

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, February 24, 2022**

On February 24, 2022, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting and was also testing out a hybrid remote option.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Barbara Mancovsky

Attending remotely:

Jack Lynch, Planning Board member; Marc Resnick, Town Planner

310 Kenneth W. Welch Drive - Discuss temporary parking plan

Mr. Knox stated at the applicant's request, he would make a motion to continue this hearing until their March 24, 2022, meeting at 7:00 p.m. It was seconded by Mr. Conroy.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Review of possible amendments to the Zoning Bylaw – Sign Bylaw

Mr. Knox advised in their packet was an amended sign bylaw which they have gone through at a couple of their meetings. He asked if there were any comments. Ms. Mancovsky, Mr. Conroy, and Mr. Lynch were all satisfied with the latest version. Ms. MacEachern had forwarded comments to Mr. Resnick. He stated two of them had to do with definitions. The first had been taken from KP Law related to electronic message boards. He felt that it could be interpreted in different ways, but he could make it work. The other thing she had pointed out was that shopping center or business center signs are already referenced for common directory signs, so he will replace that in there.

Mr. Knox said that he would pass around these changes to members and if they agreed, they will have that prepared for the next meeting so they can vote to hold a public hearing. Mr. Knox added the correspondence from KP Law was dated 2008. He didn't know if with that first definition Mr. Resnick could use his definition and then put or 'a sign that displays a lighted message that changes' so the legal description from Counsel is included. Mr. Knox also asked about the possible removal of a section located on page three. Mr. Resnick said they had discussed before that there is a lot of signs in the business district now, and the standard size of a majority of them appear to be 12 square feet. They had talked about allowing them by right. Ms. MacEachern would like to

make them all prohibited and then the ones that they do have would become pre-existing, non-conforming. Mr. Knox said he would put that up to the Board for discussion after they finish this review.

Mr. Knox said some other changes Ms. MacEachern had noted were on page four were 'ten feet from the property line' which was already a standard in the bylaw. On page five did they need to add a reference to section 6.6.8.1? Mr. Resnick said they are similar sections. He would remove one so there is not a repetition. On page 6 regarding 6.6.7, 10, 11, and 13, Mr. Resnick said if you wanted to prohibit internally illuminated signs, electronic message boards, or changeable copy signs, these lines would not be necessary.

Mr. Knox then asked members if they had a preference on the electronic message board if it should be by Special Permit only, prohibited, or allowed with a standard. Mr. Conroy did not think it should be prohibited. He was okay with 12 square feet, but they would have to figure out the light intensity in time. Ms. Mancovsky said the Special Permit concerns her because of the subjectivity. She was personally not in favor of electronic signs and would like to see them prohibited. Mr. Lynch said he was not in favor of prohibiting them, but would be more in favor of requiring a Special Permit. Mr. Knox said that he would be in favor of allowing them with some restrictions and standards, whether it be through a Special Permit or not. He then asked Mr. Resnick to craft something, possibly two different sections, they can vote on at their next meeting. They can then resolve whether it will be prohibition and removal or tighter restrictions.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue this discussion until their March 10, 2022, meeting at 7:00 p.m.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Adoption or amendments to the Zoning Bylaw – Site Plan Review including Design Standards

Mr. Knox asked if there was any feedback in regards to the first portion which included a denial mechanism. There were no comments from the Board. He then asked if members had reviewed the architectural standards. Mr. Resnick advised that he had not yet put the standards into the bylaw, it would be within the Site Plan Review bylaw for the business district and multi-family dwellings. Mr. Knox said that he was in favor of the changes that had been done for the first part of Site Plan Review. Could he add this into where it would go in the Site Plan Review bylaw. Ms. Mancovsky said the standards provided are more like what they are looking for. She would like to compare the language to the way that they had laid out the awnings in the existing bylaw. Mr. Lynch was fine with what had been presented. Mr. Resnick said it would give them authority to require changes to a building. This addresses concerns they had over two recently constructed buildings that were not designed with that rural New England character that had been discussed.

Mr. Knox said that he was satisfied with what was there and would just want it placed into the draft change that had been done for Site Plan Review. He would like that to be on their next agenda unless anyone else had any changes. Members had no additional changes.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue the Site Plan Review, including the Design Standards, until their March 10, 2022, meeting at 7:00 p.m.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Adoption or amendments to the Zoning Bylaw – Filling Station-correction from 2018 Town Meeting

Mr. Knox said this appears to be a housekeeping item. Mr. Resnick said that is correct. The information should be available for their next meeting.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue the Filling Station correction from the 2018 Town Meeting until their March 10, 2022, meeting at 7:00 p.m.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Adoption or amendments to the Zoning Bylaw – Open Space Residential Development (OSRD)

Mr. Knox said that regarding the frontage, he felt it should be between at least 75 to 100 feet. He thought they would have the right to create some rules and regulations to this bylaw. They could offer a waiver, but he wouldn't want to see it on more than 20% of the lots. Mr. Resnick said where he has done it before, it generally has been only two out of ten lots in a subdivision. He could write something a little stricter, but that would still allow the Board some leeway. That flexibility would allow the Board to work with the developer to get the best site design possible. He discussed some possible language he could have available for their next meeting.

Mr. Knox asked if they could also add provisions that would require some units to be affordable, age restricted, or ADA accessible. Mr. Resnick replied that he was unsure if they could require an individual age restricted unit without requiring the entire development. As far as affordability, they want to try to encourage developers to use this bylaw and not make it more difficult. Many developers don't deal with affordable units and the requirements that come with them. This bylaw should be user friendly but also give them the ability to get the best design and layout.

Mr. Knox said that he would agree but he would feel more comfortable if some rules and regulations could be put into the draft. Although there are standards under subdivision, he would like to see them called out within this bylaw. There would probably be significant waivers from their standard subdivision rules so he would want to see any operations and maintenance of drainage easements not be located on Town property so they would not be within the open space. That is something that a homeowner's association or developer would need to deed restrict for the development. Mr. Resnick said as far as bonding for the road that would still follow the standard subdivision control. They are receiving a definitive subdivision approval and a Special Permit under OSRD bylaws.

Mr. Knox said in recent years, the Planning Board has leaned toward the Homeowners Association and to not adopt the roadway, if they didn't have to. Mr. Resnick replied this bylaw wouldn't prohibit that, but they had not wanted the Association to own the open space. Mr. Knox said that was correct. He suggested meeting to further discuss this and determine if further regulations would be required. Mr. Knox asked if an open space development comes in front of the Board and it is 50 acres of forested land with the developer clearing 25 acres for houses; can that remaining land stay as forested land? Mr. Resnick said that was correct. Mr. Knox asked the same question if the land was an open field. Mr. Resnick said if it was used as a hay field the use could stay the same if the Commission wanted to allow it, or if no one wanted to continue to maintain it they could allow it to grow over.

Mr. Knox asked if there could be a scenario where the open space could change outside of what the Planning Board thought it was when they approved the open space subdivision. Mr. Resnick replied that generally it would be deeded to the Conservation Commission so not unless they decided to change the use. It could also be deeded to the Town and maintained as recreation.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue the OSRD, until their March 10, 2022, meeting at 7:00 p.m.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Adoption or amendments to the Zoning Bylaw – Breweries/Brew Pubs

Mr. Resnick advised he had worked on a couple of definitions for a brewery and a taproom, and a brew pub/restaurant-type facility. He needs to sit down with the Building Commissioner regarding that. Currently, brewing would be manufacturing which is allowed in the Industrial District and possibly the Business District. Restaurants are allowed in the Industrial and Business Districts. Did they know why restaurants would be allowed in an Industrial District? Mr. Knox was unsure. He noted that he believed there had been an inquiry about possibly locating a tap room/brew pub in an already established building in Town in the Business zone. This will get ahead of that by creating some definitions on it. Mr. Resnick said that was correct. Mr. Knox asked that Mr. Resnick continue to work on these definitions for their next meeting.

Review the following Zoning Board of Appeals petition:

- a. Maksy/Johnson – 2 Morrison Way

Mr. Knox made a motion, seconded by Mr. Conroy, to make no comment on the petition for Maksy/Johnson at 2 Morrison Way.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Mr. Conroy, to approve the Minutes from the January 27, 2022, meeting.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Old Business

There was no old business.

New Business

Mr. Knox advised Ms. MacEachern would like to discuss the recodification project. He asked that it be placed on their next agenda.

Next meeting

Mr. Knox advised the next meeting is scheduled for March 10, 2022, at 7:00 p.m.

Adjourn

Mr. Knox made a motion, seconded by Mr. Conroy, to adjourn the meeting.

Roll Call Vote: Mr. Conroy-Aye, Ms. Mancovsky-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Meeting adjourned at 7:49.