

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, February 22, 2024**

On February 22, 2024, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:07 p.m. LakeCam was recording, and it was streaming on Facebook Live. It was noted that no one else present was recording.

Members present:

Mark Knox, Chair; Jack Lynch

Members attending remotely:

Michele MacEachern, Vice-Chair

Public Hearing (7:00) Site Plan Review, continued - 2 & 4 Bedford St.

Mr. Knox advised this was a continued public hearing which had been opened previously. The applicant had requested the hearing be continued to their next meeting. Ms. MacEachern noted that there have been a number of people showing up for this hearing which they have kept on continuing. Is it worth asking them to withdraw and resubmit when they are ready to move forward? Mr. Knox asked if anyone had called into the office regarding this. Ms. Murray replied they had. Mr. Knox understood the issue that had been raised. They would continue for tonight, but reach out to the engineer to voice their concerns.

Mr. Knox made a motion, seconded by Mr. Lynch, to continue the Site Plan Review hearing for 2 & 4 Bedford Street until March 14, 2024, at 7:00 p.m.

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

ANR Plan – 37 Myricks Street – Zenith Consulting Engineers

Mr. Robert Forbes from Zenith Consulting Engineers was present. He advised this is a Form A plan where they have a lot and a parcel of land that do not constitute a building lot. This Form A combines the two of those and creates a building lot. It is because of the upland area and the building circle that they do not currently conform to zoning. There is an easement along Narrows Lane that can't be included in the required area for the lot. Mr. Knox said that was the one concern that he had. Would they be able to take measures ensuring that the drainage swale would not be interrupted by a driveway? Mr. Forbes said yes, and that was why there was an easement there. They should not be allowed by deed to put anything there or interrupt anything in that easement. The intent is for that driveway to go out onto Myricks Street.

Mr. Knox said there is the appearance that this ANR lot, when it's filed, has significant frontage on the subdivision. He was assuming that they will not pay Homeowner Association Fees. Mr. Forbes said the individual that developed the subdivision also has control of these two lots. He has no intention of doing that, nor does he want that to be the case. They have done a conceptual layout of this lot and the driveway goes to Myricks Street. Mr. Forbes said that he would relay that information to the applicants.

Ms. MacEachern said her only concern with this was the other three lots did not have to perform the Stormwater Review, and now they have this fourth lot. There had been a lot of concerns with the water and slow perc rates in this area. Mr. Lynch had no other concerns. Mr. Knox said as the lot met all the requirements for an ANR lot, he would make a motion to recommend endorsement of this ANR Plan for 37 Myricks Street. It was seconded by Mr. Lynch.

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

ANR Plan – Pauline's Path – Zenith Consulting Engineers

Mr. Robert Forbes from Zenith Consulting Engineers was present. He advised this was an odd situation where they were removing frontage and area from Lot 2, as to give it the required frontage as far as zoning is concerned. This has to do with the wording of the bylaw which had been picked up by the Building Commissioner, who had then forwarded the information to the Planning Board. They were taking out that small section from Lot 2 and combining it with Lot 1. This will make Lot 2 conforming. Ms. MacEachern and Mr. Lynch had no problem with it.

Mr. Knox made a motion, seconded by Mr. Lynch to recommend endorsement of the ANR Plan for the land swap of Lot 2 and Lot 1 on Pauline's Path.

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

Stowe Estates – Discuss Covenant

Mr. Knox advised that a Covenant had been circulated that had been provided by the applicant of Stowe Estates, and also a recently used draft that had been used for another subdivision. He felt moving forward they might want to look at having a better template in their Rules and Regulations, but for tonight's action this serves the purpose for Stowe Estates. Ms. MacEachern said that she would like to have Town Counsel review the Covenant to make sure that it is properly written. After reviewing all the documents that had been provided, Mr. Knox said that they will move to vote and request this be sent to Town Counsel to review and make any needed revisions.

Mr. Knox then made a motion, seconded by Mr. Lynch, to send the draft Form D Covenant provided, the previous Covenant for Bella's Way, and the Decision for the Definitive Subdivision Plan for Stowe Estates sent to Town Counsel for review and redrafting based on the Decision for Stowe Estates.

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

Mr. Knox made a motion, seconded by Mr. Lynch, to have Town Counsel provide the Board with a template Covenant moving forward, to be within their Rules and Regulations.

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

Review the following Zoning Board of Appeals petitions:

a. Dixon – 36 Man Street

Mr. Knox said as this is a business property, he has looked at this. The proposed addition does not encroach any further on the setbacks. He also did not see where it affected parking, loading, or any other means of pedestrian or vehicular traffic.

Ms. MacEachern made a motion, seconded by Mr. Lynch, to make no recommendation regarding 36 Main Street.

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

Open Space Residential Development (OSRD) – update

Mr. Knox said when looking through the draft, there had been some comments from Town Counsel. Had those been addressed? Ms. MacEachern said that she believed those comments had been unhidden, but she thought they had gone through all of them. Mr. Knox asked if there was anything that she wanted to go over on it. Ms. MacEachern asked if it had been reviewed by Conservation yet. Mr. Knox said their last meeting had been cancelled, but he would try to discuss this at their next meeting on Tuesday.

Mr. Knox said he thought they were waiting to hear back from the Building Commissioner. They could then discuss if they wanted to do a recirculation to Town Counsel with the changes that were more current, and then be ready to post for a public hearing. This item will be placed on the next agenda as they wait for comments back from the Building Commissioner.

Discuss possible warrant items – OSRD

Mr. Knox said the first item is the OSRD. Were they committed to trying to get that on Town Meeting? Ms. MacEachern said she thought so. Mr. Knox then made a motion, seconded by Mr. Lynch, that the Planning Board request a placeholder on the warrant for the Open Space Residential Bylaw.

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

Discuss possible warrant items – Mixed-Use Development

Mr. Knox said the next possible warrant item was possible changes to the Mixed-Use Development Zoning District. Mr. Knox said that he thought most people were dissatisfied with the zoning for the age qualified housing component within that zoning. Ms. MacEachern said she thought they should get rid of it, revisit it, and decide if and where it should be placed again. There are a number of items within that bylaw that are concerning and that 55+ wording is just one of them. She noted that Rhino has already submitted their preliminary plan, and they would submit a definitive plan. This is protection for future developments in that area. They should get this on Town Meeting and look to remove it as it's currently written.

Mr. Knox then made a motion, seconded by Mr. Lynch, that a placeholder be put on the warrant for possible changes to the Mixed-Use Development Zoning District.

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

Discuss update on 40R Zoning Overlay

Mr. Knox advised they had a joint meeting with the Select Board about two weeks ago. From there, they created a small working group to work with Counsel and the State regarding the requirements and possibilities of 40R Zoning Overlays. There was also outreach to Rhino Development to see if they would be interested in working with a 40R instead of their 40B. Rhino acknowledged it and said they would consider it, but at this point that has been the only response. As there has not been a lot of updates, it is probably time to reach back out as from a time standpoint for the Town, the clock is ticking and a lot of information would be needed.

Mr. Knox then made a motion, seconded by Mr. Lynch, that a placeholder be put on the warrant for a possible 40R Zoning Overlay District to be added.

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

Discuss update of regulations

Mr. Knox said he did not see anything in the packet. Ms. Murray advised the Building Commissioner had a document and an updated one had also been found in the shared file. She would send out both versions to the Board to review and see which one they preferred. Ms. MacEachern said they had updated their fees, and she wanted to make sure that the version they have has the fees as they had most recently updated. Mr. Knox said that they had done that in a public meeting, but never advertised a public hearing which is a minimum requirement to change the rules and regulations.

Approve Meeting Minutes

Ms. MacEachern made a motion, seconded by Mr. Lynch, to approve the January 25, 2024, meeting minutes.

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

Next meeting

The next meeting is scheduled for March 14, 2024, at 7:00 p.m. at the Lakeville Police Station.

Adjourn

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

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

Meeting adjourned at 7:41.