

COMMONWEALTH OF MASSACHUSETTS

TOWN OF LAKEVILLE

ANNUAL TOWN MEETING

To any of the Constables of the Town of Lakeville,

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet in the

APPONEQUET HIGH SCHOOL AUDITORIUM

On Monday, June 12, 2017, at 7:00 P.M., then and there to act on the following articles:

Article 1: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for capital improvements and equipment and all costs incidental or related thereto as follows: Three (3) New Police Cruisers w/equipment (less trade-ins); One (1) new Ambulance for the Fire Department w/equipment (less trade-in); One (1) Lucas Chest Compression System for the Fire Department; purchase and install New Office Trailer for the Highway Department with fixtures and equipment; Roadway Improvement Projects; License Permitting/Code Enforcement Software; and Hazardous Waste Day; and to authorize the Board of Selectmen and other appropriate Town officials to take such action as may be necessary to effectuate the purposes of this vote, or take any action relative thereto.

Capital Expenditures Committee

Article 2: To see if the Town will vote to determine the salaries of all elected officers and to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to defray Town expenses for the fiscal period July 1, 2017 to June 30, 2018, inclusive, said sums to be allocated in accordance with the budget document to be presented at Town Meeting, and to make appropriation, or take any action relative thereto.

Board of Selectmen

Article 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Park Department for the fiscal period July 1, 2017 to June 30, 2018, inclusive, and make appropriation, or take any action relative thereto.

Board of Selectmen

Article 4: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Landfill/Transfer Station for the fiscal period July 1, 2017 to June 30, 2018, inclusive, and to make appropriation, or take any action relative thereto.

Board of Selectmen

Article 5 To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Twenty Thousand Dollars (\$20,000.00) to cover the cost of contractual obligations upon retirement of Town Employees, or to take any action relative thereto.

Board of Selectmen

Article 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of Seventeen Thousand Dollars (\$17,000.00) for the purpose of funding the Triennial Recertification of the Town's real estate and personal property in Fiscal Year 2018, as mandated by the Massachusetts Department of Revenue, and any costs incidental or related thereto, or take any action relative thereto.

Board of Assessors

Article 7: To see if the Town will vote to raise and appropriate, and/or transfer from available funds, a sum of money for the purpose of making repairs to the Assawompset Elementary School, as may be determined by the Board of Selectmen, or take any action relative thereto.

Board of Selectmen

Article 8: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of updating the Town's 2005 Master Plan and Maps, including the hiring of an outside consultant and all work incidental or related thereto; or take any action relative thereto.

Board of Selectmen

Article 9: To see if the Town will vote to raise and appropriate, transfer from available funds or to authorize the Town Treasurer with the approval of the Board of Selectmen to borrow a sum of money to pay costs of designing, constructing, originally equipping and furnishing a new Police Station, including the payment of all costs incidental and related thereto, or to take any other action relative thereto.

Board of Selectmen

Article 10: To see if the Town will vote to accept under the provisions of M.G.L., Chapter 90, Section 34, an apportionment in the amount of Three Hundred Seventy Six Thousand One Hundred Sixty Six Dollars (\$376,166.00) or any other amount, or take any action relative thereto.

Superintendent of Streets

Article 11: To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the M.G.L.; that project and financing costs shall be repaid by the property owners, in accordance with those agreements, as well as, take any other action necessary to carry out the projects, or take any action relative thereto.

Board of Health

Article 12: To see if the Town will vote to amend the Town Zoning Map, as identified in Section 3.2.1 of the Zoning By-Law, by changing the zoning from Residential ("R") to Business ("B") for the following parcels identified below by Assessors Map and Parcel number, abutting Main Street and Clear Pond Road beginning from the Middleboro Town Line up to Keith Avenue:

- | | | |
|-----|-------------------|---------|
| 1. | 20 Main Street | 62-3-11 |
| 2. | 26 Main Street | 62-3-13 |
| 3. | 45 Main Street | 60-7-56 |
| 4. | 51 Main Street | 60-7-55 |
| 5. | 53 Main Street | 60-7-64 |
| 6. | 57 Main Street | 60-7-53 |
| 7. | 59 Main Street | 60-7-52 |
| 8. | 65 Main Street | 60-4-4 |
| 9. | 67 Main Street | 60-4-3 |
| 10. | 73 Main Street | 59-2-21 |
| 11. | 75 Main Street | 59-2-20 |
| 12. | 2 Clear Pond Road | 59-2-22 |

or take any other action relative thereto.

Planning Board

Article 13: To see if the Town will vote to amend the Zoning By-Law, Section 2.0 "Definitions" to delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

Structure: Any combination of materials attached to or requiring a fixed location on or in the ground. For the purposes of location on a lot, the following shall not be deemed to be

structures prohibited within a setback required in the Zoning By-Law: boundary walls and fences under 7' in height, utility poles, support posts not over 4 feet in height for mailboxes and name signs and parking lots. ~~except for parking lots which are within a building.~~

or take any other action relative thereto.

Planning Board

Article 14: To see if the Town will vote to amend the Zoning By-Law, Section 2.0 "Definitions" to insert new language, as underlined, as follows:

Setback: The distance between the lot boundary line and the building or structure line, measured for the front, rear and side yards.

or take any other action relative thereto.

Planning Board

Article 15: To see if the Town will vote to amend the Zoning By-Laws relative to funeral homes as follows:

A. Amend Section 4.1 "Table of Uses Regulations" Sub-Section 4.1.2 Business Uses to delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

Current Text

4.1.2 Business Uses	R	B	I	I-B
Funeral Home	SP	Y	N	N
Mortuary or crematory	N	SP	N	N

PROPOSED TEXT

<u>Funeral Home, Mortuary or Crematory</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>N</u>
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B. Amend Section 7.4 "Special Permits" Sub-Section 7.4.6 to delete certain language, shown as follows:

Funeral Home, Mortuary or Crematory

~~SPGA Board of Appeals; All Districts~~

~~Subject to site plan review by the Planning Board, which site plan shall be incorporated into the Special Permit. Adequate provision shall be made for access. Location shall be suitable for traffic generated.~~

or take any other action relative thereto.

Planning Board

Article 16: To see if the Town will vote to amend the Zoning By-Laws relative to mobile home parks as follows:

A. Amend Section 2.0 "Definitions" to delete language, shown in strikethrough, as follows:

~~**Mobile Home Park:** An area of land designed as a unit to accommodate a number of mobile homes in specific location with a network of access roads, provisions for parking, water supply, wastewater disposal, electricity and other services and amenities, approved by the Board of Health and licensed under the provisions of Chapter 140, Sections 32-A through 32-L of the General Laws.~~

B. Amend Section 4.1 "Table of Uses Regulations" Sub-Section 4.1.1 Residential Uses to insert new language, as underlined, as follows:

4.1.1 Residential Uses	R	B	I	I-B
<u>Mobile Home other than allowed in 8.7.1 and 8.7.2</u>	N*	N*	N	N

**(Adopted 6/13/05; approved by Attorney General 9/30/05)*

C. Amend Section 4.1 "Table of Uses Regulations" Sub-Section 4.1.1 Residential Uses to delete certain language, shown in strikethrough, as follows:

Mobile Home Park	N*	N*	N	N
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**(Adopted 6/13/05; approved by Attorney General 9/30/05)*

D. Amend Section 7.4 "Special Permits" Sub-Section 7.4.6 to delete certain language, shown in strikethrough, as follows:

Mobile home or house trailer parks

SPGA – Board of Appeals; Residential, Business Districts

~~Subject to site plan approval by the Planning Board, which site plan shall be incorporated by reference into the building permit; subject to Board of Health~~

~~approval and annual license renewal, subject to finding that such park will serve an existing need and will not be detrimental to the neighborhood, including limitations on size and provisions for screening.~~

E. Amend Section 4.1 "Table of Uses Regulations" Sub-Section 4.1.1 Residential Uses to delete certain language, shown in strikethrough, as follows:

Mobile home or house trailers

~~(This section deleted – see new Sec. 8.7.1 and 8.7.2)~~

~~(Amended June 8, 1998; approved by Attorney General August 24, 1998)~~

or take any other action relative thereto.

Planning Board

Article 17: To see if the Town will vote to amend the Zoning By-Law, Section 6.0 "General Regulations" Sub-Section 6.1.7 to delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

6.1.7 Any pre-existing dwelling in a Business or Industrial zoned area shall be allowed all rights of use as if in a Residential District without special permit so long as all residence residential district regulations are met.

~~(Adopted June 17, 1996; approved by Attorney General September 10, 1996)~~

or take any other action relative thereto.

Planning Board

Article 18: To see if the Town will vote to amend the Zoning By-Law, Section 5.1 "Intensity Regulations" as follows:

A. Amend Sub-Section 5.1.3 Easements to delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

5.1.3 Easements

~~General and access easements shall not be included in the required frontage or lot area.~~

~~Adopted June 14, 2004; approved by Attorney General September 16, 2004)~~

~~(**Bold text** Adopted June 4, 2012 at ATM; approved by Attorney General July 18, 2012)~~

5.1.3 Exclusive Use Easements

Exclusive Use Easements where the exclusive use of a portion of a lot has been granted to someone other than the owner of the lot shall not be included in the required frontage or lot area. Exclusive use shall be when someone other than the owner of a lot has the sole right to use a portion of the lot, to the exclusion of the owner of the lot.

B. Amend Sub-Section 5.1.3.1 Landscape Easements to delete certain language, shown in strikethrough, as follows:

5.1.3.1 Landscape Easements

~~Landscape easements shall be permitted within the required lot area or frontage providing that such easement occurs entirely within the upland area of such lot and does not limit the use of such land area as may be required for use by the property owner. In every case the easement shall never become the responsibility of the Town nor shall it be greater than 10% of the upland area or frontage of the lot it is part of as defined by the By laws of the Town. (Adopted by ATM 5/8/06; approved by Attorney General 6/14/06)~~

or take any other action relative thereto.

Planning Board

Article 19: To see if the Town will vote to accept Joshua Lane as a Town Way as laid out by the Board of Selectmen and to authorize the Selectmen to acquire by gift, purchase or eminent domain, an easement or fee simple in the way and any related easements as shown on the road layout plan drawn by Azor Land Sciences, Inc. on file with the Town Clerk as shown on Sheets 1-3 of the plan entitled "Roadway Layout and As-Built Plan, Joshua Estates in Lakeville, MA dated May 5, 2016, revised March 14, 2017.", or take any other action relative thereto.

Planning Board


You are directed to serve this warrant by posting an attested copy hereof fourteen days at least before the day appointed for a Special Town Meeting and seven days at least before the day appointed for the Annual Town Meeting at the following places: Town Office Building, Baldie's Pizzeria, Cisco's Pizza, the Clark Shores Association Bulletin Board, Apponequet Regional High School, the Lakeville Senior Center, and Assawompset School.

Hereof fail not and make return of this warrant with your doings hereon at the time and place of said meeting.

Given under our hands this 17th day of May, 2017.



John Powderly, Chairman



Aaron Burke



Miriam Hollenbeck

Attest a true copy,

Constable

Lakeville, May ____ 2017

LAKEVILLE BOARD OF SELECTMEN