

**Planning Board  
Lakeville, Massachusetts  
Minutes of Meeting  
Thursday, January 12, 2023**

On January 12, 2023, 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. He asked if anyone present was recording the meeting in addition to LakeCam who was making a video recording of the meeting. There was no response.

**Members present:**

Mark Knox, Chair; Peter Conroy, Vice-Chair; Nora Cline, Jack Lynch, Michele MacEachern

**Others present:**

Marc Resnick, Town Planner

**Housing Production Plan – Progress review -Taylor Perez of SRPEDD**

Ms. Perez from SRPEDD was present. She advised she has been working with Mr. Resnick to determine what should be in the plan. Right now, they have the goals and strategies which are two required sections within the Housing Production Plan. She would like to go through them with the Board to see if they feel that these goals are appropriate and that the strategies are adequately accomplishing the goals. Ms. Perez then read through the goals.

Ms. Cline asked what the percentage of senior citizens living in Lakeville was. Ms. Perez did not have that information but noted that the median age in 2018 was in the 40's. They are seeing, in general, the communities in the northeast are aging. The survey indicated that people did not feel that there were adequate housing options available for older adults. She would get that number for the Board. Mr. Lynch asked that a vulnerable community be defined. Ms. Perez replied it could be anyone who is in a position where they might not be able to keep the housing that they are in or might be in a precarious housing situation in general. For example, older adults may live in a house that is too large to maintain, they might need a bathroom on the first floor, etc., and the house they have might not reflect their current needs. Adults living on Social Security or are on a fixed income are also considered vulnerable communities.

Mr. Knox asked for a further explanation of Goal D to continue to produce SHI eligible units. He felt that was not a task for the Town of Lakeville, but is typically a task of developers. Mr. Resnick replied that it can be both, through 40B applicants and other applications where they can produce affordable units for the community. There are other ways the community can create their own units such as through a Housing Authority, through a home program, or other local initiative programs. Ms. Perez agreed that the statement is very broad, and it is up to them to decide together how they want to pursue it. There is a lot of room for them to determine what the most appropriate

mechanism is and the timeline. She advised that over the next five years all they would have to do is produce the 1% to get two years of Safe Harbor.

Ms. MacEachern stated she thought when they talk about 40B it is not something they should focus on, but they should try to find something that works for Lakeville. Residents are not against affordable housing, they are against dense housing. She noted that communities in the State that have reached that 10% do not reflect a rural community like Lakeville. Maybe they could tweak Goal D to not achieve the Commonwealth's required amount of housing units through 40B, but more through something like inclusive zoning. Ms. Perez said that is not necessarily an issue but it is difficult to write a Housing Production Plan without addressing 40B as the enabling legislation. This Plan will also go to DHCD for review before it can be formally adopted. Ms. MacEachern suggested changing it through the language.

Ms. Perez noted that when they discuss affordable housing there is the referral to both subsidized, SHI eligible, and the naturally occurring market rate housing. SRPEDD does their best to not just focus on creating subsidized housing, but also that missing middle affordable market rate housing. When they get into the strategy about the key zoning amendments some of those include smaller lot sizes, less restrictions on ADU's, and many other ways. She agreed they should focus on all of that at once, and not just one thing. Ms. Perez said given the scope of the Housing Production Plan, there are some minimum boxes they have to check, but they can be as expansive as they like.

Mr. Knox advised that Ms. Perez had said to create affordable, not by the State standards, but less expensive housing through zoning by allowing smaller lots, etc. Mr. Resnick had drafted up an Open Space Residential Development (OSRD) bylaw, which he thought they would revisit in the future. Is that what she is talking about? Ms. Perez replied yes. In their Master Plan a Transfer Development Rights (TDR) bylaw was encouraged. It could be an inclusionary or smaller lot to encourage smaller homes. After further discussion, Mr. Knox asked if it would be wise for the Open Space Bylaw to be referenced. Ms. Perez said that they can do that.

Ms. Perez then read through the following strategies:

- Pursue partnership and funding resources to provide direct assistance to help preserve housing for vulnerable communities, including senior residents. Ms. Perez said this is direct preservation tactics such as low or no interest home loans to make accessibility modifications, lead abatement, or emergency repairs. There is funding from the Commonwealth where they distribute Community Development Block Grants (CDBG).
- Pursue partnerships leading to development that is affordable to those with low, moderate, and fixed incomes. This is that friendly 40B where you work with developers to see a development outcome that you would like to see.
- Implement key zoning amendments to ensure compliance with Section 3A and create new housing opportunities for first-time homebuyers, older adults downsizing, and those with moderate or fixed incomes. Ms. Perez said this is where she would add the Open Space Design bylaw as an option. She noted there is a lot of low density, single family zoning which may lead to suburban sprawl, fracture habitats, and lead to more deforestation. Under Section 3A, the Town is considered an adjacent small town and has to zone for a

district of no minimum size with no location requirement that will have the capacity for at least 231 multi-family units by right.

Ms. MacEachern asked about their existing 40R district being applied to both. Mr. Resnick replied they could use their existing 40R section to comply, but not the existing buildings. Ms. Perez noted that under the current legislation it is not to prove that units are being built on the ground. It is very much a question of their zoning capacity. Ms. MacEachern added that Middleboro has denied the State requirement and one of their comments was if enough towns pushed back then perhaps the State would rescind the mandate. She thought it was something interesting to consider. They should not get comfortable because if it is zoned by right, it will come. Ms. Perez replied that their 40R has been in place since 2009 by right. She felt the Town was well positioned, and it would be advantageous to at least pursue confirming if they do or do not comply with their 40R.

Mr. Knox asked for clarification on strategy number one. Ms. Perez replied this could be done through a number of ways. She has seen some communities form a regional consortium that works to apply for funding as a group, and then disseminate it through a Board. She could be more specific about who that could be. Mr. Resnick added that although he had started these types of programs in other communities, Lakeville might rank low on a need's assessment score given their relatively high median income level. Mr. Knox said with that information, maybe that shouldn't be a high priority item. After further discussion, Ms. Perez said that they could scale back this strategy to be less of Lakeville initiating a new program, to more of if they can gather some resources and create a web page or something like that.

Mr. Knox asked if using the housing component of CPC could also be an option instead of creating another bureaucracy in Town. Ms. Perez said that Lakeville does not have to institute some level of bureaucracy that's not necessary, a middle ground could be something like a partnership with Mass Housing regarding loan programs once you have a better understanding of the need. The lowest intensity pathway is the Town gathers information and publishes public resources that residents in Town may be interested in pursuing or need assistance in. Members agreed that type of strategy would be more reasonable and actionable.

Mr. Knox suggested the priorities on strategy number two and number three be flipped. Number three, the zoning is a proactive thing they could take on. It could possibly create friendly, rural character homes that would be a market value affordable and not subsidized. He felt that should be a high priority. Regarding strategy number two, Mr. Knox was unsure as to how you create a friendly 40B. Mr. Resnick explained one way is when a developer comes to the Town with a proposal, and they are willing to work or talk about the site design and some of the issues prior to them getting into a lot of engineering on their own. There is a lot of discussion up front. The second way is if the Town has property, they put out an RFP for development communities. They set the parameters and acknowledge the fact that permitting will go through the 40B process but because the Town owns the property, it can set the limits of what they will allow. After discussion,

Mr. Knox said he would say to change the priority to medium on that strategy and add 40R as well. Regarding strategy number three, Mr. Resnick asked if assisted living facilities were considered year-round housing units that are counted as housing units in the community. Ms. Perez was unsure, but imagined they would be counted. He suggested a senior housing/assisted living bylaw be added as a goal. Ms. Perez asked if the Board felt they should add something in regards to design guidelines. Mr. Resnick replied they did have some guidelines within their new Site Plan Review bylaw. At some point in the future, it might be desirable to enhance that and turn it into more of a design booklet, but he thought it would be a lower priority.

- Pursue professional support to assist in conducting community outreach to better determine local needs and housing preferences.

Ms. Perez said they have started to do something like this by doing an initial community survey, but there is much more to be done to determine what the community is thinking and what they need. That could be done through organizations like Citizens Housing and Planning Association (CHAPA) and the Municipal Engagement Initiative (MEI) program.

Ms. Cline thought additional outreach was important and something they needed to get going. The Town website is static and just normal business gets posted. It's like they need a social media outreach person or maybe a media outreach person that will keep putting information out there for the residents to be able to read about. Ms. MacEachern said maybe this should be a high priority. In speaking with residents about the housing component of the CPA when you say affordable housing, they think high crime and a tax on services. When you say affordable units for your seniors, veterans, teachers, then they are on board. She thought an educational campaign would benefit the Town for that reason. After further discussion, Ms. Perez said they would bump this item up so it would be one of the first things that you read. She will then reorganize these and let the Board know what the new order is, and they can discuss it.

- Consider using a portion of CPA funding to hire a part-time housing staff member or consultant to assist in implementing the strategies within the Housing Production Plan. Ms. Perez advised, for example, Wellfleet used some of those funds to get a housing designated person to do work there for the year, and they assisted them with developing a Housing Production Plan. This would be a longer-term goal. Mr. Knox said this would be a low priority goal. Members agreed.
- Investigate opportunities for adaptive reuse to redevelop underutilized municipally owned land and buildings.
- Review the availability of Town-owned and tax-title properties to work in tandem with adaptive reuse goals. Ms. Perez said these last two go together and tie into what had been said about being proactive about having municipal housing development occur. This has to be addressed in the Housing Production Plan through either an action map or something

similar. She noted it had been discussed that a lot of this land has restrictions or things that would prevent development such as lack of infrastructure, the size of the parcel, the location, proximity to wetlands, etc.

Ms. MacEachern noted that a previous Planning Board member, Ms. Barbara Mancovsky, had sent a list of ideas in relation to the Housing Production Plan based on what was in the previous one. She thought it would be helpful to forward that to Ms. Perez. Ms. MacEachern asked about receiving the survey results. Ms. Perez replied she thought she had sent a link where they could be accessed, but she would send it again. Members then discussed with Ms. Perez the reordering of the strategies before closing this agenda item. Ms. Perez advised they will aim to have a draft sometime end of February or early March. They will first present the text for the Board to read and will go back with any edits they may have. They will then lay it out into a graphically designed layout and the Board will review it and recommend it to the Select Board. If everyone is good with it, they bring it to DHCD and ask them if they have any edits. That can freeze the process, so they will see how long that takes. It will then come back down to everyone and can be adopted. Proof has to be furnished to DHCD, but then they will be set for another five years.

#### **MBTA Communities Program Discussion – Taylor Perez of SRPEDD**

Mr. Resnick said he had asked Ms. Perez what resources were available for the Town to do the required elements to comply with the MBTA program. Before zoning is adopted, you have to do a preliminary analysis. Mass Housing Partnership (MHP) had put out a request to communities for assistance in the fall, primarily to the MBTA higher level communities. Some of the communities had dropped out, so there was extra funding available. He submitted an application that was approved pending the approval of a scope of services that SRPEDD is going to submit to Mass Housing Partnership. They will then work through those efforts toward a zoning bylaw that would allow them to comply by the end of the fiscal year July 1, 2023, which is the project timeline. Ms. Perez noted that the Town has until 2025 to comply.

Ms. Perez advised that she and Mr. Resnick, as well as her colleague Robert Cabral, will be meeting with Katie Lacy from MHP to discuss the scope of work. She understood that this is MHP's initial round of technical assistance, and that there is a lot of funding to assist communities with compliance. In this early phase, they are looking to examine the existing 40R for its potential compliance under Section 3A. She would then get back to the Board in approximately June or July. Mr. Knox clarified at that point they will then decide if they need to amend something, or if they even want to amend something. Ms. Perez added that as Lakeville is now a small adjacent community, they have until 2025 to comply. She advised they could also go to the SRPEDD website for additional information and webinars that looked at what housing at different densities looks like.

### **Approve Meeting Minutes**

Mr. Knox made a motion, seconded by Mr. Lynch, to approve the Minutes from the November 10, 2022, meeting. The vote was **unanimous for**.

### **Next meeting**

The next meeting is scheduled for January 26, 2023, at 7:00 p.m. at the Lakeville Police Station.

### **Correspondence**

Mr. Resnick said they received a MEPA notice that a warehouse is proposed at 27 Harding Street in Middleborough. That in person visit would be on January 19<sup>th</sup>. Comments are due on January 21, 2023. He also distributed an article regarding the trend on warehouses.

### **Adjourn**

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

Meeting adjourned at 8:32.