

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

On March 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.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Barbara Mancovsky, Michele MacEachern, Jack Lynch

Others attending:

Marc Resnick, Town Planner; Ryan Cook, Executive Vice-President of Operations, George Adams, ownership group, Jushi

Site Plan Review - 310 Kenneth W. Welch Drive – Jeffrey McQuiston-applicant

Mr. Cook advised they had been in front of the Board, remotely, about two months ago when the Board approved their temporary parking plan. They had the ability to put in a ground milled asphalt material which has created a solid parking area. It has been striped, and it is holding up well. They have been taking a comprehensive look at the entire parking area and have also been working with the new landlord of the building. They have engaged a new architecture group and landscaping group that will be handling some of the additional requests that the Board had referenced.

Mr. Cook noted that the three-week time period for them to communicate and to be able to get something done to present to the Board tonight was just not possible. However, they had wanted to come in tonight and see how they can make this work for a period of time. They would be looking to request an extension of the temporary parking area while they continue to work on a layout that is complete. Mr. Knox said they appreciated them coming in, and he believed that Mr. Resnick had presented them with a letter with some recommended changes. The Board would probably want to have a peer review of the stormwater drainage once the plan is updated and completed.

Mr. Knox said one comment that is important is from the Board of Health. He then read their March 22, 2022, letter into the record. The Board of Health requested the applicant confirm the elevation of the existing leaching pipes prior to making any changes to the grade in the area over the leaching field. There was also correspondence from the Fire Chief dated February 16, 2022, which Mr. Knox read into the record. He had no comment on the plan submission, as drawn, but noted that fire access must be maintained at all times during the project and that there are still

outstanding items from previous permit applications. Mr. Knox noted those items seemed to be more Building Permit related, not Planning Board, but it was something they probably would want to address. Mr. Cook said they were addressing those comments and taking them seriously. He would anticipate they were looking at a 45 to 60-day time period to be able to get drawings completed and get them back to the Board. He would then like to understand what the Board would feel comfortable with in regards to an extension of that temporary parking area while they produce these plans.

Mr. Resnick said the temporary parking was approved about a month ago. He would instead recommend they come back and report their progress to the Board at their first meeting in May. They can update the Board as to what has been filed for Zoning, Conservation, etc. He thought that would make sense and then at that time, if they see progress, the Board could vote to extend the parking. Mr. Cook said that seemed reasonable, and they would also be addressing the letter from the Board of Health.

Mr. George Adams, who was representing the ownership group of the building, then spoke. He stated they would be working diligently over the next several months along with Jushi and Northeast Alternatives to address some of the comments the Board has made relative to the application. They look forward to working with the Board and having a long partnership with them.

Ms. Mancovsky then made a motion, seconded by Mr. Lynch, to continue the Site Plan Review for 310 Kenneth W. Welch Drive until May 12, 2022 at 7:00 p.m. The **vote** was **unanimous for**.

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Site Plan Review - 2 Bedford Street– Thomas J. Parenteau of PBT Real Estate - applicant

Mr. Knox said they had received a letter from a representative for the applicant for a request to continue until their April 14th meeting. Mr. Resnick advised he had met with the owner and his representatives to review his comment letter, and how the items could be addressed in order to get that building but with some modifications to comply with the zoning. There were a few site design issues but they were mostly zoning issues. He didn't feel there was anything there that could not be adjusted.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue the Site Plan Review for 2 Bedford Street to April 14, 2022 at 7:00 p.m. The **vote** was **unanimous for**.

Master Plan Implementation – Fee Review Project

Mr. Resnick then went through the current and proposed fee schedule:

	<u>Current Fee</u>	<u>Proposed</u>
Form A-ANR	\$100 per lot	\$250 per modified lot \$500 per new lot
Form B-Preliminary Plan	\$100 per plan	\$500 per plan + \$50 per lot

	<u>Current Fee</u>	<u>Proposed</u>
Form C-Definitive Plan	\$700 per plan + \$100 per lot	\$2000 per plan + \$500 per lot
Form C-Definitive Plan (Following the submission of a Form B, 30 days prior)	\$500 per plan + \$100 per lot	\$1000 per plan + \$500 per lot
Changes	\$100 each	\$500 + \$200 per lot modified
Surety	\$15 per linear foot	Mr. Resnick felt this needed to be restructured based on the level of completion of the project. He would work on that.
Site Plan Review	Minor - \$250 Major-\$1,000	

Mr. Resnick noted neither the current nor proposed Site Plan Review bylaws distinguish between a major and a minor. He said usually if someone has to file for Site Plan Review it is something more substantial. Mr. Knox clarified that minor was more of a change or possibly a small addition of a parking area. It would depend on the project and a vote of the Board. Mr. Resnick said he would work on the re-wording of this.

Special Permit DO District	\$1,000 first acre plus \$500 per additional developed acre.
Special Permit Water Development District	\$12,500
Chapter 43D-expedited local permitting	\$1,000 + \$200 per unit
Smart Growth Overlay District (SGOD)	\$1,000 + \$200 per unit

Mr. Knox said that there had been some correspondence with Town Counsel in regards to some of these items. He thought they had been advised that the fees had to be justified by the means or what the applicant was doing. Mr. Resnick said they could make these last four fees the same. Mr. Knox explained with the hospital where it was the DO district and 43D it was justifiable, if they got a planner, the cost would be reasonable. Ultimately, that is where they would want to end up to recover some of the costs incurred by the Town for the Planner's or the Clerk's time rather than have that come from the taxpayer. In regards to the 43D permitting, he questioned the amount per unit. Mr. Resnick replied, for example, if that project doesn't happen and they redesign it, what if they have 500 units of housing on a 10-acre parcel. Mr. Knox asked if the fee could be differentiated between residential and commercial, or by use. He was fine with mirroring the residential for the SCOD.

Waiver

\$100

Members then discussed the fee for a waiver. Ms. MacEachern noted they had discussed instead of having a fee on the waiver, should they see what waivers are consistently being granted and if instead it should be addressed in their rules and regulations. Mr. Knox said that if they feel the cost of a waiver should have a fee and it is \$100; that is fine, but to Ms. MacEachern's point, they did discuss looking at their rules and regs. Mr. Resnick noted that the fee is minor and granting the waiver is more financially advantageous to the developer. However, they do need to go through regs because they are based on old specs, but if Lakeville is not requiring certain items then they do need to figure out what it is that they want. Ms. MacEachern suggested leaving the waiver in with an amount until a future date when those items are addressed.

After discussion, members agreed to eliminate where fees could be reduced for a development which preserves open space.

Ms. Mancovsky made a motion, seconded by Ms. MacEachern. to accept this Planning Board Fee Schedule with the following modifications:

- The Special Permit fee in the Water Development District will be changed to match the fees for the other Special Permits.
- The fees for the 43D permitting will be broken down for business zoning versus residential zoning.
- The note regarding reduced fees for preserving open space will be eliminated.
- The surety section will be re-written based on actual costs.

The **vote** was **unanimous for**.

Review the following Zoning Board of Appeals petition:

- a. Bache – 12 Bristol Street
- b. Batista – 24 Pilgrim Road

Mr. Conroy made a motion, seconded by Ms. MacEachern, to make no comment on either petition for Bache at 12 Bristol Street or Batista at 24 Pilgrim Road. The **vote** was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Ms. Mancovsky, to approve the Minutes from the January 13, 2022, meeting. The **vote** was **unanimous for**.

Ms. Mancovsky made a motion, seconded by Mr. Knox, to approve the Minutes from the February 10, 2022, meeting. Ms. Mancovsky-Aye, Ms. MacEachern-Aye, Mr. Knox-Aye; Mr. Conroy-Abstain, Mr. Lynch-Abstain

Review correspondence

Mr. Resnick advised he had correspondence from the abutting Towns. It was nothing that was impactful to the Town. He noted that Planning and Zoning Boards in other abutting Towns send out their notices to the Board.

Old Business

There was no old business.

New Business

Mr. Resnick advised the Lakeville Country Club is under agreement for \$15 million. There are two parcels of land, with one that is subject to 61A and one that is subject to 61B. They have submitted the Purchase and Sales to the Town. If you submit a bona fide offer, the Town has the right of first refusal at that number. There are two separate Purchase and Sales upon them which have been reviewed by Town Counsel who has determined the offer is a bona fide offer. The Town would have to match the purchase price, and if they were not bona fide offers, the Town would have the option to purchase it at the appraised value.

Next meeting

The next meeting is scheduled for April 14, 2022, at 7:00 p.m.

Adjourn

Mr. Knox made a motion, seconded by Mr. Lynch, to adjourn the meeting. The **vote** was **unanimous for**.

Meeting adjourned at 7:58.