

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, October 13, 2022**

On October 13, 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; Nora Cline, Jack Lynch, Michele MacEachern

Public Hearing #1 (7:05) – To amend the Zoning By-Law Section 8, Administration, and change Sub-section 8.2 to read Planning Board Associate Member with a description and specific details regarding the position to follow. The remainder of the Section will be re-numbered accordingly.

Mr. Knox advised this hearing has been re-scheduled to October 27, 2022, at 7:05 p.m.

Public Hearing #2 (7:10) – To amend the Zoning By-Law Section 5.0, Intensity Regulations, Sub-section 5.2, Footnotes to Intensity Requirements, by adding Sub-section 5.2.8, allowing a reduced setback of 50% on one side yard or the rear yard in the Business District by Special Permit from the Planning Board.

Mr. Knox made a motion to open the public hearing. It was seconded by Mr. Conroy. The **vote** was **unanimous for**. Mr. Knox read the legal ad into the record. He advised this had been proposed by the Planning Board to allow for a little bit of leniency for business zoned properties with non-conforming lots. There were no comments from the Board or public.

Ms. MacEachern made a motion, seconded by Mr. Lynch, to recommend approval at Town Meeting, and to close the hearing. The **vote** was **unanimous for**.

Public Hearing #3 (7:15) – To amend the Town of Lakeville's Zoning Map by re-zoning 155.4 acres located on County Street, as shown on a map entitled "Zoning Amendment Plan of Land in Lakeville, MA" from the Residential District to the Industrial District.

Mr. Knox made a motion to open the public hearing. It was seconded by Mr. Conroy. The **vote** was **unanimous for**. Mr. Knox read the legal ad into the record.

Mr. Knox said they were familiar with this parcel. It was challenging to develop because of the amount of ledge and other items on it. The current owner has come to them requesting a change to the zoning of this parcel. Mr. Conroy said they should be thinking about what could go there

when thinking about re-zoning. His instinct is without a plan or a building plan, he would not, personally, entertain passing this as a vote at Town Meeting. Without a plan, it is too open ended.

Ms. MacEachern also had multiple concerns about this such as the proximity to the schools, the Route 140 exit ramp, and the poor visibility. The natural features are described in the Open Space Plan and should be protected. Mr. Lynch was also not supportive. Mr. Knox then opened it up to public comment.

Ms. Cora Peirce, a representative of the Narragansett Indian Tribe Historic Preservation Office, was present. She advised they are located at 4425 South County Trail in Charlestown, Rhode Island. She stated this piece of land was extremely valuable. She thought the best thing that could be done with it is ecotourism. The ledge outcrops were a meeting place for numerous tribes throughout the region. It was a parcel of land that she spent a great deal of time with during the development of the East Freetown solar farm. That developer did not adhere to items that had been promised. She noted there are vernal pools throughout the site and two streams. It is an important watershed to Long Pond. There is also a tremendous amount of ceremonial stone landscapes on the site, where tribes would gather at certain times of the year. She noted there are endangered species there including spotted turtles and rattlesnakes.

Ms. Peirce noted it was a very sacred piece of land that she would hate to see become an industrial use. There would have to be a full archaeological survey of the 300 acres which would include two phases. That would be millions of dollars for that amount of acreage. Tribal monitors would be required from both Aquinnah, Mashpee, and the Narragansetts. It is an invaluable piece of land that Lakeville should try to protect.

Mr. Rodney Dixon of 39 Baker Lane said he would like to point to Chapter Two of the Master Plan, Land Use. He said it states one of the most common comments from the Master Plan workshops was a desire to see Lakeville grow but not at the expense of its small-town character and culture. This is a common theme for growing communities that he would like to echo. It is referenced in the Master Plan where future large-scale growth whether it be housing, industrial, etc., should be kept consolidated in certain parts of the Town. In addition to the archeological significance of the property, the position of the developer to change the zoning would contradict the desire of the people of Lakeville to maintain the character. For those reasons, he thought it went against what he has heard over the years working on the Master Plan.

Mr. Conroy made a motion, seconded by Ms. MacEachern, to not endorse this change at Town Meeting. The **vote was unanimous for.**

Mr. Knox made a motion, seconded by Mr. Conroy, to close the hearing. The **vote was unanimous for.**

Public Hearing #4 (7:20) – To amend the Zoning By-Law Section 7.4.6, Specific Uses by Special Permit, Signs, off-premise, by deleting this section in its entirety.

Mr. Knox made a motion, seconded by Ms. MacEachern, to open the hearing. The **vote was unanimous for.** Mr. Knox read the legal ad into the record. He asked if this was just a house keeping item to clean up something that was overlooked when they changed the bylaw previously. Mr. Resnick said that was correct. There was no other discussion from members or the public.

Mr. Knox made a motion, seconded by Ms. MacEachern, to recommend approval at Town Meeting, and to close the hearing. The vote was **unanimous for**.

Public Hearing #5 (7:25) – To amend the Zoning By-Law Section 4.1, Table of Use Regulations, Sub-section 4.1.3, Industrial Uses, and add warehouse, offices, or facilities for distributing merchandise over 100,000 sq. ft., and add to Section 7.4.6 Specific Uses by Special Permit, that the SPGA for these types of facilities will be the Planning Board.

Mr. Knox made a motion, seconded by Ms. MacEachern, to open the hearing. The vote was **unanimous for**. Mr. Knox then read the legal ad into the record. He advised that because of the potential warehouse use that has come to the Town in the past couple of years, and with the Planning Board vote to eliminate the Development Opportunities District, warehouses over 100,000 square feet in the Industrial or Industrial B Districts would now be by Special Permit. This allows the Planning Board to put conditions on said property to mitigate sound, control traffic, do traffic studies, etc., that would otherwise be a by right use. This puts some control for large scale development back in the Planning Board and the Town's hands.

Ms. MacEachern wanted to clarify that this was for warehouses proposed in the Industrial and Industrial B zones. This would not apply to anything in another zone. Mr. Conroy felt this was a safeguard that was needed. Mr. Lynch agreed. Mr. Dick Scott of 9 Rush Pond Road asked if this would apply to the Talbots in the Industrial Park. Mr. Knox said there would be some warehouses that would be pre-existing, non-conforming, but if they changed the building by a square foot, he thought it would then apply. Mr. Scott asked what if they just modernized the inside. Mr. Knox said it would depend on whether or not it was structural or substantial changes, which could then be the trigger even if the footprint did not change.

Mr. Knox made a motion, seconded by Mr. Conroy, to recommend approval at Town Meeting, and to close the hearing. The vote was **unanimous for**.

Housing Production Plan presentation by Taylor Perez of SRPEDD

Mr. Knox advised this item has been rescheduled to November 10, 2022.

Review the following Zoning Board of Appeals petitions:

- a. Sena – 103 Staples Shore Road

Mr. Conroy made a motion, seconded by Ms. MacEachern, to make no comment on the petition for Sena at 103 Staples Shore Road. The vote was **unanimous for**.

- b. North Bedford Crossing – 109 Bedford Street

Mr. Knox said this was a relatively small Comprehensive Permit. He asked if there were any comments regarding this application. Ms. MacEachern said that she would want these units to be

held in perpetuity. She asked if they knew how many affordable units are expected for the coming year. If the Town reached 19 units in a year, they then would reach a year of Safe Harbor. After further discussion, Ms. MacEachern made a motion, seconded by Mr. Knox, to recommend to the Zoning Board of Appeals that these units be held in perpetuity as affordable units. The **vote was unanimous for.**

Approve Meeting Minutes

Regarding the August 3, 2022, minutes, Ms. MacEachern noted the following corrections:

- Members present should have been the Board of Health members present, Chris Spratt, Derek Maxim, Bob Poillucci, Health Agent, Ed Cullen.
- It says joint meeting with Planning Board and says Open Space, rather than Conservation Commission and Board of Health to discuss the Open Space Residential Development bylaw.
- It does not mention there was not a quorum for Open Space.
- The Building Commissioner, Nate Darling, and Town Planner, Marc Resnick were also in attendance but not listed.
- Her name was spelled incorrectly.
- On page three, Fred Frodyma, Open Space, but he was there as a representative of ConComm because they did not have a quorum for Open Space.
- On the same page it says wondered 'it' and it should be if.

Mr. Knox made a motion, seconded by Ms. MacEachern, to approve the Minutes from the August 3, 2022, meeting with the changes as noted. The **vote was unanimous for.**

Ms. MacEachern made a motion, seconded by Mr. Conroy, to approve the Minutes from the August 25, 2022. The **vote was unanimous for.**

Review correspondence

There was no correspondence to discuss.

Next meeting

The next meeting is scheduled for October 27, 2022, at 7:00 p.m. at the Lakeville Police Station.

Adjourn

Ms. MacEachern made a motion, seconded by Mr. Conroy, to adjourn the meeting. The **vote was unanimous for.**

Meeting adjourned at 7:35.