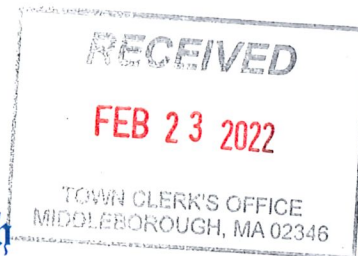




Town of Middleborough
Planning Board

20 Center Street, 2nd Floor
Middleborough, MA 02346



508-946-2425
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February 1, 2022 – Planning Board Meeting Minutes

Planning Board (“PB”) held a Zoom hybrid meeting at Middleborough Town Hall, 10 Nickerson Avenue, Middleborough, MA. PB Members present – Chair, Edward Medeiros (EM), Clerk, Jack Healey via Zoom (JH), William (Bill) Garceau (BG), Tracie Craig-McGee (TCM) and Allin Frawley (AF). Also in attendance, Leeann Bradley (LB) Town Planner and Joe Mandile (JM) Administrative Planning Assistant. Anders Martenson (AM), Associate Member, was absent.

ADMINISTRATION

Chair, EM called the meeting to Order at 6:30 PM.

Chair, EM led the Pledge of Allegiance.

Chair, EM stated the Board did not have any Continued Meetings or Hearings.

Unanticipated

None

Payment of Bills

JDE – Date 1.17.22 – Gateway Estates – Invoice # 02-2020-073 11 - \$843.75

JDE – Date 1.19.22 – Middleborough Park – Invoice # 02-2020-074-08 - \$4,812.50

AF made a motion to approve; Seconded by BG.

Motion passed unanimously.

Approval of Minutes -

AF made a motion to approve the January 18, 2022 minutes as drafted. Seconded by JH.

Motion passed unanimously.

Form A Submittals –

203 Summer Street, Map 4, Lot 5968 – Lots 3 and 4 – Lex Development, Inc. – deadline Feb. 12, 2022

Nyles Zager (NZ) of Zenith Engineering Consultants was present. Lots 3 and 4 off River Street are being section off as buildable lots. BG asked about vital access to the property as there are a large amount of

wetlands towards the roadways. NZ stated that Lot 4 would be accessed from Lot 3, a common driveway.

TCM stated that the upland circle is positioned on the wetland line. EM stated this allowed through the Subdivision Rules and Regulations. The upland circle can abut the wetland but not enter into it. BG stated that a structure does not need to be completely within the upland circle, only 75%.

AF made a motion to endorse the Form A plan. JH seconded the motion. Motion passed 4-1; TCM nay.

192 Precinct Street, Map 23, Lot 2328 – Malitta Knaut – deadline February 12, 2022

Nyles Zager (NZ) of Zenith Engineering Consultants was present. NZ stated that Parcel A will be combined with Lot 1. TCM asked if there will an access easement for the owners of Lot 1 to access their property. NZ stated yes.

JH made a motion to endorse the Form A plan. Seconded by AF. Motion passed unanimously.

Vernon Street, Map 27, Lot 698 – Vasvatekis Investments, LLC – deadline February 14, 2022

Larry Silva (LS), Silva Engineering, was present. Map 67, Lot 698 is currently a non-buildable lot. They are splitting this into two (2) non-buildable lots. JH asked what the future purpose of the property would be. LS stated that he does not have this information.

LS stated there is a buyer for the front parcel but there are title issues on the back parcel. BG stated that if the back parcel has title issues, doesn't the front parcel have title issues as well; as it is currently one parcel. LS stated the title issue goes back several years when the property was initially purchased.

TCM asked about lot combination. EM stated that this is allowable as they are non-buildable lots.

AF made a motion to not take action on this Form A submittal. Seconded by TCM. Motion passed unanimously.

Public Hearing, Meeting, etc.

None

OTHER

Harvestwood Estates – Detention Basin Fencing – Field Change Request

Chris Peck, DPW Director, forwarded an email to the Planning Board stating that the basin fencing is correct as shown on the "field change" plan. The basin fencing will be constructed at the top of the detention basin berm.

AF made a motion to approve the detention basin fencing at the top of detention basin berm as a field change. Seconded by JH. Motion passed unanimously.

Gateway Estates – Request for Certificate of Completion & Layout Approval and Response to BOS

Nick Riccio (NR), Owner/Developer of Gateway Estates; Jeff Youngquist (JY) of Outback Engineering and Patrick Carrara (PC), PMP Associates (town’s consultant) were present.

Certificate of Completion – PC stated that the asbuilt plans are complete. There are only a few minor issues to be corrected, which can be done in the spring. LB recommended issuing a Certificate of Completion.

AF made a motion to issue a Certificate of Completion for Gateway Estates. Seconded by BG. Motion passed unanimously.

Layout Approval – LB forwarded the final layout plan to PC this afternoon. PC stated that the layout plan looks good.

AF made a motion to recommend the Board of Selectmen layout and ask Town Meeting to accept Gateway Lane and Paddock Circle within Gateway Estates. Seconded by JH. Motion passed unanimously.

Precinct Street – Potential Retreat Lot Layout Discussion

Tim Hashem (TH) was present. EM recuses himself from the discussion and the table.

TH stated that he and Bill Logan (BL) own this property. They have done the engineering and can have a ten (10) lot subdivision or two (2) retreat lots. They prefer the two retreat lots. They would need to access through an existing driveway on Paige’s Path.

One lot will require a wetland crossing. TH has discussed this with Tricia Cassady, Conservation Agent.

TCM asked about the driveway width. TH stated it would be a twenty (20’) foot wide gravel drive.

TCM stated she would rather see a two retreat lots than a ten-lot subdivision. BG stated that he would not approve or disapprove of a common driveway.

The Board took no action on this discussion.

Farland Estates II – Potential 40B – Update on opposition efforts

EM and BG recused themselves from this discussion. LB stated that correspondence drafted by Town Counsel has been forwarded to MassHousing outlining the many reasons why this project should not be issued a Letter of Eligibility. LB has a meeting with the Town Manager and MassHousing on February 10th and will update the Board at the February 15th meeting.

RealTerm/Amazon – Traffic Monitoring Plan – Discussion/Possible Action

John Crossen (JC) from RealTerm was present via Zoom. JC stated RealTerm recognizes their deficiency in adhering to the traffic monitoring required in the Special Permit. They are actively working with Amazon so that they can meet these requirements.

JC state they took control of the property in May 2021 and were not immediately aware of the traffic monitoring requirements. The team that was originally responsible for this had been transferred to different projects. There was a lack of communication.

RealTerm has reached out to McMahon Associates to discuss a study to mimic what was required in the Special Permit. Amazon and RealTerm need to agree on the proposal and scope of the work before presenting to the Planning Board.

They will provide a proposal to the PB prior to the March 1, 2022, meeting. This discussion was continued until March 1, 2022.

EM asked if the PB was informed as to when Amazon became fully operational. LB stated that the department does not have any information stating this. EM asked JC to have Amazon provide the Planning Board with information as to when they became fully operational. JC stated he would get this information to the Board.

Senior Clerk Position – Planning Department – Discussion

TCM stated she was not satisfied with the comments from the Town Manager regarding the possibility of changing the Senior Clerk position to that of Administrative Assistant. JH stated the Board needs to send correspondence to the Town Manager and Board of Selectmen stating the predicament this is causing for the Planning Department.

LB stated the funds are in the FY23 budget to hire someone at a Step 2.

JH made a motion to ask the Town Manager and Board of Selectmen to resolve the issue as the Planning Board has the funds in their FY23 budget. TCM seconded the motion. Motion passed unanimously. EM stated he will approve the letter before being sent.

Multi-family Zoning Requirements for MBTA Communities – Draft Regulations – Discussion

LB stated she informed the Town Manager of the Planning Board’s request to hold a joint meeting with the Board of Selectmen with Town Counsel attending in order to shed light on these new regulations and what, specifically, is required by the Town at this time. LB has not yet heard back from the TM but will email tomorrow with another request.

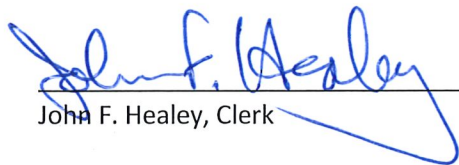
ITEMS BEING FOLLOWED

South Coast Rail

No new information at this time.

**AF made a motion to adjourn the meeting at 7:44 PM. Seconded by JH.
Motion passed unanimously.**

Respectfully,



John F. Healey, Clerk

This document is a summary of the events from the meeting. For a detailed recording, please see the Town of Middleborough website. <http://vod.mccam02346.com/CablecastPublicSite/search?channel=1&query=Planning>.