

**Town of Lakeville
Planning Board
Meeting Minutes
March 23, 2017**

On March 23, 2016, the Planning Board held a meeting at 7:30 PM at the Town Office Building. The meeting was called to order by Chairman Hoeg at 7:32 PM. Members present: Brian Hoeg, Donald Bissonnette, Peter Conroy, Janice Swanson and Sylvester Zienkiewicz. Also present: Rita Garbitt Town Administrator, Nate Darling Building Commissioner, Bob Mather Zoning By Law Advisory Committee Member and Lola Curley Recording Clerk. LakeCAM was recording the meeting.

Review AGS Development Corp's request to release the bond for Joshua Estates

The Board reviewed and discussed AGS Development Corp request to have their bond for Joshua's Estate be released. On March 21, 2017 the Superintendent of Streets Jeremy Peck inspected the property, and his recommendation to the Planning Board is to reduce the construction bond from \$21,000 to \$16,000. The amount does not include the required fee of \$15/linear foot. The additional cost shall be equal to \$15/LF x 1,530 LF=\$22,950.

With the total cost to be held from the Town should be $\$16,000 + \$22,950 = \$38,950$

Ms. Curley will forward a letter to the Treasurer Office requesting to release the funds to AGS Development Corp on behalf of Mr. Hoeg.

Upon a motion made by Mr. Bissonnette and seconded by Mr. Conroy, the Board

VOTED: To approve the release of all but \$38,950 for Joshua Lane as described in the letter from the Superintendent of Streets, Jeremy Peck, dated March 21, 2017. The final coat went down June 9, 2015.
Unanimous in favor.

Approve Meeting Minutes

Upon a motion made by Ms. Janice Swanson and seconded by Mr. Peter Conroy, the Board

VOTED: To approve the Meeting Minutes for March 9, 2016.
Unanimous in favor.

Review and discuss proposed Zoning By-Law Amendments for the Annual Town Meeting

The Board reviewed the following Zoning By-Law Amendments:

PROPOSED CHANGES--ADD UNDER 7' IN HEIGHT AND ADD OR STRUCTURE

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.

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

Upon a motion made by Mr. Conroy and seconded by Mr. Bissonnette, the Board

VOTED: To approve these two (2) amendments and forward to Town Meeting and schedule the public hearing.
Unanimous in favor.

The Board discussed the proposed changes to Section 4.1.2 Business Uses and the Special Permit Section 7.4.6.

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

4.1.2 Business Uses	R	B	I	I-B
Funeral Home, Mortuary or Crematory	N	Y	N	N

DELETE SPECIAL PERMIT SECTION

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.~~

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

VOTED: To approve these two (2) amendments and forward to Town Meeting and schedule the public hearing.
Unanimous in favor.

The Board discussed the proposed changes to Mobile Home Park and Mobile Home.

DELETE DEFINITION FOR MOBILE HOME PARK

~~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.~~

Add underlined language

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

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

DELETE USE

~~Mobile Home Park~~

N* N* N N

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

DELETE SPECIAL PERMIT SECTION

~~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.~~

DELETE THIS SECTION

~~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)

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

VOTED: To approve these five (5) amendments and forward to Town Meeting and schedule the public hearing.
Unanimous in favor.

DELETE SITE PLAN REVIEW FOR RESIDENTIAL

The Board discussed the proposed change to delete Site Plan Review for Residential:

~~DELETE SECTION 6.7.3 Procedure Residential~~

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

VOTED: To approve the amendment and forward to Town Meeting and schedule the public hearing.
Unanimous in favor.

The Board discussed the proposed change to Sections 6.1.7, 5.1.3, and 5.1.3.1.

Section 6.1.7 change residence to residential

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)

DELETE ENTIRE SECTION

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)~~

REPLACE WITH THIS PROPOSED LANGUAGE

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.

DELETE ENTIRE SECTION

~~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)~~

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

VOTED: To approved these three (3) amendments and forward to Town Meeting and schedule the public hearing.
Unanimous in favor.

Review Revised Maps for Public Hearing Scheduled for April 13, 2017

The Board reviewed the new revised current Zoning Map and proposed Zoning Map that will be viewed at the public hearing on April 13, 2017.

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

VOTED: To approve the revised current zoning map and proposed zoning map
Unanimous in favor.

New Business

The public hearing for the Zoning Amendments will be held on May 11, 2017 at the Library at 7:30 PM

Schedule Next Meeting

The Planning Board's next scheduled meetings will be: April 13, 2017, April 27, 2017 and May 11, 2017.

Adjournment

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

VOTED: To adjourn the meeting at 9:00 PM.
Unanimous in favor.