

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

LAKEVILLE TOWN CLERK
RCUD 2022 JUN 7 AM 11:06

48-hr notice effective
when time stamped

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A §18-22 (Ch. 28-2009). Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	Planning Board
Date & Time of Meeting:	Thursday, June 9, 2022 at 7:00 p.m.
Location of Meeting:	Lakeville Police Station 323 Bedford Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

1. Site Plan Review – 156 Rhode Island Road, continued – T. Sikorski Realty, LLC – applicant
 - Accept request to continue
2. Site Plan Review – 2 Bedford Street, continued - Thomas J. Parenteau of PBT Real Estate-applicant
3. Gillian Drive – revised Landscape Plan – Jamie Bissonnette
4. Review the following Zoning Board of Appeals petitions:
 - a. Dixon – 36 Main Street
 - b. TAC Vega MA Owner, LLC – 310 Kenneth W. Welch Drive
5. Discuss the use of SRPEDD hours for Open Space Plan update
6. Approve the April 28, 2022, Meeting Minutes
7. Review correspondence
8. Old Business
9. New Business
10. Next meeting. . . June 23, 2022
11. Any other business that may properly come before the Planning Board.
12. Adjourn

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Planning Board arise after the posting of this agenda, they may be addressed at this meeting

Cathy Murray, Appeals Board Clerk

#1

From: tyler sikorski <tsikorskient@gmail.com>
Sent: Thursday, June 2, 2022 6:56 PM ✓
To: Cathy Murray, Appeals Board Clerk
Subject: Re: Amended Site Plan-156 Rhode Island Road

Hi Cathy,
We still have a bit more work to do, I'd like to request another continuance if possible.
Thank you.

On Thu, Jun 2, 2022, 3:19 PM Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org> wrote:

Bob/Bill/Tyler,

Please advise if you will be presenting an amended plan at the next regularly scheduled Planning Board meeting on June 9th. If not, please forward a continuance request in order that the agenda can be posted properly.

Thank you.

Cathy

From: Cathy Murray, Appeals Board Clerk <>
Sent: Friday, May 20, 2022 11:33 AM
To: Bob Rego <brego@riverhawkllc.com>; bkenney@riverhawkllc.com
Cc: Marc Resnick (mresnick@lakevillema.org) <mresnick@lakevillema.org>; mjknnox05@gmail.com; Pete Conroy <pete.conroy@comcast.net>
Subject: Amended Site Plan-156 Rhode Island Road

Good morning Bob/Bill,

I just wanted to touch base with you regarding this Site Plan. It was my understanding that The Planning Board would be receiving an amended plan this week so they would have time to review and send out to Boards for any additional comments. I know that Bob injured himself and that might not now be possible.

#4



Town of Lakeville
Lakeville Town Office Building
346 Bedford Street
Lakeville, Massachusetts 02347

OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

TO: Building Department
Planning Board ✓
Conservation Commission
Board of Health

FROM: Board of Appeals

DATE: May 31, 2022

RE: Attached Petitions for Hearing
Dixon – 36 Main Street
TAC Vega MA – 310 Kenneth W. Welch Drive

Attached please find copies of two (2) Petitions for Hearing, which have been submitted to the Board of Appeals. The hearings for these petitions will be held on June 16, 2022.

Please review and forward any concerns your Board may have regarding these petitions to the Board of Appeals, if possible, no later than Monday, June 13, 2022.

Thank you.

#4a

3/29

Petition to be filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE MASSACHUSETTS

RECEIVED MAY 24 2022

ZONING BOARD OF APPEALS PETITION FOR HEARING

BOARD OF APPEALS

Name of Petitioner: JULIA DIXON

Mailing Address: 5 PARKWOOD DRIVE WAREHAM MA 02571

Name of Property Owner: JULIA DIXON

Location of Property: 36 MAIN STREET LAKEVILLE MA 0234

Property is located in a residential [checked] business industrial (zone)

Registry of Deeds: Book No. 14855 Page No. 141

Map 062 Block 001 Lot 010

Petitioner is: [checked] owner tenant licensee prospective purchaser

Nature of Relief Sought:

[checked] Special Permit under Section (s) 6.1.3 of the Zoning Bylaws

Variance from Section (s) of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial

Brief to the Board: (See instructions on reverse side - use additional paper if necessary.)

I am applying for a special permit to extend the existing steel building to accommodate a naproom for our daycare dogs. 15' x 44'

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH REFERENCE TO THE ABOVE PETITION OR APPEAL. ALL OF THE INFORMATION ON THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE AND CONFORMS TO THE REQUIREMENTS ON THE BACK OF THIS PETITION FORM.

Petitioner: Julia Dixon

Date: 5/19/22

Signed: Julia Dixon

Telephone: 508 946 3647 508 572 2886

Owner Signature: (If not petitioner)

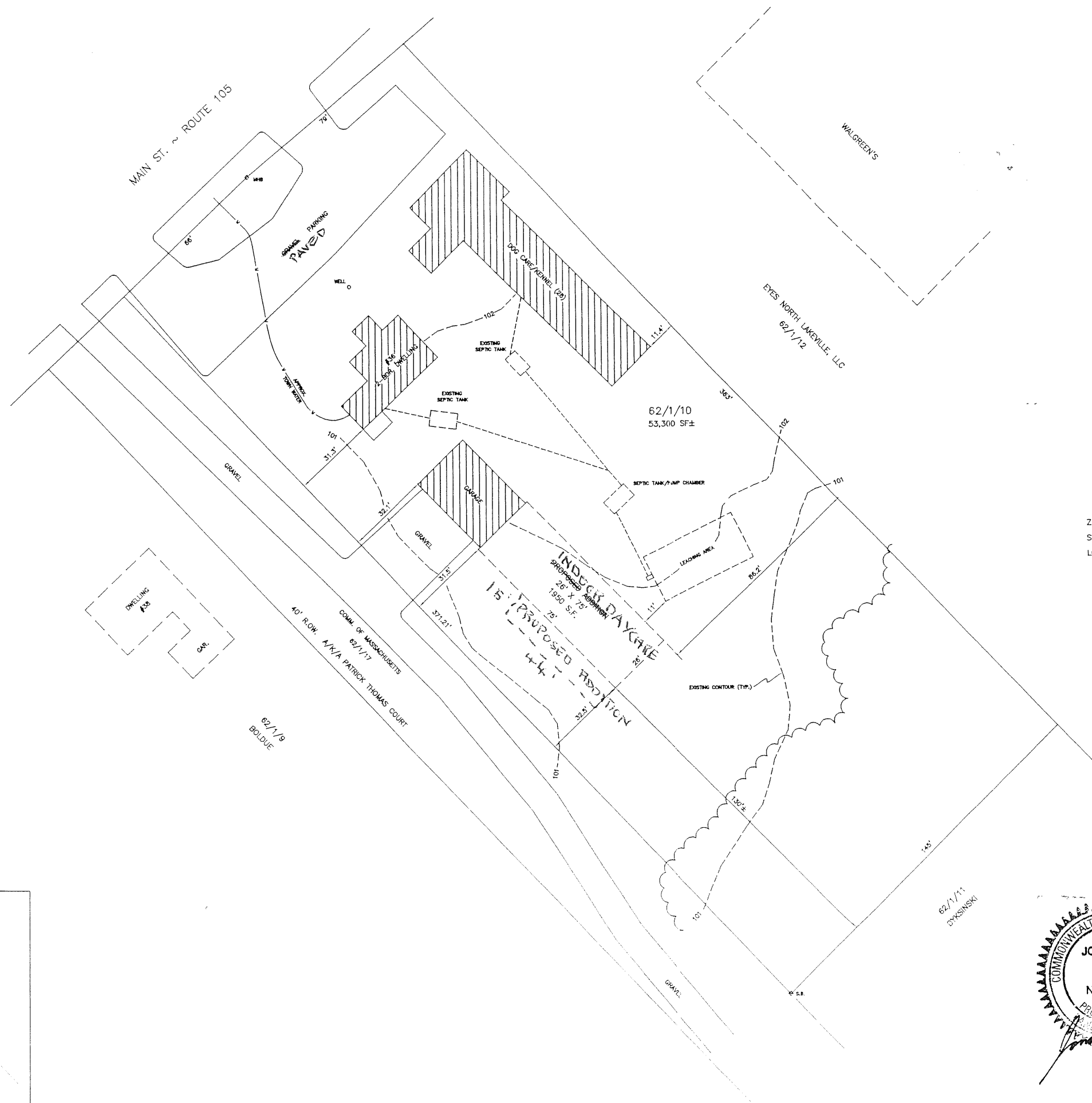
Owner Telephone: 508 572 2886 cell

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

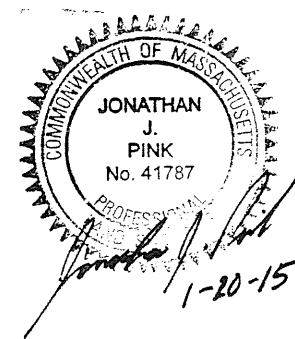
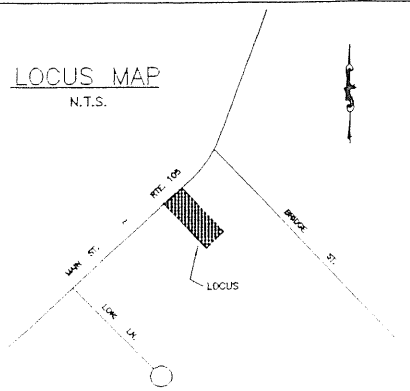
Yes [] No [X]

(Name and Title)



ZONING: BUSINESS
 SETBACKS: FRONT, REAR & SIDE - 40'
 LOT COVERAGE: PROPOSED (21%) ALLOWED (50%)

LOCUS MAP
 N.T.S.



SITE PLAN					
PREPARED FOR:	JULIA DIXON				
LOCATED AT:	#36 MAIN ST. LAKEVILLE, MASSACHUSETTS				
DATE	SCALE	DRAWN	CHKD	JOB NO.	
1/20/15	1"=20'	JJP	SC	214-145	
AZOR LAND SCIENCES INC. CIVIL ENGINEERS & LAND SURVEYORS 328 BEDFORD ST. LAKEVILLE, MA. 02847 TEL. (508) 946-5427 AZORS26@VERIZON.NET					

#46

Petition to be filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE MASSACHUSETTS ZONING BOARD OF APPEALS PETITION FOR HEARING

RECEIVED MAY 25 2022

BOARD OF APPEALS

Name of Petitioner: TAC Vega MA Owner, LLC

Mailing Address: 3414 Peachtree Rd, Suite 990 Atlanta, GA 30326

Name of Property Owner: TAC Vega MA Owner, LLC

Location of Property: 310 Kenneth Welch Dr., Lakeville, MA 02347

Property is located in a residential business X industrial (zone)

Registry of Deeds: Book No. 42252 Page No. 256

Map 061 Block 002 Lot L003

*Per Massachusetts Interactive Property Map

Petitioner is: X owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) of the Zoning Bylaws

X Variance from Section (s) 5.1 of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial

Brief to the Board: (See instructions on reverse side - use additional paper if necessary.)

On behalf of the owner, we would like to petition for a hearing to discuss the proposed site layout changes at 310 Kenneth Welch Drive. The proposed layout exceeds the maximum lot coverage (with density bonus) of 70% by 3%, at 73%. This slight overage allows maximization of on-site parking to alliviate parking on Kenneth Welch drive and maintains the proper buffers for on-site wetlands.

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH REFERENCE TO THE ABOVE PETITION OR APPEAL. ALL OF THE INFORMATION ON THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE AND CONFORMS TO THE REQUIREMENTS ON THE BACK OF THIS PETITION FORM.

Petitioner: TAC Vega MA Owner, LLC Date: 5/25/2022

Signed: [Signature] Telephone: 770-400-9681

Owner Signature: Owner Telephone:

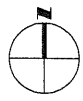
(If not petitioner)

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

X Yes No

Terence Russell, Epstein Project Manager (Name and Title)



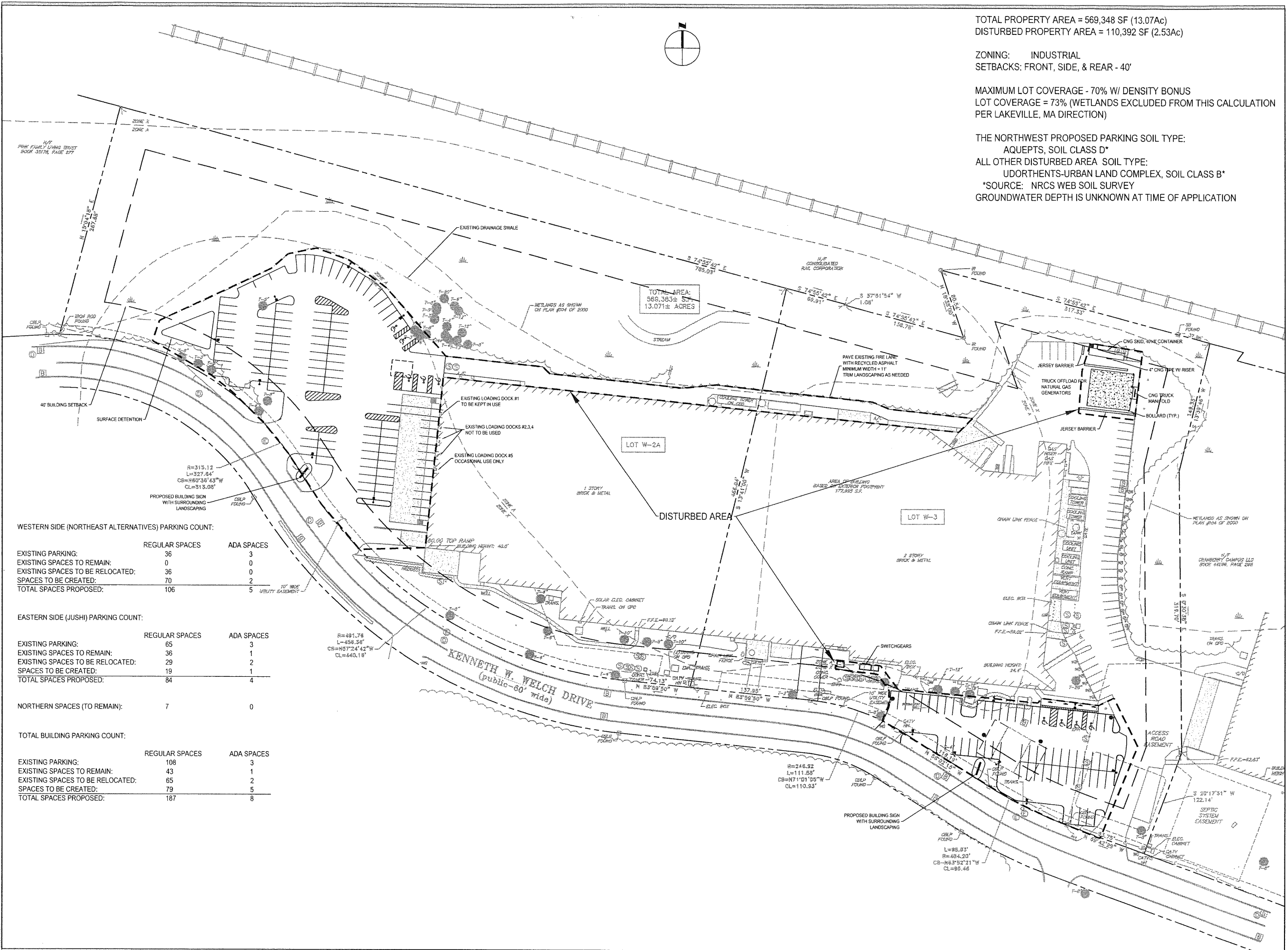
TOTAL PROPERTY AREA = 569,348 SF (13.07Ac)
 DISTURBED PROPERTY AREA = 110,392 SF (2.53Ac)

ZONING: INDUSTRIAL
 SETBACKS: FRONT, SIDE, & REAR - 40'

MAXIMUM LOT COVERAGE - 70% W/ DENSITY BONUS
 LOT COVERAGE = 73% (WETLANDS EXCLUDED FROM THIS CALCULATION PER LAKEVILLE, MA DIRECTION)

THE NORTHWEST PROPOSED PARKING SOIL TYPE:
 AQUEPTS, SOIL CLASS D*
 ALL OTHER DISTURBED AREA SOIL TYPE:
 UDORTHENTS-URBAN LAND COMPLEX, SOIL CLASS B*
 *SOURCE: NRCS WEB SOIL SURVEY
 GROUNDWATER DEPTH IS UNKNOWN AT TIME OF APPLICATION

N.P.
 PINK FAMILY LIVING TRUST
 BOOK 35178, PAGE 277



WESTERN SIDE (NORTHEAST ALTERNATIVES) PARKING COUNT:

	REGULAR SPACES	ADA SPACES
EXISTING PARKING:	36	3
EXISTING SPACES TO REMAIN:	0	0
EXISTING SPACES TO BE RELOCATED:	36	0
SPACES TO BE CREATED:	70	2
TOTAL SPACES PROPOSED:	106	5

EASTERN SIDE (JUSHI) PARKING COUNT:

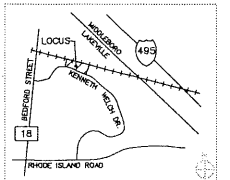
	REGULAR SPACES	ADA SPACES
EXISTING PARKING:	65	3
EXISTING SPACES TO REMAIN:	36	1
EXISTING SPACES TO BE RELOCATED:	29	2
SPACES TO BE CREATED:	19	1
TOTAL SPACES PROPOSED:	84	4

NORTHERN SPACES (TO REMAIN):

	REGULAR SPACES	ADA SPACES
EXISTING PARKING:	7	0

TOTAL BUILDING PARKING COUNT:

	REGULAR SPACES	ADA SPACES
EXISTING PARKING:	108	3
EXISTING SPACES TO REMAIN:	43	1
EXISTING SPACES TO BE RELOCATED:	65	2
SPACES TO BE CREATED:	79	5
TOTAL SPACES PROPOSED:	187	8



NO.	DATE	REVISIONS/ISSUANCES
01	05/24/2022	ZONING BOARD

EPSTEIN
 Architecture
 Interiors
 Engineering
 Construction

Chicago
 New York
 Bucharest
 Warsaw

800 W. Fulton Street
 Chicago, IL 60661-1259
 (312) 454-9100
 www.epsteinglobal.com

PROJECT NUMBER: 22157
 PROJECT MANAGER: T. RUSSELL
 PA/PE: T. SMILES
 DRAWN BY: G. CORTEZ
 CHECKED BY: D. HILTY

Civil Engineer
 Epstein
 800 West Fulton Street
 Chicago, Illinois 60661-1259
 312.454.9100

Owner
 Vega Strategic
 3414 Peachtree Rd, Ste 990
 Atlanta, GA 30326
 770.400.9681

Project
 Vega Strategic - Lakeville
 310 Kenneth Woods Dr
 Lakeville, MA 02347



ZONING BOARD
 EXHIBIT

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, April 28, 2022**

On April 28, 2022, the Planning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Michele MacEachern, Jack Lynch, Nora Cline

Others attending:

Marc Resnick, Town Planner; Bob Rego, River Hawk Environmental, Tyler Sikorski, applicant; Keiko Orrall, Andrew Murray, Robert Gulick, Linda Dufresne, Norman Orrall; abutters

Public Hearing (7:05) - To amend the Zoning By-Law Section 6.7 Site Plan Review by deleting the existing section and replacing it with a new Section 6.7... Appeals.

Mr. Knox advised this public hearing has been rescheduled to May 12, 2022, at 7:05.

Public Hearing (7:15) – To amend the Zoning By-Law Section 2.0 Definitions by adding additional definitions related to signs and deleting the existing Section 6.6 Sign Regulations and replacing it with a new Section 6.6 Sign Regulations...Appeals.

Mr. Knox advised this public hearing has been rescheduled to May 12, 2022, at 7:15.

Public Hearing (7:25) – To amend the Zoning By-Law by adding a new Section 7.10 Open Space Residential Development which would allow by Special Permit the approval of a subdivision plan that allows. . .Approved Special Permits.

Mr. Knox advised this public hearing has been rescheduled to May 12, 2022, at 7:25.

Public Hearing (7:35) – To amend the Zoning By-Law Section 7.4.6 Specific Uses by Special Permit, Auto or Boat sales, rentals or service by deleting Industrial Districts and replacing it with Business District.

Mr. Knox advised this public hearing has been rescheduled to May 12, 2022, at 7:35.

Site Plan Review - 2 Bedford Street, continued– Thomas J. Parenteau of PBT Real Estate - applicant

Mr. Knox said they had an email request from the applicant's attorney to continue. Ms. Cline made a motion, seconded by Mr. Conroy, to continue the Site Plan Review for 2 Bedford Street until their May 12, 2022, meeting at 7:00 p.m. The vote was **unanimous for**.

Site Plan Review - 156 Rhode Island Road– T. Sikorski Realty LLC - applicant

There was no one yet present, so the Board continued with their agenda.

Review the following Zoning Board of Appeals petition:

- a. Solana – 29 Pilgrim Road

Mr. Conroy made a motion, seconded by Mr. Lynch, to make no comment on the petition for Solana at 29 Pilgrim Road. The **vote** was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Mr. Lynch, to approve the Minutes from the March 24, 2022, meeting. Mr. Conroy, Ms. MacEachern, Mr. Lynch, Mr. Knox-**Aye**; Ms. Cline-**Abstain**

Ms. Cline made a motion, seconded by Mr. Lynch, to approve the Minutes from the April 14, 2022, meeting. Ms. MacEachern, Mr. Lynch, Ms. Cline, Mr. Knox-**Aye**; Mr. Conroy-**Abstain**

Mr. Knox then made a motion, seconded by Ms. MacEachern, to take a brief recess. The **vote** was **unanimous for**.

Mr. Knox then called the meeting back to order.

Site Plan Review - 156 Rhode Island Road– T. Sikorski Realty LLC - applicant

Mr. Bob Rego from River Hawk Environmental was now in attendance. He apologized for the delay and then displayed the proposed Site Plan for 156 Rhode Island Road. He advised there was an existing building on the site and a gravel parking lot which surrounds the building. It currently has three curb cuts, two of which are off Rhode Island Road, and one off the intersection of Crooked Lane with an additional access off Crooked Lane. They are proposing to close up two existing, plus more formally closing the one with the landscape area, and adding landscape right at the intersection. They are proposing a second building which will have garage bays along both sides of the building and an access drive that extends around the building from the two curb cuts off Crooked Lane. Those curb cuts will be 24 feet wide and have 15-foot curb radii.

Mr. Rego advised they were proposing extensive landscaping around the perimeter of the project and in between the curb cuts as a buffer from the roadways. The site will be served by an on-site septic system. They have done perc tests with the Board of Health. The plan shows the proposed system which will be on the southeastern portion of the property. Parking to meet the intended use is provided for 22 total spaces. They will collect all the stormwater from the existing property, for which there is currently no formal storm water controls, through a series of swales and some catch basins. That will pass through a series of infiltration basins and into the ground. Only for any large storms would any water be discharged off site.

Mr. Rego advised that currently the stormwater from Crooked Lane and a portion of Rhode Island Road drain down to the existing catch basin, which he displayed on the plan. It's the only stormwater control and is really just for street road runoff. It does not collect any water from this site. They are proposing tight tanks for the floor drains within the building which will be connected to a double-walled storage tank for any industrial waste water. He advised they were proposing a connection to the City of Taunton water line in Rhode Island Road. There will also be a six-inch line and a two-inch domestic line to service the building for fire suppression. Although the building will have minimal septic flow, there will be bathrooms inside.

Mr. Rego stated that lighting for the project will also be minimal. There is some existing street lighting at the perimeter of the site on the roadway that is maintained by Taunton Municipal Light and Power (TMLP.) The only lighting proposed, in addition to that, is wall packs that will exist along the façade on the northerly and southerly sides of the building. Those lights will be fully compliant with the Lakeville lighting by-law. He added that the stormwater management has been designed so that it complies with MassDEP stormwater management standards. Mr. Rego was aware that they would have the opportunity to submit that for outside consultant review. They have submitted an Erosion Control plan for the construction period and a long-term Operation and Maintenance plan for the stormwater controls. During construction, this site will be disturbing more than an acre so they will be submitting for a NPDES permit with the USCPA for coverage under the construction general permit.

Mr. Knox then read the April 14, 2022, letter from the Board of Health into the record. It advised there was no reason for the BOH to recommend denial due to public health issues. The April 25, 2022, email from the Conservation Commission had no concerns with the Site Plan. The April 6, 2022, memo from the Fire Department had some concerns regarding the sprinkler connection location and the restricted access for the Fire Department to the connection. Mr. Knox noted that Mr. Resnick had also provided a memo that listed several concerns. Mr. Rego said that was correct. Mr. Knox said that they would not be able to conclude anything tonight but were going to need to continue. Did he think he would have all that information for their May 12th meeting? Mr. Rego felt they could be ready for May 12th.

Mr. Knox then asked if it was clear on the plan, what was proposed to be pavement. He was aware presently it was a lot of gravel. Mr. Rego replied that currently they were proposing a gravel or reprocess to asphalt. The existing lot is comprised of reprocessed asphalt that when compacted is close to the performance of pavement. That is a question to the Planning Board if they could get a waiver from the requirement to have bituminous concrete and have reprocessed asphalt. Mr. Knox asked if they were aware of the lot coverage requirements. Mr. Rego said they do exceed

the 50%. They would be looking for the benefit of 20% under the density bonus section in the bylaw that allows for that if they are meeting certain building and site design standards. Mr. Knox asked if he thought they would have a building plan with elevations for the Board to look at. Mr. Rego said Mr. Sikorski was going to prepare the plans and might have a draft that could be shared with them tonight.

Mr. Knox asked what the intent was for the existing structure. Mr. Sikorski said it would be for storage. Mr. Knox said that an accessory structure is in their bylaw, but it may exceed the allowed size. However, it is pre-existing so they would have to talk to the Building Commissioner in regards to it. His understanding is that it would have to be an accessory use to the main use and could not be an additional tenant space. Mr. Knox said currently there are a lot of trucks on the property. It was referenced that there will be 20 parking spaces with this new improvement to the site. Mr. Sikorski said the trucks will be in the building. Mr. Knox asked if there were any other questions.

Mr. Conroy said he would like to see where those parking spaces will be. Mr. Rego then indicated that on the plan. For clarification, he said these spaces are for passenger vehicles and not tractor trailers. Mr. Rego corrected himself and said after looking at the plan it was 14 spaces provided. There is a parking area shown on the western portion of the site and parking along the face of the building. Mr. Conroy asked if it was accurate that this was going to be eleven businesses. Mr. Sikorski said yes, eleven, but it might change to ten. He planned on removing one of those bays and extending the back side one and making the other side his sprinkler and mechanical room, so fire access will be in the center of the building in the front.

Mr. Conroy noted there was not a lot of parking. Mr. Rego said they could increase the parking, but they were trying to comply with the zoning by-law. They did not think there would be a lot of need for parking on the site, as these were to be contractor type of bays with a lot of storage. Mr. Conroy asked if the space that is out front obstructs the door. Mr. Rego replied it does not, as it is to the side of the door. There is a main door and a side. Mr. Conroy said there are two bays that have a handicap and a van accessible area that don't have any parking near them. They would have to travel to the other side of the building. Is that safe? Mr. Rego said that was correct but they could add additional spaces if the Board wanted that. Mr. Lynch asked if those 14 spaces would accommodate the employees and customers that would be coming to the facility. Mr. Sikorski said he was not intending to have customers coming to those businesses, but rather more like a contractor bay where supplies were kept. He was not looking for a retail business.

Mr. Resnick said in his comment letter, he talked about the zoning district line running through the site. He advised that he has pulled the Articles from Town Meeting that created that Industrial District. It is much closer to the line they have shown on the plan, so the line they have is sufficient for this purpose. He then asked, as they didn't have floor plans, what would these units consist of? Mr. Sikorski replied that each bay will have a pedestrian door right next to an overhead door. There will be no offices, just a bathroom with a sink, toilet, and a slop sink on the outside. Mr. Knox then opened up the meeting to public comment.

Ms. Keiko Orrall of 120 Crooked Lane, then stated that at the Selectmen's meeting it was brought up that there was a cease and desist for this property. Could anyone speak to whether or not that was in place? Mr. Knox said that he has spoken to the Zoning Enforcement Officer (ZEO) and there isn't one, and one has not been given to the owner. Ms. Orrall replied it was her understanding that a verbal cease and desist was communicated to the ZEO and that he was supposed to speak with them two years ago and issue a cease and desist. Mr. Knox said that he was not aware of this, but noted that this was not relevant to the Site Plan Review. Ms. Orrall said that was fine. She was just asking about the current business that's operating, as the current business owner is here. If there is a cease and desist that is supposed to be in place, she did not understand why they would be considering an expansion. She noted this building is also not registered with the Town of Lakeville, and there are no business permits associated with this address. Are the trucks going

in and out of the property, registered in the Town of Lakeville? She continued that two years ago Mr. Sikorski came in front of the Town with the proposed use of a landscaping business. That has been expanded to include heavy construction, plumbing, car hauling, and tree removal. His website indicates that the hours of operation are 24/7. In addition, why is the business operating currently without a bathroom in violation of Town bylaws.

Mr. Knox asked Mr. Sikorski if he was operating without a business permit. Mr. Sikorski replied he had not been aware that he needed one, but he had filed for one earlier today with the Town. Mr. Knox asked where the vehicles were registered. Mr. Sikorski replied they had been registered in Taunton, but they were now registered in Lakeville. Mr. Knox noted the zoning for the property is Industrial and Mr. Sikorski had gone to the Zoning Board of Appeals (ZBA) for a Special Permit to sell retail landscaping. He asked what the use had been prior to asking for that retail use. Were other businesses operating? Mr. Sikorski said he could sell landscaping supplies wholesale, which falls under the industrial zone, but he needed a Special Permit to be able to sell retail to homeowners that might want to come and purchase mulch, etc. directly from him. Mr. Knox clarified that the Special Permit did not preclude him from the industrial use, but added the retail use. Mr. Sikorski said that was correct.

Ms. Orrall asked how many businesses have been operating at the site. Mr. Sikorski replied he rents out one side of the building to a plumber. The car hauler has been gone since last August. The tree removal business is not his. Mr. Knox said that it is his understanding that those are all allowed uses, and there are no regulations that say you cannot have multiple businesses on a single site, with every plaza in Town being the evidence. Ms. Orrall said her concern is that when Mr. Sikorski came before the Town, he indicated he was going to be doing landscaping and selling landscaping materials. The fact that he is doing these other businesses was not brought before the Town. She would also like an explanation as to how he can operate without a bathroom. Mr. Sikorski said that he is working on installing a septic system. He does not have one now, but will have a portable bathroom as of Monday. He noted there is no one there during the day. They drop their vehicles off, get in their vans, and leave for the entire day.

Mr. Knox stated that it appears with this Site Plan Review and the improvements that have been presented, those concerns will be rectified. He understood that a written complaint was filed and the ZEO has 14 days to act on it. They will let that play out, and he would assume that by the next meeting, they will hear regarding that. They will put this on their May 12, 2022, agenda. He asked if there were any other comments from the audience.

Mr. Andrew Murray from 132 Crooked Lane then spoke. He said there were three items, and he would like to know how they would be addressed. They were noise, dirt, and light. Mr. Knox replied lighting was within the Town's bylaw and that has been acknowledged within the plan. They may provide a lighting plan, but everything submitted would have to comply with the Town's lighting bylaw. In regards to the noise, what was he referring to? Mr. Murray said the site already seems loud to him. He thought noise was supposed to cease at 7:00 p.m. Mr. Knox said the Board could certainly address hours of operation within the Site Plan Review process. The dirt was because of the trucks going in and out, and leaving a lot of dirt on the street. They could condition a water truck for dust mitigation during construction. Mr. Knox explained that those things would all be addressed within the Site Plan Review process.

Mr. Resnick noted that he hadn't sent the drainage out to a review engineer yet. He was first waiting for the amended plan to be submitted. He didn't expect the plan that was presented tonight to change dramatically, but the Site from what it is today, will change to what has been proposed. Mr. Resnick said once this is developed, the screening operation will probably not be able to fit on the site and all those piles of dirt will be gone. There will be the old building, some parking for some of the trucks and users, the landscape materials, and then what is shown on this plan. Realistically, that is all that will fit on the site. Mr. Murray said that a lot of trees have been removed from the site. He would like to have some put back

to mitigate some of the noise. Mr. Resnick replied he was going to have limited areas for landscaping and plantings, as well as for any significant trees.

Mr. Knox said the southeastern property line touches the solar array. Would it be possible on the southern corner closest to Mr. Murray's house to put some plantings there for some visual screening? Mr. Rego said in terms of visual screening, they could put some type of fence that also might help with sound transmission, having vegetation in front of it or behind it. Mr. Robert Gulick of 140 Crooked Lane said that he was concerned about the water, the dust, and the noise. What would the hours of operation be as this abuts a residential neighborhood. He also thought if the location of the entrances was modified, it would keep the noise down, as well as the traffic, and dust. Mr. Rego said they could look at that change but it was significant and would have to be evaluated.

Ms. Linda Dufresne of 149 Rhode Island Road asked how many trucks were going into the facility in one day. Mr. Sikorski replied they mostly leave in the morning and come back at night, but it could sometimes be more. Mr. Knox noted that with six trucks it was a minimum, of twelve trips. Mr. Knox asked if they made multiple runs. Mr. Sikorski said it would depend if he was bringing material in, but it would not be every day or every week. Mr. Knox asked what is the busiest day he could have. Mr. Sikorski said maybe 20 to 30 trips. Mr. Knox asked Mr. Rego if they could also evaluate the traffic and the trips generated by the trucks and come back to the Board with that information. Ms. Dufresne asked with this addition, what did they anticipate as far as an increase on those big vehicles that are traveling directly on Route 79 and Crooked Lane.

Mr. Norman Orrall of 120 Crooked Lane then stated that part of the problem looking at the future use is determining the current use. There have twice been problems with flooding because the existing conditions changed. None of that came before the Town. The old railroad bed that was there was filled in which meant that all the water from the site went to one single infiltration basin which was then overwhelmed. His understanding was that a ditch, not designed by an engineer, was dug after the second flooding. Is material coming and going from the site to be screened and then being sold off site allowed under current zoning without an earth removal permit. Mr. Knox replied it is his understanding that it is not required because they are not taking the material from the ground there. Mr. Orrall said there is a stock pile there and is that not part of earth removal. He asked if the screening plant was going to continue to operate as that is part of the noise and dust.

Mr. Orrall said that he had many questions that deal with tonight's proposal. He was willing to email them after this meeting so they will be on record and the engineer can start going through them. He noted that he has never had a problem with any of the other industrial properties, but he could not say that about this operation or the current proposal. It is oversized for the three-acre lot. He then read section 6.7.1.1 from the Site Plan Review by-law into the record. The current property has not met any of these protections and is also bounded on three sides by a residential zone. He would recommend that the Planning Board obtain the services of a peer review engineer. Although the Town Planner has some of the same comments he has, the numerous comments he has as a private citizen indicate the need for a professional review by the Town for the protection of the townspeople.

Mr. Orrall then questioned what the hours of operation would be as the website currently says it operates 24/7, and that is consistent with what they have seen. What businesses will be in these 12 bays? That information is needed in order to get an accurate calculation of the number of parking spaces required. The minimum parking required by this Board will affect the lot coverage. He noted that a waiver is being requested to use gravel instead of asphalt. If this is a first-class operation, why would we allow this? He would ask that the Board not allow a waiver from that requirement. What is the correct lot coverage? He has estimated it to be at least 80%. He noted the Fire Department comments mention that an additional paved area is required for restricted Fire Department use, which will also add to the lot coverage. Where

will the dumpster and associated paving for that be located as that is not shown on the plan. Where is the Verizon easement also not shown on the plan? Trees are also being removed that are within the Town right of way. He noted that Crooked Lane was designated as a scenic byway over 20 years ago which comes with associated permitting requirements specifically tree removal and tree planting. Regarding the site entrances, he felt there is a site distance problem from Rhode Island Road and a site distance study should be done along with a traffic study.

Some of the other items Mr. Orrall commented on:

- There are drainage pipes shown on the southern edge of the property with manholes. Can they be installed so close to the property line and be maintained in the future.
- Catch basin one has a rim elevation of 93.8 along the eastern side of Crooked Lane that flows into and infiltration or detention pond, but the top of that pond is elevation 95. Have drainage calculations been submitted?
- The emergency overflow of this pond is overflowing directly onto Crooked Lane. An overflow should be provided that directs water away from the street.
- The dike of this detention pond utilizes a Town right of way to fit it in. Town property should not be used.
- What assurance do they have that the drainage will be installed?
- Structures within 200 feet of the property line are not shown on the plan per bylaw requirements
- Trees to be removed are not shown
- Loading and unloading facilities are not shown
- Provisions for refuse removal are not shown
- Projected traffic volumes have not been provided
- A location for a an existing/proposed sign is not shown
- Engineered plans of the building signed by an architect have not been provided
- Has an application for water usage gone to the Board of Selectmen?

Mr. Orrall said he can follow up with an email, and he would also suggest a professional peer review. Mr. Knox then made a motion, seconded by Ms. MacEachern, to continue Site Plan Review for 156 Rhode Island Road until May 12, 2022, at 7:00 p.m. The **vote** was **unanimous for**.

Discuss and appoint a Planning Board member to the Community Preservation Committee (CPC)

Mr. Knox said that he had received an email from the Town Administrator advising there would be a meeting on May 23, 2022. He asked if that meeting had been posted, and who would be present. Mr. Resnick replied it had not yet been posted. He believed it was the Board of Selectmen's meeting where they would discuss accepting applications from citizens expressing interest in sitting on the Community Preservation Committee. They will appoint three members and if there is a vacancy for any other Board, they have the ability to appoint for that vacancy as well. As they don't have a Housing Authority, they have the ability to appoint that fourth seat on the Committee. Individuals Boards such as the Planning Board, Open Space, Historical, etc will appoint a member to be on this Committee.

After further discussion, Mr. Knox asked if any Planning Board member had interest in the CPC. Mr. Knox then made a motion, seconded by Mr. Lynch, to recommend Ms. MacEachern be appointed as the Planning Board representative to the CPC. The **vote** was **unanimous**.

Review correspondence

There was no correspondence to review.

Old Business

There was no old business.

New Business

There was no new business.

Next meeting

Mr. Knox advised their next regularly scheduled meeting is May 12, 2022, at 7:00 p.m.

Adjourn

Mr. Knox made a motion, seconded by Ms. MacEachern, to adjourn the meeting. The **vote** was **unanimous for**.

Meeting adjourned at 8:30.