

**Town of Lakeville
Planning Board
Meeting Minutes
May 11, 2017**

On May 11, 2017, the Planning Board held a meeting at 7:30 PM at the Lakeville Public Library in the Large Meeting Room. The meeting was called to order by Chairman Hoeg at 7:30 PM. Members present: Brian Hoeg, Sylvester Zienkiewicz, and Janice Swanson. Members absent: Barbara Mancovsky, Peter Conroy. Also present: Rita Garbitt, Town Administrator, and Lola Curley, Recording Clerk. LakeCAM was recording the meeting.

Public Hearing (7:30 PM) ref: Proposed Zoning By-Law Amendments

The notice, as it appeared in the Middleboro Gazette on April 20, 2017 and April 27, 2017, was read into the record by Chairman Hoeg.

Upon a motion made by Mr. Zienkiewicz and seconded by Ms. Swanson, it was

VOTED: To open the Public Hearing.
 Unanimous in favor.

Chairman Hoeg read the Amendments to the Zoning By-Law as listed below:

1. Section 2.0 Definition

Delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

Structure: Any combination of materials attached to or requiring a fixed location on or in the ground. For the purposes of location on a lot, the following shall not be deemed to be structures prohibited within a setback required in the Zoning By-Law: boundary walls and fences under 7' in height, utility poles, support posts not over 4 feet in height for mailboxes and name signs and parking lots. ~~except for parking lots which are within a building.~~

2. Section 2.0 Definition

Insert new language, as underlined as follows:

Setback: The distance between the lot boundary line and the building or structure line, measured for the front, rear and side yards.

3. Section 4.1 Table of Uses Regulations-Sub section 4.1.2 Business Uses

Delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

Current Text

4.1.2 Business Uses	R	B	I	I-B
Funeral Home	SP	Y	N	N
Mortuary or crematory	N	SP	N	N

PROPOSED TEXT

<u>Funeral Home, Mortuary or Crematory</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>N</u>
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4. Section 7.4 Special Permits-Sub Section 7.4.6

Delete certain language, shown as follows:

Funeral Home, Mortuary or Crematory

~~SPGA Board of Appeals; All Districts~~

~~Subject to site plan review by the Planning Board, which site plan shall be incorporated into the Special Permit. Adequate provision shall be made for access. Location shall be suitable for traffic generated.~~

5. Section 2.0 Definition

Delete certain language, shown in strikethrough, as follows:

~~**Mobile Home Park:** An area of land designed as a unit to accommodate a number of mobile homes in specific location with a network of access roads, provisions for parking, water supply, wastewater disposal, electricity and other services and amenities, approved by the Board of Health and licensed under the provisions of Chapter 140, Sections 32 A through 32 L of the General Laws.~~

6. Section 4.1 Table of Uses Regulations-Sub Section 4.1.1 Residential Uses

Insert new language, as underlined as follows:

4.1.1 Residential Uses	R	B	I	I-B
Mobile Home other than allowed in 8.7.1 and 8.7.2	N*	N*	N	N

**(Adopted 6/13/05; approved by Attorney General 9/30/05)*

7. Section 4.1 Table of Uses Regulations-Sub Section 4.1.1 Residential Uses

Delete certain language, shown in strikethrough, as follows:

~~**Mobile Home Park** _____ N* _____ N* _____ N _____ N~~

~~**(Adopted 6/13/05; approved by Attorney General 9/30/05)*~~

8. Section 7.4 Special Permits Sub-Section 7.4.6

Delete certain language, shown in strikethrough, as follows:

~~**Mobile home or house trailer parks**~~

~~**SPGA Board of Appeals; Residential, Business Districts**~~

~~**Subject to site plan approval by the Planning Board, which site plan shall be incorporated by reference into the building permit; subject to Board of Health approval and annual license renewal, subject to finding that such park will serve an existing need and will not be detrimental to the neighborhood, including limitations on size and provisions for screening.**~~

9. Section 4.1 Table of Uses Regulations-Sub-Section 4.1.1 Residential Uses

Delete certain language, shown in strikethrough, as follows:

~~**Mobile home or house trailers**~~

~~*(This section deleted—see new Sec. 8.7.1 and 8.7.2)*~~

~~*(Amended June 8, 1998; approved by Attorney General August 24, 1998)*~~

10. Section 6.0 General Regulations-Sub-Section 6.1.7

Delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

6.1.7 Any pre-existing dwelling in a Business or Industrial zoned area shall be allowed all rights of use as if in a Residential District without special permit so long as all ~~residence~~residential district regulations are met.

(Adopted June 17, 1996; approved by Attorney General September 10, 1996)

11. Section 5.1 Intensity Regulations Sub-Section 5.1.3 Easements

Delete certain language, shown in strikethrough, and insert new language, shown underlined, as follows:

5.1.3 Easements

~~General and access easements shall not be included in the required frontage or lot area. Adopted June 14, 2004; approved by Attorney General September 16, 2004)~~

~~(**Bold text** Adopted June 4, 2012 at ATM; approved by Attorney General July 18, 2012)~~

5.1.3 Exclusive Use Easements

Exclusive Use Easements where the exclusive use of a portion of a lot has been granted to someone other than the owner of the lot shall not be included in the required frontage or lot area. Exclusive use shall be when someone other than the owner of a lot has the sole right to use a portion of the lot, to the exclusion of the owner of the lot.

12. Section 5.1 Intensity Regulations Sub-Section 5.1.3.1 Landscape Easements

Delete certain language, shown in strikethrough, as follows:

5.1.3.1 Landscape Easements

~~Landscape easements shall be permitted within the required lot area or frontage providing that such easement occurs entirely within the upland area of such lot and does not limit the use of such land area as may be required for use by the property owner. In every case the easement shall never become the responsibility of the Town nor shall it be greater than 10% of the upland area or frontage of the lot it is part of as defined by the By laws of the Town. (Adopted by ATM 5/8/06; approved by Attorney General 6/14/06)~~

There were a couple of questions from Joseph Chamberlain regarding the definition of structure and mobile home.

Upon a motion made by Mr. Zienkiewicz and seconded by Ms. Swanson, it was

VOTED: To close the Public Hearing.
Unanimous in favor.

Upon a motion made by Ms. Swanson and seconded by Mr. Zienkiewicz, the Board

VOTED: To approve and forward the Proposed Zoning By-Law Amendments to the Annual Town Meeting.
Unanimous in favor.

Approve Meeting Minutes

Upon a motion made by Ms. Swanson and seconded by Mr. Zienkiewicz, the Board

VOTED: To approve the Meeting Minutes for April 27, 2017.
Unanimous in favor.

New Business

Informed the Planning Board of the memo received from Jeremy Peck, Superintendent of Streets, regarding his Final Inspection of the Joshua Estates Subdivision Roadway and recommendation of Acceptance.

Schedule Next Meeting

The Planning Board's next scheduled meeting will be: May 25, 2017.

Adjournment

Upon a motion made by Mr. Zienkiewicz and seconded by Ms. Swanson, the Board

VOTED: To adjourn the meeting at 8:30PM.
Unanimous in favor.