

**Lakeville Planning Board Minutes
Meeting- May 3, 2011**

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

Present: J. Marot, G. Kashgagian, K. St. George and Sylvester Zienkiewicz

FORM A

Jon Pink – concerning a transfer of land for Alan Butler. This is a Form A and it concerns a transfer of land from Alan Butler to Clark Shores. They are looking for an area on which they can put a common well. This is not a buildable lot it is a transfer of land only. They are looking for a temporary easement. It is for a water association. Greg – I make a motion that we recommend approval of the same. Zinc – 2nd the motion. Jim – all in favor. Vote was unanimous. Jon – I do not have enough copies. I will bring an additional 2 copies to the office. Check in the amount of \$100. Was received.

Lakeville Tennis Club

Jon Pink – this is Mr. Anthony the owner of the tennis club. They are planning on putting in a swimming pool which will be located outdoors. The pool is over 3,000 square feet. Mr. Anthony – this is open space out back. We have not picked out the fence material. Bob lafrate – I believe that the height for commercial is 6 feet. Mr. Anthony – At the present we are looking at an L shaped for the pool. Jim –Where will the back wash water be going? Are you talking an additional shed, dressing area and lawn chairs? Greg – no bathrooms? Mr. Anthony correct. Greg – what about lighting. Mr. Anthony – there will be no lighting. At dusk it will be closed. Jim – what about a walkway. Mr. Anthony – something is already there. Jim – everything will be 20 feet off? This will be an impervious area. Mr. Anthony – Parking is available in this area. There is a door in this area. Jim – what is there now? How big are we talking? Mr. Anthony 25 x 60. Greg is it going to be heated. Mr. Anthony – no. Jim – has this gone to Conservation? Jon – this is going to be flagged. We are going to go out this week. Jim – where will the backwash go? Greg – the big concern will be when you bring the water level down. Jim -- 54 parking spaces is plenty. Greg – I make a motion that we sign the plan. Zinc – 2nd the motion. Jim – all in favor. Vote was unanimous. Jim – what about hours. Mr. Anthony dawn to dusk.

Bills

Jim – Middleboro Gazette – By-law hearings - \$261.80. Greg – I make a motion that we approve the same for payment. Zinc – 2nd the motion. All in favor. Vote was unanimous.

Mail

Jim – I have a request from SRPEDD concerning fees charged. I would request that we allow Pauline the necessary time to comply with this request. Greg – I make a motion that we request that Pauline do the necessary research to be able to comply with this request. Zinc – 2nd the motion. Jim – all in favor. Vote was unanimous.

Special Town Meeting

Jim – this is a copy of the warrant for the Special Town Meeting. It appears to be Mostly money articles. Cindy Dow – that has to do with the turtles. Linda Grubb – gravel is being taken and they have to put 20 acres under a conservation restriction. Jim – where is the plan? Linda – the plan is at the registry. It is from Long Point Road to Decas bogs – it is 30 odd acres.

8 p.m. Hearing – Hearing re zoning by-law changes Green Community

Jim – Notice as it appeared in the Middleboro Gazette was read—notice appeared on April 14, 2011 and April 21, 2011. As most of you are aware these are by-law changes submitted to the Board concerning becoming a Green Community. Most of these have been discussed in length during joint meetings between the Energy Committee and the Planning Board. Bob Iafrate – Chairman of the Energy Committee. Basically this is a follow-up our original joint meetings. This is the hearing process for recommendation from the Planning Board to the Annual Town Meeting. Jim – What type of surety will be required? Bob - This is a final draft and it has been sent to Town Counsel. Most changes that we discussed have been made. Nothing has been done on sureties. Jim – I personally don't have a problem with it. Don Foster – From what I have gathered we can vote it in and if we have a problem down the road we can then vote to have it modified. Jim – how does the Board feel about this? Greg – I make a motion that we recommend the proposed plan. Kevin – 2nd the motion. Jim – I have one question at this point we have not seen Town Meeting preparation. Bob – Seth Pickery will make the presentation at the Town Meeting and hopefully will be able to answer the question that may be brought up. We will have a package to give out. It will be hopefully on all large plans and we could put it on site plans. Jim – I would like to be able to contact Seth if we find it necessary. Middleboro Electric is on the ground mounted solar. I Hope the committee will continue to work with him. Don – the Industrial Park is all cape utilities. Jim – I went recently to a conference in Boston with the Department of Energy and they did method about Seth and Middleboro G & E. Don – it opens up the door for grant money. Jim – any further discussion. All in favor. Vote was unanimous to recommend approval of the same at Town Meeting.

Bartlett Hearing Further Discussion

Jim – On April 19, 2011 a hearing was had concerning the zoning change from residential to business. At the close of the hearing we informed the people present that we would be discussing this matter at our May 3, 2011 meeting and at that time would take a vote concerning the recommendation of the Board.

Zinc – if I remember correctly we thought that the LDC might be offering more information on the covenants. John Ryder – I took a look at the LDC covenants and discovered that most of them are outdated and go back to 1986 forward. I believe that would be a waste of time. If the town approved the change we would be willing to meet with the LDC. The circumstances have changed. We would be looking to site plan review. We would be willing to work with the LDC. Dick Fickett – We have some discussion about the aquifer years ago. The Selectmen and Board of Health were aware of it. We decided to check what was in the ground and what would be added. We were very concerned about the aquifer. I believe that the LDC and the Planning Board are on the same page. We could use the same method and be sure that it was protected. Linda Grubb – my concern is that the protection is not in place before the zoning is changed. I would hope that our choice is not taken away. I know that some talk has been in the works about an aquifer overlay. Jim – I think we had some good ideas. The site plan review puts all of the Boards aware of what is going on. It is a regulatory way of working with the developer. Unless it is above 50% lot coverage then we have some control. Site Plan approval by Massachusetts General Laws with a Special Permit. This gave you the right to only the Special Permit. Currently Industrial 50% coverage is allowed to come in without restrictions. There are no regulations. We can ask but we have no authority. We have letter from the Selectmen and we have made it part of the file. I would like to see the Board of Selectmen come in and discuss this further. To me there is a better way. I think with the rezone where we have control and what requirements are allowed is a better idea. Steve O. – I agree with you and I was thinking about it on the way here. I think the LDC has done a good job, would it be binding? Jim – no the LDC could not put this on someone else's property. When this is presented as a site plan under our rules it goes to certain boards and they have 10 days. If it is just rezone industrial they can do whatever they want if they stay at 50%. Steve – I agree. Claire – 1 Taunton St., someone said we were asked to join in. I am not sure they knew what they were agreeing to. I think they thought it was a done deal. Greg – you always have an option. Claire – one person did not understand. Greg – I feel we should have more control. I make a motion that we recommend disapproval. The crossing is not a problem. You should only think bridge. Kevin – I feel the same way. Jim – we are recommending no but are looking to more construction to be built on the property. Zinc – 2nd the motion. Jim – all in favor. Vote was unanimous.

Earth Removal – New England Rental

Jim – I understand that the Board of Selectmen are here concerning New England Rental. Steve – we visited the site but at the time the wetland was not staked out. We are looking for a berm on Rhode Island Road. He said he will do it out back. I suggested a slope off 4 to 1 instead of 3 to 1 in the back of the property. Greg – What about the story of heavy equipment. Jim – what is the purpose? Steve – when 79 is done it will be a driveway for more commercial. He will stay within National Heritage guide lines. He wants to develop before the expiration date. He will be taking the loom out first but he will put it back. Jim –

originally we thought the location of the equipment would be in a building or out back behind the building. We think it is inappropriate. We feel we need more information on the plan. Has Chris made comments? Greg – He is changing the original plan when he removes the earth. Zinc – Will there be a new entrance off of 79? Jim – this has 13 conditions that I do not see noted on the plan. Steve we were looking for that. Maybe we should all go out to the site. Jim – we could go together and take a look at CVS at the same time. We need to go out and look at the site. Linda – you should be dealing with Conservation long before this concerning the activities that are going on. I think there are a lot of outstanding issues. Steve – he just mentioned the 2 ½ years from National Heritage. Greg – I can see the changes going on I go by it every day. Jim – what is the story for CVS? Bob I – the beginning of the week probably before next Tuesday. As far as New England Rental I do not feel that they have done anything wrong. Jim – how is meeting with CVS and New England Rental on Friday, May 6, 2011 at 8 a.m.? Meeting to take place at New England Rental and CVS on Friday, May 6, 2011 at 8 a.m. Linda G. – What is the next step with Bedford Street. Has any research been done? Jim – we will take up the runs and then go to the Board of Selectmen. Steve - I think we need to do something so that people will not feel you are stopping a person from doing what he wants with his property. Jim – when we looked at the hospital property all elements were in place. The negative point is that sometime with industry comes in it also brings in housing. Sysco did not require housing. It does not put money into the community – personal property puts the money in. We do not get anything from this since we do not know what is coming in. There are not that many ideal locations. Bartlett is a good location but we do not have good control. Claire Young – I have to say I was torn at the Town Meeting. Did excise tax outweigh what is going on to the community? It was a difficult decision.

Board Reorganization

Pauline – it is time to reorganize the Board. Zinc – I make a motion that we retain Jim as Chairman. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous.

Meeting

Pauline next meeting is May 17, 2011 at the Library.

Adjourn

Zinc – I make a motion that we adjourn. Greg – 2nd the motion. Jim – all in favor. Vote was unanimous. Meeting adjourned at 10:30 p.m.