

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, April 14, 2022**

On April 14, 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; Michele MacEachern, Jack Lynch, Nora Cline

Others attending:

Marc Resnick, Town Planner; Jamie Bissonnette, Zenith Consulting Engineers, Bo McMahon, 13 Main Street; Susan Spieler, Paul McAllister; residents

Introduce new Board member and reorganization of the Board

Mr. Knox introduced Ms. Nora Cline as their newest Board member. Mr. Knox said they would now reorganize the Planning Board as was their practice after the Town election. Ms. MacEachern made a motion, seconded by Ms. Cline to nominate Mr. Knox as Chairman. The vote was **unanimous for**. Mr. Knox made a motion, seconded by Ms. MacEachern to nominate Mr. Conroy as Vice-Chairman. The vote was **unanimous for**.

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

Mr. Knox said they had an email request from the applicant's attorney to continue. He stated at the applicant's request he would make a motion to continue the Site Plan Review for 2 Bedford Street until their April 28, 2022, meeting at 7:00 p.m. The motion was seconded by Ms. MacEachern. The vote was **unanimous for**.

Master Plan Implementation – Fee Review Project final revisions

Mr. Resnick advised the revisions that he had made were primarily to the Special Permit Districts except for the 43D which allowed for mixed use. He also changed the wording for what would be considered a minor change under Site Plan Review. The changes were as follows:

	<u>Current Fee</u>	<u>Proposed</u>
Site Plan Review	Minor - \$250 (No traffic, drainage, or signage issues)	Minor – \$500 (Change of use or other minor site plan changes)

Site Plan Review	Major - \$1,000 (in public view)	Major - \$1,000 first acre plus \$500 per additional developed acre.
Special Permit DO District		\$1,000 first acre plus \$500 per additional developed acre.
Special Permit Water Development District		\$1,000 first acre plus \$500 per additional developed acre.
Chapter 43D-expedited local permitting		\$1,000 + \$200 per residential unit or \$500 per developed acre
Smart Growth Overlay District (SGOD)		\$1,000 + \$200 per unit
Surety	\$15 per lineal foot of road	Surety shall be based on the actual cost of construction. *See Rules and Regulations for complete explanation.

Mr. Resnick advised the surety should be the cost of construction instead of a number amount per foot. There should be a cost estimate. Mr. Knox agreed that the cost per foot had been a bit antiquated. He then made a motion, seconded by Ms. MacEachern, to approve the fee review schedule as drafted and have Mr. Resnick proceed with any other items that need to be done in order to have a public hearing posted. The vote was **unanimous for**.

13 Main Street – discuss possible site plan

Mr. Jamie Bissonnette of Zenith Consulting Engineers and Mr. Bo McMahon owner of the property were present. Mr. Bissonnette then displayed a proposed plan. He advised this would be in between the self-storage building being constructed and the CVS. They are looking for direction from the Board as Mr. McMahon is trying to determine the best use for this property. This plan shows 19 residential units for senior housing. There would be some type of a larger building in front to help keep with the frontage on Main Street, the aesthetic business look. He noted the regulations were rather vague and they were unsure if they could have a business with the senior housing behind it or whether it all has to be residential in this Overlay District. They also need to know what setback and lot coverages apply. Tonight they wanted to try to get a feel from the Board and some answers to those questions.

Mr. Bissonnette continued that this plan is something that Mr. McMahon would consider doing. It is in the Master Plan and this area is referenced as being a place that they need senior housing and dense housing. Mr. Knox wanted to clarify that this use is by right in that zone. Mr. Bissonnette said that is correct. In the Overlay District, it is a by right use. He stated that they wanted to move forward in harmony with the Board with something that works. He said there has been some indication they should go denser and have a smaller number of buildings but a larger

density in them with perhaps a condo or apartment style building. Mr. Knox asked if there was a challenge with age restricted having to be on one floor.

Mr. McMahon said this concept was designed with the Lakeville Master Plan 2030 in mind, which calls out high density village style cluster senior housing. This is what they are trying to adopt. Main Street has a variety of looks, and they have a commercial type building in the front that provides screening. It could potentially be designed to the Board's liking but with so many styles on Main Street, it is difficult to pick one that would be harmonious with the rest of the street. Mr. Bissonnette noted because of the elevation change where there is a crest, they would be able to plant along the top of it offering a nice break. They would focus in on a landscaping plan that emphasizes over there and towards the front to help screen things and also toward the back a little bit from Route 79. When asked, he stated that the property does not have an exit onto Route 79.

Mr. Knox said that he would like to see some type of a plan with two or three bigger buildings that maybe emulated the look of the CVS and funeral home with multiple units in them; if that is an option and works for them from a financial standpoint. Mr. McMahon said this idea came straight from the Housing Plan that the Town put out. He has no problem going to a fewer amount of buildings with a higher density. Economically, if he was putting them all in two buildings that ends up instead of 19 units; the equivalent of that once the elevators are factored in turns into between 40 to 50 units. Mr. Resnick asked if that density would comply with the MBTA guidelines. Mr. McMahon replied his understanding is they would need at least 45 units on this site to be able to comply.

Mr. Resnick asked if they could do a site plan with a couple of buildings, and still have a small commercial footprint in the front. Mr. Bissonnette said that would be based on zoning. They would like to sit down with the Building Commissioner and Mr. Resnick and get some definitive answers on that. Mr. McMahon explained the Overlay District description on senior housing omits any other information. Mr. Bissonnette said they have made assumptions for a concept, but it would be cost foolish to try to do that on a definitive design and might waste the Board's time.

Mr. Knox replied they have asked about buildings where the appearance would be similar to CVS and the funeral home. He could find that appealing from a visual standpoint. If they were going to stick with the smaller homes, he would like to see the lay out not as linear. Ms. Cline suggested townhouses. Mr. Bissonnette responded when you go with three units or more, that triggers sprinklers, which changes the cost. The density needs then change because of the expense parameters to make the financial numbers work, but it is something that they can look at.

Ms. MacEachern asked what the purpose of the building on Main Street would be. Mr. Bissonnette replied that they need to find out what they can do so they can come up with a business model that makes sense. For example, if they know 19 units with a rental business out front can make sense financially and work as a model, then maybe that is something they can go with. If it's 19 with a community center that has to be maintained, that might not. Mr. Knox asked members what they thought of the idea. Ms. Cline said that conceptually she liked the idea. Ms. MacEachern agreed and said they needed senior housing, and this was the best place for it to go. Mr. Lynch agreed.

Mr. Resnick added this should be able to help them with the MBTA requirements. However, he would have to look at that because those regulations are still draft, but having that kind of density within half a mile of the district and having something that allows for it helps with compliance. As far as doing an office business in the front, it does allow for multiple principal structures being located on a single lot. If it was designed as a mixed-use building, he thought that was the intent to allow an office building as a principal structure with housing also as a principal structure. They would have to sit down with the Building Commissioner for a final interpretation.

Ms. MacEachern asked if there would be a second egress. Mr. Bissonnette replied to do that appropriately they would have to work with the Town as the Town owns the parcel next to them. Mr. Knox said that he would defer to the Fire Chief in regards to some secondary access lane. He asked if in the big building scenario would there be condos that could be sold or would they be rentals? Mr. McMahon said he would have to look further into that but his intention would be to hold them as rentals but if it works condoizing them, he would be open to that as well.

Mr. Knox then asked if there was any public comment. Ms. Susan Spieler of 10 Valley Road asked how many units would be affordable. Mr. McMahon replied because this would be a by-right use, they would all be at market rate. He added that generally speaking senior housing rentals rent between 15 and 18% less than traditional non-restricted housing. Mr. Knox thanked them for coming and looked forward to seeing what they would come back with.

Discussion concerning recommendation and acquisition of Chapter 61A and 61B land at Lakeville Country Club located at 44 Clear Pond Road

Ms. MacEachern advised when property comes out of Chapter 61A or 61B the Town has the right of first refusal. They could also allow another entity to come in place of the Town and make the purchase as well. She has reached out to State Senator Rodrigues, Mass Audubon, Heidi Rieke, Samuel Anderson, Nick Rossi, Robert Wilbur; Save Buzzards Bay Mark Rasmussen, the CPA Coalition, Stuart Saginor, Chase Mack; SRPEDD, Bill Napolitano; Natural Heritage, Jason Zimmer, Aaron Best, Deborah Chamberlain, Mary Cavalier; Joanne Pierce from Mass Department of Fish and Game. She has also contacted the office of Congressman Jake Auchincloss. Kevin O'Neil is who suggested trying grants through land and water and fish and wildlife grants. Other people contacted include Kurt Gaertner from the Mass Executive Office of Energy and Environmental Affairs; Melanie Cheeseman, Natural Heritage; The Trustees, Olivia Lucca; Mass Wildlife, DCR, Stephen Galinsky. Ms. MacEachern said Wildlands Trust's Scott McFadden was helpful with suggesting PARC which is active now with a \$400,000 max. The LWCF has a \$750,000 max but it closed in January. Both of those programs require a current Open Space and Recreation Plan which the Town does not have right now. She said that she reached out to a lot of places and people but was told that was a large price tag and they would advise her if something comes up.

Ms. MacEachern said she looked into the Community One Stop which is an application portal for all different grants. The submission of applications is now open but determination would not happen until the fall which is past the 120 days right of first refusal. She wanted to note that this location is listed on the Natural Heritage maps as a priority habitat of rare species. Ms.

MacEachern said she also looked into the CPA possibility. You are able to borrow against future funds through bonding which would be a 30-year term, but they don't even have the Community Preservation Committee appointed yet.

Ms. MacEachern noted that one of the things they had discussed in the past was possibly reigning in or doing away with the Development Opportunities District, which is the tool being used to put forth a mega warehouse for this location. She was hopeful the Planning Board would discuss holding a public hearing for that because it had been talked about in the past. She stated there are only a few areas in Town where it should be applied. Mr. Knox asked Mr. Resnick if he had any comments towards the Development Opportunities District and making any alterations to it.

Mr. Resnick replied he thought at this point with Town Meeting coming up, the Planning Board's ability to place an Article on the Warrant has passed. He was unsure if the Selectmen had the ability to place a new Warrant Article on during their meeting next week, as he was not familiar with their authority. From the Planning Board perspective, he did not think there was an opportunity to submit an Article at this point to do away with the Development Opportunities District or to modify it. If they wanted to re-write it, that could be a project they could do over the summer and submit it for the fall town meeting. They could rework on how it is applied and possibly set specific areas rather than having a floating district over the entire Town and adjust some of the rules within it.

Ms. Cline said that it is her understanding that even if it were to be changed this would be governed by what the zoning is today. Mr. Resnick replied only upon making an actual application would they freeze the zoning. Mr. Knox said if the Planning Board moved to hold a public hearing to eliminate the Development Opportunities District once the hearing is held, that would freeze the zoning. Mr. Resnick clarified it would be once the publication of the hearing is published in the newspaper. He would have to look at the statute as there might be some limitations on how long prior to Town Meeting you can do that. Mr. Knox replied it was six months. They had encountered the same thing when they held the hearing for the Marijuana Overlay District. They did not have a fall town meeting and had to hold another public hearing.

Mr. Resnick then went through what the process would be to write the article and submit it for legal publication. Mr. Knox asked what the risk to the Town would be as this parcel is still zoned business. Mr. Resnick replied they don't know what the future use could be. It could be broken up into multiple parcels for 40Bs, multiple office parks, etc. They just didn't know.

Ms. MacEachern then made a motion, seconded by Ms. Cline, to hold a public hearing in regards to doing away with the Development Opportunities District.

Ms. MacEachern, Mr. Lynch, Ms. Cline-Aye; Mr. Knox-**Abstain**

Mr. Knox asked Mr. Resnick to draft an Article and post a public hearing. He asked if anyone present would like to speak. Ms. Susan Spieler asked if the Town's right of first refusal would be impacted in any way. Mr. Knox said that zoning would have no impact on that. Mr. Resnick said what is in front of the Select Board is the right of first refusal, and that is an active process that must be followed through. Mr. Paul McAllister of 30 Reservoir Avenue said he had just purchased

a home down the street from the Lakeville Country Club. He asked if there were any plans in regards to egress or access. Mr. Knox said that he had not seen a plan yet or a conceptual. Mr. Resnick added that he has met with the applicants. They have indicated they are acquiring another property to get direct access onto Bedford Street, but this is a concept plan.

Review the following Zoning Board of Appeals petition:

- a. Steinberg/Collins – 7 Carrie Street

Mr. Knox made a motion, seconded by Ms. MacEachern, to make no comment on the petition for Steinberg/Collins at 7 Carrie Street. The **vote** was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Mr. Lynch, to approve the Minutes from the February 24, 2022, meeting. Mr. Knox, Mr. Lynch-**Aye**; Ms. MacEachern, Ms. Cline-**Abstain**

Discussion on recodification project

Mr. Resnick said that he has read through the comments about recodification. It is a project that the Town Clerk is headlining in re-numbering and the reorganization of the entire by-law. There were some recommendations made by the company, and he has skimmed through the draft. He noted that he had not seen anything there that he felt had to be done immediately. He thought over the summer he would send the list around. They would see there were not any significant changes, but they would be correcting a lot of inconsistencies.

Appoint new SRPEDD representative

Mr. Knox stated whereas Ms. Mancovsky had been their SRPEDD representative, they need to appoint a new representative. Ms. Cline said that she would be happy to do it, but she would not be available until June.

Mr. Knox made a motion, seconded by Ms. MacEachern, to appoint Ms. Cline as their SRPEDD representative effective in June. He would be the interim representative until that time. The **vote** was **unanimous for**. Mr. Resnick said that he would also be willing to attend for the next two months. Mr. Knox said that if Mr. Resnick ever felt it would be a benefit for him to go to let the Board know.

Review correspondence

Mr. Resnick advised most of the correspondence he has is from other communities. There was nothing of significance that would impact the Town.

Old Business

There was no old business.

New Business

Mr. Knox said that an engineer had talked to him about small business development. He said that some of the biggest challenges were setbacks, lot coverage, and density. He asked if that was something that they could give relief for or could they be changed. Mr. Resnick said that he could write or modify a bylaw. They had discussed earlier when they were working on adopting Site Plan Review that once they had a better ability to modify Site Plans, look at building designs, and everything that is under Site Plan Review, they could reduce that 50% lot coverage requirement. With the architectural standards, they can modify those sections with density bonuses. They can also look at incorporating and modifying the setback requirements. They could now require screening and buffering if they needed to.

Mr. Resnick noted that they have several large Industrial Districts, and they may want to write something different for these than for their smaller Business Districts which have a limited amount of space. They may want to have different standards for each of them. There is something in the bylaw if it abuts residential, but they can make it a little more specific to that district to protect the residents. Mr. Knox said that was something they could look at in the future months.

Next meeting

The next regularly scheduled meeting is April 28, 2022, at 7:00 p.m. There will be a joint meeting on April 20, 2022, at 6:30 p.m. at the Lakeville Public Library.

Adjourn

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

Meeting adjourned at 8:10.