On February 5, 2019, the Planning Board held a meeting at 7:00 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The meeting was called to order by Chairman Adam Bond, at 7:00 PM. Planning Board Members present were: Adam Bond, John Healey, William Garceau and Cara Mia Diegoli. Also present was Leeann Bradley, Town Planner. MCCAM was recording the meeting for local community broadcast.

**ADMINISTRATION:**

**Unanticipated**

None

**Approval of Draft Minutes**

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

**VOTED:** To approve the Planning Board Meeting Minutes of December 18, 2018.

Unanimous in favor.

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

**VOTED:** To approve the Planning Board Meeting Minutes of January 8, 2019.

Unanimous in favor.

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**Payment of Bills**

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Invoice Number</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Atlantic Design</td>
<td>19-1009</td>
<td>Cobblestone Estates</td>
<td>$2,735.00</td>
</tr>
<tr>
<td>Atlantic Design</td>
<td>19-1003</td>
<td>Harvestwood Estates</td>
<td>$575.00</td>
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<td>JDE</td>
<td>AA040.03.01</td>
<td>Charlotte Court</td>
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<tr>
<td>JDE</td>
<td>AA04002 01</td>
<td>Dr. Perkins</td>
<td>$500.00</td>
</tr>
</tbody>
</table>
February 5, 2019

JDE AA04001 01 Holton Estates $1,437.50
Amazon 98473773469 Office Equipment $533.64

Upon a motion by Mr. Garceau and seconded by Ms. Diegoli, it was:

VOTED: To pay the invoices as read.
Unanimous in favor.

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Approval of Form A Lots

None

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Public Hearings, Meetings, etc.:

HEARING:

Cobblestone Estates – Form C Off Wareham Street
Expires: 4/19/19
(Continued from 1/8/19)
Owner: Goodwin, S. Applicant: Southbrook Development Engineering: Zenith Consulting Engineers
Expires: 4/19/19
See attached for hearing minutes

*******************************

Harvestwood Estates Form C Modification, Old Center Street
Expires: 1/9/19
(Continued from 1/22/19)
Owner/Applicant Greg Maroney
Engineer: MBL Land Development & Permitting Corp.
Expires: 1/9/19
See attached for hearing minutes

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OTHER:

1. Christina Estates - Water Main & Guard Rail Discussion

Discussion ensued regarding Christina Estates. Mr. James Shalek was present for Christina Estates. Mr. Shalek stated he had an employee go to other subdivisions and take pictures of the guard rails. Chairman Bond stated that the difference is with the slopes. Chris Peck
February 5, 2019

does not have any issue with the steel guard rail. Mr. Garceau said it might be better to have the metal guard rail because it is on a radius.

Discussion was continued with the water main. Mr. Healey stated that the Water Department has the water main in their capital plan but not any timeframe for when it will happen.

Upon a motion made by Mr. Healey and seconded by Ms. Diegoli, it was:

VOTED: To allow a field change to replace the timber guardrail with a metal guard rail and to eliminate the dry water main as shown on the approved plan.

Three in favor. One opposed. (Garceau)


Michael Malloch of Malloch Construction from Berkley was present to discuss options for lot releases. Mr. Malloch would like to have the town hold four lots and have a cash surety for $100,000.00 held for the bond. Mr. Malloch has chosen for the Town to hold lots 2, 4, 6 and 10. Lots 1, 7, 8 and 9 are under agreement. Two of the lots are waterfront lots, one is a cul-de-sac lot.

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

VOTED: To hold lots 2, 4, 6, and 10 and to hold $100,000.00 for surety with the town.

Discussion continued from Mr. Garceau on the Form J lot releases he wants only a two year and then you can only have a one year extension. Ms. Bradley stated that this will be addressed as part of the subdivision regulations rewrite.

Unanimous in favor.

3. 76 Brookside Drive (Lot 2C) – Chairman Bond discussed the release of a Special Permit Form H Covenant which was attached to 76 Brookside Drive (Lot 2C), stating this lot was complete back in August 2012 and the Form H was placed with this address in the Registry of Deeds and for purposes of the transfer of this property this needs to be lifted. The Planning Department recommends this. The Board of Selectmen has accepted the road.

Upon a motion made by Mr. Healey and seconded by Mr. Garceau, it was:

VOTED: To approve the release of the Special Permit Form H Covenant placed on 76 Brookside Drive (Lot 2C).

Unanimous in favor.
4. Discussion – Field Change vs Modification

VOTED: To continue to the next meeting on February 19, 2019.

5. Update on the Zoning Map Amendment - Chairman Bond stated that the Historic Commission will be having a meeting on the Zoning Map Amendment on February 25, 2019, at 7:00 PM at the Green School. They will be having the abutters there to speak, and if anyone on this board would like to go, please do. Discussion ensued regarding the Zoning Map Amendment.

6. Southpointe – Update

Chairman Bond stated that in order for this project to go forward the developer would need to come in front of this Board and seek to have the approved subdivision rescinded. Chairman Bond would like to send a letter to the Board of Selectmen to ask if that does not happen, is there a provision to get this special permit going. Mr. Healey would like to bring everyone up to date with the new plan. Discussion ensued regarding the proposed roads and the light to be installed on Mill Street and Route 44. Mr. Garceau stated that they have not brought anything in front of the Planning Board so why is there discussion. Chairman Bond does not want to wait; he wants to discuss this now.

Corey Malloy of 38 Vernon Street spoke of the water in the area and protecting the environment.

Matthew Bruffee of 16 Clayton Road spoke to the Board of Selectmen last night and would like to read into the record his memorandum.

Discussion continued of the process and how no one has not applied as of yet.

Loretta Bruffee spoke of the traffic on her street and has spoken to the Department of Public Works for repairs that need to be done. Ms. Bruffee has spoken to Representative Norman Orrall and has requested a traffic light.

Heather Kundzicz of 46 Old Center Street mentioned the water issue of onsite water. Is Taunton going to be helping with the water? When this first came up I spoke to the Board of Selectmen, they said stick with this.

Lisa Mendonca of Vernon Street mentioned the cost to the town and the infill-structure will damage the town.

Dan McLaughlin – 10 Cordial Road – urged the Planning Board to visit the property and the surrounding area.

Adam Bond left meeting at 8:45 PM

Matthew Bruffee stated that he has not had satisfaction with any resolution tonight. He would like the whole board to show up at the Conservation Commission. Mr. Healey stated he has been to all Conservation Commission meetings but the point is that we have to take this as it comes to us. We need to look at another access point. There is a process but they have not come before this Planning Board.

Discussion continued about the process and authority of the Planning Board.
February 5, 2019

7. Discussion – Combination of Form A with Application for Retreat Lot
Ms. Bradley stated that the Board has wanted to combine this process. Ms. Bradley would like to have this done for the fall town meeting.

**Update on Active Projects**
No Discussion

**Adjournment**

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

**VOTED:** To adjourn the meeting at 8:45 PM.
Unanimous in favor.

Respectfully Submitted by,

[Signature]

John F. Healey, Clerk
AGENDA/ PACKET ITEMS
February 5, 2019

1. Agenda
2. Draft Minutes - 12/18/18 & 1/8/19
3. Cobblestone Estates – Email from C Peck to L Bradley re: First Defense Vortex Separator dated: 1/30/19
4. Cobblestone Estates – Email from ADE to PB re: Low Areas Dated: 1/28/19
5. Cobblestone Estates – Letter from ADE to PB re: Initial Engineering Review dated: 1/16/19
6. Harvestwood Estates – Email from ADE to MBL re: Revisions to Basin dated: 1/28/19
8. Christina Estates – Letter from Water Department to PB re: Install Water Main dated: 1/17/19
9. Christina Estates – Letter from Amory Eng. to M Bumpus re Water Main Project dated: 1/14/19
13. South Coast Rail – Station Area Opportunities 1/22/19
14. Southpointe – Email from Bradley to PB re: DO District update dated: 1/16/19
15. Executive Session Minutes – Email from Murray to Bradley re: Executive Minutes dated: 2/1/19
16. Conflict of Interest – Email from A Ferreira to PB re: Conflict of Interest dated: 1/23/19

6
HEARING
Cobblestone Estates off Wareham Street

On February 5, 2019, the Planning Board held a hearing regarding Cobblestone Estates off Wareham Street at 7:15 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Acting Chairman Healey at 7:45 P.M. Planning Board Members present were: Jack Healey, William Garceau and Cara Mia Diegoli. Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

Cobblestone Estates - Form C off Wareham Street
(Continued from 1/8/18) Owner: Goodwin, S. Applicant: Southbrook Development
Engineer: Zenith Consulting Engineers Expires: 4/19/19

Attorney Robert Mather was present as the representative for Cobblestone Estates. Attorney Mather stated that as we do not have a full board, he would like to continue the hearing to the next meeting.

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

   VOTED: To continue the hearing of Cobblestone Estates a Form C off of Wareham Street to February 19, 2019 at 8:30 PM.

Unanimous in favor.

Respectfully Submitted by,

[Signature]
John F. Healey, Clerk
HEARING
HARVESTWOOD ESTATES FORM C - OFF OLD CENTER STREET

On February 5, 2019, the Planning Board continued a hearing regarding Harvestwood Estates at 7:20PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Chairman John Healey at 8:00 PM. Planning Board Members present were: Jack Healey, William Garceau, and Cara Mia Diegoli. Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

**Harvestwood Estates Form C Modification, Old Center Street**
Expires: 2/22/19
Owner/Applicant Greg Maroney
Engineer: MBL Land Development & Permitting Corp.
Expires: 2/22/19

Tracy Duarte, PE from MBL Land Development was present on behalf of the applicant. At the last meeting we were wrapping things up. We have changes to the side slopes around the basin with ratio 5:1; we have done that and submitted to ADE, we added the split rail fence for the Conservation Commission. Ms. Bradley received a report and an email from ADE stated all concerns have been satisfactorily addressed and the vital changes have been done.

Tanya Trzeciak from 117 Old Center Street has concerns with the water drainage to her property. Ms. Duarte showed the travel of the drainage from the road to the vernal pool.

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

**VOTED:** To close the Harvestwood Estates Form C modification off Old Center Street.

Upon a motion made by Mr. Garceau and seconded by Ms. Diegoli, it was:

**VOTED:** To approve the Harvestwood Estates Form C modification off Old Center Street.

Unanimous in favor.

Respectfully Submitted by,

John F. Healey, Clerk