

**TOWN OF LAKEVILLE
Lakeville Planning Board Minutes
April 29, 2014 –7:30 P.M.
Town Office Building**

On April 29, 2014 the Planning Board held a meeting at 7:30 P. M. at the Town Office Building in Lakeville. The meeting was called to order by Chairman Brian Hoeg.. Planning Board members present were: Brian Hoeg, Sylvester Zienkiewicz,, Donald Bissonnette, Peter Conroy, and Janice Swanson. Hearing was recorded by Matt Ferreira of the Middleboro Gazette and Lakeville Com.

7:30 p.m. Marijuana – Industrial District

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014.was read by Brian Frank Sterrett – Crest Drive – I guess this is a State definition. It seems it is different than layman terms. Zinc – you are right. Layman definition has nothing to do with Town Counsel wording. Nelson Pratt – is the description the same as cultivation area or is there a different one. Zinc – it is the same. Nelson Pratt – special permit is a work in progress -- what about the wording do we handle it after or something that has to be spelled out now. Brian – do we have the information? Rita – the ZBA has its own set of rules and regulations. Nelson Pratt – then it would be after. –Zinc 0—this is about a typical response – 40% Special Permit Business – 40% Industrial and 20% nothing. Our last information said because of the cultivation waste had to be kept separate. The common answer was indoor growing. This was the most common sense thing. Zinc I make a motion to close the hearing. Peter 2nd the motion. Brian – all in favor. Vote was unanimous. Zinc – I make a motion that we recommend the same. Peter 2nd the motion. Brian – all in favor. Vote was unanimous.

7:45 p.m. Temporary Moratorium – delete 7.9

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014 was read by Brian. Peter I make a motion that we adjourn this hearing since if the previous article passes it will be necessary to delete 7.9 if not it will stay. Donald – 2nd the motion.. Brian – all in favor. Vote was unanimous. Zinc – I make a motion that provided that this article is adopted we move to send the same to Town Meeting. Peter – 2nd the motion. Brian – all in favor. Vote was unanimous.

Woodward Hearing

Pauline – the 21 day appeal is over so at this time we should sign the plan. Since you previously voted to sign the plan. Plan signed by Don, Peter, Zinc and Brian.

8 p.m. Zoning Article – Lakeville Business Park

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014 was read by Brian. Frank Sterrett - the last parcel does not match. Rita – should be 025-005-005 not 025-003-005. SRPEDD picked this up as not being done properly. We are now using meets and bounds. Peter – I make a motion that we close the hearing. Don – 2nd the motion. Brian – all in favor. Vote was unanimous. Zinc – I make a motion that we make the necessary correction and send it to Town Meeting recommending approval. Don – 2nd the motion. Brian – all in favor. Vote was unanimous.

8:15 p.m. Proposed Zoning By-law from Residential to Business – Bedford Street (6 lots)

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014 was read by Brian. Nelson Pratt – what is the frontage. Janice – I can go over it and see what I can find. Frank Sterrett – I understand certain of these lots have houses on them. ?? Have we considered making this a mixed zone that way it would be not all business nor all industrial. The other thing is that it is off of Route 44. Ocean Spray and A Frame are in that area do we want to fill in everything with business and industrial. Brian – I believe this came to us by the Master Plan Committee and they have been studying this for a long time. It is my understanding that it is what the people have expressed an interest in personally. We have to present it to the town. Fred – can't you say no. Brian – if a group wants it, we can't say no, we do not have the authority. We have to schedule the same and put it before the people and let them decide. Nelson Pratt – 1 and 3 seem to be less. If it is separate we would have to combine. What would you have on 2, 3 & 4. What would be able to be there? Zinc – The 2 that are houses now are close to Taunton. Closer to the A Frame. Everything is not fixed, as of today. The residence at 1.6 with 175 feet of frontage is 3 bedrooms but it does not necessarily say it will stay that way. It could always move forward and change. We are doing what they (owners) are asking for. Brian – There are 2 businesses there now. Nelson Pratt – My concern is 3 and 4 and what you would end up with (a strip mall). Once you rezone what will go there. It could be something nobody wants. It is so shallow. Rita – the owner next to the A Frame approached the commission. Nelson Pratt - #6 – tells us nothing about wetlands. How much is wet and how much is buildable. Brian – How much pink is next to the yellow and what can he do without the pink property. What part is dry or wet. Zinc – 100% of the property is National Heritage. The part that is not wet abuts Joie's Gas. Nelson Pratt it would be nice to know what affect it would have. Nancy – wetland needs a 100 foot buffer zone. You have to propose what you are going to do – 50% - 75% may be usable. You have to know what will go there. Brian – if it was behind a gas station. Don – I make a motion that we close the hearing at this time. Zinc – 2nd the motion. Brian – all in favor. Vote was unanimous, Hearing closed. Zinc – I make a motion that we recommend approval of the same at Town Meeting. Peter 2nd the motion. Brian – all in favor. Vote was unanimous.

8:30 p.m. Overlay District

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014 was read by Brian. Frank Sterrett I need an explanation of Overlay District and what is the reason that we need it. You are the granting authority for the Special Permit. Does the underlying zoning still apply. Janice – no one has talked to them about it. We don't want to change anything that has not been agreed to by the owners. We don't know if G. Bartlett has been notified. Zinc I talked to Gene but he was not aware of it. It was compiled from Middleboro, so we don't know if it will work. There are reasons on Franks that it is basically either industrial or business with most supervision. It is good for the town to really have control over the property. It has to go 25 acres at a time. This is not any easy one to developed. Frank S – if it is good for the town why not do it for the entire town. Zinc – development would stop. Most people would not want this. Nelson Pratt – I haven't heard the answer – what additional requirements The two properties would have to be incorporated with the bigger acreage. Janice – these 2 would not qualify – what can be done with it. Have the owners been asked and have they been told that you need 25 acres. Nancy – it does not hurt what is underneath. Brian – they were in favor before. Nancy – it is an extra opportunity. Nelson P – I thought it was part of the Master Plan Frank S. – this property remains the same. We just add the overlay district. Zinc – all of the property across the street is the same – the hospital is an overlay. It is not very deter mental and probably will not be used. John Powderly – may be if some one explained to Gene how it w3orks and would be able to tell us how he feels about it. Maybe we could get a letter of support from him. Nancy – I can do that. Brian – I would prefer to have one of the Board members contact him. Don would you be able to do it. Don – sure.. Brian – Mr. Powderly we are going to do that. . Nelson P – what is the purpose. Zinc – it is not easy. Brian – we will have Don contact all 3 owners. It would like to table this to our next meeting on May 10 at 8 a.m. Peter – I make a motion that we continue the hearing to May 10, 2014 at 8 a.m. Don – 2nd the motion. Brian – all in favor. Vote was unanimous. .

8:45 p.m. Wind Energy

Notice as it appeared in the Middleboro Gazette on April 3, 2014 and April 10, 2014 was read by Brian. Rita – I looked into it concerning Green Committee and was told it does not affect our standing. Seth Pickering – it doesn't affect your standing as long as the other requirements are met. Rita – I think Jim was concerned about Fairhaven and Falmouth. John Powderly I don't know if the Special permit or if we just need to have it updated. I don't know if the Special Permits will take care of it . We need to go over our specs more and bring them up to date and make any necessary changes. Rita – Sec. 11 talks about 500 feet and that is pretty close. John – we have to check what we allow and re-write our specs. Zinc – I don 'think we wrote these and I don't think we know what need to be written. John – the installers want to get into it but I think we need to update the information. If you are the Special Permitting authority you will have to become experts. Don Montgomery – it has gone to legal information. If Lakeville wants to know what to do look at Fairhaven. I won't want to see a commercial setting. Frank S. – think about the sound decimal. Jim – Kenny – who is responsible for the setbacks. Brian – we would have to hold a hearing – the special permitting avenue might not be

enough. Seth Pickering – neither Fairhaven or Falmouth used local ruling. Zinc – the maximum height is 250 feet. Jim Kenney – it is not just physical damage – there are a lot of things to look at it. Don Montgomery – the shadow was a problem in Fairhaven not just the sound. Seth Pickering – the driving force was revenue generation for the towns. Falmouth owns them Fairhaven owns one half. Zinc we are not in danger at 225 feet. Peter would 225 feet be profitable. Pickering 400 feet. Frank S. Looking at smaller types. Nelson P – 225 might be of use to a smaller owner. Brian – only in Industrial and Industrial B. Don – I make a motion that we close the hearing. Peter – 2nd the motion. Brian – all in favor. Vote was unanimous. Zinc – I make a motion that we recommend the acceptance of the same as it is more restrictive. Peter 2nd the motion. Brian – all in favor. Vote was unanimous.

Form A – 41 Mill Street

Outback Engineering -- 4 acres parcel – everything has been done – the wet line has been approved. Zinc – I make a motion that we sign the plan as submitted. Janice – 2nd the motion., 4 in favor. Don abstained. Check in the amount of \$200. was received.

Blueberry Estates

Mr. Lang – Allan Majors –We have met with Conservation and the Board of Health. This is a proposed meeting space. It will be a free standing club house approximately 1400 square feet. They are talking installing a walking trail to encourage residents to walk. We are talking a deck and patio, 5 parking spaces, 2 handicap, dumpster area, a formal dumpster enclosure and landscaping. No new lights and one now which Weill be relocated. Peter – a kitchen – no – occupancy – is for 40. Peter =-- what about the path. Nancy I think it is good. I sent them to Mike and Linda . Rita – have you gone to Board of Health. ?? we have met informally. Nancy – it will be easy if you have go to all the departments first.. Allan & Majors I see the Board of Health being very restrictive.

Robbins Lane

Pauline I have been contacted by Mr. Maroney the Builder asking that we stop Gene from paving the road . He is concerned about the road being damaged once he starts building more houses. I spoke with Atty Ryder and he said according to the agreement that Gene signed with the bank it has a clause which states that the paved road needs to be done by June 30. I understand from him that he has disbursed some of the funds after the work has been approved by Outback Engineering (Youngquist). Debbie is holding funds but they are under the name of Folkman and Zola.

Meeting

Pauline – next regular meeting May 10,, 2014

Adjourn

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