Tuesday, May 7, 2019

Adam M. Bond, Chairman
John F. Healey, Clerk
Edward J. Medeiros
William B. Garceau
Tracie Craig-McGee

Town Hall
Board of Selectmen’s Meeting Room
10 Nickerson Ave.
Middleborough, MA 02346

On May 7, 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 Bond at 7:00 PM. Planning Board Members present were: Adam Bond, William Garceau, John Healey, Tracie Craig-McGee and Edward Medeiros (entered 9:50pm). Also present was Leeann Bradley, Town Planner. MCCAM was recording the meeting for local community broadcast.

Chairman Bond led the Pledge of Allegiance.

ADMINISTRATION

Reorganization of Board

**Nomination by Mr. Healey, seconded by Mr. Garceau, a unanimous vote, for Adam Bond as Chairman.
**Nomination by Mr. Garceau, seconded by Ms. Craig-McGee, a unanimous vote, for John Healey as Clerk.

Unanticipated

Mr. Bond advised he attended the May 6, 2019 Board of Selectmen meeting. He mentioned the Town is having a Stakeholder’s meeting for the South Coast Rail. The purpose of these meetings is to have further discussion with regards to what type of benefits South Coast Rail would provide. There was a discussion on member of the board being a designee.

**Motion by Mr. Garceau, seconded by Ms. Craig-McGee for Mr. Adam Bond as designee and Mr. John Healey as backup designee. Vote 4-0-0

10:28 PM Mr. Bond noted and stated Eric LeClair of GFI contacted him to have a discussion about the finer points of South Point and the project. Indicated they will be coming before the board for a rescission. If the public would like to voice any concerns on South Point to please look at the Planning Board’s upcoming agendas to participate.

Payment of Bills

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Invoice Number</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jacob Driscoll Eng.</td>
<td>AA04002.02</td>
<td>Dr. Perkins Way</td>
<td>$2,500.00</td>
</tr>
<tr>
<td>Jacob Driscoll Eng.</td>
<td>AA04004.01</td>
<td>Christina Estates</td>
<td>$1,125.00</td>
</tr>
<tr>
<td>Atlantic Design E.</td>
<td>18-4422</td>
<td>Harvestwood Estates</td>
<td>$2,027.50</td>
</tr>
<tr>
<td>CDW-G</td>
<td>RTT5430</td>
<td>Office Equipment</td>
<td>$204.93</td>
</tr>
<tr>
<td>CDW-G</td>
<td>RSX1335</td>
<td>Office Equipment</td>
<td>$763.82</td>
</tr>
<tr>
<td>Nitsch Eng.</td>
<td>63717</td>
<td>Cranberry Woods</td>
<td>$1,071.18</td>
</tr>
<tr>
<td>WB Mason</td>
<td>I65726471</td>
<td>Office &amp; Stationary</td>
<td>$117.73</td>
</tr>
<tr>
<td>Ron’s Geko</td>
<td>5567</td>
<td>In State Travel</td>
<td>$35.00</td>
</tr>
<tr>
<td>Jacob Driscoll Eng.</td>
<td>AA04002.03</td>
<td>Dr. Perkins Way</td>
<td>$1,062.50</td>
</tr>
</tbody>
</table>
**Motion by Mr. Garceau, seconded by Mr. Healey to pay invoices as read. Vote 4-0-0**

Approval of Minutes

February 5, 2019, February 20, 2019, April 2, 2019

**Motion by Mr. Healey, seconded by Mr. Garceau to approve minutes. Vote 3-0-1-Abstain Ms. Craig-McGee**

Approval of Form A Lots

7:10 PM - DBT Investments LLC – 187 Miller Street, 2 Lots 19-13-A, Expires 4/29/19

David Maddigan of Maddigan Land Surveying, LLC was present to discuss the Form A Plan. He pointed out that three of the Board members have seen the Form A presented three weeks ago. He advised the plan met all the requirements for an ANR plan. Sufficient frontage on both lots, both sit on public ways and has access onto the lots from the public way. Lot 1 meets the required distance at the front yard setback, but Lot 2 does not due to the unique shape and the way the abutter comes in. He mentioned some of the Board members wanted to consult with Town Counsel because it is shown a zoning deficiency. Mr. Bond advised the zoning deficiency is in the jurisdiction of the Zoning Board. Town Planner Leann Bradley advised she agrees with Mr. Maddigan that the plan met all three criteria’s. She recommends the Planning Board to endorse the plan.

**Motion by Mr. Healey, seconded by Mr. Garceau, to endorse a Form A Plan of land for 187 Miller Street, Middleborough, MA prepared for DBT Investments LLC, received 4/30/19, survey 4/26/19, Expires 4/29/19. Vote 4-0-0**

7:16 PM - Cole, 173 & 177 Chestnut Street, Lots 19-14-A

David Maddigan of Maddigan Land Surveying, LLC was present to discuss the Form A Plan. He advised there are two existing lots both with houses. He mentioned basically what they are trying to do is change/reconfigure the interior lot lines. The owners are looking to sell Lot 1, clear up some lot lines and he pointing out on presented plans that the back-Parcel A is designated as an unbuildable lot. Stating they are cutting off a large back piece which they may or may not sell to an abutter. Mr. Maddigan stated that the plans met all three criteria. Town Planner Leann Bradley advised her endorsement for interior lot line changes to clean up some issues with having structures on other property. Ms. Craig-McGee wanted to know are the barns all going with Lot 1. Mr. Maddigan confirmed as one barn is hanging over in Lot 2.

**Motion by Mr. Healey, seconded by Mr. Garceau, to endorse a Form A Plan of Land for 173 & 177 Chestnut Street, Middleborough, MA, received 4/30/19, survey 4/26/19, last revised 4/26/19. Vote 4-0-0**

OTHER

10:29 PM - Subdivision Rules & Regulations Rewrite – Update – Greg Driscoll

Mr. Greg Driscoll of Jacob Driscoll Engineering was present and gave an update. Mr. Bond indicated and spoke about some of the changes and modifications. Ms. Leeann Bradley stated she has not reviewed the markups. The next work session will be on June 9, 2019 at 7:00 pm.

10:35 PM - Historical Commission – Zoning and Overlay – Discussion

Mr. Arthur Battistini of Historical Commission was present and stated the Historical Commission would like to work together to define purpose of changes, set clear goals to making these changes and to come up with a plan on how to implement the changes. Indicated Town Manager recommended site plan review. There was a discussion
on Route 28 and overlay. Ms. Bradley stated SRPEDD wants to know what the extent is in the historic overlay. Mr. Bond suggested a working group with SRPEDD.

Ms. Barbra Chadwick of 6 East Grove Street was present and stated surrounding neighbors including herself wants to keep area as residential and wants to be kept in the loop.

Mr. George Durant, 10 East Grove Street was present and stressed concerns on zoning overlays.

11:02 PM - Associate Member Interviews – Anders Martenson IV

Mr. Anders Martenson was present stated being an associate member would be a great learning opportunity and a way to give back to the town. Mr. Medeiros stated as an associate member this could help Mr. Martenson in his professional life as well as helping the town. Mr. Medeiros also indicated to Mr. Martenson that he has to attend every special permit hearing.

**Motion by Mr. Medeiros, seconded by Mr. Healey to appoint Anders Martenson IV to the associate member position. Vote 5-0-0**

11:06 PM - Elk Run – Discussion on Completion and Surety – Subdivision approval expired April 23, 2019

Mr. Jeff Youngquist of Outback Engineering was present stated nothing has been done due to the rain this season. There was a discussion on what remains to be done and extensions. Mr. Medeiros suggested Chris Peck, Department of Public Works Director to go down there and advise the Board if it's gradable and Mr. Youngquist agreed to contact Mr. Peck.

**Motion by Mr. Medeiros, seconded by Mr. Healey for an 8 week deadline from today to complete project under the condition two weeks after that the bond will be pulled. Vote 5-0-0.**

11:14 PM - Turner Brothers – Update and schedule site visit

Mr. Bond advised there were things Turner Brothers were in violation of. He suggested in May that Mr. Robert Whalen, Building Commissioner and Ms. Leeann Bradley, Town Planner do a site walk. There was a brief discussion on violations.

Mr. Whalen was present and indicated once a "due notice" is sent then it goes to court if violations have not been resolved. He agreed to site walk and creating a list of violations of the "special permit".

Ms. Craig-McGee noted and advised under the "special permit" page 3 item #3, "accessory building".

**Motion by Mr. Medeiros, seconded by Mr. Healey for Building Commissioner and Town Planner do a site walk and make a letter of deficiencies so that the Building Inspector may if he likes send the Turner Brothers a "due notice" which makes the special permit appalled. Vote 5-0-0.**

11:25 PM - Construction Administrator Job Posting

Ms. Leeann Bradley stated she submitted the job posting with the revised job description. There was a discussion on job description. Mr. Medeiros stated the construction administrator should not be onsite very much, office only. Ms. Craig-McGee pointed out the job description should be approved by all parties GMEG included. Secondly, the list of duties and responsibilities should be included in the description. There was a brief discussion on job description revisions desired.

**Motion by Mr. Medeiros, seconded by Mr. Healey to advertise posting as construction administrator. Vote 4-1-0- Ms. Craig-McGee**

11:33 PM - Municipal Vulnerability Program Grant – Letter of Support
Nothing was discussed.

11:33 PM - Truck Traffic – Discussion of Traffic through the center of town

There was a brief discussion on local police doing DOT checks due to trucks going through town instead of stopping in town.

ITEMS BEING FOLLOWED

South Coast Rail
North Carver Update
Southpointe

ADJOURN

Motion by Mr. Medeiros, second by Ms. Craig-McGee to adjourn. Vote 5-0-0

Meeting adjourned at 11:35 pm

John F. Healey, Clerk
AGENDA/PACKET ITEMS

May 7, 2019

1. Agenda
2. Draft Minutes – 2/5/19, 2/20/19, 4/2/19
3. 187 Miller Street – Site Plan from D Maddigan to PB re: Form A Lot dated: 4/26/19
4. Form A Plan – Email from Murray to Bradley re: Zoning Nonconformity dated: 4/23/19
5. 173 & 177 Chestnut Street – Site Plan from D Maddigan to PB re: Form A Lot dated: 4/26/19
6. Charlotte Court Lot #2 – Site Plan from Green Seal to PB re: Special Permit Marijuana dated: 1/5/18
7. Charlotte Court Lot #2 – Email from Historical Commission to PB re: Project Comments dated: 4/30/19
8. Charlotte Court Lot #2 – Memo from Bucker to PB re: No Comment dated: 4/1/19
12. Cranberry Woods – Email from D Murray to D Bernabeo re Site Walk dated: 4/18/19
13. Cranberry Woods – Site Plan from LandPlex to PB re: Per Review Comments dated: 3/12/19
14. Wareham Street/Paradise Lane – Site Plan from D Maddigan to PB re: Retreat Lot dated: 4/30/19
15. Zoning Review – Email from D. Cavanaugh to PB re: Rezoning Rock Village Area dated: 4/29/19
17. Construction Administrator – Letter from Bradley to PB re: Construction Administrator Position 4/26/19
18. Construction Administrator – Job Description
19. Construction Administrator – Job Posting
20. Construction Administrator – Administrative Planning Assistant
22. MVP Program – Planning Grant Packet Information
23. MVP Program – Municipal Vulnerability Preparedness Information
24. 10 Commerce Blvd – Letter from G. Turner to PB re: Response to Outstanding Issues dated: 4/15/19
25. 10 Commerce Blvd – Email from Bradley to R. Whalen re: Lighting Plan Dated: 3/28/19
26. 10 Commerce Blvd – Certificate of Occupancy Expiration date: 7/01/19
27. 10 Commerce Blvd – Site Plan dated: 8/15/17
28. 10 Commerce Blvd – Memo from Fellini to PB re: Site Plan Review dated: 2/7/17
29. 38 Bellows Rd, Raynham – Print out of Google map dated: 5/25/17
30. South Coast Rail – News Article re: Baker Comes up with Financing dated: 4/22/19
31. South Coast Rail – Email from Bradley to PB re: Phase 1 Reaches Major Milestones dated: 4/22/19
32. Chestnut Street – M Bradley to BOS re Byrne, Inc. for WRPD dated: 4/23/19
33. 61 West Street – Letter from Bradley to ZBA re: Demo Existing Dwelling and Replace dated: 4/24/19
34. Purchase Street – Letter from Bradley to BOS re: WRPD Special Permit Application dated: 4/25/19
35. Christina Estates – Email from P Carrara to D Stailey re: Gravel Base /Road Pavement dated: 4/17/19
37. John Perkins' Way – Email from Briggs to PB re: Site Visit Monitoring Compaction dated: 4/19/19
38. John Perkins' Way – Site Visit from Briggs to PB re: Sample at Byrne Sand & Gravel dated: 4/16/19
40. MSR&R – Proposed Changes, Markup Progress Copy

SUPPLEMENTAL

41. Allie's Way – Email from L Bradley to C Peck re: Questioning Any Concerns with Modification dated: 5/6/19
42. Allie's Way – Email from C Peck to L Bradley re: Concerns of the Roadway Bern dated: 5/6/19
43. 10 Commerce Blvd – Special Permit Lot 11 Middleboro Park @ 495, Turner Brothers dated: 9/22/17
Tuesday, May 7, 2019

Adam M. Bond, Chairman
John F. Healey, Clerk
Edward J. Medeiros
William B. Garceau
Tracie Craig-McGee

PUBLIC HEARING

7:15 PM - Hidden Hemlock, LLC – Charlotte Court, Lot #2, 19-01-CBD
Adult Use Marijuana Cultivation and Manufacturing Micro-business (No Retail)
Owner/Applicant: Hidden Hemlock, LLC
Engineer: Green Seal Engineering
Expires: 6/17/19

On May 7, 2019, the Planning Board held a hearing regarding Hidden Hemlock, LLC – Charlotte Court, Lot #2 at 7:15 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Chairman Bond at 7:20 PM. Planning Board Members present were: William Garceau, Adam Bond, Tracie Craig-McGee and John Healey. Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

The Planning Board held a public hearing at 7:20 pm. Mr. Jeff Bellino and Mr. Greg Bellino were present to seek a special permit for proposed micro scale adult use cannabis cultivation and processing facility. There was a discussion on proposed application, facility, state regulations and buffers. They confirmed they are renting space within proposed building presented. Mr. Jeff Bellino advised building is not open to the public and the facility is under strict security, key card access only. He also reiterated this is wholesale for adult use only. Town Planner Leeann Bradley stated one of the provisions within the by-law states cannot issue a special permit without the provisional license. She also confirmed the provisional license is issued by the Cannabis Control Commission. Mr. Jeff Bellino confirmed and advised he wanted the special permit approved subject to. Mr. Healey wanted to know in that development if there were other growers. Mr. Jeff Bellino confirmed there are other proposals but have absolutely nothing to do with it. Ms. Craig-McGee advised she has experience in this type of license issuance and questioned their Host Community Agreements process. Mr. Greg Bellino advised the application was submitted to the town everything is all set with the Board of Selectmen. She questioned Town Planner if the town had a sample of a special permit. Ms. Bradley confirmed and advised she is currently working on one and once she is finished it would go to Town Council for review. Ms. Craig-McGee advised she thinks it is premature for the Board to vote on something if there is no document for them to fill out. Mr. Bond reiterated this is the town’s first marijuana cultivation and manufacturing facility.

Ms. Marieelana Bavin, 371 Wareham Street was present and stated the facility is directly across from her house. She wanted to know if it is going to be retail now and forthcoming. Mr. Jeff Bellino stated it is closed to the public and their license will not allow it. Mr. Bond suggested a site walk. Ms. Bradley advised it was Charlie Hunt’s project, should not be a problem.

Kirschner Associates, 8 Abbey Lane was present and briefly discussed area. Pointing out Hidden Hemlock would be right in back of their building. There was a brief discussion on community outreach. Ms. Bavin agreed to community outreach meeting. Ms. Craig-McGee wanted to know what the property is currently zoned. Ms. Bradley confirmed and advised “GU with a marijuana overlay”. Mr. Jeff Bellino advised the site is currently under development, foundation approved, no building permit and has control of the property. Ms. Craig-McGee briefly talked about marijuana manufacturing facility she once toured. Mr. Garceau indicated it such a small operation why so many parking spots. Mr. Jeff Bellino advised they have absolutely nothing to do with the development of the site. Ms. Bradley advised Mr. Hunt has it designed for a space metal building with different bays, you need certain amount of parking for each bay.
Susan Okolita, Director of YMCA was present to stress serious concerns. Specifically talked about 375 Wareham Street also known as Camp Yomechas. Stated there should be a more appropriate location to put manufacturing facility. She mentioned camp as an abutter but was never notified. Ms. Bradley confirmed and advised abutters have to be within 300 feet within the lot, camp is over 500 feet. Brief discussion on lot line and measurements from facility. Talked about how laws are unclear to her. Mr. Bond suggested Hidden Hemlock to talk to abutters, surrounding property owners, reiterated site visit and for everyone to come back to next meeting as Board is not ready to vote at hearing.

Sharon Cole, resident West Grove Street wanted to know if there were no marijuana manufacturing facilities in area, would they want to do business in Middleborough. Mr. Jeff Bellino advised he would prefer they be the only ones. Mr. Bond reiterated what the Board meant was if it looks good for Hemlock, others are more likely to come. Ms. Bradley advised she will have a draft of a special permit at next meeting.

**Motion by Mr. Healey seconded by Mr. Garceau to continue hearing to May 21, 2019 at 7:30pm. Vote 4-0-0

John F. Healey, Clerk
On May 7, 2019, the Planning Board held a hearing regarding Allie’s Way – off Rocky Gutter Street at 7:30 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Chairman Bond at 8:13 PM. Planning Board Members present were: William Garceau, Adam Bond, Tracie Craig-McGee and John Healey. Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

7:30 PM - Allie’s Way – off Rocky Gutter Street – two lots – 19-02-C Mod
Owner/Applicant: JIRI Realty LLP
Engineer: Outback Engineering
Expires: 6/30/19

The Planning Board held a public hearing at 8:13 pm. Mr. Jeff Youngquist of Outback Engineering was present to discuss modifications of Allie’s Way which is off Rocky Gutter Street. Ms. Bradley stated she reached out to Chris Peck Director of Department of Public Works, and asked if he had any questions or concerns. Mr. Peck brought up to continue berm all the way around because of wash out issues on Rocky Gutter Street. Mr. Youngquist agreed to the modifications. There was a discussion on modifications and 12 waivers. One request was to waive the $2,125.00 fee modification.

**Motion by Mr. Healey, seconded by Mr. Garceau to waive the modification fee. Vote 3-1-0- Mr. Bond**

**Motion by Mr. Healey, seconded by Mr. Garceau to approve subdivision modification plans for Allie’s Way off Rocky Gutter Street, Middleborough, MA, received 4/2/19, revised as of 5/7/19. Vote 4-0-0**

**Motion by Mr. Healey, seconded by Mr. Garceau to close hearing. Vote 4-0-0**
On May 7, 2019, the Planning Board held a hearing regarding Cranberry Woods – off Walnut St. & Marion Road at 7:45 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Chairman Bond at 8:20 PM. Planning Board Members present were: William Garceau, Adam Bond, Tracie Craig-McGee and John Healey. Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

7:45 PM - Cranberry Woods - off Walnut St. & Marion Rd. - 29 lots - 19-01-C
Owner/Applicant: The Daly Group LLC
Engineer: Landplex, LLC
Expires: 5/23/19

The Planning Board held a public hearing at 8:20 pm. Mr. William Garceau stepped down. Attorney James Timmins was present as a representative for The Daly Group, LLC. He stated the project was in preliminary review and announced plans did achieve approval in 2017. Since then plans have been significantly modified. The Board and abutters stressed some concerns. Mr. Daly brought in Landplex LLC to review site plan. Mr. Timmins commended Mr. Healey and Mr. Garceau for their attendance, efforts and interactions at the site walk. Mr. Matt Hamor of Landplex, LLC was present and discussed the plans presented. Mentioned plans have been reviewed through Judith Nitsch of Nitsch Engineering, Inc. There was a discussion on full soil testing, modifications, two small wetlands and detention basins on proposed 3,640 ft. roadway 26 lot subdivision. Mentioned a proposed waterline, gas main and drainage system. Discussed how drainage system would work and results of ground water mounding analysis.

Ms. Craig-McGee suggested the Planning Board should receive a letter from Mr. Michael Bumpus of Middleboro Water Department confirming good water pressure in area. Mr. Healey indicated he was surprised the lots were high and dry. Pleasantly surprised knowing the history of the project he was prepared to see standing water in different places. Ms. Craig-McGee wanted to know if perc testing was done for the septic systems and what type of soils are out there. Mr. Hamor confirmed and advised perc has been done and the soil is the same throughout the site and meets the perc requirement for the Board of Health. Confirmed the soil is 3 to C, well drained, not clay. Ms. Craig-McGee wanted to know if Chris Peck or the Sewer Department gave the okay that the catch basin can handle the additional water coming off the site. Mr. Hamor advised the water will be going into the storm water system and that the Town from his understanding gave the okay. Ms. Bradley advised this was approved with the first subdivision. She wanted to know how big in land area the proposed drainage basins were. Mr. Hamor advised he will let her know when he gets the total.

Mr. Marc Gabriel of Nitsch Engineering was present and indicated there were somethings unaccounted for since then are now accounted for. Mentioned other items missing that Mr. Hamor will address next week.

Mr. Ralph D’Emilia, resident 176 Marion Road was present and stated he was on the walk through and was extremely pleased. Indicated they were a professional group and addressed all their needs. Specified they are also proactive and collaborated with everybody.
Mr. Francis Bell, resident 13 Perry Street was present and stated he lived there since 1969 and is located downhill at the water heap. Curious as to how the water will be controlled. Concerned he would get flooded out by the basins. Mr. Hamor presented how the water will drain. With the drainage system it will reduce the water coming out. Mr. David Daly principal owner of The Daly Group, LLC was present and stated they addressed the challenge of drainage issue. Mentioned the neighbors with continuous drainage issues will be addressed for a better solution. Indicated it’s their responsibility and that flooding doesn’t happen.

Mr. Paul Rennie, resident 70 Walnut Street was present and stated he’s a direct abutter to the development. Indicated water issue in his yard. Commended The Daly Group as they came into this problem caused by other developers. Mentioned they addressed every concern abutters had.

Mr. Mark Legan, resident 78 Walnut Street was present and stressed his concerns about discharging water on Walnut Street into existing system because it goes down into the brook and if its EPA approved and agreed with Ms. Craig-McGee about the pipes mentioned in plans presented can handle a 10 year storm.

Mr. William Garceau, resident 17 Perry Street was present stressed concerns on water drainage and the retention ponds and how their system will work because in the past nothing worked. Mr. Garceau wanted to know where the water will go. Mr. Hamor presented plans and went over the storm water report page 71, 73, and 34P in the drainage report and page 38 on the 10 year storm. Mr. Garceau also wanted to know if all lots are to be developed or sold off. Mr. Hamor confirmed and advised only perc lots are to be sold.

Ms. Craig-McGee brought up natural gas moratorium and had a brief discussion with Mr. Hamor.

Sharon Cole, resident West Grove Street was present and wanted to know if these were mobile homes. Mr. Hamor confirmed and advised these would be single family homes.

Mr. Healey wanted to know will the Planning Board get a final report from Nitsch Engineering. Ms. Bradley advised depends on when they submit the plan.

**Motion by Mr. Healey, seconded by Ms. Craig-McGee to continue this matter at 7:45 PM on May 21, 2019. Vote 3-0-0

**9:46 PM Mr. Garceau returned to open meeting.

John F. Healey, Clerk
On May 7, 2019, the Planning Board held a hearing regarding Coletti Retreat Lot Special Permit off Wareham Street at 8:00 PM at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. The hearing was called to order by Chairman Bond at 9:46 PM. Planning Board Members present were: William Garceau, Adam Bond, Tracie Craig-McGee, John Healey and Edward Medeiros (entered 9:50pm). Also present was Leeann Bradley, Town Planner. MCAM was recording the meeting for local community broadcast.

8:00 PM - Coletti Retreat Lot Special Permit off Wareham Street – 19-03-RL
Owner/Applicant: Russell & Pamela Coletti
Land Surveyor: Maddigan Land Surveying
(continued from 3/19/19)
Expires: 5/11/19

The Planning Board held a public hearing at 9:46 pm. Mr. David Maddigan of Maddigan Land Surveying, LLC was present to discuss Mr. Coletti’s retreat lot. Indicated updates on plans, one of them being: the gravel access drive on the proposed 12 foot wide gravel access driveway through the access portion of the lot into the upland building lot. There was a discussion on concerns the Board previously had. Mentioned Mr. Coletti submitted a letter probably during the first hearing in regards to getting MA Highway guard rail removed. Mr. Healey wanted a copy of the DPW MA Highway authorization to take that section out. Mr. Coletti would have to refile to take the guard rail section out. Mr. Maddigan also mentioned the Board requested the wetlands to be updated since then he received updated plans from the Conservation Commission and plans to delineate the wetlands accordingly. There was a brief discussion on retreat lot, Paradise Lane and by-laws.

Mr. Russell Coletti, resident Paradise Lane was present and discussed access and easements on retreat lot. Ms. Craig-McGee indicated the proposed access road is owned by David Smith and Danielle Eton. She wanted to know would the Board approve an access road to a retreat lot on a property Mr. Coletti does not own. Mr. Maddigan confirmed and advises Mr. Coletti will have a purchase and sales agreement, until he gets approval on the retreat lot Mr. Coletti is not going to spend a lot of money on that piece of land for access onto retreat lot. There was a discussion on how to approve retreat lot without destroying the wetlands. Ms. Bradley indicated to Mr. Maddigan when “notice of intent” was filed one of the criteria was that you have to show you don’t have any alternative access. Pointing out that there was and if Conservation Commission approved it, DEP can appeal it.

Mr. Bob Whalen, Building Commissioner was present and discussed with the Board about access road being built prior to approval of retreat lots.

Mr. Ralph D’Emilia, resident 176 Marion Road was present and had a discussion with the Board on land ownership and permits.

Mr. Bond stated if Mr. Coletti came back before the Board showing a permanent easement down Paradise Lane, ownership and ability right to build that road and meeting the retreat lot laws he predicts approval at next meeting.
**Motion by Mr. Medeiros, seconded by Mr. Garceau to extend the application for a retreat lot plan on Paradise Lane, Middleborough to June 30, 2019. Vote 5-0-0**

John F. Healey, Clerk