

**Zoning Board of Appeals  
Lakeville, Massachusetts  
Minutes of Meeting  
May 19, 2022**

On May 19, 2022, the Zoning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Chairman Olivieri at 7:06 p.m. LakeCam was making a video recording.

**Members present:**

John Olivieri, Jr., Chair; Jeffrey Youngquist, Vice-Chair; Gerald Noble, Vice-Clerk; Chris Carmichael, Member; Christopher Campeau, Associate

**Others present:**

Marc Resnick, Town Planner

**Solana hearing – 29 Pilgrim Road**

Mr. Olivieri opened the hearing and read the legal ad into the record. He asked Mr. Solana to describe his proposal. Mr. Solana advised that he wanted to build a 22' x 16' garage, not a 22' x 20' garage as had been advertised. Mr. Olivieri noted that they post the advertisement based on the information on the application. Mr. Solana continued he had 45 feet 8 inches from the property line, and the garage would be placed on the side of the house. This would be a one car garage and would not have any living space. He noted that all the houses in the area had garages.

Mr. Olivieri then read comments from the Town Boards into the record. The May 18, 2022, memo from the Planning Board had no comment regarding the petition. The May 5, 2022, letter from the Board of Health stated they had no objection to the proposed garage as long as there is no room above it that could be used for habitable space. Mr. Solana then submitted a picture of the proposed garage. Mr. Olivieri asked if members had any questions.

Mr. Youngquist asked where he had gotten the dimensions that were written down on the plan. Mr. Solana replied the property had been surveyed previously when he did the addition in the back. Mr. Youngquist said that he was a surveyor and knew that area quite well. The property lines are not always the way they appear. Mr. Youngquist said if he was building something that close to the property line, the Board needs to have something stamped by a surveyor. Mr. Solana said that he would still have over nine feet to the property line.

Mr. Noble said that the application is calling for a 22' x 20' structure. Shouldn't it reflect the 22' x 16' now being requested? Mr. Olivieri thought they were okay in this situation as the applicant was reducing the size, and it is less intrusive. The bigger question is to Mr. Youngquist's point about the boundary lines. It was noted that if a survey had been done recently, it should be easy to get an additional copy of the plan.

Mr. Olivieri advised there were residents in attendance. He asked them to come up to the podium for their comments. Ms. Joann King of 27 Pilgrim Road asked where was this garage being placed. She approached the Board to see the plan. She stated this would affect her view of the lake. She was opposed to the proposal. She said that she was also concerned about the drainage. Mr. Solana said that he planned on installing a French drain.

Mr. Michael King of 27 Pilgrim Road stated that the fence that was up was not the property line, and the lot had not been surveyed when they bought the property. He also noted that if the size of the garage is not amended, it would be right up against the property line. There would not be enough room to build a French drain. Since Mr. Solana installed his new septic system, every time it rains everything floods into his yard. If this garage is built, this is his main concern. He was not in favor of this proposal.

Ms. Leigh Brienzo of 25 Pilgrim Road was also not in favor. She stated they were the first house in that area, which means a lot to them. The house was purposefully built to look at the water and now all they would be able to see is this huge structure. There are water and drainage issues, and he is covering too much of the property. Mr. Martin Levin of 35 Pilgrim Road spoke next. He asked what is it that allows a maximum of 25% to be impervious surfaces, and what is the percentage of that lot that is taken up by the house and the proposed garage. Mr. Olivieri said that was a Town restriction.

Mr. Carmichael asked if Mr. Solana would be willing to slide the garage back so that it would be even with the front of his house. It would then not be obstructing anyone's view. Mr. Solana said he could not do that because of a fireplace in the middle with a window on each side. Mr. Noble said the hand drawn sketch indicates a 16' x 22' structure, what was the size he was proposing. Mr. Solana replied 16 feet wide and 22 feet long. Mr. Campeau would also like to see the garage pushed back. Mr. Carmichael noted that to Mr. Olivieri's point of having the lot surveyed, the Board will then know the percentage of lot coverage, and where the roof drainage would be located.

Mr. Solana said he intended to dig three feet down and two feet wide and install the corrugated pipe in it. He would run it all the way to the front so all the water would go into the pipe and run down into the stone. Mr. Youngquist said that the water will have to go somewhere. Mr. Youngquist said they have to stop permitting without knowing exactly where these things are located. He advised Mr. Solana that he needed to get a boundary survey and the existing conditions where everything is located on the property. He can then hire an engineer so the Board can see where a drain is going to be located, and what will be at the end of it.

Mr. Olivieri added that over the years, the properties around the lake front have been built up causing water to become more of an issue. Mr. Solana is coming to them at a time when it is getting to the point that due diligence must be done in order to make sure the impact is as minimal as possible. Mr. Solana said that his garage would not affect the water at all because it would be over to the right. Mr. Olivieri replied if it is not going to affect it then when he goes through what has been suggested, the engineer will say that and stamp the plan, then the Board could proceed. Mr. Carmichael added he was increasing the impervious area within the lot which adds to the storm water conditions. He is creating more of a hazard that the Board would like to be addressed. Mr. Carmichael reviewed they want to see on a plot plan; the proposed location of the structure, where the French drain will be located, the setbacks, and that the neighbors still have a view.

Mr. Carmichael then made a motion, seconded by Mr. Youngquist to continue the Solana hearing pending the submittal of a plot plan by the applicant showing what had just been requested.

Mr. Olivieri suggested Mr. Solana see if there was a way to push the garage back a little. Mr. Carmichael also suggested meeting with the neighbors to ensure that the location of the garage would be satisfactory. Mr. Olivieri then clarified the motion is to continue the hearing until June 16, 2022, at 7:00 p.m. The **vote was unanimous for.**

The hearing closed at 7:38.

**Documents distributed for the hearing:**

- Petition packet
- Legal ad
- Board of Health correspondence of May 5, 2022
- Conservation Commission email of May 19, 2022
- Planning Board correspondence of May 18, 2022

**Reorganization of the Board**

Mr. Olivieri advised that Ms. Cline had been elected to the Planning Board and has resigned from the Zoning Board. That resignation leaves the position of Clerk open. They could ask Mr. Noble if he would like to move from Vice-Clerk up to the Clerk position. Mr. Noble asked if he was traveling or not available to sign papers if that could be a potential problem. Mr. Olivieri said that in that case, the Vice-Clerk could then sign anything required.

Mr. Carmichael then made a motion, seconded by Mr. Youngquist, to have Mr. Noble fill the Clerk position. The **vote was unanimous for.**

Mr. Youngquist made a motion, seconded by Mr. Noble, to have Mr. Carmichael fill the Assistant Clerk position. The **vote was unanimous for.**

**Approve meeting minutes**

Mr. Carmichael made a motion, seconded by Mr. Campeau, to approve the meeting minutes from the March 17, 2022 meeting.

Mr. Carmichael, Mr. Campeau, Mr. Olivieri – **Aye**; Mr. Youngquist, Mr. Noble – **Abstain**

Mr. Youngquist made a motion, seconded by Mr. Carmichael, to approve the meeting minutes from the April 21, 2022 meeting.

Mr. Youngquist, Mr. Carmichael Mr. Noble - **Aye**; Mr. Campeau, Mr. Olivieri - **Abstain**

### Old Business

There was no old business.

### New Business

Mr. Youngquist stated that going forward, when the Board has these small lots, they should require a real plan. Mr. Resnick said when these applicants come in, they will recommend that they have a full survey plan showing the addition and the property lines. If the applicant chooses not to, then they might be sent back. Mr. Resnick said that he would like the Board to update their rules and regs as well as their 40B rules and regs. They could then include the requirement that you have to submit a surveyed site plan showing the addition, etc. Mr. Olivieri noted his only reservation is when there are situations where it wouldn't be needed. Mr. Carmichael suggested including it if you were within 10 feet of a property line or close to a setback, or a dense area. Mr. Resnick said that he would craft something for the Board to discuss at their next meeting.

Mr. Olivieri noted that since the resignation of Ms. Cline, they were now short one regular member and one member in aggregate. The open position was advertised by the Board of Selectmen, and they received one resume. Had everyone had a chance to look at it? It seems that it is someone they would recommend the Board of Selectmen appoint, and who would then become an Associate. After further discussion, the Board decided to invite the candidate in to discuss the position with him. They would also have to move someone up to full member. He asked Mr. Campeau if he would be interested. He replied that would be fine.

Mr. Carmichael then made a motion, seconded by Mr. Noble, to recommend that the Selectmen appoint Chris Campeau as a regular member of the Zoning Board. The **vote was unanimous for.**

Mr. Resnick noted that he had received a bill for some envelopes. Would the Board like to make a motion to have him have authority to sign bills for the Board? Mr. Olivieri made a motion, seconded by Mr. Carmichael, to give him authority to sign any invoices for the Zoning Board. The **vote was unanimous for.**

### Next meeting

Mr. Olivieri advised the next meeting is scheduled for June 16, 2022, at 7:00 p.m.

### Adjourn

Mr. Youngquist made a motion, seconded by Mr. Noble, to adjourn the meeting. The **vote was unanimous for.**

Meeting adjourned at 7:51.