

Lakeville Planning Board Minutes

May 5, 2008

Members present: J. Marot, B. Hoeg, G. Kashgagian, K. St. George and W. Healey

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

Bills

Jim – I have a bill here from Kopelman and Paige for legal services connected with Trinity Lane and Hamilton Way in the amount of \$1,162.50. Greg – I make a motion that we approve the same for payment. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous.

Drive Way Cut

Pauline – Rita asked that the Board review this driveway cut and then bring it over to them at their meeting so that they can vote on it tonight also. Mr. and Mrs. Campbell appeared at the hearing. Jim – from what I can see you are requesting that the cut be on Margeaux Drive. A letter from Chris Peck was read by Jim. Jim – I don't think we have a problem with it. Walter – I make a motion that we recommend the same. Kevin – 2nd the motion. Jim – all in favor. Vote was unanimous. Originals were given to the Board of Selectmen.

Sherry Bernier

Sherry – if you remember sometime back we came to this Board and you told us that you could not act on the same and that we should go to the Board of Appeals. I did that and Mr. Foster told me that we would have to come back to the Planning Board. Jim – you have to have 50 feet for the road. A sub-division is for 2 or more parcels. We may waive the construction of the road but you to be able to design the road and then the waivers can be given. Brian – should we send a letter to the Board of Appeals? Walter – 2nd the motion. Jim – it is a frontage issue we can not waive the frontage. You have to have a conforming lot or registered variance. Once you have done that you can not sub-divide. You need to create frontage and land area and deed it over to her. You might be able to take an easement but it can not be included in acreage. You could take a 10 foot easement. You have to have the frontage. You need to take an easement in excess of it. Brian – they would be looking for a variance because the road is within the frontage. Jim – I would suggest that you take this to an engineer and have him tell you what you need to create frontage and land area. Then you could see how you could deed it off to her. You might be able to take an easement but it can not be included in the acreage. You could take a 10 foot easement. You have to have frontage. Take an easement in excess of it. Brian – they would be looking for a variance because the road is within the frontage. Sherry – you still feel that it needs to go to the Zoning Board of Appeals. Jim – yes. Sherry I will see what I can find out and then get back to you.

Bill Markson

I have spoken with the Building Inspector concerning obtaining a temporary occupancy permit as I am hoping that I will be able to open soon. I have spoken with the building inspector (Bob) concerning the temporary occupancy permit and he wants a sign off from Board of Health, Conservation and the Planning Board. Jim – I have had conversations with Bob. He would like me to go with him and the other members to look at the site. Bill – Do you think that you would be able to do it on Friday? Jim – I will check. I would be happy to show you around. Greg – I would think that it would be based on the conditions. Jim – I am aware that most of you are working but I am hoping to get by to take a look and maybe Kevin could try to get there also. Kevin – I am willing to try to get there. Greg – I make a motion that we post a meeting for 6:30 on May 12, 2008 before the Special Town Meeting so that we can discuss what the members have seen. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous. Pauline to post meeting for 6:15 on May 12, 2008. Meeting will be in the lobby of the High School.

DiGrazia – County Road Property

Bob Rego – Prime Engineering. Representative from Long Built Homes. I am sure that you probably remember we have been before you previously. This property is located on the North easterly side of County Road. This plan shows 5 lots with a 750 foot roadway with a cul-de-sac. There is substantial wetland involved. We would be looking to reduce it to 3 lots and it would be a smaller road. We would be looking for waivers of some requirements. Brian – how long would the wetland crossing be? Rego – approximately 600 feet. Jim – he has to be able to show that he can do it and then request the waivers. Rego – we will be below the 2400. We care here to see if you would agree to the reduce of frontage. We would not look at full build out. You could go to conservation first. Rego – this would be the least impact. I will get it approved even if I go to the DEP. Jim – there are a lot of places in town where people do not have to build a road to specs. I would like to see the petition saying you could build the road. Long Built Rep. – if we go the whole route we will go for the 5 lots. Brian – if you get the engineer to show the 5 lots you would also see a good savings by reducing it to 3 lots. Long Built Rep. – if we go to get the permit we are better off to go with the 5 lots. Brian – where is the drainage in the cul-de-sac? Chris you would need a guard rail around it. Rego – this is a very preliminary plan. Long Built Rep – would you need a full notice and order of conditions? If the Board gave tentative approval would you accept it? Jim – if they give us that it would be helpful to us. That would be the best place to start.

Jonathan White

As you are aware I am back asking for modification on the Kensington Estates plan. We are having to deal with the economy, slow sales on condos and of course we have final settled concerning the Indian Artifacts. We started to work on this a month ago and it was finally signed today. As far as our financing goes they are not interested in condos but they are willing to finance apartments. The plans are the same concerning the specs and the exteriors. Brian – are you talking Section 8? J. White – no that is not exactly what it is. I believe that you can make up to \$40,000. We are talking 108 – 24 affordable. We are talking 72 units more in the affordable number. The rent is restricted by the government. The units will be approximately \$875.00 per unit. I am here to offer a field trip to the members if they are interested. Jim – I have been on one previously and am comfortable with the project. Have you seen the new one in New Bedford on Route 18. J. White – As I am sure you are aware, I would much rather go sale – 40B – 10%. It is in the best part of town for such a project. I would be willing to go with any

member who wants to go. Jim – I think that the Board is comfortable with the way things are being done.

CVS – Bob Mather

Bob Mather – I am here on behalf of CVS. With me I have representatives with me, Pat, R. J. O'Connell, Dave Flanagan and Chris the engineer. This is site located on 105 with an entrance off Route 79. Marcus – I was at a hearing with Massachusetts Highway Department. They have completed 25% of the design and I expect the 75% to be ready by the end of the month. There should be 100% design completion by the end of the year and the work should be started in the spring, April 09 and construction by 09. B. Mather – so we are talking one year from now. Marcus – Route 79 will require the widening of Route 105 necessary. Field Engineering is doing the engineering. B. Mather - since we are talking drive-up windows so we will have to go to the ZBA. Pat will address the traffic issues. There are 6 issues of concern. Dave Flanagan – this is the west side of 105. The property consists of approximately 4 acres – this is commercial property in this area. We have an earth removal permit. The drainage goes toward this general direction. There are no wetland areas or any buffer area in this region. The building is 12,900 square feet. This is the area for the main entrance. This area shows the new intersection. This is where the enclosed compactor will be located. The drive thru is in this back area. This is the zoning table that we have noted on the plan. This will be a small retaining wall at back. There will be access off Main Street. Second exit would be toward 79. There will be an above grade basin in the back. Marcus – because of the turtles we have a number of conditions which apply. I did not realize that we would be getting into this tonight so I did not bring the information with me. There will be sewerage on site septic. The water connection is from the street. Utilities will be in the back. Storm water management is being taken care of on site. Water collect and gets discharged to a basin. We have used a 100 year storm. All water is taken care of on site. Jim – we need to know that erosion is being taken into consideration during construction. Chris – you are going to need bales and fencing in place. You need to have things in place for the truck entrance. Kevin – what is the height of the light poles. Engineer – 33 feet. Jim – this is higher than we like to see. Brian – what about the wall packs. We need to be sure that the light is showing down. Engineer – we need to be sure that the parking area has adequate security. We will be sure that the light goes back toward the building. Jim – We are looking for the poles to be no more than 20 feet. Kevin – that would be a good example as far as the Board is concerned. Jim – we don't feel you need that amount of light that you seem to feel you need. We feel that you can accomplish what we need with 20 feet. B. Mather – we will address that at our next meeting. Engineer – this is our Landscape Plan and we feel that a good deal of plantings are planned for the site. Jim – is that the sign that you are planning on? Do you have any plans for that. Engineer – this is just a general idea. CVS will deal with a local sign company. Jim – we are looking at a monument sign. Chris – Is the southeast driveway going to be a right turn only. Engineer – we did not think of any restrictions at this time. Pat Donough – it is just stripping – it is a full access driveway on to Route 105. We may need to go for a curb cut. Pat – we do not see a problem with traffic to a prescription pickup window. There will be 2 lanes open. One will be a face to face and the other will be a tube setup. It will easily be contained to the back part of the building. It will be a one-way drive thru circulation. The stop would be for safety. Chris – what about the loading dock. Engineer – it will be even with the pavement. B. Mather – it is safe to say that it will work. It is a very efficient design. Jim – the lights are going to work together. B. Mather – the signals are by GBI. Chris – you are looking at two curb cuts. One from the town and one from the state. Architect –

Hollis – there are two types of buildings -- 1 is the low cost – this is Type A – it is still a frame building with a brick veneer which is being specified to CVS. The drawing is just to show you the building it is not the site. It is 28 feet at the main entrance – 26 in the middle and 24 at the rear. Across the back it will match the 24 foot. The signage is what CVS would like but they will come in for a permit and they will follow the town's guide lines. Brian – is this a flat roof? Architect – yes. The drains are internal. Brian – you are talking a 25 year storm. If this were on a 100 year storm the roof would collapse. Jim – that is a lot of water. Architect – we will go along with whatever Massachusetts law has in it. One roof drain could drain the roof. We have put on 4 – we will design to proper codes. The building has plywood exterior. Jim – is there a canopy over the drive thru. Engineer – yes, it would say the type of material. The columns are brick. The access lights give glows to the building. Attorney Mather – we do understand that your approval will be conditioned on the approval of the signs. We heard several issues we will address. We are going before the ZBA a week from Thursday. Do you have any problem with the drive-thru issue? Greg – what will be the store hours 7 -11:30 p.m. Mather – does the board feel there would be any benefit to a 24 hour pharmacy in the future? Jim – personally no. Greg – do you have snow removal plans? Engineer – we would probably have to do snow removal off the property during busy time. At other times we would probably be able to use some of the parking spaces because we do have additional parking spaces on the plan. Chris Peck – do you have the information on the drainage. Jim – I guess we could give our blessing as far as the drive thru is concerned. Brian – I make a motion that we recommend approval of the special permit for the drive thru. Kevin – 2nd the motion. Brian – what happens if they pull out? Mather – we are looking for approval of the drive-thru for the pharmacy. If there is a change we would have to come back. Jim – all in favor. Jim, Kevin, Brian – in favor. Greg abstained. Walter voted against. Motion carried. Brian – to Chris – have you looked into the retaining wall which is approximately 9 ½ feet and a chain link fence across the top. Mather—the fence has a turtle barrier which is 5 feet with 1 foot under ground and 4 feet above which will be black vinyl. Brian – are you talking about planting between the parking lot and the septic? Mather – we will return to your next meeting. Pauline next meeting is May 19, 2008 and I believe that it will be at the library.

Malbone Street - H & E Realty Trust

Bob Mather - This is a Form A concerning Malbone Street – the house and septic are all over the line. This plan by some way did not get recorded. The individuals involved are H & E Realty Trust, Steven & Lynn Petrowski, Colterman L. Nolette Medeiros. I would also ask that the Board consider that the fee of \$100.00 be waived. Greg -- I make a motion that we waive the \$100.00 filing fee. Walter – 2nd the motion. Jim – all in favor. Vote was unanimous.

Deerfield Crossing

Letter from Chris was read by Jim. Pauline to check with Deb to find out amount of bond being held.

Board of Appeals

Jim – I have several petitions from the Board of Appeals.

Rogers/Pond Realty – Business Zoned – Walter – I make a motion that we recommend denial as it is the feeling of the Board that they need to meet town regulations. Kevin – 2nd the motion. Jim – all in favor

St. Don – Brian – I make a motion that we send the ZBA a letter stating that the town by-laws prohibit 6.1.8 enlargement of a structure on a lot of less than 20,000 square feet of 105%. This should not be a Special Permit. Request is incorrect. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

CVS – Jim – does the Board have any questions or problems with the CVS application. This is for the drive-thru window only. Kevin – I make a motion that we recommend approval of the same. Brian – 2nd the motion. Jim – all in favor. Vote was unanimous.

Bills

Jim – I have here a bill for secretarial services in the amount of \$117.13. Greg – I make a motion that we approve the same for payment. Brian. – 2nd the motion. Jim – all in favor. Vote was unanimous.

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