Section 4 and strike it out and put this in "Limited Uses" The thought is that the Planning Board would review and see if it would meet what others are offering. The Master Bedroom would be on the 1<sup>st</sup>. floor. We could have a Design Review Committee appointed by the Planning Board. Greg – I just think the more people the harder it is to get people to agree. Sherry – we were looking at 1 parking space per unit—It would be one space and a garage. Anything else would be on the street. Greg – what about street lights? Sherry – there would be external

lights on the building and post lights with signs mostly at a corner. I don't think I can say no children. People normally want to go to places where there are other children. Do you think there need to be more? Jim – I think that it is good to provide what we are looking for and the majority of the abutters would be agreeable. I am sure you would you could have covenants as well. Sherry – this is to give age restrictions. Site Plans will enable you to put in more. I can add additional conditions. Jim – I don't want the association to change things. Sherry – rules and regulations have to come to the Planning Board for approval. Greg – I would like to see something about recreational vehicles. Sherry – I will try to add more to it. Jim – Part 4 – adds landscaping and lawn maintenance. Sherry – I believe we will have some walkways. I am thinking about walk ways and trails by Conservation. Kevin – we require sidewalks but they walk in the streets. Jim – I would hope an 8 feet strip. Sherry – I don't think you will see much of the traffic there. The town will not be responsible. Greg – do they have basements. Sherry – I am not sure, I think there would be some with and some without. I am saying I am not sure. Greg – I think it is a good selling feature. Sherry – I do not no the answer. Nancy – what about the association and how is it going to work? Jim – they are pretty well maintain. Sherry – there is a fee every month – usually a management company and it is in the deeds. I will look for a covenant sample. Mr. Scott – the zoning is a residential mix use and we were told it would be a campus setting with cottage type approach somewhere along the line of 25 cottages and 75 condos. I submit to you that at 74 units you are cramming these houses. It is my understanding that there would be a limit on the bedrooms. We are not proving any open space. The original campus setting seems to be gone. No city water. Sherry – we are talking individual water. We are talking 75 units – building apartments – 20/25 cottages. We don't think it there is any market here. Scott – where will the septic being. Sherry – we are talking multiple sites. Scott – what about the provision for open space. It does not seem to provide for it. If sewer becomes available will you change it. Before we remove the age restriction we need to be concerned with septic, drainage, density and setting. Conservation needs to be involved and make sure there is wetland protection. I think it needs the town needs to say what is your 5 year plan. The commercial area is getting smaller and smaller. This will not work financially. It needs to be a lower price range. I think it is a big mistake to even be thinking about more students in the school system. Sherry – we will come before the Board of Health. We have to comply, you can not rule on septic systems. We will also need to go to Conservation. We will meet with the open space requirements. We will come in for sit e plan review. We are not asking for relief of the open space. Jim – we realize that what we need to address at this time is only the age restriction. Sherry I would be willing to come back. If there is a condo association you need to have it to be added for part of the approval. Anything in the mixed use we have to come back and give notice. Linda Grubb – I am concerned about the effect on the children. Greg – they will no going in. It will be enforced by the association. Linda – to me it is a big issue. Scott – if you want to give this project a hit we need to look at the 5 year plan. The bottom line is we need the commercial. Jim – I don't remember it being offered to the town.

Kevin – anything in the future about water and sewer. Nancy – Chuck and Rita when to Boston for sewer. They are assessing the capacity. It may be possible. One of my concerns is what happens if you are unable to complete the whole thing. Will it be finished? Sherry – I would suggest that our primary concern is to finish it. I think if it is done in phases there would be lag time. Nancy – 40R would be a kick for commercial. Sherry – it would help. ??? are you going to develop the site as far as the roads go. Sherry – I would think you would have to do the main things. One thing is the entire drainage and storm water. I am not sure about the roads. Jim – at this time I would suggest that we continue this matter to April 13, 2009 if that is agreeable with the petitioner. Sherry – I do not have a problem with that date. Jim – every town I talked with has a problem with 55 and over. There are way too many that fall into this category. One of the main things is that it does not limit what you think it does. It still brings in more children if someone in Lakeville sells there home to go into over 55 and they sell to someone with children. The children are still getting into the school system. The only difference is age – the town needs to make a difference.

Sherry – the site plan was originally signed on March 7, 2007 and would like to request that an extension of time be given. Jim – I don't see a problem but would request that you make the same in writing.

#### **Meeting Dates**

April 13, 2009 and April 28, 2009

#### **Neighborhood Business Zone**

Greg – I think that we agreed that we were looking for more information. Jim – I think that it needs to go to Town Meeting. I have a hard time because of no larger buildings. I don't see what the problem is if you have the space. Linda – it is no going to take it away from the neighbor.

#### **Kopelman & Paige**

Pauline – I have given each of you a copy of the Stipulation of Agreement concerning Woodhouse. We need to take a vote giving Kopelman & Paige to sign the same. Kevin – I make a motion that we vote to sign the same. Greg – 2<sup>nd</sup> the motion. Jim – all in favor. Vote was unanimous. Pauline will notify either Rita or Kopelman & Paige that we have vote that the same be signed.

Meeting adjourned at 10:45 p.m.