



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

48-hr notice effective
when time stamped

Notice of every meeting of a local public body must be filed and time-stamped with the Town Clerk's Office at least 48 hours prior to such meeting (excluding Saturdays, Sundays and legal holidays) and **posted thereafter in accordance with the provisions of the Open Meeting Law, MGL 30A 18-22 (Ch. 28-2009)**. Such notice shall contain a listing of topics the Chair reasonably anticipates will be discussed at the meeting.

Name of Board or Committee:	<u>Select Board</u>
Date & Time of Meeting:	<u>Monday, March 27, 2023 @ 6:00 PM</u>
Location of Meeting:	<u>Lakeville Police Station 323 Bedford Street, Lakeville, MA</u>
Clerk/Board Member posting notice:	<u>Tracie Craig-McGee</u>

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

1. Select Board Announcements
2. Town Administrator Announcements
3. Meet with Town Clerk to discuss By-law Recodification Project
4. Meet with Town Planner to discuss draft Housing Production Plan
5. Discuss Planning Board's request regarding Kenneth Welch Drive parking
6. Discuss current matters relating to 310 Kenneth Welch Drive
7. Discuss and possible vote to approve Donation Agreement with the Residences at Lebaron Hills for construction of an addition for the Department of Public Works Maintenance Facility
8. Review and possible vote to approve Memorandum of Understanding for the SouthCoast Public Health Collaborative
9. Review and possible vote to approve Public Way License application for Rock Hard Racing for The Mix Tape on April 16, 2023
10. Review and possible vote to approve Select Board Meeting Minutes of March 6 and 8, 2023
11. New Business
12. Old Business-FY24 Budget Update
13. Correspondence: Letter from Comcast; Keolis Commuter Services 2023 Yearly Operational Plan
14. Possible Executive Session pursuant to M.G.L. c.30A, §21(a) (2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contact negotiations with non-union personnel and pursuant to M.G.L. c.30A, §21(a) (3) to discuss strategy with respect to collective bargaining, specifically with PBA Local 185; IAFF Local 3188 and Laborer's International Union, if an open meeting may have a detrimental effect on the bargaining position of the public body and the Vice Chair so declares and pursuant to M.G.L. c.30A, §21(a) (7) to comply with the Open Meeting Law, M.G.L. c.30A, §22(f): approval of Executive Session Minutes for February 28, 2023 and not to return to Open Session.

Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Select Board arise after the posting of this agenda, they may be addressed at this meeting.

**AGENDA ITEM #1
MARCH 27, 2023**

SELECT BOARD ANNOUNCEMENTS

Annual Town Election will be held on April 3, 2023 at the Loon Pond Lodge at the Ted Williams Camp from 12:00 to 8:00 PM.

**AGENDA ITEM #2
MARCH 27, 2023**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
MARCH 27, 2023**

**MEET WITH TOWN CLERK TO DISCUSS BY-LAW
RECODIFICATION PROJECT**


Attached is a memo from the Town Clerk; the warrant articles for Town Meeting and a summary of the changes that were made to the General By-laws.



FROM THE OFFICE OF
LILLIAN M. DRANE
MMC/CMMC

TOWN OF LAKEVILLE
OFFICE OF THE TOWN CLERK
346 Bedford Street
Lakeville, Massachusetts 02347
508-946-8814
ldrane@lakevillema.org

RECEIVED
MAR 21 2023
SELECTMEN'S OFFICE

TO: Select Board
FROM: Lillian M. Drane, Town Clerk 
DATE: March 1, 2023
SUBJECT: Warrant Article: Lakeville Codification of General & Zoning Bylaws-
readoption.

Please be advised the last phase of the Town's Bylaw codification is now complete.

The next step will be the adoption of the Bylaws by Town Meeting and submission to the Attorney General for approval. Attached to this memo are the warrant articles to readopt the Town's General Bylaws and Zoning Bylaw in their entirety, pursuant to the Organizational Analysis phase.

The Final Draft reflects the changes in the Editorial and Legal Analysis as well as the Attorney General approvals through the end of 2022- which consist of Articles #6,8,9,11,12,13,14,18 and 19 approved by the Special Town Meeting of November 14, 2022.

Please note, no changes were made to the Zoning Bylaws unless they were brought forward to Town Meeting for revisions. The Planning Board will need to hold a public hearing regarding the renumbering/reorganization of the zoning bylaws as Chapter 270 of the ECode. Attached to this memo as well, are the General Bylaws changes that reflect the current Massachusetts General Laws and to correct some grammar.

The Final Draft is now posted to the Town's Code Review site:
<https://codereview.ecode360.com/LA4165>

Thank you in advance for your attention to this matter.

Lakeville General Bylaws

Warrant article adopting renumbering of the General Bylaws and revisions

Article ___:

To see if the Town shall accept the renumbering and revision of the various bylaws of the Town from their original numbering or their numbering in the General Bylaws, as amended through 11-14-2022 STM, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the General Bylaws as set forth in the Final Draft of the Code of the Town of Lakeville, dated March 2023, said codification having been done under the direction of the Select Board and Town Attorney, and said Code being a compilation and comprehensive revision of the present bylaws of the Town. All bylaws of a general and permanent nature, as amended, heretofore in force and not included in the Code shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law, and such repeal shall not apply to or affect any bylaw, order or article heretofore adopted accepting or adopting the provisions of any statute of the commonwealth. These bylaws shall be referred to as the "General and Zoning Bylaws of the Town of Lakeville, Massachusetts;" or take any other action relative thereto.

Lakeville Zoning Bylaw

Warrant article adopting renumbering of the Zoning Bylaw

Article ____:

To see if the Town shall accept the renumbering and revision of the Zoning Bylaw of the Town from its original numbering, as amended through 11-14-2022 STM, to the numbering or codification, arrangement, sequence and captions and the comprehensive revisions to the text of the Zoning Bylaw as set forth in the Final Draft of the Code of the Town of Lakeville, dated March 2023, said codification of the Zoning Bylaw having been done under the direction of the Planning Board, and being a compilation and comprehensive revision of the present Zoning Bylaw, including amendments thereto. All Zoning Bylaws, as amended, heretofore in force shall be repealed, except that such repeal shall not affect any suit or proceeding pending as the result of an existing law. The Zoning Bylaw shall be codified as Chapter 270 of the “General and Zoning Bylaws of the Town of Lakeville, Massachusetts;” or take any other action relative thereto.

Lakeville General Bylaws

General Revisions:

The following changes are as follows:

- Spelling, grammar, and typographical errors are corrected.
- Numbers one through nine are consistently cited in text format; numbers 10 and above, fractions and decimals are cited in numeric format.
- The capitalization of terms is made consistent; proper nouns and the word "Town," when referring to the Town of Lakeville, are capitalized.
- Additions are underlined, and deletions are ~~strikethrough~~
- The word "~~by-law~~" is revised to "bylaw."
- The word "~~Ordinance~~" is revised to "Bylaw"- *Town adopts Bylaws and not Ordinances*
- References to the Massachusetts General Laws are standardized to the following format: MGL c. __, § __.

In addition, the following bylaws are specifically repealed:

- Door-to-Door Sales, adopted May 14, 1984, as amended 11-8-2021 STM by Art. 9.
(Replaced with Peddling and Soliciting)
- Original Chapter III, Town Officers, Section 7, Fire Engineers, as superseded by the June 27, 1991, Town Meeting acceptance of MGL c. 48, § 42A.
(Per Fire Chief, no longer needed due to "Strong Chief"- acceptance of MGL c48, §42,43, & 44 @ ATM 6/15/2009- Article 24)

See: General Bylaw pages for comparison

Specific Revisions:

Ch. 1. General Provisions.

Art. I, Adoption of Bylaws; General Penalty.

Pg 1 Section 1-4 is amended to change \$20 to \$300.
(Revised: Per MGL c40, §21; currently permits a maximum penalty for Bylaw violation of \$300)

Ch. 7, Affordable Housing Trust Fund.

Section 7-1 is amended as indicated: "The purpose of the Affordable Housing Trust Fund shall be to provide for the creation and preservation of affordable housing in the Town for the benefit of low- and moderate-income households..."

(Revised: Clarity- add "of the Affordable Housing Trust Fund")

Pg 48

Section 7-3A is amended to read as follows:

To accept and receive real property, personal property or money, by gift, grant, contribution, devise, or transfer from any person, firm, corporation or other public or private entity, including but not limited to money, grants of funds or other property tendered to the trust in connection with any bylaw or any general or special law or any other source, including money from MGL c. 44B; provided, however, that any such money received from MGL c. 44B shall be used exclusively for community housing and shall remain subject to all the rules, regulations and limitations of that chapter when expended by the trust, and such

funds shall be accounted for separately by the trust; and provided, further, that at the end of each fiscal year, the trust shall ensure that all expenditures of funds received from said MGL c. 44B are reported to the Community Preservation Committee of the Town for inclusion in the community preservation initiatives report, Form CP-3, to the Department of Revenue;

(Revised: Underlined sections matches the revised MGL c44, §55C amended in 2006)

Pg 49

Section 7-3D is amended as indicated:

To execute, acknowledge and deliver deeds, assignments, transfers, pledges, leases, covenants, contracts, promissory notes, releases, grant agreements and other instruments sealed or unsealed, necessary, proper or incident to any transaction in which the Board engages for the accomplishment of the purposes of the trust;

(Revised: Underlined section matches 2016 amendments to the provisions in MGL c44, §55C)

Pg 50

Section 7-4 is amended as indicated:

Notwithstanding any general or special law to the contrary, all monies paid to the trust in accordance with ~~any zoning ordinance or by-law~~ the Zoning Bylaw, exaction fee, or private contributions shall be paid directly into the trust and need not be appropriated or accepted and approved into the trust.

(Revised: Add "Zoning Bylaw"- Town adopts Bylaws and not Ordinances)

Pg 5

Ch. 15. Boards, Commissions and Committees.

Art. I, Finance Committee.

Section 15-1 is amended as indicated:

There shall be a Finance Committee of five legal voters of the Town, elected by ballot at the annual Town meeting as hereinafter provided. No elected or appointed Town official or Town employee shall be eligible to serve on said committee, however, Finance Committee members may serve on the Capital Expenditures Committee, Building Committees, Employee Search Committees, Energy Committees, Wage and Personnel Board, or any subcommittee of the Regional School Committees. ~~At the first annual Town meeting after this by-law becomes effective there shall be elected one member of said committee for a term of one year, two members for a term of two years, and two members for a term of three years, and thereafter elect them~~ Members shall be elected for staggered terms of three years. The terms of office of said members shall commence immediately upon qualification and expire upon election and qualification of their successors. ~~said The Finance Committee to shall~~ shall serve without pay.

(Revised: Strikethrough removal of initial member's terms)

Pg 6

Art. II, Select Board.

Section 15-5 is amended as indicated:

"The Select Board shall fill appointive offices ~~shall be filled~~ within 60 days following the convening of the business portion of the annual Town meeting."

(Revised: Strikethrough make it clear)

Pg 7

Section 15-6 is amended as indicated:

The Select Board may sell any and all property acquired by the foreclosure of the right of redemption of tax titles; ~~any sale under this section to be at public auction, and notice of any such sale together with a description of any property to be sold, to be posted the same as notice of Town meeting namely: at least seven days prior to such sale~~ in accordance with MGL c. 60, § 52.

(Revised: Underlined section matches the updated MGL c60, §52 amended in 2006)

Pg 9

Art. III, Board of Health.

Section 15-9 is amended as indicated:

The Board of Health shall consist of three members, who are registered voters of the Town. ~~whose Members shall be elected by ballot at the next Annual Town Meeting for the election of officers on the first Monday in March, 1993. At such election there shall be elected one member for a term of one year, one member for a term of two years, and one member for a term of three years, thereafter all members shall be elected for a term~~ for staggered terms of three years. The terms of office of said members shall commence immediately upon qualification and oath and expire upon election and qualification and oath of their successors in office. ~~Chapter III, Section 10 shall be repealed upon the qualification and oath of the first three members of the Board of Health.~~

(Revised: Strikethrough removal of initial established BOH terms in 1993)

Pg 16

Art. V, Council on Aging.

Section 15-17A is amended as indicated:

The Select Board shall appoint the Council on Aging consisting of ~~11 members and one alternate~~ nine members and two alternates; ~~provided, however, that upon the effective date of an amendment to this bylaw, the membership of the Council on Aging shall be changed to nine members and two alternates.~~ Upon the effective date of an amendment to this bylaw, the appointed incumbents serving at the time of adoption shall continue to serve for the remainder of their terms, unless the incumbent resigns or is removed prior to the end of their term, and expiring terms and vacant seats shall not be refilled until the membership reaches nine members. ~~Thereafter,~~ The Board shall appoint members for three-year terms. Members can be reappointed for concurrent terms determined by the discretion of the Board and appointees' acceptance. The members of the Council shall serve without pay.

(Revised: Strikethrough removal of initial member's terms)

Pg 17

Art. VI, Agricultural Commission.

Section 15-23 is amended as indicated:

The Commission shall consist of seven members, all of whom are Lakeville residents, six members to be from the farming community and one member to be a citizen at large. Said members shall be appointed by the Select Board. ~~The terms of the initial appointments shall be three members for three years; two members for two years; and two members for one year. Upon the expiration of the initial appointments, the term of each member appointed thereafter shall be three years.~~ Members shall be appointed for staggered terms of three years. The Select Board may appoint up to two alternate members for one-year terms. The Chairman of the Commission may designate an alternate member to vote in case of the absence, inability to act, or conflict of interest on the part of a member of the Commission, or in the event of a vacancy on the Commission. The Select Board shall fill a vacancy by appointment for the duration of the unexpired term of the vacancy in order to maintain the cycle of appointments.

(Revised: Strikethrough removal of initial member's terms)

Pg 4

Ch. 53. Officers and Employees.

Original Ch. III, Sec. 2, Town Clerk, second paragraph, regarding the transfer of money received by the Town Clerk for dog licenses to the Town treasury, of the 1994 Bylaw Revision is repealed.

(It repeats itself; See Code; Chapter 28-1- adequately addresses the requirement)

Pg 18

Ch. 66. Records and Reports.

The last paragraph, regarding payment of fees received by Town officers into the Town treasury, of original Ch. IV of the 1994 Bylaw Revision, is repealed.

(It repeats itself; See Code; Chapter 28-1- adequately addresses the requirement)

Pg 2

Ch. 74. Town Meetings.

Section 74-2 is amended as indicated:

The Select Board shall insert in the warrant for the annual Town meeting all subjects, the insertion of which shall be requested of it in writing by 10 or more registered voters of the Town, and in the warrant for every special Town meeting, all subjects, the insertion of which shall be requested of them in writing by 100 registered voters or by 10% of the total number of registered voters of the Town, whichever number is the lesser. The Select Board shall call a Special Town Meeting upon request, in writing, of 200 registered voters or of 20% of the total number of registered voters of the Town, whichever number is the lesser; such meeting to be held not later than 45 days after the receipt of such request and shall insert in the warrant therefor all subjects the insertion of which shall be requested by said petition. No action shall be valid unless the subject matter thereof is contained in the warrant. Two or more distinct Town Meetings for distinct purposes may be called by the same warrant.

(Revised: Underlined section matches the updated MGL c39, §10)

Ch. 102. Alarm Systems.

Throughout this chapter, the word "~~ordinance~~" is amended to read "bylaw."

(Revised: Town adopts Bylaws not Ordinances)

Pg 36

The definition of "alarm system" in § 102-1 is amended as indicated:

An assembly ~~of~~ of equipment and devices or a single device such as a solid state unit which plugs directly into a 110-volt AC line or a battery-powered unit, arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond. Fire alarm systems and alarm systems which monitor temperature, smoke, humidity or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery or at a premises are specifically excluded from the provisions of this bylaw. ~~*The provisions of § 102-9, Penalties, of this bylaw shall not apply to any governmental agency.~~

*(Revised: *Strikethrough added to see Code section 102-9 Violations & Penalties)*

Pg 37

The definition of "false alarm," Subsection B, in § 102-1 is amended to change "attempt ~~threat~~" to "attempt thereat."

Pg 37

Section 102-3 is amended to delete original Sec. C1, regarding submittal of authorized persons to the Police Chief by alarm users.

(Revised: This section is added to Code section 102-4)

Pg 38

Section 102-5A is amended as indicated: "Any user of an alarm system which transmits false alarms shall be assessed a fine of \$10 for ~~each~~ the first three false alarms occurring within a calendar year."

Pg 39

Section 102-8C is added to read: "An order to discontinue use of an alarm system under this section may be appealed as set forth in §102-5B of this bylaw."

(New Section- suggested to be added)

Pg 36

Section 102-9C is added to read: "The provisions of §102-9, Violations and penalties, of this bylaw shall not apply to any governmental agency."

(Added from page 36 of General Bylaws to this section)

Ch. 107. Animal Control.

Pgs.

73 &

74

Section 107-5 is amended as indicated:

Violations of this bylaw may be enforced through all lawful means in law or equity, including but not limited to noncriminal disposition pursuant to MGL c. 40, §21D, as follows: first offense ~~no fine~~ \$50;

second offense \$15 \$100; third offense ~~\$25~~ \$300 and fourth and continuing offense(s) ~~\$35~~ \$500 and the Town may order the animal spayed or neutered.

(Revised: Increase in fines as noted in the State Law Provisions MGL c140, §173A as of 2018 amendment)

Pg 40

Ch. 120. Buildings and Building Construction.

Art. III, Numbering of Buildings.

Section 120-7 is amended as indicated:

Street numbers shall be provided for each dwelling and each business, industrial, and other buildings in the Town of Lakeville by the owners of such structures within 90 days after approval by the Attorney General of this bylaw, in accordance with the following:

(Revised: Reflect the approval from the Attorney General)

Pg 24

Ch. 140. Earth Work.

Sections 140-3D(1) and 140-5C are amended to change "~~registered civil engineer~~" to "registered professional engineer."

Pg 34

Ch. 148. Fees.

Art. I, Town Clerk Fees.

Section 148-1, lead-in paragraph, is amended as indicated:

The Town voted to adopt the following Fee Schedule as a bylaw for those fees collected by the Town Clerk, covered by MGL c. 140, § 202, and MGL c. 262, § 34 ~~as amended by Chapter 329, Section 73 of the Acts and Resolves of 1980:~~

(Revised: Town Clerk fees in MGL c262, §34 have been amended since Chapter 329, Section 73 of the Acts and Resolves of 1980- strikethrough shows the lead statement)

Pg 35

Section 148-1, Fee Schedule, is amended as indicated:

(11) For entering amendment of a record of the birth of an illegitimate a child born out of wedlock, subsequently legitimized.

(Revised wording as shown underlined)

~~*(37) For issuing and recording licenses to keepers of intelligence officers.~~

(Repeal: No longer collect this fee)

(66) For examining records or papers relating to birth, marriage or deaths upon the application of any person, ~~the actual expense thereof, but not less than \$2~~

(Revised: Compared fees against MGL c262, §34)

Pg 31

Ch. 169. Junk, Old Metal and Secondhand Articles.

Section 169-2 is amended as indicated:

Every person who is licensed by the Town Clerk, upon authorization by the Select Board, as a keeper of a shop for the purchase, sale or barter of junk, old metals or secondhand articles shall keep a book, to be inspected annually before licensing, in which at the time of each purchase, sale or barter, shall be legibly written in the English language an account and description, including all distinguishing marks and numbers of the property purchased, sold or bartered.

(Revised: added underline)

Pg 46

Ch. 176. Licenses and Permits.

Art. I, Denial or Revocation for Failure to Pay Taxes or Fees.

Section 176-4 is amended as indicated:

This bylaw shall not apply to the following licenses and permits: Open burning, MGL c. 48, § 13; ~~bicycle permits, Section 11A of Chapter 85;~~ sales of articles for charitable purposes, MGL c. 101, § 33; children

work permits, MGL c. 149, § 69; clubs, associations dispensing food or beverage licenses, MGL c. 140, § 21E; dog licenses, MGL c. 140, § 137; fishing, hunting, trapping licenses, MGL c. 131, § 12; marriage licenses, MGL c. 207, § 28; and theatrical events, public exhibition permits, MGL c. 140, § 181.
(Revised: Strikethrough reference is cited in MGL c85, §11A was repealed in 2008.)

Pg 48 Art. II, Motor Vehicle Dealer's License.

Throughout this article, the term "~~Class H~~" is amended to read "Class 2."

Pg 63 Ch. 180, Lighting, Outdoor.

Throughout this chapter, the terms "~~luminary~~" and "~~luminaries~~" are amended to read "luminaire" and "luminaires," respectively.

The definition of "indirect light" in § 180-2 is repealed.
(Term not used elsewhere in the chapter)

Pg 64

The definition of "lumen" in § 180-2 is amended as indicated:
A unit of luminous flux. One footcandle is one lumen per square foot. For the purposes of the bylaw, the lumen output values shall be the initial lumen output ratings of a lamp.

The definition of "luminaire" in § 180-2 is amended as indicated:
~~For the purposes of the bylaw, the lumen output values shall be the initial lumen output ratings of a lamp.~~
This is a complete lighting system and includes a lamp or lamps and a fixture.

Pg 66

Sections 180-4 and 180-6B are amended to change "~~Code Enforcement officer~~" to "Zoning Enforcement Officer."

Pg 67

Section 180-5C is amended to change "~~Building Official~~" to "Zoning Enforcement Officer."

Ch. 187. Manufactured Housing Communities.

Section 187-2B is amended as indicated:

Pg 69

The Rent Control Board shall consist of three members, all of whom shall be registered voters in the Town, and shall be appointed by the Select Board. ~~At the time of the initial appointments, one member shall be appointed for a term of one year, one member for a term of two years and one member for a term of three years. Thereafter, a~~All members shall be appointed for terms of three years.
(Revised: Strikethrough removal of initial member's terms)

Pg 32

Ch. 206. Peace and Good Order.

Section 206-1B is amended as indicated: "A person shall be guilty of conducting himself in a ~~disgraceful disorderly~~ manner if, with willful intent to cause public inconvenience, annoyance or alarm, or recklessly creating a high risk ~~therefore~~ thereof, he:"
(Revised: Correction of grammar)

Pg 33

Ch. 210. Peddling and Soliciting.

This chapter is added to read as follows:
§ 210-1. Intent; statutory provisions.
This bylaw and its regulations govern for-profit transient vendors/businesses, hawkers and peddlers, and door-to-door solicitations pursuant to the authority granted the Town of Lakeville. These regulations are intended to supplement, and not to replace or override, the Massachusetts General Law governing the foregoing activities, all as set forth in MGL c. 101, §§ 1 through 34.
§ 210-2. Definitions.

New Section- replaces "Door to Door"

The following terms shall have the meanings set forth in MGL c. 101, § 1 et seq., and are summarized for the purposes of these regulations as follows:

HAWKER AND PEDDLER

Any person who goes from place to place within the Town selling goods, whether on foot or in a vehicle, for profit, is a hawker or peddler. (These two terms are interchangeable.)

PERSON

For purposes of these regulations, the persons being regulated herein are those persons over the age of 16 who are engaging in the activities regulated herein for or on behalf of for-profit organizations.

TRANSIENT VENDOR; TRANSIENT BUSINESS

A transient vendor is a person who conducts a transient business for profit. A transient business (also called a temporary business) is any exhibition and sale of goods, wares or merchandise which is carried on in any structure (such as a building, tent, or booth) unless such place is open for business during usual business hours for a period of at least 12 consecutive months.

§ 210-3. Purpose.

The purpose of these regulations is to ensure public safety by requiring persons conducting the foregoing activities, which historically have a high potential for fraud and abuse, to be licensed, either at the state level or local level, so that the Town's citizenry will know who is conducting these activities and that, to the degree set forth herein or in the applicable Massachusetts General Laws, they have identified themselves to the proper authorities, are bonded if required, and satisfy the minimum criteria.

§ 210-4. Scope.

These regulations shall apply to all persons conducting the foregoing activities within the Town of Lakeville.

§ 210-5. Registration required; display of permit or license; fee; restrictions on activities.

Each person engaging in the foregoing activity shall be subject to, responsible for, and fully in compliance at all times with the following requirements:

A. Registration requirements.

(1) Persons not registered (licensed) by the commonwealth shall make application for a Lakeville permit to the Chief of Police, on a form containing the following information or on a form as prepared by the Lakeville Police Department: the applicant's name, signature, home address, the name and address of the owner or parties in whose interest the business is to be conducted, their business address and phone number, cellular telephone numbers for the applicant and business; a brief description of the business to be conducted within the Town; the applicant's social security number; the description and registration of any motor vehicles used by the applicant; and whether the applicant has ever been charged with a felony. The application shall be made under oath. The applicant shall be photographed for purposes of identification.

(2) The Chief of Police shall approve the application and issue a permit within 48 hours, excluding Saturday, Sunday, and legal holidays, of its filing unless he determines either that the application is incomplete, or that the applicant is a convicted felon, or is a fugitive from justice. The registration card shall be in the form of an identification card, containing the name, signature and photograph of the licensee. Such card shall be nontransferable and valid only for the person identified therein and for the purpose as shown on the license. The card shall be valid for a period of one year from the date of issuance. Any such registration card shall be void upon its surrender or revocation, or upon the filing of a report of loss or theft with the Lakeville Police Department. The Chief of Police may revoke such registration card for good cause.

(3) Persons registered (licensed) by the commonwealth shall not be subject to the foregoing subsection but are required to make themselves known to the Lakeville Police Department by filing a copy of the state license with the Department.

B. Permit or license to be visibly displayed. Such state or local permit or license shall be displayed at all times while the business activity is being conducted and shall be provided to any police officer upon request. The license shall also be affixed conspicuously on the outer garment of the licensee whenever he or she shall be engaged in the activity, except in the case of a transient business, when the license shall be

displayed visibly within the structure where such business is being conducted. Such permit or license, if issued locally, shall be the property of the Town of Lakeville and shall be surrendered to the Chief of Police upon its expiration.

C. Permit fee. The filing of a copy of a state license as required shall not be subject to a fee. The fee for a local permit shall be determined by the Select Board after consultation with the Chief of Police.

D. Restrictions on activity.

(1) No solicitations shall be made after 5:00 p.m. or before 8:00 a.m.

(2) No solicitations shall be made on official federal, state or Town holidays or Sundays.

(3) No person may use any plan, scheme or ruse, or make any false statement of fact, regarding the true status or mission of the person making the solicitation.

(4) For good cause, the Chief of Police may further regulate the hours and conditions under which the licensee may engage in door-to-door selling.

§ 210-6. Violations and penalties. Whoever violates any provision of this bylaw shall be punished by a fine of not more than \$100 for each offense.

(New Section- Example from the Town of Marion)

("Door to Door"- original General Bylaws: Chap V, of the 1994 Bylaws is Repealed with acceptance of new section)

Pg 68

Ch. 239. Streets and Sidewalks.

Art. II, Excavations and Trenches.

Section 239-5 is amended to change "~~Superintendent of Streets~~" to "Department of Public Works Director."

Pg 30

Ch. 251. Vehicles.

Art. I, Storage of Unregistered Vehicles.

Section 251-5 is amended to change "~~Chapter 140 of the General Laws~~" to "Chapter 140B of the General Laws."

(Revised: Chapter 140B addresses licensing of the Junk Yards)

Pg 34

Art. II, Parking for Handicapped and Disabled Veterans.

Section 251-7 is amended as indicated:

Parking spaces designed as reserved under the provisions of § 251-6 shall be located, constructed and identified in accordance with the provisions of 521 CMR 23.00. ~~identified by the use of above grade signs with white lettering against a blue background and shall bear the words "Handicapped Parking: Special Plate Required. Unauthorized Vehicles May be Removed at Owner's Expense"; shall be as near as possible to a building entrance or walkway; shall be adjacent to curb ramps or other unobstructed methods permitting sidewalk access to a handicapped person; and shall be 12 feet wide or two eighths foot wide areas with four feet of cross hatch between them.~~

(Revised: Underlined identifies provisions found in MGL c40, §21, Cl. (23) and 521 CMR 23)

Pg 34

Section 251-9 is amended as indicated:

The penalty for violation of this bylaw shall be ~~as follows: for the first offense \$50; for the second offense, \$100; and for each subsequent offense, not less than \$100 nor more than \$300,~~ and the vehicle may be removed according to the provisions of MGL c. 266, § 120D.

(Revised according to MGL c40, §21 Cl. (24))

**AGENDA ITEM #4
MARCH 27, 2023**

**MEET WITH TOWN PLANNER TO DISCUSS THE DRAFT HOUSING
PRODUCTION PLAN**

Attached is a draft of the Housing Production Plan and the State guidelines for Housing Production Plan, Section II.B of MGL Chapter 40Bv.

Final Draft

Lakeville Housing Production Plan

Text

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Introduction

The Town of Lakeville

Lakeville is a small, rural community of just over 11,500 residents. Nestled between Taunton, Middleborough, Berkley, Freetown, and Rochester, it is known for its scenic natural resources, agriculture (including being home to the Ocean Spray Corporate Headquarters), and town charm.

In 2022, Lakeville partnered with the Southeastern Regional Planning and Economic Development District (SRPEDD) to update their Housing Production Plan, last updated in 2018. A Housing Production Plan (HPP), as defined by 760 CMR 56, is a document that shall contain at a minimum the following elements, covering a period of five years:

1. Comprehensive housing needs assessment;
2. Affordable housing goals; and
3. Implementation strategies.

We'll go into more detail about the corresponding sections, but in a nutshell, it is a *community's proactive strategy for planning and developing affordable housing*. It's developed with opportunities for residents and stakeholders to learn about the planning process, become informed of the plan, and to provide input. HPPs assist communities in planning for low-, moderate-, and middle-income residents by outlining a path to producing a variety of affordable housing options, including both subsidized and market-rate housing.

About the Plan

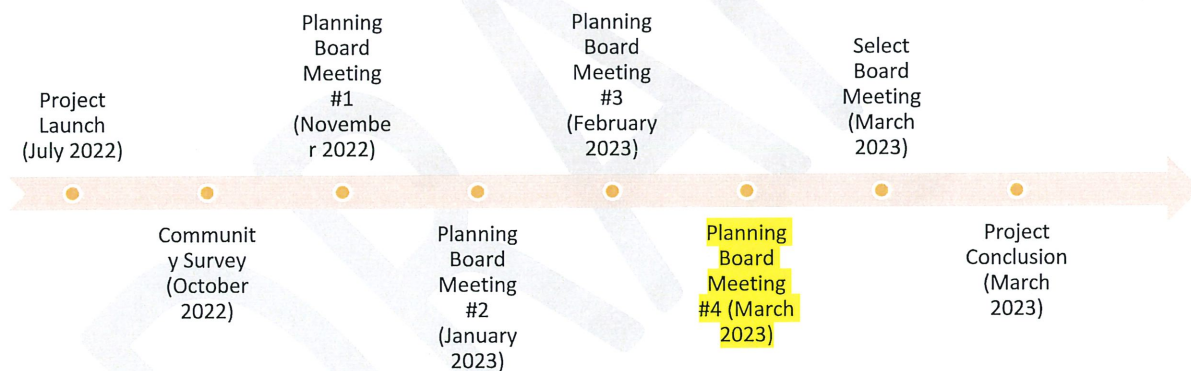
A Housing Production Plan consists of a comprehensive housing needs assessment, a set of affordable housing goals, and accompanying implementation strategies. The comprehensive housing needs assessment is an analysis of the community’s demographics and housing stock, the community’s future population and housing needs, as well as identification of development constraints (barriers) and limitations that may hinder the development of affordable housing. This analysis, in conjunction with community conversation and guidance, informs the creation of a set of **affordable housing goals**.

Affordable housing goals address the housing needs of the community and provide for a range of housing types, including rental and homeownership for families, individuals, persons with special needs, and seniors.

Lastly, a set of **implementation strategies** describe how the community will achieve its housing production goals, as well as provide a timeframe/schedule for achieving the goals identified.

Engagement and Timeline

(Figure X: HPP Timeline & Steps)



The project team met with Town staff and the Planning and Select Boards on numerous occasions. In addition to these meetings, the project team conducted a community survey to gauge local preferences and needs. The survey was open for one month and received 150 responses. We would like to thank those who took the time to engage with the project for their invaluable input, which has helped us shape this plan into an authentic and actionable list of goals and strategies for the Town of Lakeville.

Plan Structure

This Plan is separated into five (5) main sections, titled:

- **Talking About Housing**, which describes the historic inequities within housing development/policy and will lay the foundation for why we plan for housing;

- **Comprehensive Housing Needs Assessment**, which describes the most current market and demographic data in Lakeville;
- **Barriers to Development**, which describes what factors may be hindering development opportunities in Lakeville;
- **Affordable Housing Goals**, which describes the goals Lakeville should actively pursue over the next five years; and
- **Implementation Strategies**, which describes the pathway Lakeville should take to achieve its housing goals, including priorities and timelines.

Affordable Housing Goals and Strategies

There are **four (4) main housing goals** for the Town of Lakeville, which are to:

- Conduct public outreach to determine local housing needs, preferences, and to educate the community on housing options;
- Create housing options and modify existing units to support older adults who wish to age in place or downsize;
- Implement key zoning amendments to create new affordable housing options; and
- Continue to produce SHI-eligible units to achieve the Commonwealth's required amount and support communities in need.

The **seven (7) accompanying** implementation strategies are to:

- Implement key zoning amendments to create new housing opportunities for first-time homebuyers, older adults wishing to downsize, and those with moderate or fixed incomes;
- Pursue professional support to assist in conducting community outreach to better determine local needs and housing preferences;
- Pursue partnerships and funding resources to provide direct assistance to help preserve housing for vulnerable communities, including senior residents;
- Pursue partnerships leading to development that is affordable to those with low, moderate, and fixed incomes;
- Consider hiring a consultant to assist in implementing the strategies within the Housing Production Plan;
- Investigate opportunities for adaptive reuse to redevelop underutilized municipally owned land and buildings; and
- Review the availability of town-owned and tax-title properties to work in tandem with adaptive reuse goals.

We will explain these goals and strategies in greater detail later in the report. To begin, we will give some important contextual information, explain key terms, and define any barriers Lakeville may have that could hinder thoughtful and impactful development. This information will set the stage for the goals and strategies outlined above.

Talking About Housing

A House is a Home

Housing is one of the most important aspects of an individual's life and livelihood. A residence is more than a physical shelter or consumer choice – it's a home – a place where children grow up, where individuals care for their family, where friends gather, where meals are cooked, where education takes root, where careers begin and are maintained, where pets play, where passions are pursued, and where we store some of our most important possessions. It is also often an individual's primary financial responsibility. The quality, safety, and stability of an individual's home has a significant impact on their life and happiness.

Persistent Unaffordability

Many families today struggle to find an affordable, safe home with access to nearby necessities, such as quality schools, groceries, hospitals, parks, transportation, and employment. This is due to a phenomenon called **persistent unaffordability**, or the trend towards persistently high costs of living compared to incomes. This lack of affordability has left 37.1 million households (roughly 30% of all households in the nation) **cost burdened** as of 2019.¹ This means these households spend 30% or more of their annual income on housing, a concept we will explore later in the report. Renters are disproportionately cost-burdened compared to homeowners; however, homeowners are more often **severely cost burdened** (spending more than 50% of their annual income on housing alone). More recently, many individuals, largely BIPOC,² low-income, and older adults, are also struggling to keep up with rent and home ownership costs due to loss of income during the COVID-19 pandemic.

What's causing the trend towards persistent unaffordability? Many factors contribute to the issue, but – on a local level – the most common are low-density zoning, excessive parking requirements, high demand for certain locations, high land costs, and high costs of development. Additionally, existing barriers to homeownership and growing racial disparities only exacerbate housing inequities and prevent families, especially BIPOC and low-income families, from accumulating wealth, establishing income security, and experiencing economic choice.

Why Plan for Housing?

Housing insecurity and lack of affordability are structural issues embedded within our social, economic, and political systems. These systemic problems take shape in many ways, but notable manifestations include:

¹ See Harvard University's [State of the Nation's Housing 2020 Report](#) and Habitat for Humanity's [key takeaways](#)

² Black, Indigenous, and People of Color

- Racial disparities in homeownership today that are built upon the legacy of racist practices (such as redlining³ and racial restrictive covenants⁴). Furthermore, predatory lending practices, lack of access to credit, and barriers to saving for the upfront costs of homeownership only widen the gap;
- Displacement via gentrification and/or high housing demand (particularly in communities within commuting distance to major employment centers) that often push low-income, older adults, and BIPOC families from their neighborhoods, disrupting social and community connections;
- Intergenerational poverty that forces children into unstable environments, for example, having to frequently move and change schools. These experiences often bleed into adulthood, making it difficult to escape poverty as adults.⁵; and
- Policies that hinder unhoused individuals (and especially those with behavioral issues, such as addiction and mental illness) from obtaining temporary or permanent housing. These continue to limit unhoused individuals' access to essential supportive services and perpetuate homelessness.⁶

These inequalities and hardships negatively impact an entire community's well-being and prosperity, not just those experiencing them. Housing-related disparities will only continue to grow as the demand for housing, particularly in the form of home ownership, continues to increase while housing production stagnates.

So, why plan for housing? Because it is only possible to address housing inequity if municipal, state, and national governments alike recognize that removing these structural barriers begins with planning.

In Massachusetts, municipalities are especially well positioned to address these issues in a hands-on manner thanks to their control over local zoning and policy; in other words, cities and towns can make a big difference in their communities with sound, community-led initiatives to house residents in comfortable, affordable, and safe environments. Moreover, Massachusetts has a suite of State-level policies and programs (such as Chapter 40B, Chapter 40R, the Community Compact Cabinet, and the Housing Choice Initiative) that can help contribute to the production of both subsidized housing and market-rate housing that is available at affordable price points. Finally, the

³ See the American Planning Association's (APA) [Planning for Equity Policy Guide](#) and Joseph DeAngelis's, AICP article [Grappling with the Racist Legacy of Zoning](#).

⁴ See the APA's [Planning for Equity Policy Guide](#) and the [Seattle Civil Rights Labor History Project's article](#) on racial restrictive covenants throughout history.

⁵ See the National Center for Children in Poverty's report [Childhood and Intergenerational Poverty](#).

⁶ See the National Alliance to End Homelessness' publication [Housing First](#) and the American Psychological Association's [Resolution on Ending Homelessness](#).

Commonwealth is lucky to have numerous public and private entities and agencies (such as the State Department of Housing and Community Development [DHCD] and the Massachusetts Housing Partnership [MHP]) who actively partner with communities to meet housing goals. Taken together, and with proper planning, communities can develop a set of specific and appropriate strategies to address their unique needs and challenges.

Why Complete a Housing Production Plan?

There are numerous reasons to complete a Housing Production Plan; most importantly, HPPs assist in ensuring housing equity and planning for a future where all community members have safe, healthy, stable, and livable homes to return to. The Stanford Social Review elaborates on some of these reasons, saying, “High-quality, stable housing is central to the health and wellbeing of all families. It helps foster relationships and opportunities in communities, limits chronic stress, and allows families to support positive child development.” Additionally, there are other important State-level benefits, which include:

Create More Local Control over Chapter 40B Proposals

Having a *certified* Housing Production Plan gives a community more control over Comprehensive Permits under Chapter 40B. A plan may be certified by DHCD if, within a 12-month period, a community permits SHI-eligible affordable housing units equal to at least 0.5% to 1.0% of its year-round housing stock. Certification means that the community’s Housing Production Plan has met its regional need for affordable housing for one year (by meeting at least the 0.5% threshold) or two years (by meeting the 1% threshold). During its certification period, a community’s Zoning Board of Appeals has the right to deny a Comprehensive Permit. All requirements for HPPs are described in state regulations *760 CMR 56.00: Comprehensive permit; low- or moderate-income housing*.⁷

Support the Commonwealth's Commitment to Housing

The [Housing Choice Initiative](#) (HCI) provides incentives, technical assistance, and targeted legislative reform to encourage municipalities to plan and build diverse housing stock. Importantly, it supports the administration's commitment to produce 135,000 new housing units statewide by 2025. Benefits of participation in the HCI include:

1. The [Housing Choice Community Grant Program](#), which funds infrastructure improvements in those communities that have shown commitment to advancing sustainable housing production.
2. Other Technical Assistance programs offered by regional and state agencies to assist with planning for housing such as the [District Local Technical Assistance \(DLTA\)](#) Program the [Community Compact Cabinet](#).

⁷ Available at <https://www.mass.gov/regulations/760-CMR-5600-comprehensive-permit-low-or-moderate-income-housing>

Comprehensive Housing Needs Assessment

The Comprehensive Housing Needs Assessment is an analysis of community demographics and market conditions. When conducting this analysis, we ask the questions:

1. Who lives in the community and what are their needs?
2. How diverse is the housing stock and does it match the community's needs?
3. Is it affordable to live within the community for both existing and future residents?

Data Sources and Definitions

The Needs Assessment pulls from a variety of sources to help tell Lakeville's housing story. Below we've described some of the sources you'll see referenced most often throughout the report.

American Community Survey (ACS)

The **American Community Survey**, or ACS, gathers data on a sample of the population through monthly surveys the US Census Bureau produces on topics including housing, jobs, education, and more. The Five-Year ACS, used in this HPP, shows data that has been collected and aggregated over a five-year period from 2017 to 2021.⁸

The Decennial Census

The **Decennial Census** is a count of the entire population conducted and released every 10 years. These data sources have some overlap, but also gather information on separate topics. As of February 2023, much of the 2020 Decennial Census has yet to be released. In lieu of those data points, we have opted to use the 2021 ACS Five-Year estimates where applicable. As a result, there may be small discrepancies between numbers quoted from the 2020 Decennial Census and 2021 ACS estimates, most notably population and housing unit counts. These discrepancies are minor and are not a cause for concern.

Department of Housing and Urban Development (HUD)

The **Department of Housing and Urban Development** (HUD) maintains data on a variety of topics related to housing nationally. Two of the topics described in this presentation are **Area Median Income** (AMI or HAMFI) and **Cost Burden**.

The Different Types of Median Incomes

There are two important income figures we will cite frequently throughout this plan. The first is the Area Median Income, which is also called 100% AMI. Area Median Income describes the midpoint of a specific region's set of household incomes. It is used to determine the income eligibility requirements for State and Federal housing programs. These "Income Limits," ranging from roughly 30% to roughly 80% of a town's AMI, are defined by HUD as eligible for subsidized housing. For Lakeville, these income limits (for a family of four) are:

⁸ This is the most recent complete set of ACS data available at the time of this writing.

- 100% AMI: \$111,400;
- 80% AMI: \$89,350. This is approximately 80% of \$111,700 and is the income limit at which a family of four becomes eligible for subsidized affordable housing.
- 50% AMI: \$55,850; and
- 30% AMI: \$33,500.

The **Town Median Household Income**, which is different from AMI and only represents Lakeville (and not its region), is **\$112,240**. This figure comes from the **2021 ACS** (described above) and represents the median income of all households within Lakeville.

We will use these income figures depending on the context. For example, we will cite the town median income when talking about market-rate housing affordability in Lakeville. Conversely, we will use the area median income and corresponding income limits when discussing eligibility for subsidized affordable housing.

Comprehensive Housing Affordability Strategy (CHAS)

Created by the U.S. Census Bureau and released by HUD, **CHAS** data is a set of custom tabulations of American Community Survey data that describe the extent of housing problems and needs in a municipality. These tabulations include data on how many households fall into each AMI bracket (for example, how many families fall within 50-80% of the area median income given their household size) and how many households are cost-burdened (as well as to what extent).

Cost Burden

Cost Burden describes how much a household pays for housing relative to their income. Individuals and families can be cost-burdened regardless of their income. An individual or household is considered “cost burdened” if they are paying 30% or more of their income on housing costs.

The Warren Group

The Warren Group is a real estate entity that provides data and information on real estate trends, property transactions, and mortgages. In this HPP it is used to determine housing market trends.

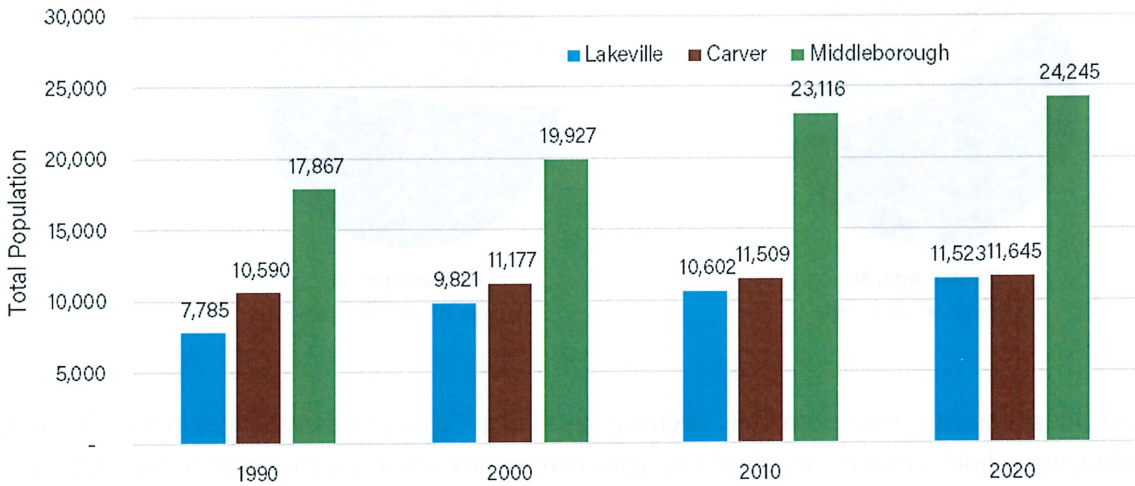
ESRI Business Analyst

Geographic Information Systems (GIS) software provider ESRI offers an online mapping service called **Business Analyst** that allows users to run market analyses on specific geographies. Here, it is used to retrieve population and housing unit projections out to 2027.

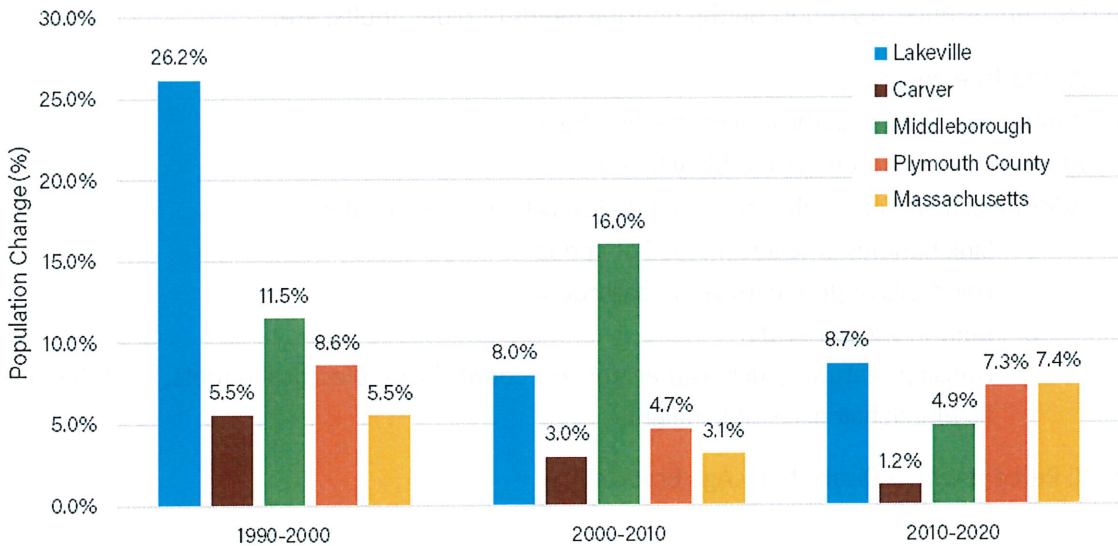
Population and Demographics

The Town of Lakeville is a rural community home to 11,523 residents as of 2020. While the town grew substantially in the 1990s, reflective of much of Southeastern Massachusetts’ “growth spurt,” rates have slowed in the last two decades. **Despite this, Lakeville grew at a rate of 8.7% between 2010-2020, above both County and State levels.**

(Figure X: Total Population, Lakeville and Neighboring Communities)



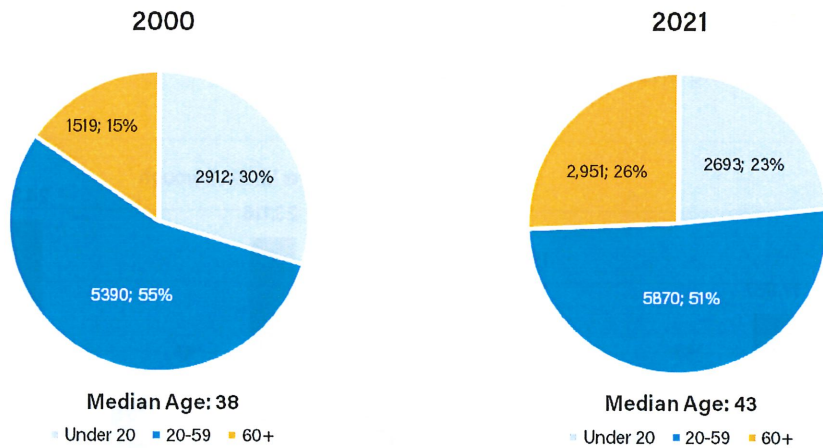
(Figure X: Population Change by Decade)



Like many communities in Southeastern Massachusetts and throughout the nation, Lakeville’s population is aging. The median age in town increased from 38 to 43 between 2000 and 2021. The

town's population of residents aged 65 and over increased by 11% in that span of time, from 15% to 26%. As of 2021, 5% of Lakeville's population is over the age of 75.

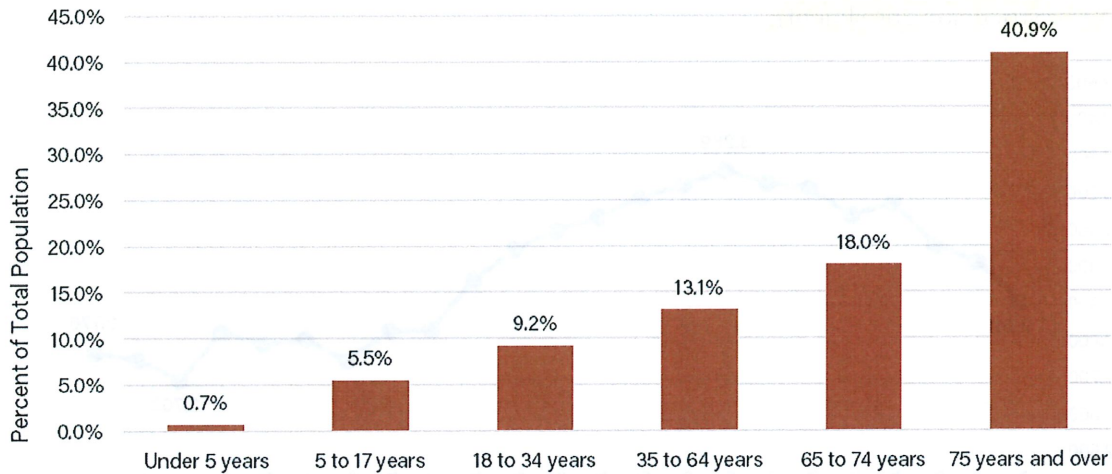
(Figure X: Changes in Age; Census 2000 and ACS 2020 5yr Estimates, Total Population)



An individual's housing needs are likely to change as they get older, due to changes in their income, mobility, household structure, etc. Given its aging community, the Town may wish to find ways to assist residents who wish to “age in place,” either by finding avenues to provide new senior housing options or offering mechanisms and resources to support retrofitting existing homes so that they are “aging-ready.” As a note, some of the features necessary to make a home “aging-ready,” according to the U.S. Census Bureau's report on the housing needs of older adults, are:

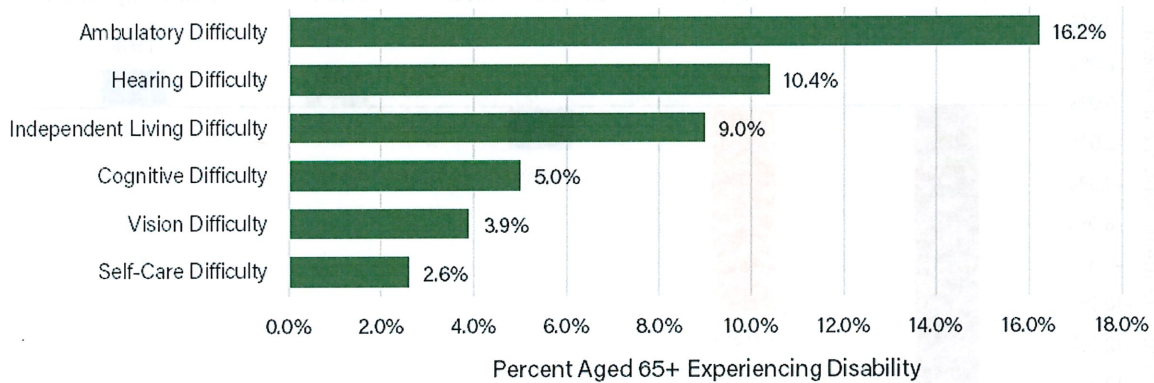
- A step-free entryway
- A bedroom and full bathroom on the first floor
- At least one bathroom accessibility feature
- Additional aging-accessible elements that may be useful include:
 - Sink handles or levers instead of knobs
 - Handrails or grab bars in the bathroom
 - Built-in shower seats
 - Housing features (such as thermostats, countertops, electrical outlets, etc.) that are at wheelchair accessible heights

(Figure X: Percent with a Disability by Age Bracket)



As expected, older adults in Lakeville have more disabilities than their younger counterparts, with about 25% of those aged 65 or over having at least one type of disability.

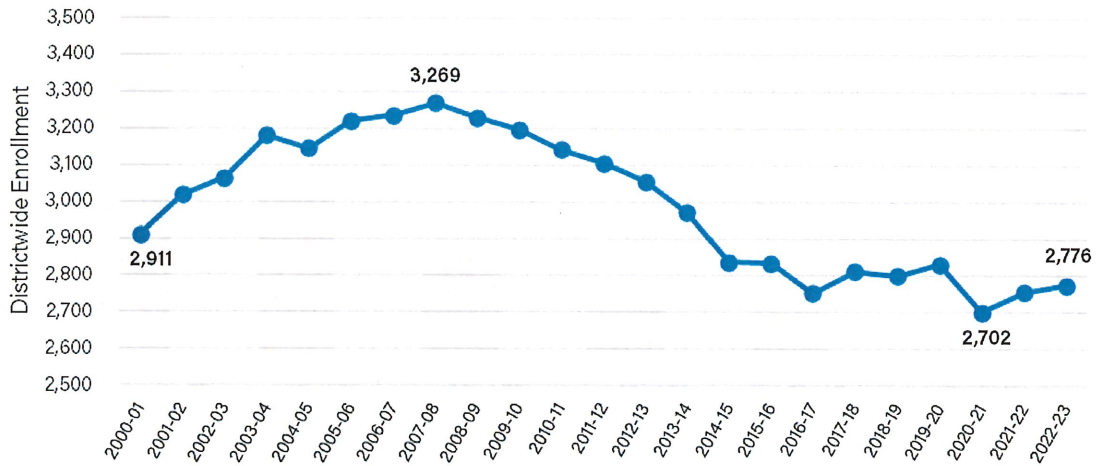
(Figure X: Disability Type for those Aged 65+)



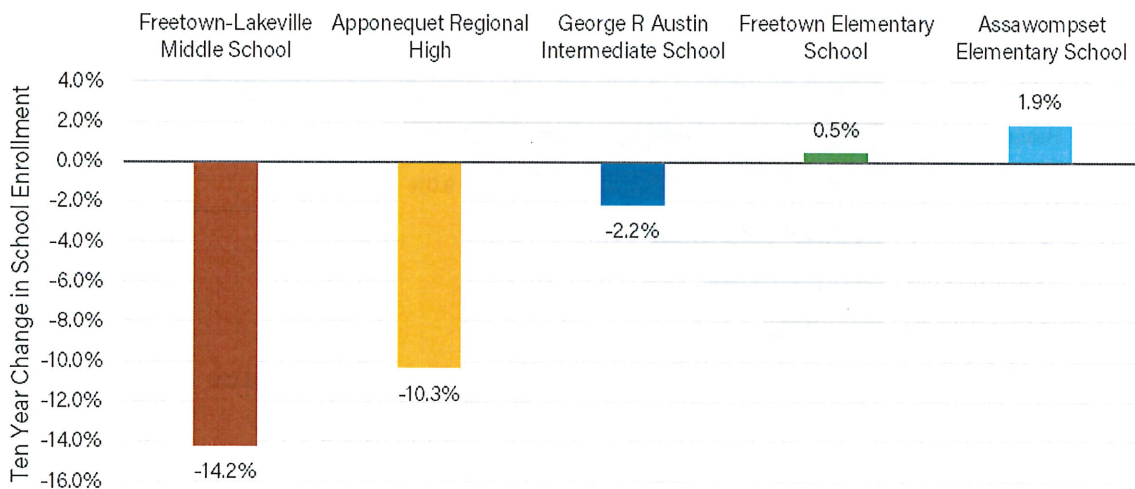
Ambulatory difficulties (having serious difficulty walking or climbing stairs) is the most common disability those over the age of 65 are experiencing in Lakeville (16%), followed by hearing difficulties (10%) and independent living difficulties (having difficulty doing errands alone; 9%). The Town may wish to survey its older residents to determine their current living conditions and any needs for accessibility or housing modifications.

Furthermore, Lakeville's total proportion of those under 20 has declined in the past two decades, down from 30% to 23%. School enrollment has also declined over the past two decades, down from a peak of 3,269 in the 2007-2008 school year to 2,776 in the 2022-2023 school year. This change is slightly less pronounced when looking at historic enrollment, with a net decrease of 135 students from 2000 to 2023.

(Figure X: Districtwide Enrollment)⁹



(Figure X: Ten Year Change in Enrollment by School)

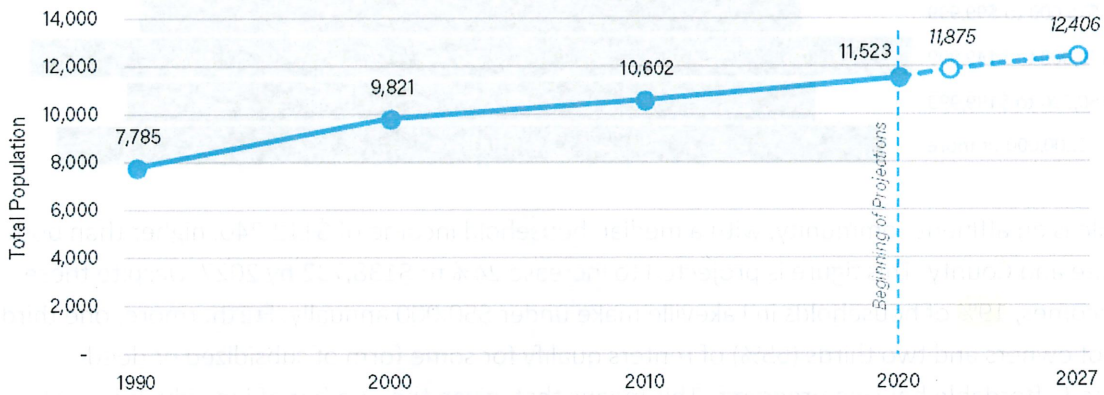


Freetown-Lakeville Middle School and Apponequet Regional High School saw the most notable decreases in enrollment over the past ten years, while Freetown and Assawompset Elementary Schools saw modest increases. This is notable when addressing any concerns regarding the potential impact of additional affordable housing development on the local school system. The Town may wish to explore this decrease in enrollment and its effect on the capacity for new students.

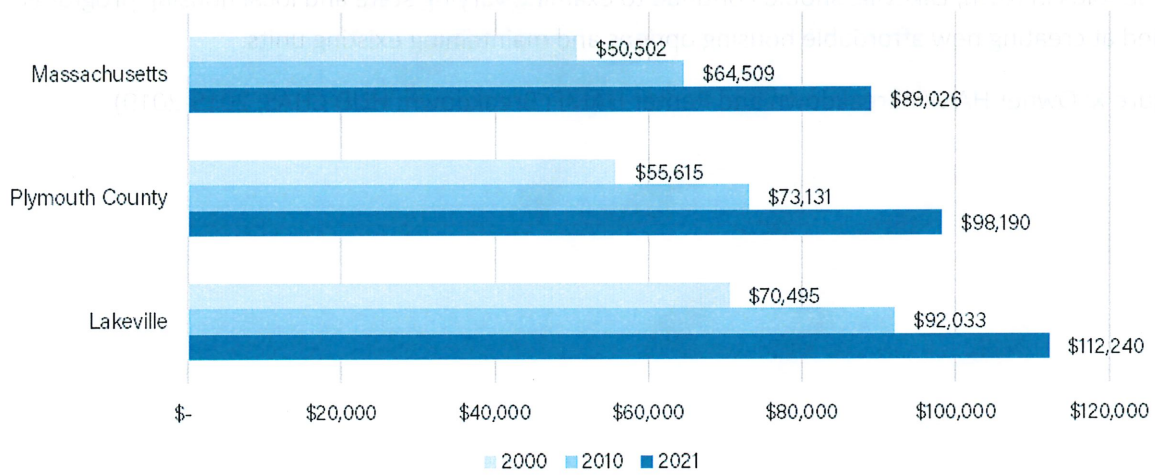
⁹ Enrollment includes totals from Apponequet Regional High School, Assawompset Elementary School, Freetown Elementary School, Freetown-Lakeville Middle School, Freetown-Lakeville Intermediate School, and George R Austin Intermediate School. Please note that this data includes enrollment that occurred prior to the regionalization of the Freetown-Lakeville School District, which occurred in 2011. (ATTN Lakeville Planning Board + Town Staff – please confirm.)

Lakeville’s population is predicted to grow over the next five years according to ESRI Business Analyst, which projects population and housing unit changes in five-year increments.¹⁰ By 2027, Lakeville is projected to have a total population of 12,406 residents (4,613 households), an increase of 883 individuals (373 households). This increase of 7.7% is relatively on par with the growth the Town has experienced over the past two decades.

(Figure X: Population Projections; ESRI Business Analyst, 2022)

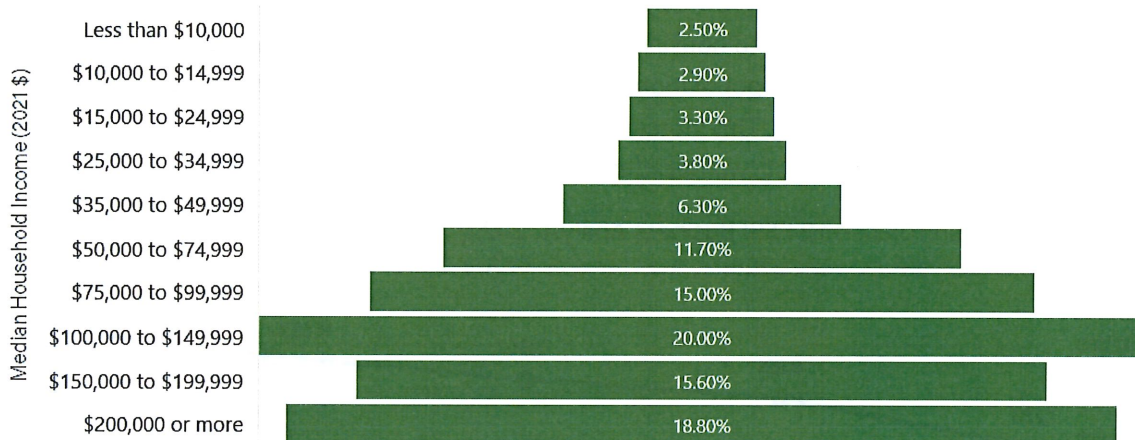


(Figure X: Change in Median Household Income; ACS 5yr Estimates, 2010, 2015, and 2021; Total Households)



(Figure X: Income Breakdown)

¹⁰ At the time of writing, 2022 ACS Estimates have not been released. ESRI forecasts for 2022 and 2027.



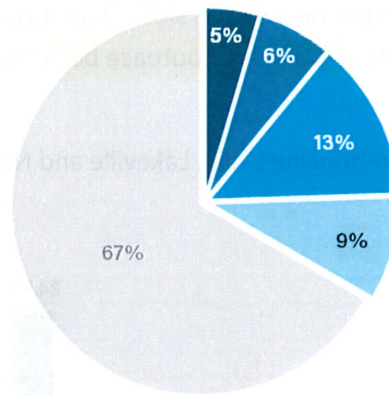
Lakeville is an affluent community, with a median household income of \$112,240, higher than both the State and County. This figure is projected to increase 24% to \$138,732 by 2027. Despite these high incomes, 19% of households in Lakeville make under \$50,000 annually. Furthermore, one third (33%) of owners and two thirds (65%) of renters qualify for some form of subsidized or deed-restricted affordable housing programs. This means that, given the number of individuals in each household, their total household income falls at or below 100% of the area median income (\$111,400 for a household of 4, and so forth). Given the presence of lower-to-moderate income households in town, Lakeville should continue to examine varying state and local housing programs aimed at creating new affordable housing options and maintaining existing units.

(Figure X: Owner HAMFI Breakdown and Renter HAMFI Breakdown; HUD CHAS, 2015-2019)

Households eligible for varying forms of subsidized affordable housing.

- Household Income \leq 30% HAMFI
- Household Income $>30\%$ to $\leq 50\%$ HAMFI
- Household Income $>50\%$ to $\leq 80\%$ HAMFI
- Household Income $>80\%$ to $\leq 100\%$ HAMFI
- Household Income $>100\%$ HAMFI

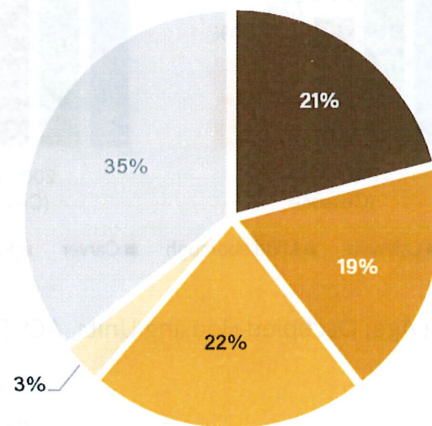
Owners



Households eligible for varying forms of subsidized affordable housing.

- Household Income \leq 30% HAMFI
- Household Income $>30\%$ to $\leq 50\%$ HAMFI
- Household Income $>50\%$ to $\leq 80\%$ HAMFI
- Household Income $>80\%$ to $\leq 100\%$ HAMFI
- Household Income $>100\%$ HAMFI

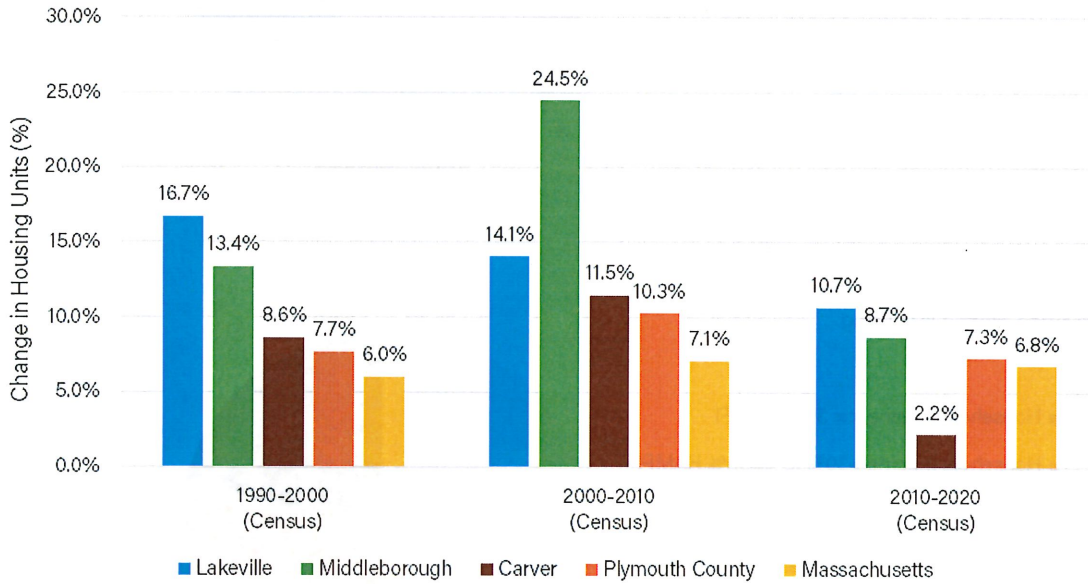
Renters



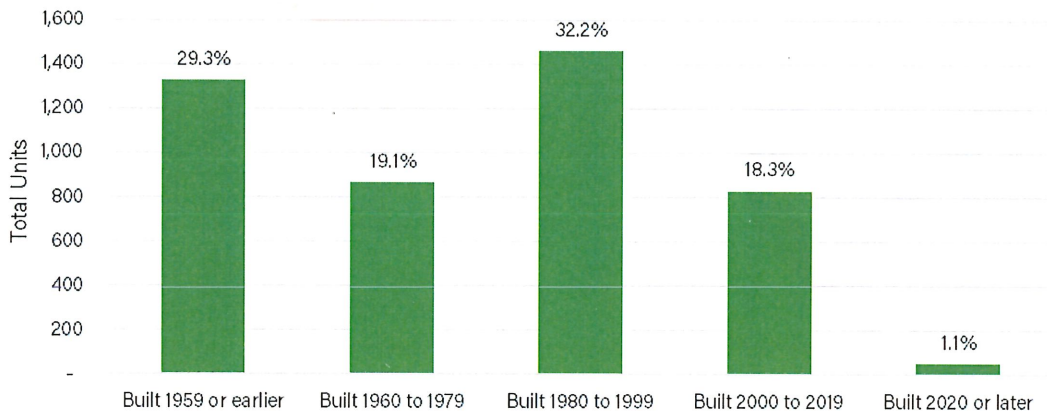
Housing Stock Characteristics

Lakeville is home to 4,624 housing units as of 2020, an increase of 8.7% since 2010. Lakeville’s rate of housing production per decade has **slowed** (as it has in most neighboring communities); however, the town’s 2020 rate **continues to outpace both** Plymouth County and the State **as it has in prior decades**.

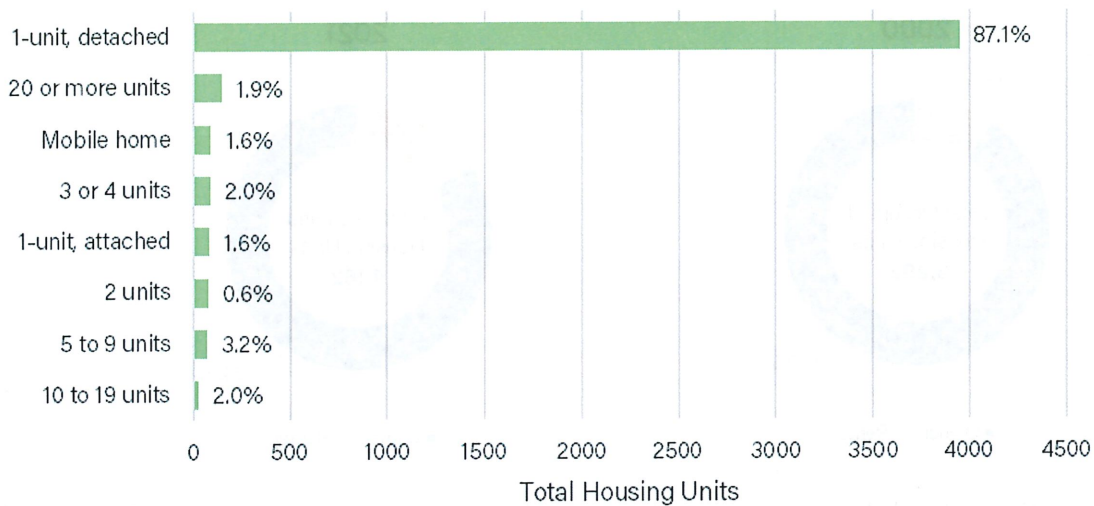
(Figure X: Change in Housing Units, Lakeville and Neighboring Communities)



(Figure X: Housing Age; Occupied Housing Units, ACS 5yr Estimates 2021)



(Figure X: Units in Structure; All Housing Units; 2021)

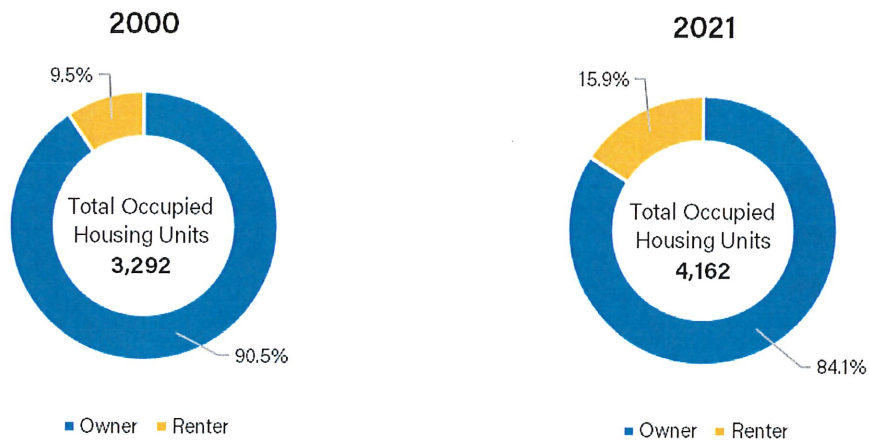


Lakeville has a relatively older housing stock, consisting of majority single-family homes. Just under 30% of the existing housing stock having been built in 1959 or earlier. Older homes can require more upkeep than newer homes, and likely require some form of accessibility modifications to allow comfortable aging in place. According to the Joint Center for Housing Studies of Harvard University, 44% of the 25 million households aged 65 and over “require some need for home accessibility features due to disability or difficulty using components of their home.”¹¹

As described earlier, Lakeville’s population is aging and an estimated 16% of those aged 65 or over have an ambulatory difficulty. It will be important for the Town to examine the needs of older adults living in Lakeville to determine if they are choosing to age in place, if they feel their home needs accessibility modifications or other safety-related renovations, and if they feel they can afford the necessary modifications. At that point, the Town can outline the most appropriate avenue forward, which can include providing direct funding resources or connecting residents to existing organizations who can offer assistance.

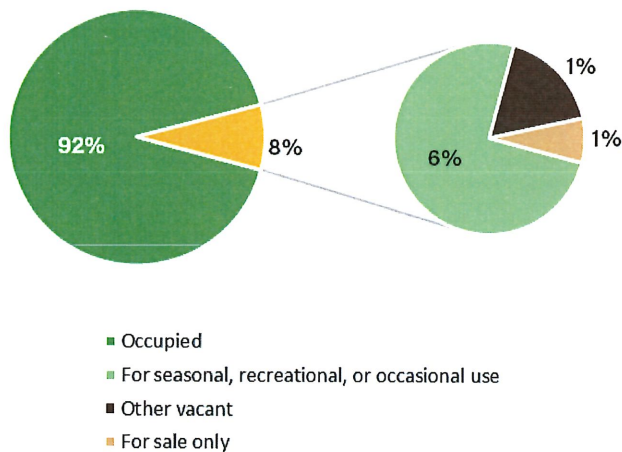
(Figure X: Occupancy Status)

¹¹ See the Joint Center for Housing Studies of Harvard University’s article *Aging Society and Inaccessible Housing Stock Suggest Growing Need for Remodeling* <https://www.jchs.harvard.edu/blog/aging-society-and-inaccessible-housing-stock-suggest-growing-need-for-remodeling>



While the tactics outlined above will be straightforward for homeowners, renters in Lakeville (16% of residents) may not have as much agency over their living situations. Lakeville should examine its existing rental housing stock to identify its age, condition, and any potential accessibility concerns. Furthermore, the Town should determine who is living in rental housing (i.e., age, family status, income) to better understand the renter population’s needs, particularly if they are older adults. As with homeowners, the Town can then use this information to identify the necessary actions to allow their renters to safely live and age in place in Lakeville. Should the Town deem it appropriate, they can pursue encouraging new, age-appropriate housing development, creating adult retirement community zoning, or finding mechanisms to provide low-interest loans to landlords for accessibility and safety modifications within rental units.

(Figure X: Vacancies)



Eight percent of Lakeville’s existing housing stock is currently vacant. According to the ACS, 75% of these vacancies were listed as units that are used seasonally, recreationally, or on occasion. Additionally, there were no reported vacancies for rental units. The current, on-the-ground conditions in town could vary in reality, as vacancy rates can shift for many reasons between ACS data-gathering periods. The Town may wish to explore these vacancies in greater detail, particularly for rentals, to better understand the demand for different types of housing.

(Table X: Detailed Vacancies, ACS 5yr Estimates, 2021)

Type of Vacancy	ACS Estimate (# of Units)	Percent of Total Vacancies
Seasonal, recreational, or occasional use	279	75%
Other vacant	65	17%
For sale only	28	8%
For rent	0	0%
Rented, not occupied	0	0%
Sold, not occupied	0	0%
For migrant workers	0	0%

In summary, Lakeville has an older, largely single-family housing stock consisting primarily of homeowners. Despite this, Lakeville’s renter population is growing and there appears to be a demand for more rental housing. Major priorities for the Town will include determining the current living conditions of older homeowners and their capability to safely age in place, as well as determining the demographics of the renter population, the demand for rental housing, and any potential interventions Lakeville may wish to pursue to create additional rental opportunities.

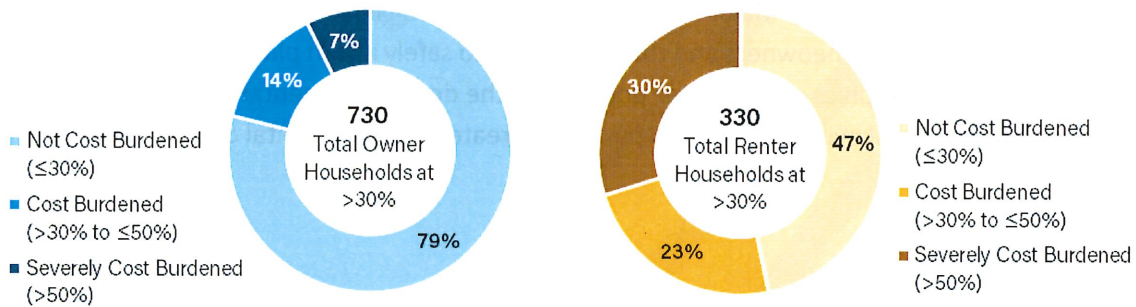
Market Conditions and Affordability

We will discuss two types of “affordable” housing through this plan. The first is “naturally occurring” affordable housing and the second is subsidized affordable housing. We’ve opted to separate these types of housing due to the nature of their creation and targeted demographics. We do so to address a variety of housing options suitable for different individuals with different income levels and family structures.

"Naturally Occurring" Affordable Housing

"Naturally occurring" affordable housing is available without subsidies and at lower price points when the right regulatory and market conditions exist for its development. In this case, the word "affordable" doesn't mean "subsidized." Instead, it builds on the idea of not being cost-burdened, as described in the “Data Sources and Definitions” section. When we are discussing naturally occurring affordable housing, we are talking about homes that are affordable enough that they will not cause a young family, older couple, or household with limited/fixed income to become cost burdened. These types of housing options include, but are not limited to, starter homes, homes for downsizing, and apartments for recent graduates.

(Figure X: Cost Burden; HUD CHAS, 2015-2019)



In Lakeville, 620 households are cost-burdened (paying $>30\%$ but $<50\%$ of their income on housing) and 440 households are severely cost-burdened (paying more than 50% of their income on housing).

An Example of Cost Burden

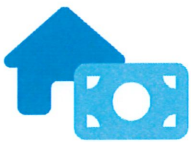
Let's dive a little deeper into the concept of cost burden with a rough example. In 2020, the median household income in Lakeville was \$112,240. We will round down to \$110,00 for simplicity.

If you are a household of 4 making \$110,000, 30% of your annual income would be \$33,000. Now, imagine all that money is going towards a mortgage payment or rent. What would that payment look

like? Split \$33,000 across 12 months and you get roughly \$2,750. That means any household with an annual household income of \$110,000 would be considered cost-burdened if they were paying \$2,750 or more per month in basic living costs (mortgage payments or rent plus utilities).

Want to try this exercise for yourself? Take the sum of everyone in your household's gross annual income, multiply it by 0.3 (30% minimum to be considered cost-burdened), and divide the result by 12 (12 monthly payments). What did you get? Are you paying more or less than that per month in basic living costs?

Ex., ($\$100,000$ annual HH income * 0.3) / 12 = \$2,500/per month or more

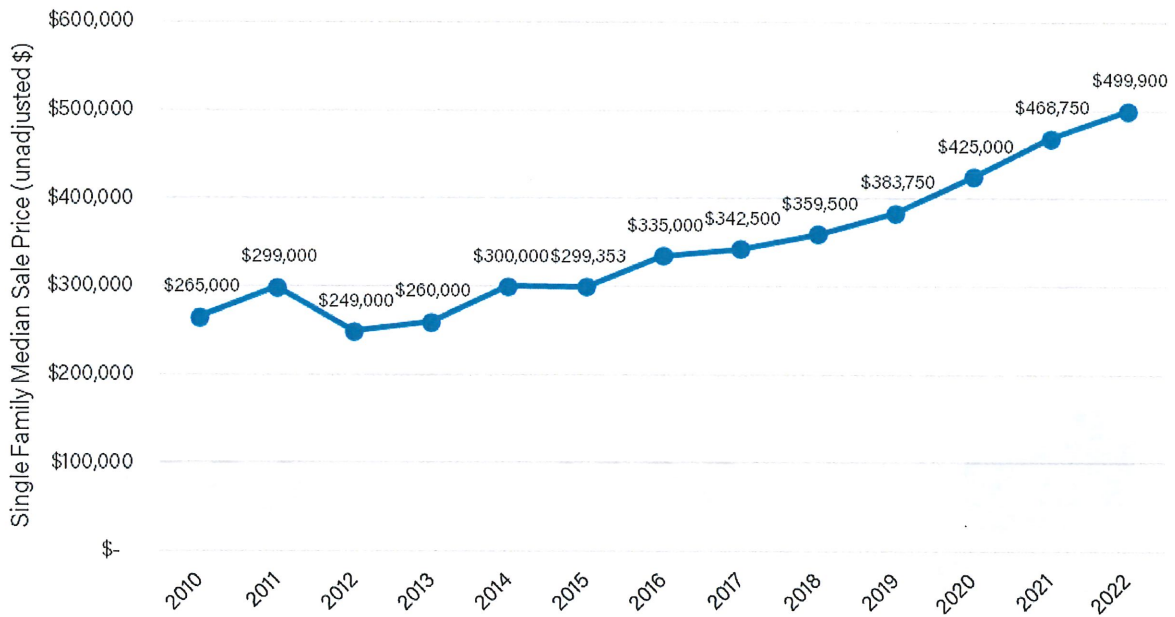

$$\begin{array}{rcccl} \$110,000 & \times & 30\% & = & \$33k \\ \text{Household Income} & & \text{Percent at which a household becomes cost-burdened} & & \text{Yearly amount paid in housing costs} \end{array}$$
$$\begin{array}{rcccl} \$33k & \div & 12 & = & \$2,750+ \\ & & \text{Total months in a year} & & \text{Monthly amount paid in housing costs} \end{array}$$

A household making **\$110,000 annually** will be considered "cost-burdened" if they are paying **\$2,750+ per month** on housing costs (mortgage/rent and utilities).

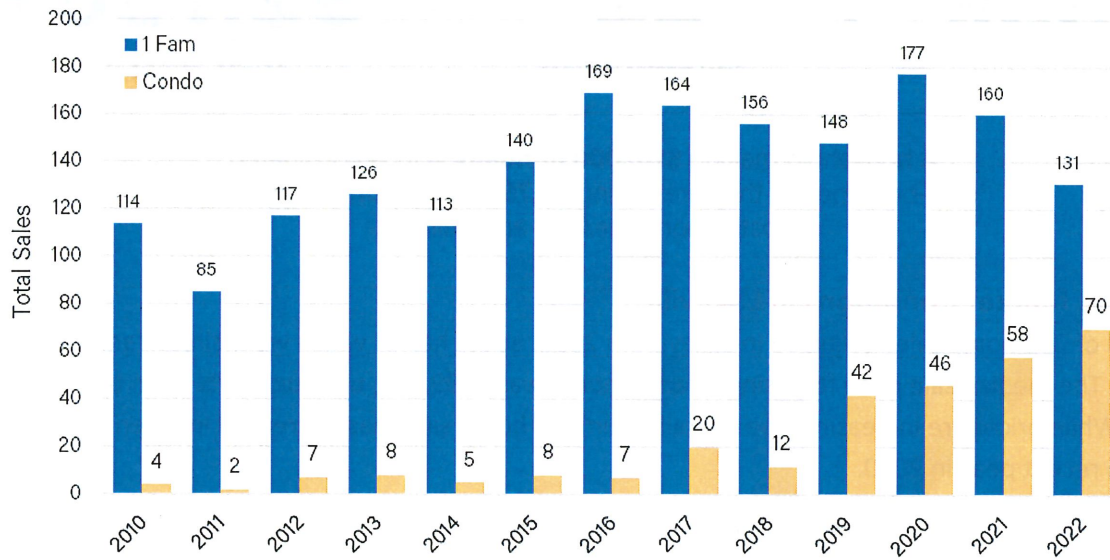
Current Market Conditions in Lakeville

A total of 233 home sales occurred in Lakeville in 2022, about half of which were single-family homes (56%). The median sale price for a single-family home was \$499,900, up roughly 7% from the prior year. While prices are increasing, the overall volume of home sales has decreased in recent years from a recent peak in 2020.

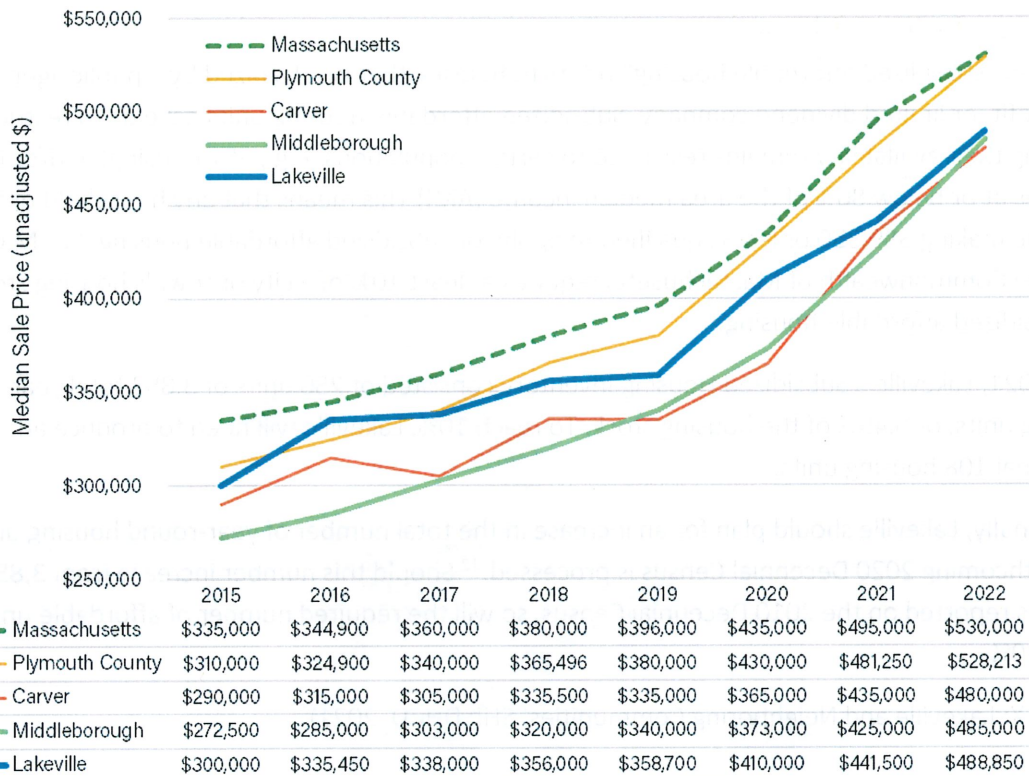
(Figure X: Home Sale Price Trends; The Warren Group, 2023)



(Figure X: Home Sale Volume; The Warren Group, 2023)



(Figure X: Regional Sale Prices; The Warren Group, 2023)



Despite increasing costs, Lakeville’s housing prices remain lower than both Plymouth County and the state. Even so, the home sale prices observed in town remain lower than what many survey respondents quoted as being a reasonable price for a starter home in town, which was most often cited as \$300,000 or \$350,000.

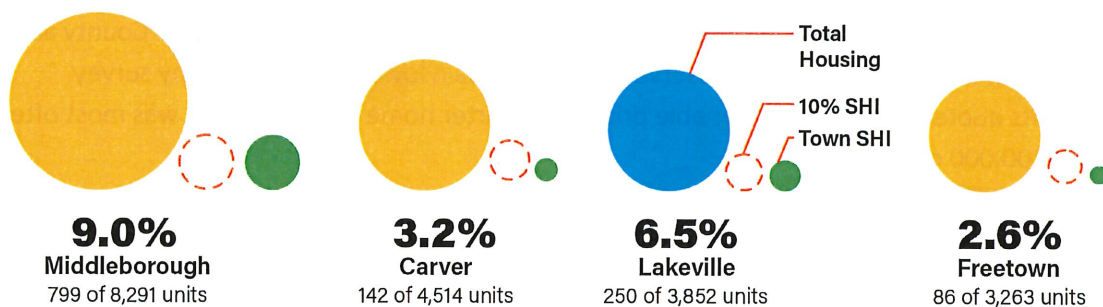
Subsidized Affordable Housing

The term “subsidized affordable housing” refers to housing that is subsidized by a public agency, non-profit, or limited dividend company. Subsidized affordable housing units have deed restrictions, meaning their availability remains restricted to certain populations (e.g., 55+ housing) and/or to incomes at or below 80% of the area median income (AMI) This means that any household of four in Lakeville making \$89,350 or less is qualified to apply for subsidized affordable housing. Per M.G.L. c. 40B, the Commonwealth of Massachusetts requires at least 10% of a city or town's housing stock to be subsidized affordable housing.

As of 2021, Lakeville’s Subsidized Housing Inventory consisted of 250 units of 3,852 total year-round housing units, or 6.49% of the housing stock. To reach 10%, Lakeville will need to produce an additional 108 housing units.

Additionally, Lakeville should plan for an increase in the total number of year-round housing units as the forthcoming 2020 Decennial Census is processed.¹² Should this number increase from 3,852 units, as reported on the 2010 Decennial Census, so will the required number of affordable units to reach 10%.

(Figure X: Lakeville and Neighboring Communities’ SHI; DHCD, 2021)



What qualifies on the Subsidized Housing Inventory?

For a unit to officially contribute to a community’s Subsidized Housing Inventory count, several criteria must be met:

- It must be part of a “subsidized” development subject to a regulatory agreement where a Subsidizing Agency and monitoring agent have been identified.

¹² The 2020 Census Redistricting Data (Public Law 94-171) Summary File that has been released by the U.S. Census Bureau does not include data on vacant “seasonal, occasional, or recreational use” units used by DHCD to determine Census “year-round housing units” for the SHI. The SHI will therefore continue to reflect the 2010 Census Year-Round Housing unit figures until such data is released. The Census Bureau has provided a release schedule for future data sets that will include this data in May of 2023.

- For units not produced under the Local Initiative Program, at least 25% of the units in the development must be income-restricted to households with incomes at or below 80% of the area median income, corresponding to their household size, and have rents or sale prices restricted to affordable levels.
 - Restrictions must run at least 15 years for rehabilitation, 30 years for new rental construction, and in perpetuity for new homeownership construction.
- Resident selection for the Affordable Units must comply with the requirements of a lottery or other fair and equitable procedure, including an Affirmative Fair Housing Marketing and Resident Selection Plan, approved by the Subsidizing Agency and without regard to the amount of their assets.

(Table X: AMI Breakdown, FY2022)

Persons in Family	Extremely Low (30%) Income Limits	Very Low (50%) Income Limits	Low (80%) Income Limits
1	\$23,450	\$39,100	\$62,550
2	\$26,800	\$44,700	\$71,500
3	\$30,150	\$50,300	\$80,450
4	\$33,500	\$55,850	\$89,350
5	\$36,200	\$60,350	\$96,500
6	\$38,900	\$64,800	\$103,650
7	\$41,910	\$69,300	\$110,800
8	\$46,630	\$73,750	\$117,950

Area Median Family Income: \$111,400 (4 Persons in Family)

Barriers to Development

In every community, there exist challenging market conditions, laws and policies, land characteristics, historic development patterns, and other factors that can contribute to limited development opportunities or a lack of affordable housing options. It is important to inventory and consider these challenges so that planning officials and municipal staff can craft a set of goals and strategies that are tailored to the community's needs. In Lakeville, there are a few of these "barriers to development" to consider:

Environmental Constraints

Communities with important natural resources, protected conservation lands, and large recreational open spaces may be limited in terms of their ability to locate appropriate sites for affordable housing development that will have limited impact on the environment around it. Carefully planned zoning changes and redevelopment initiatives in areas deemed appropriate can help alleviate this issue and create affordable housing developments that have minimal impact on these important natural features.

Lakeville's namesake, the Assawompset Pond Complex, along with the Town's many other important areas of conservation land, habitats, and recreational sites, pose notable limitations when siting new housing. As cited in the 2020 Master Plan, the creation of new housing will need to be balanced with thoughtful zoning changes to ensure harmony between land conservation efforts and smart growth initiatives.

Low-Density Zoning Regulations

Zoning regulations, intentionally or unintentionally, are one of the most common limiting factors when it comes to the production of affordable housing. Zoning that prohibits higher density uses, favors medium (1-1.5 acre) minimum lot sizes, is unclear to developers, and maintains high parking requirements can prohibit the production of moderately priced homes. This often leads to unsustainable and unaffordable development outcomes.

(Figure X: Zoning and Overlays – *To be inserted upon review with the Town Planner*)

Lakeville's zoning contains 4 distinct districts (Residential, Industrial, Industrial-B, and Business) along with 3 overlay districts (Mixed Use Development, Planned Special Purpose Overlay, and 40R Smart Growth Overlay). The following section will outline the permitted residential uses for each zone in Lakeville:

Residential

Of these districts, the Residential Zoning District comprises over 86% of Lakeville's buildable land and is the largest zoning district in town. This district requires a minimum lot size of 1.6 acres (70,000 sqft).

40R Smart Growth Overlay District

The Town's 40R Smart Growth Overlay District, located at the Lakeville/Middleborough border and near both the current and future MBTA Commuter Rail stations comprises roughly 33 acres across two sub-districts: The Residences at Lakeville Station Sub-District and The Nemasket River Sub-District, both of which allow single-family at 8 units per acre; two/three-family at 12 units per acre; and multi-family construction at 20 units (for Lakeville Station) and 25 units (for Nemasket), respectively. Minimum lot sizes in both sub-districts are substantially smaller than the requirements for the Residential district at 5,000 sqft for a single family; 7,000 sqft for a two/three-family; and 40,000 sqft for a multi-family or mixed-use multi-family building.

Mixed Use Development District

The Mixed Use Development District comprises roughly 73 acres on the site of the former Lakeville State Hospital. This district allows for the inclusion of age-qualified housing, which requires at least one occupant to be fifty-five years of age to live in an age-qualified unit. Building heights in this district can be up to 45 feet.

Business District

Lastly, the Business District allows facilities for residential care, senior homes, and nursing homes.

Lakeville's zoning presents several opportunities to expand the variety and amount of housing in Town. The Residential zoning district represents the most significant opportunity, due to its size and restrictiveness, which limits the number of units that can be built on an acre of land, ultimately leading to a smaller housing inventory, less housing diversity, and higher prices. This happens, typically, by embedding more land and infrastructure costs into the price of development while allowing for fewer units per acre of land. These increased expenses lead to the construction of larger houses (that are necessary to ensure that the internal finances of the development project are profitable). These costs can severely limit the diversity of housing types and hinder the ability of the market to produce homes that cater to different family sizes, price points, ages, and lifestyles in Lakeville.

Limited Access to Public Utilities

The absence of public sewer and water can limit the types of development options available and add costs to development (e.g., wells and septic systems). Lakeville currently has no sewer service, except for within the Town's 40R District, which receives sewer service from neighboring Middleborough. There is also minimal water service outside of major routes within town, of which are serviced by Middleborough and Taunton. This lack of infrastructure limits opportunities for compact development, as the need for septic systems increase both the cost and space required for new development, limiting options to downsize or purchase an affordable market-rate home.

Negative Community Perceptions

Whether we are conscious of it or not, the phrase "affordable housing" summons up misguided images of potential neglect, loss of property value, and increased crime. Residents and elected/appointed officials often cite associated costs (e.g., more students in schools) as another

reason more housing shouldn't come to the community. However, it is required by state and federal law that communities provide fair housing opportunities for residents, regardless of their social, economic, cultural, or family make-up. Young professionals, families, and older adults who are not in the position to afford high homeownership costs, but wish to remain in their community, as well as BIPOC and low- to moderate income households, have the right to fair housing opportunities throughout Massachusetts. Educational campaigns and maintaining an active conversation with community members may help to dispel these myths and create authentic, enthusiastic local support for new housing initiatives.

Limited Staff Capacity and Experience

Often, municipal staff have multiple day-to-day responsibilities and limited time to gain or deploy the specialized housing expertise necessary to accomplish their goals. This can hinder implementation efforts and lead to plans, such as HPPs, "sitting on the shelf." Lakeville currently does not have an existing staff member or committee whose day-to-day responsibility is focused primarily on housing. While the members of the Lakeville Planning and Select Boards, Town Planner, Town Administrator, Appeals Clerk, and other staff dedicate invaluable time to provide significant and continued effort towards advancing the Town's housing goals, much of this occurs after work hours and competes with other work and personal obligations.

By providing additional resources, Lakeville can continue to leverage the Town's ongoing efforts towards producing affordable and subsidized housing, while continuing to develop new initiatives.

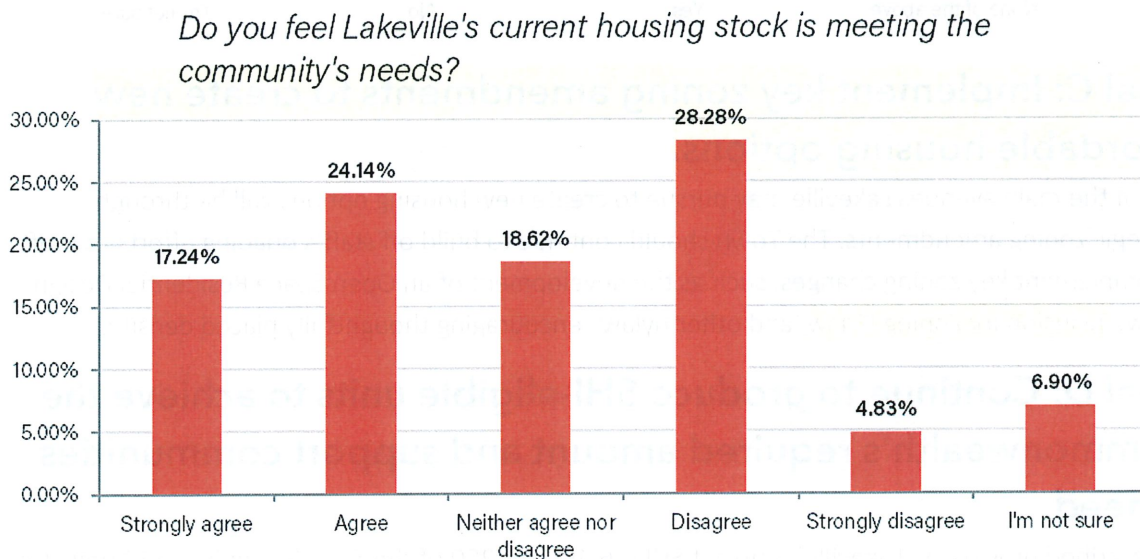
Affordable Housing Goals

There are four (4) main goals identified in this Housing Production Plan. These goals describe the vision for housing in Lakeville and build from the discussion in the Needs Assessment, as well as feedback gathered through public outreach for this HPP. The four goals are as follows:

Goal A: Conduct public outreach to determine local housing needs, preferences, and to educate the community on housing options.

Lakeville residents have mixed perceptions on housing in town, particularly regarding whether the community's housing stock is meeting current residents' needs. The Town should expand upon the groundwork laid within this HPP to explore current residents' housing needs and concerns, especially those related to aging in place and affordability. Furthermore, many residents have negative preconceptions about housing development. This lack of buy-in can make it difficult to pass future zoning changes and initiate new housing efforts. Encouraging further community outreach and conversations around housing will allow the Town to better navigate the process of implementing items described within this Plan.

(Figure X: Survey Responses to "Do you feel Lakeville's current housing stock is meeting the community's needs?")

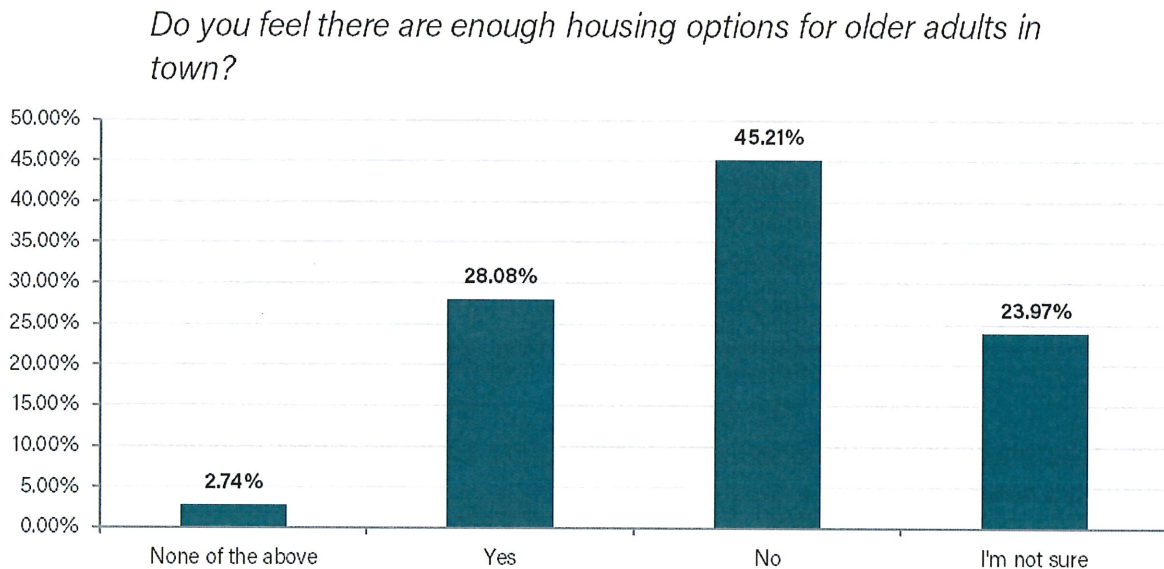


Goal B: Create housing options and modify existing units to support older adults who wish to age in place or downsize.

An individual's or family's housing and support needs will vary depending on circumstances and stage of one's life. Folks with chronic illnesses, those with disabilities, and older adults tend to have

different needs than young couples or those with children. Lakeville’s housing should be able to support those needs wherever possible. Producing housing options and providing for modifications to existing housing for those with differing needs can help prevent displacement due to an inability to receive the care needed or live comfortably in one’s home.

(Figure X: Survey Responses to “Do you feel there are enough housing options for older adults in town?”)



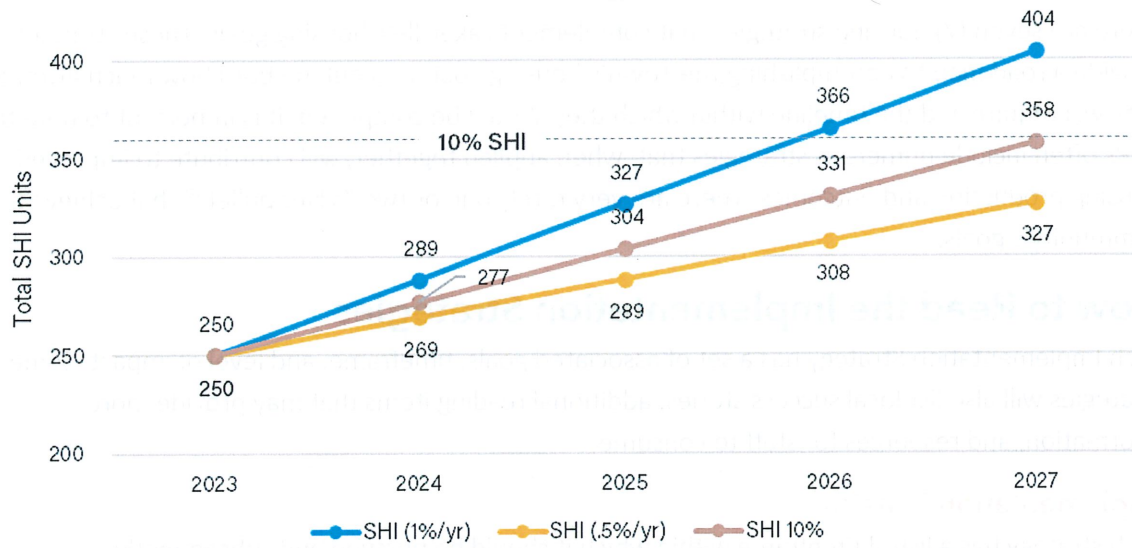
Goal C: Implement key zoning amendments to create new affordable housing options.

One of the main avenues Lakeville may pursue to create new housing options will be through strategic zoning amendments. The Town should continue to build off staff’s ongoing efforts to draft and implement key zoning changes, such as the development of an Open Space Residential Design Bylaw, **Inclusionary Zoning Bylaw**, and other bylaws encouraging thoughtfully placed density.

Goal D: Continue to produce SHI-eligible units to achieve the Commonwealth's required amount and support communities in need.

As described previously, Lakeville’s current SHI is 6.49%, or 250 of the Town’s required 358 units (to reach 10%). There are a variety of ways Lakeville can pursue the creation of new SHI-eligible units, including guiding appropriate Comprehensive Permits and producing housing under the Local Initiative Program. For this Housing Production Plan to be certified, Lakeville will need to permit at least 0.5% of their total year-round housing units (19 units) for one year of certification, or 1% (39 units) for two years of certification within a given 12-month period.

(Figure X: Hypothetical production scenarios for SHI units in Lakeville)



DRAFT

Implementation Strategies

There are seven (7) housing strategies that complement Lakeville's housing goals. These strategies provide a road map to accomplishing the Town's housing goals and outline both how much attention they will require and the timeline within which they should be completed. It is important to note that HPPs often include numerous strategies that, when applied together, will contribute to improved housing production and outcomes. There are very rarely one or two "silver bullets" that achieve a community's goals.

How to Read the Implementation Strategies

Each Implementation Strategy has a set of associated goals, timeframe, and level of impact. Some strategies will also list local success stories, additional reading items that may provide more information, and resources for staff to consume.

Implementation Timeframes

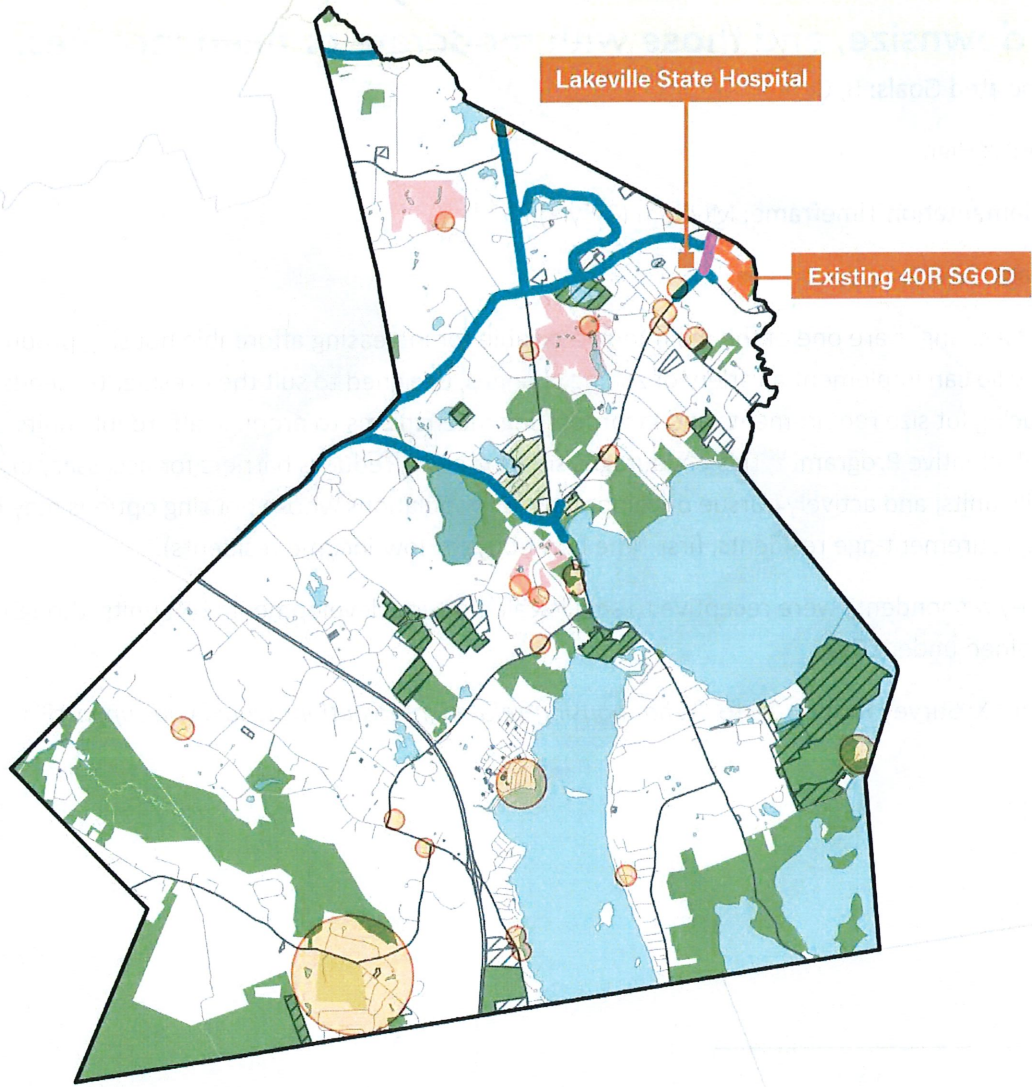
Each strategy has a listed timeframe within which it should be pursued and subsequently implemented. The timeframes are approximate and based on the level of effort and procedural steps required for each strategy. Those timeframes are:

- Short: Less than 2 years to explore and implement;
- Medium: Between 2 and 5 years to explore and implement; and
- Long: Greater than 5 years to explore and implement.

Impact

Each strategy has a listed impact level, either "direct" or "enabling." These impact levels describe the types of housing outcomes and pathways a given strategy creates when implemented. Direct strategies financially fund, remove restrictions, or create new housing opportunities. Enabling strategies provide training, form partnerships, or pursue other initiatives that create new or additional capacity to produce housing.

(Figure X: DRAFT Action Map) **ATTN Lakeville Planning Board + Town Staff: Please confirm one additional site for development.**



Open Space (Level of Protection)

- In Perpetuity
- Limited
- None
- Term Limited
- Unknown

- Sewer Line
- Water Line
- Interim Wellhead Protection Area (IWPA)
- Town-Owned Land

Implement key zoning amendments to create new housing opportunities for first-time homebuyers, older adults wishing to downsize, and those with moderate or fixed incomes.

Associated Goals: B, C

Priority: High

Implementation Timeframe: Medium (2-5yrs)

Impact: Direct

Zoning changes are one of the main tools available for increasing affordable housing production. Lakeville can implement a variety of zoning changes, designed to suit their residents' needs, such as reducing lot size requirements and incorporating mechanisms to produce affordable units under the Local Initiative Program.¹³ This encourages smart growth, reduces barriers for accessory or multi-family units, and actively pursue development for populations whose housing options may be limited (e.g., retirement-age residents, first-time homebuyers, low-income residents).

Survey respondents were receptive to small-scale housing development (1-4) units, though support remained under 50%.

(Figure X: Survey Responses to "What housing-related interventions would you support?")

¹³ LIP is a state housing program established in 1989 to give cities and towns more flexibility. The subsidy for this program is technical assistance and services provided to municipalities and developers for the creation, maintenance, and preservation of Low- or Moderate-Income Housing.

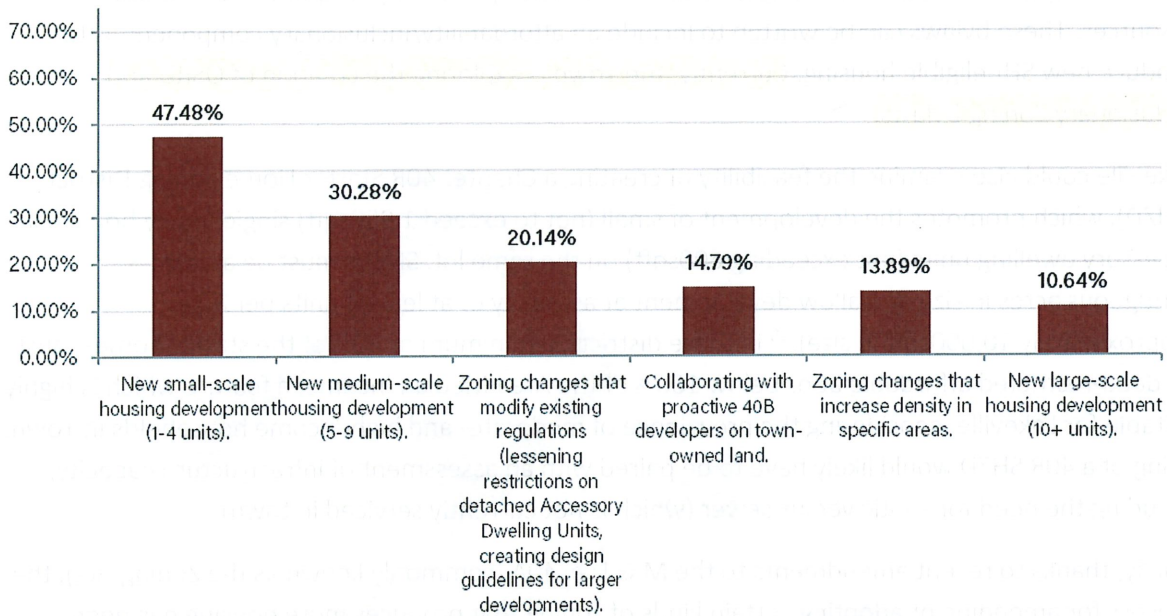
There are two means of creating affordable housing under LIP:

- Local Initiative Projects "Friendly 40B": go through the Comprehensive Permit process
- Local Action Units: developed through local zoning, such as Inclusionary Zoning bylaws, or permit issue process.

Units developed through LIP are eligible for inclusion on the SHI. DHCD reviews for:

- Consistency with State Sustainable Development Principles
- Consistency with Local Housing Needs
 - LIP approval for age-restricted housing needs to show actual need and marketability within the municipality.
 - Are other age-restricted units, created with a Comp Permit, unbuilt or unsold? Are the proposed age-restricted units, in context with other housing efforts, unresponsive to needs for family housing?

What housing-related interventions would you support?



With enough outreach and subsequent buy-in, the Town could implement new zoning that allows for smaller-scale housing development. Lakeville could modify their existing base zoning district to create a new residential zone with reduced lot sizes (between 20,000¹⁴-40,000sqft, as deemed appropriate by the Town). Previous planning documents (including the prior Housing Production Plan and 2020 Master Plan) also suggest the development of an OSRD bylaw and/or a Transfer of

¹⁴ According to the recently amended (12/07/22) Lakeville Board of Health Regulations Pertaining to Subsurface Disposal Systems and Water:

1. No dwelling, building or structure to be served by an on-site source of potable water and individual subsurface sewage disposal system shall hereafter be erected, placed or converted on any lot having an area of less than thirty-thousand square feet* unless a variance has been granted by the Board of Health.
2. No building, dwelling or structure to be connected to a Public water supply system shall hereafter be erected, placed, or converted on any lot having an area of less than twenty-thousand square feet* unless a variance has been granted by the Board of Health.

*consisting of 20,000 square feet of upland.

If necessary and deemed appropriate, the Board of Health could explore modifications to these regulations to issue permits on a case-by-case basis rather than through town-wide standards. Density is only regulated under Title V within nitrogen sensitive areas, where septic flows are capped at 440 GPD/acre (4 bedrooms/acre), unless the system has additional nitrogen treatment, which allows for an increase of up to 550 GPD/acre. Outside of these areas, Title V regulates total flows for soil absorption systems at 110/gallons per day (GPD) per bedroom (where systems serving single family homes must be designed to serve a minimum of 3 bedrooms, unless a deed restriction limiting use to two bedrooms is granted to the local Approving Authority), at a maximum of 10,000 GPD, after which a private wastewater treatment facility is required. Additionally, leaching field size and siting under Title V is determined via a percolation test, where systems cannot be sited in areas with rates slower than 60 minutes per inch.

For more information on Title V, please see 310 CMR 15.0 and MHP's webinar on [Waste and Wastewater Basics for MBTA Communities](#) (which describes the basics of the Massachusetts Sanitary Code and Title V beginning at 24:24).

Development Rights (TDR) bylaw, both of which would promote more compact development in key areas throughout town while shifting growth away from important open spaces and natural resources. These bylaws can be written to include an affordability/inclusionary component as to produce new SHI-eligible housing. **Currently, the Town is exploring the creation of OSRD and Inclusionary Zoning Bylaws.**

Lakeville could also examine the feasibility of creating a Chapter 40R Starter Home Zoning District (SHZD), which promotes the development of small (not to exceed 1,850sqft) single family homes or accessory dwelling units (not exceeding 600sqft) on the same lot. SHZDs must be at least 3 contiguous acres in size and allow development at a density of at least 4 units per acre (approximately 10,000sqft in size).¹⁵ In these districts, a minimum of 20% of the starter homes must be deed-restricted affordable at or below 100% of the Area Median Income; a feature which is highly suitable for Lakeville, considering the prevalence of moderate- and high-income households in Town. Siting of a 40R SHZD would likely have to be paired with an assessment of infrastructure capacity, including the need for septic versus sewer (which is not currently serviced in town).

Finally, thanks to recent amendments to the M.G.L. c. 40A (commonly known as the Zoning Act), the process for amending or adopting certain kinds of zoning that produces more housing has been simplified – primarily by reducing the required Town Meeting vote from a two-thirds supermajority to a simple majority.¹⁶ These important changes can contribute to the town’s implementation of many of the above zoning-related strategies.

Success Story: The Town of Middleborough recently adopted a new 40R zoning overlay district consisting of two sub-districts within their downtown. Through thoughtful planning and the creation of design guidelines, the new zoning will directly contribute to Middleborough’s SHI while producing housing and commercial development that is consistent with its traditional Downtown.

Additional Reading

[M.G.L c 40R s 3](#), [Mass.gov’s Chapter 40R Resource Page](#), [Mass.gov’s Smart Growth/Smart Energy Toolkit Module on Transfer of Development Rights \(TDR\)](#), [Mass.gov’s Smart Growth/Smart Energy Toolkit Module on Open Space Design \(OSD\)/Natural Resource Protection Zoning \(NRPZ\)](#)

¹⁵ Chapter 40R Starter Home Districts may not be subject to local environmental or health regulations (referred to as “Additional Municipal Standards” in 760 CMR 59) that exceed State regulations unless “the Additional Municipal Standards applicable in a Starter Home District do not Render Development Infeasible” or “DEP determines that the Municipality has demonstrated that local conditions warrant imposition of Additional Municipal Standards.” For more information, see 760 CMR 59.05(2)(e).

¹⁶ For more information on Chapter 358 of the Acts of 2020, please see <https://www.mass.gov/info-details/housing-choice-legislation>

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

Associated Goals: A

Priority: High

Implementation Timeframe: Short (<2yrs)

Impact: Enabling

Community buy-in is an essential part of passing meaningful housing reform that is tailored to Lakeville's needs while meeting state requirements. The Town can work with local organizations and community outreach groups such as the Citizens' Housing and Planning Association (CHAPA) to host educational conversations with residents while gathering information on their needs and preferences.

Assistance with an educational campaign will help to dispel myths associated with affordable housing and those who live there, its impact on local real estate values, and its impact on a community's character. A successful education campaign will also help build the local support that is necessary to implement the goals and strategies associated with a Housing Production Plan. Local champions for affordable housing are critical to long-term, sustained implementation.

The Town should consider engaging residents in a straightforward and transparent manner as it pursues local zoning changes and future development initiatives, such as the amendment of existing zoning districts or the creation of a Chapter 40R Starter Home Zoning District.

Additional Reading

CHAPA's [Municipal Engagement Initiative \(MEI\)](#) is a program that helps communities gain support for local housing initiatives, such as proposed developments, zoning changes, and tax levies such as CPA. Applications open annually.

Pursue partnerships and funding resources to provide direct assistance to help preserve housing for vulnerable communities, including senior residents.

Associated Goals: B, C

Priority: High

Implementation Timeframe: Long (>5yrs)

Impact: Direct

In addition to the creation of new housing options, direct assistance and preservation tactics help to keep affordable units available and allow residents to remain in their homes. These strategies are important when considering displacement concerns and aging populations like Lakeville's. They are also critical for maintaining safe and livable homes for all residents. Lakeville may consider pursuing federal funding, through the formation of a regional consortium, as towns such as Malden have done, or through programs like the [Commonwealth's Community Development Block Grant \(CDBG\) Program](#), which allocates federal CDBG funding to cities and towns for a variety of CDBG eligible activities such as home rehab, home development, and accessibility modifications. Lakeville could pursue CDBG funding either on its own or through the Greater Attleboro/Taunton Home Consortium (of which Lakeville is a member community), depending on the scale and nature of the projects the Town wishes to pursue. CPA funds may be used as a match for these applications.

Additionally, many towns have used CPA funds to support the creation of new housing options and rehabilitation of existing units for low- and moderate-income residents. As Lakeville continues to establish its Community Preservation Committee and their associated tasks, the Town may wish to explore the use of CPA funds to support small-scale affordable housing development and rehabilitation. Town staff can find example projects through the [Community Preservation Coalition's CPA Project Database](#), which can be filtered by category (open spaces, housing, historic, and recreation).

Case Study

The City of New Bedford operates [several home rehabilitation and accessibility assistance programs](#) that aim to improve low- and moderate-income residents' housing. These programs offer direct funding and/or low-to-no-interest loans to make necessary accessibility, safety, or home rehabilitation repairs in owner-occupied or investor-owned homes. The programs are funded through HUD's HOME Investment Partnership Program and Community Development Block Grant. The City also administers state programs on behalf of Massachusetts Housing Partnership (MHP), DHCD, and MassHousing.

Potential Funding Resources

HUD HOME Program, CDBG, MassHousing

Additional Reading

[Housing Toolbox for Massachusetts Communities](#) *Affordable Housing Trust + CPA Conference 2022*
[resources](#), [MHP's Municipal Affordable Housing Trust Guidebook](#)

DRAFT

Pursue partnerships leading to development that is affordable to those with low, moderate, and fixed incomes.

Associated Goals: B, D

Priority: Medium

Implementation Timeframe: Medium (2-5yrs)

Impact: Direct

Developing a clearly outlined process to review comprehensive permits will help Lakeville foster successful working relationships with 40B/40R developers. Lakeville should pursue relationships with developers to encourage projects that create new subsidized affordable housing and allow room to negotiate development outcomes that positively impact the built environment and align with the desires (ex. visual preferences, low-impact development design, or parking requirements) of the Town.

Lakeville could guide this relationship by working with its Zoning Board of Appeals (ZBA) to review and update the *Rules and Regulations for Comprehensive Permits*. These guidance documents establish procedures for an application to the ZBA for permits granted Chapter 40B. Moreover, they are required by Chapter 40B and by 760 CMR 56.00 to facilitate the development of affordable housing.¹⁷ These Rules and Regulations can also serve as a starting point for fostering collaborative municipal/developer relations.

Case Study

The Town of Plainville's SHI is currently 16.7%, totaling 577 of the town's 3,459 housing units. By fostering strong working relationships with developers, the Town has successfully negotiated site design and engineering modifications, including landscaping and sidewalk additions, for several developments in the past few years, including the Oasis at Plainville.

¹⁷ The purpose of these documents is also to protect the health, safety, and welfare of the present and future inhabitants of the proposed 40B development and the Town, including but not limited to, the following purposes and local concerns: to protect drinking water; to maintain open spaces by recognizing the concern for irretrievable loss of farmlands, wetlands, and woodlands while respecting the rights of property owners; to encourage the most appropriate uses of land through a proper balance of development and preservation given the Town's limited natural resources and infrastructure constraints; to preserve the historic and cultural characteristics of Lakeville; to provide a mix of housing types and a range of housing costs; and to enable long-term residents of Lakeville to remain in the Town, providing a sense of history and continuity. Using these Rules, Lakeville can also explore potential affordable housing reuse opportunities for municipally owned land that does not have high conservation value.

Consider hiring a consultant to assist in implementing the strategies within the Housing Production Plan.

Associated Goals: A, B, C, D

Priority: Low

Implementation Timeframe: Medium (2-5yrs)

Impact: Enabling

Lakeville would benefit from acquiring additional assistance in implementing their housing goals and strategies given current staff's existing time commitments and responsibilities. This can include contracting with a local housing consultant. Through CPA allocations, Community Compact Cabinet funds, District Local Technical Assistance (DLTA) funds, and other opportunities, the Town could take action to obtain external assistance to aid in implementation of the Plan.

Case Study

Through CPA funding, the Town of Wellfleet allocated \$4,626,611 to community housing efforts from 2006-2021, totaling 47% of their CPA spending over that timeframe. In 2016, the town used \$50,000 of their housing-designated CPA funding to hire a part-time consultant to assist with various housing projects and the development of a new Housing Production Plan.

Investigate opportunities for adaptive reuse to redevelop underutilized municipally owned land and buildings.

Associated Goals: B, D

Priority: Low

Implementation Timeframe: Short (<2yrs)

Impact: Enabling

This strategy entails identifying municipal structures that have become abandoned, underutilized, or functionally obsolete and determining if they have potential to be reused for affordable housing. Reusing these properties as housing enables a community to accommodate growth in established locations instead of on green space and at the same time preserve or restore the architectural fabric of the community.

Success Story: The City of Springfield redeveloped its former Fire Station at 145 Pine Street. The site was sold to the Mental Health Association, which converted the property into 15 studio and one-bedroom apartments. The project contributes to the town's goals of providing affordable housing while also bringing an underutilized municipal building back into an active use.

Review the availability of town-owned and tax-title properties to work in tandem with adaptive reuse goals.

Associated Goals: B, D

Priority: Low

Implementation Timeframe: Short (<2yrs)

Impact: Enabling

A municipality can inventory and examine parcels they own, as well as tax-title properties, in order to determine if they are suitable for affordable housing development. These parcels are more readily available for affordable housing development than their privately-owned counterparts. Communities can declare these properties “excess property” (typically at Town meeting); then, through an RFP process, can partner with affordable housing developers or agencies, such as Habitat for Humanity, to produce housing.

The Town of Lakeville owns 104 parcels. Some of these parcels are protected open space, however, there are several parcels that may be eligible for smaller housing development, such as starter homes on lots that may be non-conforming due to their size or on currently underutilized parcels.

Success Story: The Town of Wellfleet put out an RFP for a municipally-owned property at [95 Lawrence Road](#) and received three bids, one of which was recently selected and unanimously approved by the Select Board to proceed. The project, which would produce 46 apartments, is currently undergoing review to determine if it is eligible to apply for a Comprehensive Permit. These apartments will be designed considering net zero energy goals, and will feature rooftop solar, all electric building systems, and low flow plumbing fixtures.

Conclusion

Housing is one of the most important aspects of an individual's life and livelihood. And just as a residence is more than a physical shelter – it's a home – neighborhoods are one of the main building blocks of a healthy, balanced community. This Housing Production Plan seeks to provide the Town of Lakeville with a clear picture of the trends and pressures that can make it difficult to build more homes and create neighborhoods that serve all types of households. We've shown how a combination of efforts, if pursued proactively and in a coordinated way, can address these barriers, contribute to Lakeville's housing stock, improve the lives of existing and future residents, and complement the town's built and natural landscapes.

For those readers looking for more information, please explore the HPP's footnotes, links, and Appendices.

**Housing Production Plan Section II. B of
"MG.L. c. 40B Comprehensive Permit /Projects
Subsidized Housing Inventory."**

GUIDELINES

Updated October 2020

For the entire Chapter 40B Guidelines, they are posted at
www.mass.gov/dhcd

Regulatory Authority: see 760 CMR 56.00



B. Housing Production Plans

1. Introduction

a. What Is the Plan?

A Housing Production Plan (HPP) in 760 CMR 56.03(4) is a proactive strategy for planning and developing affordable housing. It should be developed with opportunities for community residents to become informed of the planning process and the plan, and to provide input. The HPP will assist communities to plan for low and moderate income residents by providing a diverse housing supply. The community should:

- (1) Develop a strategy which will be used to meet its affordable housing needs in a manner consistent with the Chapter 40B statute and implementation regulations; and
- (2) Produce housing units in accordance with its HPP.

The HPP identifies the housing needs of a community and the strategies it will use to make progress in facilitating the development of affordable housing. The HPP must be consistent with the regulation and these Guidelines. HPPs approved by DHCD are posted at www.mass.gov/dhcd.

b. Why produce a Plan?

By taking a proactive approach in the adoption of a HPP, cities and towns are much more likely to achieve both their affordable housing and community planning goals. HPPs give communities that are under the 10% threshold of Chapter 40B, but are making steady progress in producing affordable housing on an annual basis, more control over comprehensive permit applications for a specified period of time.

2. Elements

a. Comprehensive Housing Needs Assessment

It is important to understand who currently lives in the community, demographic trends affecting future growth, existing housing stock and future housing needs. The HPP must establish a strategic plan for municipal action with regards to housing, based upon a comprehensive housing needs assessment that, at a minimum, examines:

- (1) The most recent available census data of the municipality's demographics and housing stock. Reviewing census data is the starting point for a community's analysis and information may be found at <http://www.census.gov/>. Regional Planning Agencies, realtors and the media are also sources of information that may be used in an HPP.
- (2) A projection of future population and housing needs, taking into account regional growth factors, that covers the entire period of the plan. The projections should address, specifically, the housing needs of the projected population at various income levels including: not more than 30% AMI, more than 30% but not more than 80% AMI, and more than 80% but not more than 120% AMI, taking into account the likely family composition of such households.
- (3) Development constraints and limitations on its current and future needs should be clearly articulated. Maps can be helpful in identifying steep slopes, watershed areas or brownfields.

- (4) The municipality's plans to mitigate such constraints. Can any of the factors be mitigated to support development?
- (5) The capacity of the municipality's infrastructure to accommodate the current population and anticipated future growth, including plans for enlargement or expansion of existing infrastructure systems to ensure that both current and future needs are met. The infrastructure analysis should evaluate the capacity of water and sewer systems, roads, utilities, public transit, schools, and any other public facilities that will impact or be impacted by future housing development.

It may not be necessary for a community to create an entirely new plan to meet these requirements. Many communities have already adopted a plan or a series of plans that contain some or all of the required elements. Current master plans, consolidated plans, or other housing strategies may contain some or all of the elements of a HPP. Municipalities may contact DHCD's Office of Sustainable Communities for assistance in converting such plans to an HPP.

However, municipalities must ensure that the existing plans or data are up-to-date. DHCD will request that a community update its former Affordable Housing Plan/Planned Production Plan, consistent with the requirements of these Guidelines, if the affordable housing plan was approved five or more years ago.

b. Affordable Housing Goals

In addition to its needs assessment, when formulating its affordable housing goals, the community should also consider the types of housing most likely to be needed and, generally, its fair housing obligations. What is the projected population of: working age? new household formation? special needs? elderly? frail elderly? What percentage of these populations is projected to be at not more than 30% AMI? at more than 30% but not more than 80% AMI? At more than 80% but not more than 120% AMI? Does the existing housing supply match the needs of these populations? Does the community expect that there will be a range of housing types which will be affordable to each income group? Therefore, the HPP must address, at a minimum, the following matters:

- (1) A mix of types of housing, consistent with community and regional needs that:
 - (a) Is affordable to households at not more than 30% AMI, more than 30% but not more than 80% AMI, and more than 80% but not more than 120% AMI;
 - (b) Provides for a range of housing , including rental, homeownership, and other occupancy arrangements, if any, for families, individuals, persons with special needs, and the elderly; and,
 - (c) Is feasible within the housing market in which they will be situated.
- (2) A numerical goal for annual housing production, pursuant to which there is an increase in the municipality's number of SHI Eligible Housing units by at least 0.50% of its total units (as determined in accordance with 760 CMR 56.03(3)(a)) during every calendar year included in the HPP, until the overall percentage exceeds the Statutory Minimum set forth in 760 CMR 56.03(3)(a). There should be a direct link between the setting of these goals and the results of the needs assessment. The numerical goal should be based on the total year round number of housing units. The total year round housing units is the total number of units for the community in the latest U.S. Census including any changes due to demolition or new construction.

c. Implementation Strategies

The HPP shall include an explanation of the specific strategies by which the municipality will achieve its housing production goals as well as a time frame/schedule for achieving the housing goals identified. Each goal should include several specific milestones to indicate progress, including all of the following strategies, to the extent applicable:

- (1) The identification of zoning districts or geographic areas in which the municipality proposes to modify current regulations for the purposes of creating SHI Eligible Housing developments to meet its housing production goal. Zoning indicates a community's interest in the types of uses to be encouraged. The zoning strategy should identify points where the zoning needs to be changed to accommodate additional dwelling units: Can density be increased? Can accessory apartments be accommodated? Are upper story residential units allowed in commercial districts? In identifying geographic areas, communities must ensure that any constraints can be overcome in a timely and cost effective manner. Additionally, communities should consider the Commonwealth's Sustainable Development Principles at: <http://www.mass.gov/hed/docs/dhcd/cd/smartgrowth/sdprinciples.pdf>.
- (2) The identification of specific sites for which the municipality will encourage the filing of Comprehensive Permit applications. Identification of specific sites should be consistent, to the greatest extent possible, with Sustainable Development Principles. Strategies should include any proposed zoning changes, advantages to construction on the site, an acknowledgement of site constraints, and the costs to overcome such constraints.
- (3) Characteristics of proposed residential or mixed-use developments that would be preferred by the municipality for example, infill development, cluster developments, adaptive re-use, transit-oriented housing, mixed-use development, and/or inclusionary zoning. Preferred characteristics should take into account the surrounding context of the built and natural environment. Characteristics placing special restrictions on the development of affordable housing, such as limiting size of affordable units, limiting diversity in types of housing, or applying other zoning constraints, will not be approved. In addition, affordable housing plans must be in compliance with all state and federal fair housing laws.
- (4) Identification of municipally owned parcels for which the municipality commits to issue requests for proposals (RFP) to develop SHI Eligible Housing, including information on appropriate use of the site, and a timeline for the issuance of an RFP. DHCD can provide some assistance in the development of such an RFP.
- (5) Participation in regional collaborations addressing housing development. Communities are encouraged to contact the Regional Planning Agencies for insight into establishing regional collaborations.

3. Review and Approval

Communities may submit a HPP developed in accordance with the regulation and these Guidelines to DHCD at any time.

a. Review Standards

HPPs are reviewed to see that they contain all the required elements, in accordance with the regulations and these Guidelines; and that the elements of the HPP are consistent with each other, such as whether the goals address stated needs. Reviewers pay special attention to the analysis of data, numerical goals, mix of housing proposed, production schedules, deed restrictions, and preferred sites for affordable housing development.

b. Review Process

The Department shall conduct an initial 30-day completeness review, and it will notify the municipality of any deficiency and offer an opportunity to remedy the deficiency. Within 90 days after the Department's finding that the HPP is complete, the Department shall approve the HPP if it meets the requirements specified herein; otherwise, it shall disapprove the HPP. The Department shall notify the municipality of its decision to either approve or disapprove a HPP in writing. If the Department disapproves a HPP, the notification shall include a statement of reasons for the disapproval. If the Department fails to mail notice of approval or disapproval of a HPP within 90 days after its receipt, it shall be deemed to be approved. A municipality that originally submitted a HPP that had been disapproved may submit a new or revised HPP to the Department at any time.

4. Amendments

A community may amend its HPP at any time to reflect changes in local circumstances. DHCD does not require that communities submit amendments when specific projects change, such as in size or location. However, communities are encouraged to submit amendments for DHCD approval, to document the change(s) if the overall goals or strategies are revised. If, in the discretion of DHCD, the amendment is considered to be a major change, such as the incorporation of new census data, the Department may require the full 90 day review process. Amendments shall not change the effective date of an HPP.

5. Term of a Plan; Renewal

The term of an HPP shall be five (5) years from the date of its approval by the Department. All HPPs shall be updated and renewed within five (5) years of the date of its approval by the Department, through the full 90-day review process set forth above, or as the Department may otherwise require. The Department may, at its sole discretion, elect to treat a major amendment as a renewed HPP.

6. Certification of Municipal Compliance with the HPP

- a. Requests for certification will be accepted by DHCD at any time during the calendar year in which the units are produced and up to January 10 of the following year. A community will be certified in compliance with an approved HPP if, during a single calendar year, it has increased its number of low- and moderate-income year round housing units (as counted on the SHI) in an amount equal to or greater than that enumerated in the approved HPP (0.5% or 1.0%). See Appendix II.3, "HPP Certification Thresholds by Municipality" for current certification thresholds.
- b. Units counted for certification must be produced after the effective date of a plan (i.e., the date DHCD approved the plan).
- c. SHI Eligible Housing units shall be counted for the purpose of certification when they are first eligible for inclusion in the SHI in accordance with the provisions set forth in 760 CMR 56.03(2).
- d. If a community issues a permit between December 20th and December 31st (inclusive), of a given year, the request may be submitted prior to the end of the 20-day appeal period.
- e. The Department shall determine whether a municipality is in compliance within 30 days of receipt of the municipality's request and notify the Chief Executive Officer in writing of its decision.

7. Effective Date of a Plan

An HPP shall be effective as of the date that DHCD approved the plan. The effective date of an approved plan shall not change as a result of amendment to the plan.

8. Effective Date of Certification

Regardless of the date of the certification notice, the Certification shall be deemed effective as of the date that the municipality achieved its numerical target for the calendar year in question, in accordance with the rules for counting units on the SHI set forth in 760 CMR 56.03(2).

9. Term of Certification

So long as the units produced are SHI Eligible Housing units (see 760 CMR 56.03), a certification shall be in effect for a period of one year from its effective date if the community has increased its SHI Eligible Housing units 0.5% of the total year round housing units, or two years from its effective date if it has increased its number of SHI Eligible Housing units 1.0% of total year round housing units. If the units by which the municipality achieved its certification become ineligible for the SHI, then the certification shall lapse as of the date that the units became ineligible for the SHI. If such units become eligible for the SHI during the remaining term of the certification period, then the certification shall be re-instated for such remaining term.

For example, if a community's HPP is certified by DHCD on June 13, 2019, for affordable units that became eligible for the SHI on February 13, 2019 totaling 0.5% of housing units, the certification period begins on February 13, 2019, and ends on February 12, 2020. If the request was based on an increase of 1.0% of housing units, the certification period would end on February 12, 2021.

10. Relation to "Local Needs"

If a community is certified compliant, decisions made by the Board to deny a comprehensive permit will be deemed Consistent with Local Needs under the Act by the HAC, and the Board's denial of a comprehensive permit application will be upheld as a matter of law, provided that the Board complies with the requirements of 760 CMR 56.03(8).

11. Submission Requirements

a. HPPs

HPPs, amendments and updates must be accompanied by:

- (1) a letter signed by the Chief Executive Officer that states that the document:
 - (a) Was adopted by the municipal planning board and select board or city council (the Chief Executive Officer, is the mayor in a city and the chair of the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer by the local charter);
 - (b) Constitutes the community's affordable housing plan (for the HPP), or is an amendment or an update; and
 - (c) Requests approval from DHCD.

- (2) A cover letter that includes a municipal contact name, telephone number and email address. They may be submitted in either hard or electronic copy. Following the Department's approval, an electronic copy must be submitted for posting on the agency's website.

b. Requests for Certification

- (1) Requests for certification must be accompanied by a letter signed by the Chief Executive Officer and contain any required documentation (e.g. comp permits and/or the "Requesting New Units Form for the Subsidized Housing Inventory"). These documents are evidence that the required number of housing units has been produced during a calendar year and:
 - (a) Have been newly produced pursuant to the approved HPP and in the same year for which certification is requested;
 - (b) Are, for the first time, eligible to be counted on the SHI (e.g., are not the subject of a modified or amended permit from a prior year); and
 - (c) Are produced pursuant to the affordable housing plan.
- (2) The town manager or administrator may submit the certification request if given signatory authority by a local charter.

c. HPPs, amendments, updates and requests for certification should be sent to:

Jennifer Maddox, Undersecretary
Department of Housing & Community Development
100 Cambridge Street, Suite 300
Boston, MA 02114
Attn: Phil DeMartino

In addition to hard copies, please email all documents during the Covid 19 State of Emergency to: phillip.demartino@mass.gov

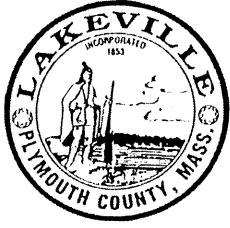
12. Technical Assistance

Department staff are available to answer questions on any matter related to HPPs. Please call 617-5731357. The Department's website at www.mass.gov/dhcd also contains information that may be useful to municipalities in creating an HPP.

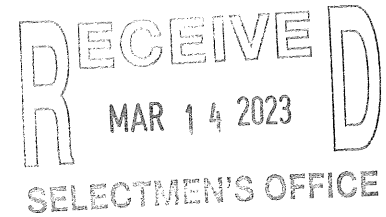
**AGENDA ITEM #5
MARCH 27, 2023**

**DISCUSS PLANNING BOARD'S REQUEST REGARDING
KENNETH WELCH DRIVE PARKING**

Attached are memos from the Planning Board and Town Planner regarding parking on Kenneth Welch Drive. Also attached are emails from the Police and Fire Chief.



Town of Lakeville
PLANNING DEPARTMENT
346 Bedford Street
Lakeville, MA 02347
774-776-4350



MEMORANDUM

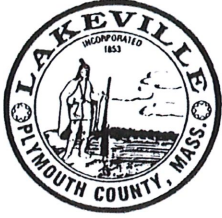
TO: Select Board

FROM: Marc Resnick, Town Planner

DATE: March 14, 2023

SUBJECT: 310 Kenneth Welch Parking

The Planning Board is requesting that no parking signs be posted on the south side of Kenneth Welch Drive opposite the building located at 310 Kenneth Welch Drive. Employees have been parking off the paved roadway, but on the shoulder across from 310 Kenneth Welch Drive for over a year. The owner/businesses have tried to address this issue by expanding the parking lot twice however the number of additional spaces were insufficient to accommodate all the employees. Last fall the new ownership group had plans prepared to expand the western parking lot to provide all their required parking. However, this effort has stalled as full plans including drainage calculations were never submitted to the Planning Board and the required Notice of Intent was not filed with the Conservation Commission. Also, a change in property management companies this winter may have affected their schedule.



Town of Lakeville
PLANNING DEPARTMENT
346 Bedford Street
Lakeville, MA 02347
774-776-4350

RECEIVED
MAR 16 2023
SELECTMEN'S OFFICE

TO: Lakeville Select Board
FROM: Marc Resnick, Town Planner
DATE: March 16, 2023
SUBJECT: 310 Kenneth Welch Parking

These are my comments regarding the parking across the street from 310 Kenneth Welch Drive.

- Although the parking area is not an officially designated parking lot the area meets the excess parking needs of the businesses located at the building.
- Although unsightly I don't believe this parking constitutes a safety hazard as you have adults crossing a low volume road to come and go to work.
- Parking on the shoulder adjacent to the wetlands on the town property without provisions for the collection and treatment of the drainage is not an environmentally sound practice and should not continue for a significantly longer period of time.
- The Zoning Board approved a Variance on September 15, 2022, for increased lot coverage in order for the west side parking lot to be expanded. The Board required the following two conditions.
 - The applicant will submit to the Lakeville Select Board a request to install a wooden guardrail on the opposite side of 310 Kenneth W. Welch Drive. The applicant will install this guardrail within 30 days after the completion of the parking lot construction, weather permitting.
 - If the guardrail is not approved by the Select Board, the applicant will return to the Zoning Board of Appeals for additional discussion on alternative parking controls on Kenneth W. Welch Drive.

- After Zoning Board Approval, the engineers for this property presented plans to expand the west end parking lot to the Planning Board. However, before the Planning Board could act on the application final drainage calculations needed to be submitted and a Notice of Intent filed with the Conservation Commission. However, this has not occurred, and the effort has stalled partially due to changing plans of the building occupancy and property management companies.

If the Select Board chooses to place no parking signs at this location, prior to the expansion of the west side parking lot, the businesses should be given the opportunity to submit a parking management plan addressing where the employee vehicles would be relocated. This Plan should be submitted for review by the Zoning Board who issues permits for the Marijuana Use.

Ari Sky

From: Michael P. O'Brien, Fire Chief
Sent: Wednesday, March 15, 2023 2:10 PM
To: Ari Sky; Matthew Perkins, Lakeville Chief of Police
Cc: Marc Resnick
Subject: Re: 310 Kenneth Welsh Dr

Ari,

The only concern I have would be in regard to the unintended consequences of the proposed action.

The building currently lacks the fire department access that would be required in a newly constructed building. The building was accepted by the Town, making access configuration a non-confirming preexisting condition.

My concern is that the cars on the shoulder of 310 Kenneth will be relocated into the already jammed parking lot, creating a hazard for fire protection.

We should make it clear that the fire department would be monitoring the access in the parking area.

Thank you,

Michael P. O'Brien

Fire Chief
Lakeville Fire Department

346 Bedford Street
Lakeville, MA 02347

PH 508-947-4121

From: Ari Sky <asky@lakevillema.org>
Sent: Wednesday, March 15, 2023 12:06 PM
To: Matthew Perkins, Lakeville Chief of Police <mperkins@lakevillema.org>; Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>
Cc: Marc Resnick <mresnick@lakevillema.org>
Subject: FW: 310 Kenneth Welsh Dr

All –

The Planning Board has voted to request that the Select Board designate the south side portion of Kenneth Welch Drive opposite #310 as a no parking zone, per attached. Please provide your comments and concerns regarding this request to me by COB Friday. Thanks.

Ari J. Sky, ICMA-CM
Town Administrator
Town of Lakeville
346 Bedford Street

Ari Sky

From: Matthew Perkins, Lakeville Chief of Police
Sent: Thursday, March 16, 2023 8:59 AM
To: Michael P. O'Brien, Fire Chief; Ari Sky
Cc: Marc Resnick
Subject: RE: 310 Kenneth Welsh Dr

Ari,

I'm in the same boat as Mike. Currently, they are parking off the road and are not a hazard (only hazard is pedestrian crossing). If the area becomes restricted parking, they will park somewhere else, which will probably be a hazard or create some other problem. I think there should be some solutions first.

Thanks,
Matt

From: Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>
Sent: Wednesday, March 15, 2023 2:10 PM
To: Ari Sky <asky@lakevillema.org>; Matthew Perkins, Lakeville Chief of Police <mperkins@lakevillema.org>
Cc: Marc Resnick <mresnick@lakevillema.org>
Subject: Re: 310 Kenneth Welsh Dr

Ari,

The only concern I have would be in regard to the unintended consequences of the proposed action.

The building currently lacks the fire department access that would be required in a newly constructed building. The building was accepted by the Town, making access configuration a non-confirming preexisting condition.

My concern is that the cars on the shoulder of 310 Kenneth will be relocated into the already jammed parking lot, creating a hazard for fire protection.

We should make it clear that the fire department would be monitoring the access in the parking area.

Thank you,

Michael P. O'Brien
Fire Chief
Lakeville Fire Department

346 Bedford Street
Lakeville, MA 02347

PH 508-947-4121

**AGENDA ITEM #6
MARCH 27, 2023**

**DISCUSS CURRENT MATTERS RELATING TO 310 KENNETH
WELCH DRIVE**

Attached is an email regarding 310 Kenneth Welch Drive.

Ari Sky

From: Richard LaCamera
Sent: Monday, March 20, 2023 5:12 PM
To: Ari Sky; Lia Fabian
Cc: Nathan Darling, Building Commissioner & Zoning Enforcement Officer; Marc Resnick; Michael P. O'Brien, Fire Chief; Edward Cullen
Subject: Re: 310 Kenneth Welch Meeting Recap

Please put 310 Kenneth Welch Drive on the 3/27 meeting to discuss all the issues with this property and ownership

Get [Outlook for iOS](#)

From: Ari Sky <asky@lakevillema.org>
Sent: Monday, March 20, 2023 5:00:03 PM
To: Lia Fabian <lfabian@lakevillema.org>; Richard LaCamera <rlacamera@lakevillema.org>
Cc: Nathan Darling, Building Commissioner & Zoning Enforcement Officer <ndarling@lakevillema.org>; Marc Resnick <mresnick@lakevillema.org>; Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>; Edward Cullen <ecullen@lakevillema.org>
Subject: 310 Kenneth Welch Meeting Recap

Lia/Rich –

Mike O'Brien, Nate Darling, Ed Cullen, Marc Resnick and I met with representatives from Vega (building ownership) and Lincoln Properties (property management) this afternoon to discuss issues related to 310 Kenneth Welch Drive. The ownership representatives explained their concerns with the previous property managers and stated a desire to move forward. We outlined the major issues of concern, specifically:

1. Public Safety (fire access and systems management): Mike stated that most of the initial issues have been addressed and that he and Lincoln Properties are working on a longer-term action plan.
2. Parking (on site and the use of Kenneth Welch Drive): We expressed our dissatisfaction with the pace to date. Vega stated that the Notice of Intent has been submitted to the Conservation Commission and they will be able to move forward. Cost is an issue (the initial proposal was priced at \$2 million+), but they indicated an intention to proceed.
3. Water (current consumption and plans going forward): The four wells on site will be sufficient to supply the cooling towers, take care of outside irrigation and cover all but restroom and drinking water for Northeast Alternatives. I reiterated my previous statement that 33,000 gpd is a nonstarter and reminded the ownership that Nature's Remedy had stated in 2017 that their operations would only require ½ gallon per plant per day. As follow up (and at ownership's request), I sent a copy of the 10/11/17 minutes, which recorded that statement. Ownership stated that they are working on a program that will substantially reduce the water requirement, but I got the sense that Jushi is somewhat difficult to work with on this.
4. Septic (current field capacity and potential overuse): Ed provided an overview of the limited septic capacity. The property managers noted that prior management had installed an above ground tank, which is being drained at least twice a week. They very much want to address this issue by reducing water usage overall.

The ownership and property managers stated explicitly that their relationship with the building occupants is landlord-tenant. For example, they expressed no substantive concerns with enforcing no-parking on Kenneth Welch Drive in the

sense that they are already providing parking as required by the lease. At the very least, ownership is completely supportive of enforcing the restriction after the parking improvements are in place. They also expressed frustration with Jushi in several areas, especially water usage and fire safety, and stated a desire to address these issues proactively.

We agreed that the property managers will submit the new water connection request ASAP, which will coincide with the completion of their study and remediation plan. In addition, the parking plan should move forward relatively quickly, now that they have filed the Notice of Intent. We also agreed to continue discussions on a regular basis. I believe I stated clearly that we consider it imperative that progress occurs on these issues in short order.

Ari J. Sky, ICMA-CM

Town Administrator

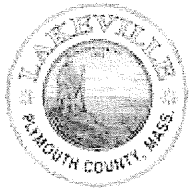
Town of Lakeville

346 Bedford Street

Lakeville, Massachusetts 02347

asky@lakevillema.org

(508) 946-8803



**AGENDA ITEM #7
MARCH 27, 2023**

**DISCUSS AND POSSIBLE VOTE TO APPROVE DONATION
AGREEMENT WITH THE RESIDENCES AT LEBARON HILLS FOR
CONSTRUCTION OF AN ADDITION FOR THE DEPARTMENT OF
PUBLIC WORKS MAINTENANCE FACILITY**

Attached is the proposed donation agreement with the Residences at Lebaron Hills.




TOWN OF LAKEVILLE
Town Administrator's Office

346 Bedford Street
Lakeville, MA 02347
(508) 946-8803

March 24, 2023

TO: Select Board

FROM: Ari J. Sky, Town Administrator 

SUBJECT: LeBaron Hills Donation Agreement

Staff provided an overview of the mitigation aspects of the Town's 2003 agreement with the developer of The Residences at LeBaron Hills on February 6, 2023. The 2018 modification of the comprehensive permit stated that the Select Board would approve a subsequent agreement to determine an acceptable replacement for the sidewalk construction envisioned in the original agreement.

During its February 6th meeting, the Select Board authorized discussions with the developer to provide an addition to the DPW maintenance garage. The developer has agreed to this approach and a donation agreement is attached. The agreement, which was reviewed and edited by Town Counsel, has been signed by the developer's representative and is presented for the Select Board's consideration.

Attachment

DONATION AGREEMENT

DONATION AGREEMENT made this ____ day of _____, 2023 by and between The Residences at LeBaron Hills, LLC, a Massachusetts limited liability company (hereinafter, “LeBaron Hills”) and The Town of Lakeville, acting through its Select Board (hereinafter, the “Select Board”).

WHEREAS, the Lakeville Zoning Board of Appeals (hereinafter, the “Zoning Board”) approved an Application by LeBaron Residential LLC for a Comprehensive Permit under G.L. C. 40B, §§20-23 for property at Rhode Island Road and Precinct Street as more particularly described in its Decision dated June 17, 2004 and recorded with the Plymouth County Registry of Deeds in Book 28726, Page 241 (the “Comprehensive Permit”); and

WHEREAS, LeBaron Residential LLC assigned its rights to LeBaron Hills to continue its development under the Comprehensive Permit; and

WHEREAS, LeBaron Hills received approval from the Zoning Board for a Modification of Comprehensive Permit dated August 31, 2018 (hereinafter, the “Modification”) which included (in part) the revocation of Condition 12e. of the Comprehensive Permit which would have required the installation of a sidewalk on Precinct Street and replaced it with a condition “requiring the Town of Lakeville, acting through its Select Board, and the Applicant enter into a mutually agreeable Host Community Agreement concerning mitigation.”; and

WHEREAS, this Donation Agreement shall serve as the Host Community Agreement as referenced in and contemplated by the Modification.

NOW THEREFORE, in consideration of the mutual promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, LeBaron Hills and the Select Board agree as follows:

1. The Select Board shall authorize access by LeBaron Hills and its contractors, upon reasonable prior written notice to the Select Board, to be not less than forty-eight (48) hours, to the Town property at Montgomery Street upon which is located the Town’s Department of Public Works (“DPW”) maintenance garage for the sole purpose of undertaking the donated services as provided for herein.

2. LeBaron Hills shall cause an addition (approximately 24' by 84') to be constructed to the existing DPW maintenance garage located on Montgomery Street substantially similar to the plans attached as an exhibit to this Agreement, with any revisions thereto subject to prior written approval of the Select Board. All work on this addition shall be done in a good and workmanlike manner pursuant to a duly issued building permit.
3. The construction of said addition shall, upon completion, be gifted by LeBaron Hills to the Town of Lakeville.
4. LeBaron Hills acknowledges and agrees that in undertaking the donated services as referenced herein LeBaron Hills and its contractors and subcontractors are acting as independent contractors for all work and services rendered pursuant to this Donation Agreement, and shall not be considered employees or agents of the Town of Lakeville for any purpose.
5. LeBaron Hills shall indemnify, defend, and hold the Town of Lakeville harmless from and against any and all claims, demands, liabilities, actions, causes of actions, costs and expenses, including attorney's fees, arising out of the negligence or misconduct of LeBaron Hills, or LeBaron Hills' agents or employees.
6. LeBaron Hills shall obtain and maintain in full force and effect during the term of this Donation Agreement and while entering upon to Town property pursuant to this Donation Agreement general liability and automobile insurance coverage, in companies licensed to do business in the Commonwealth of Massachusetts, such coverage to be no less than \$1,000,000 per occurrence for bodily injury and property damage, as deemed acceptable to the Select Board. All policies shall identify the Town of Lakeville as an additional insured (except Workers' Compensation). Failure to provide or to continue in force such insurance shall be deemed a material breach of this Agreement and shall be grounds for immediate termination.
7. LeBaron Hills shall not assign, sublet, or otherwise transfer this Agreement, in whole or in part, without the prior written consent of the Select Board.
8. LeBaron Hills shall comply with all Federal, State, and local laws, rules, regulations and orders applicable to the work undertaken pursuant to this Donation Agreement, such provisions being incorporated herein by reference, and shall be responsible for obtaining all necessary licenses, permits, and approvals required for the performance of such work.
9. If any term or condition of this Donation Agreement or any application thereof shall to any extent be held invalid, illegal, or unenforceable by the court of competent

jurisdiction, the validity, legality, and enforceability of the remaining terms and conditions of this Donation Agreement shall not be deemed affected thereby unless one or both parties would be substantially or materially prejudiced.

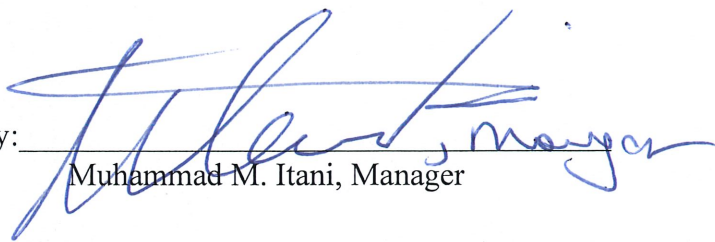
10. This Donation Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Massachusetts and the parties submit to the jurisdiction of any of its appropriate courts for the adjudication of disputes arising out of this Donation Agreement.
11. The Board of Selectmen may terminate this Donation Agreement at any time for convenience by providing LeBaron Hills written notice specifying therein the termination date which shall not be sooner than ten days from the issuance of said notice. Upon receipt of said notice, LeBaron Hills shall cease to undertake any further work in connection with this Donation Agreement.
12. This Donation Agreement, including all documents incorporated herein by reference, constitutes the entire integrated agreement between the parties with respect to the matters described. This Donation Agreement supersedes all prior agreements, negotiations and representations, either written or oral, and it shall not be modified or amended except by a written document executed by the parties hereto.

EXECUTED as a sealed instrument as of the date first written above.

THE RESIDENCES AT LeBARON HILLS, LLC

TOWN OF LAKEVILLE
SELECT BOARD

By: _____



Muhammad M. Itani, Manager

By: _____

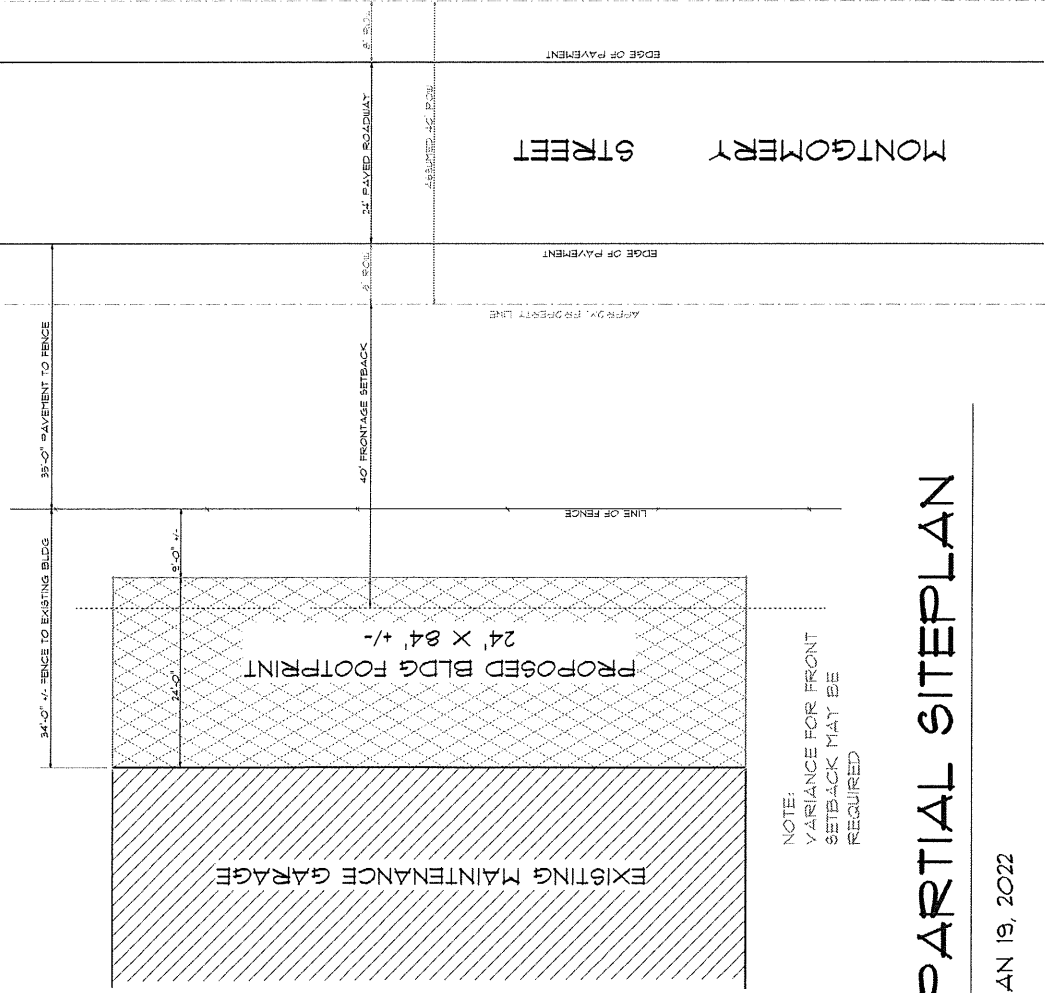
By: _____

By: _____

By: _____

By: _____

LAKEYVILLE DPW OFFICE ADDITION

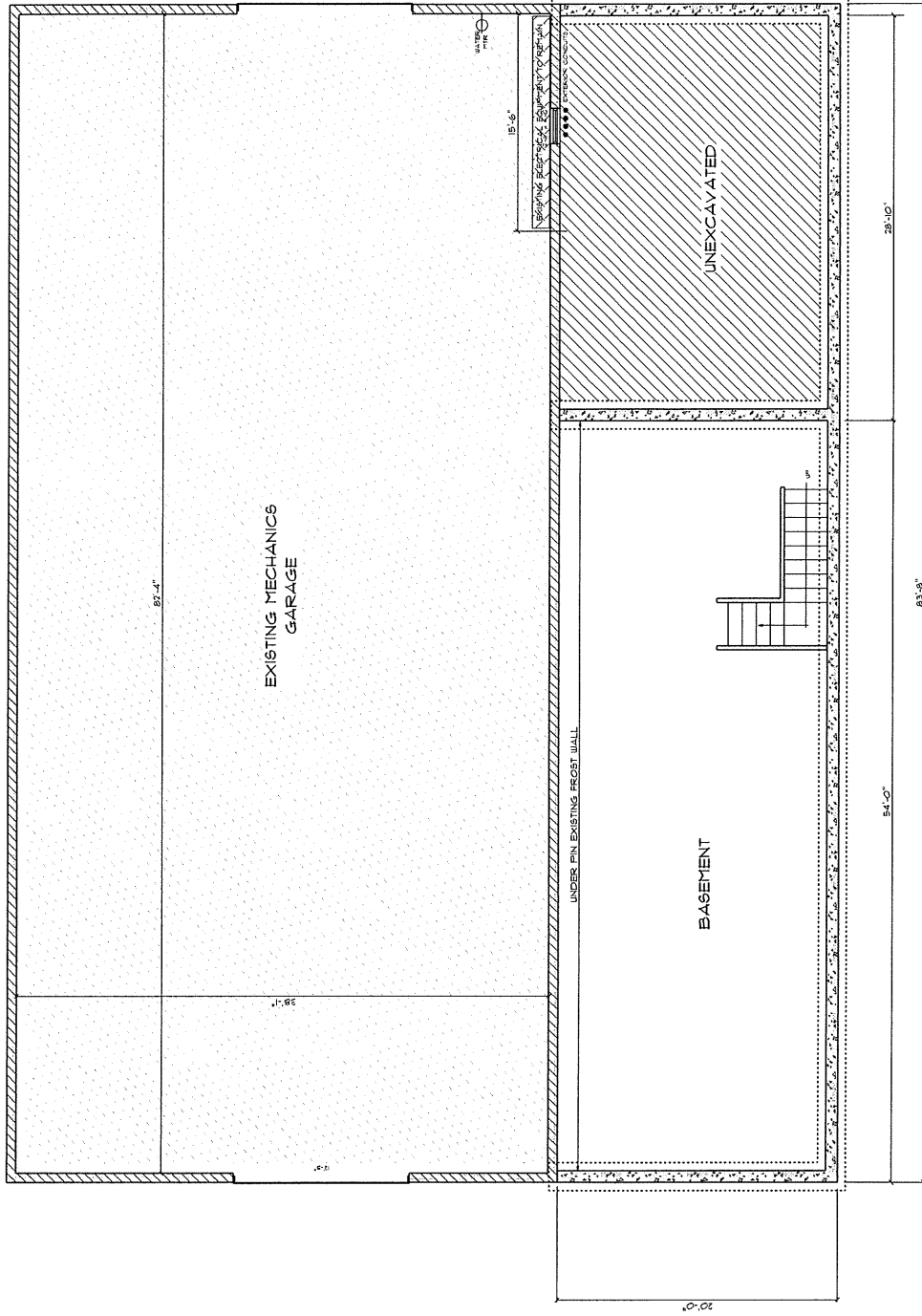


NOTE:
VARIANCE FOR FRONT
SETBACK MAY BE
REQUIRED

PARTIAL SITEPLAN

JAN 19, 2022

LAKEYVILLE DPW OFFICE ADDITION
MONTGOMERY ST., LAKEYVILLE, MA
SCHEMATIC DESIGN - 1/19/22



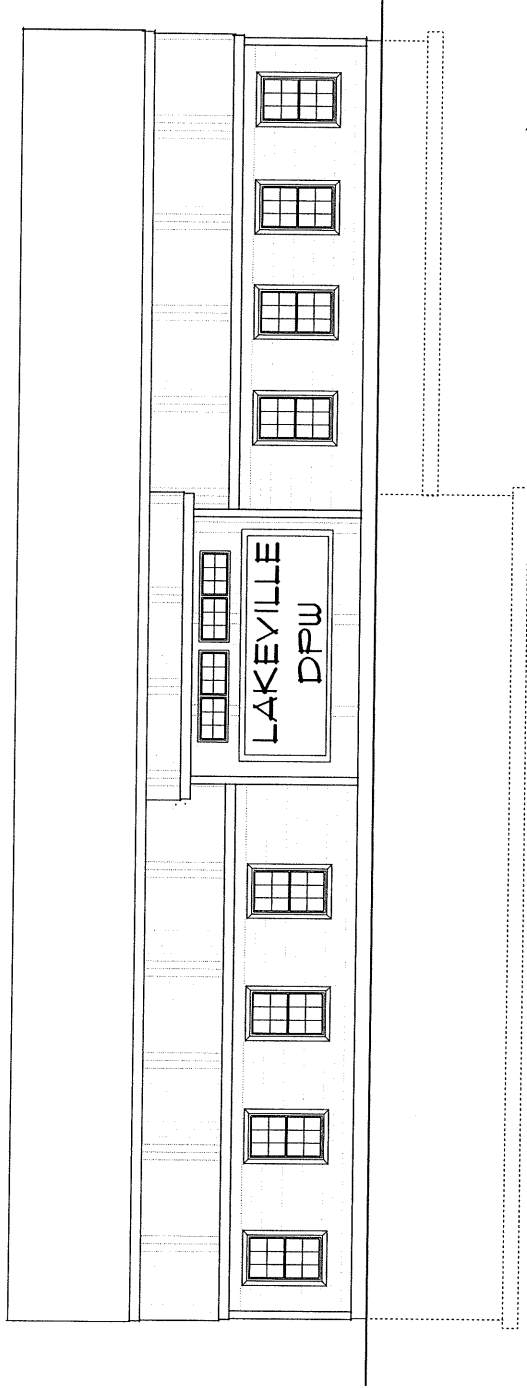
BASEMENT PLAN

SCALE: 1/4" = 1'-0"

LAKEVILLE DPW OFFICE ADDITION

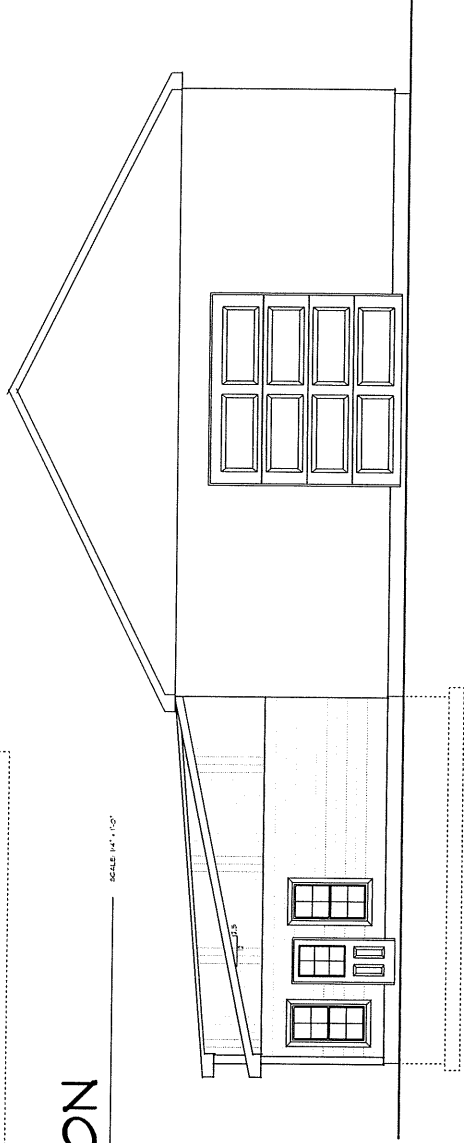
MONTGOMERY ST., LAKEVILLE, MA

SCHEMATIC DESIGN - 1/19/22



FRONT ELEVATION

SCALE 1/4" = 1'-0"



RIGHT SIDE ELEVATION

SCALE 1/4" = 1'-0"

CONCEPT PLAN

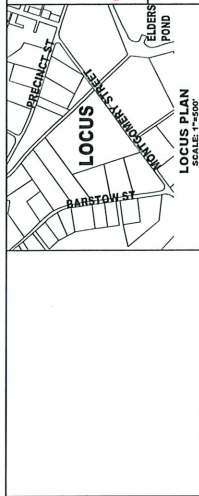
ZENTH CONSULTING ENGINEERS, LLC
 3 MAIN STREET LAKEVILLE, MA 02347
 PHONE: (508) 947-4208



REV	DATE	DESCRIPTION

DATE	3/6/2022
DESIGNED BY	JAS
CHECKED BY	JAS
DRAWING SCALE	1" = 30'
APPROVED BY	CONCEPT
SHEET #	1 OF 30

PROJECT NAME: 8 MONTGOMERY STREET
 POMOY ASSOCIATES LLC.
 LAKEVILLE, MASSACHUSETTS
 EAST BRIDGEWATER, MASSACHUSETTS



SITE NOTES:

- THE SITE IS SITED ON THE TOWN OF LAKEVILLE ASSESSORS PROPERTY RECORD CARDS AS PARCEL ID 018-002-002. THE PROPERTY IS LOCATED IN A RESIDENTIAL ZONING DISTRICT PER THE LAKEVILLE ZONING MAP.
- LAKEVILLE ZONING MAP REFERENCE BOOK 3247 PAGE 189
- PLAN REFERENCE BOOK 50 PAGE 555 AND BOOK 21 PAGE 148 FOR RECORD NO. 1947
- THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (FIRM) OF FLEMINGHURTH AND ASSOCIATES, INC. DATED 12/11/2014. THE PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SHOWN ON THE MASSACHUSETTS NATURAL HAZARD ATLAS 19TH EDITION EFFECTIVE DATE AUGUST, 2021.
- THE SITE IS NOT LOCATED IN A PRIMARY HAZARD AS SHOWN ON THE MASSACHUSETTS NATURAL HAZARD ATLAS 19TH EDITION EFFECTIVE DATE AUGUST, 2021.
- THE SITE IS NOT LOCATED IN A ZONE A OR B OR C OR D OR E OR F OR G OR H OR I OR J OR K OR L OR M OR N OR O OR P OR Q OR R OR S OR T OR U OR V OR W OR X OR Y OR Z OR AA OR AB OR AC OR AD OR AE OR AF OR AG OR AH OR AI OR AJ OR AK OR AL OR AM OR AN OR AO OR AP OR AQ OR AR OR AS OR AT OR AU OR AV OR AW OR AX OR AY OR AZ OR BA OR BB OR BC OR BD OR BE OR BF OR BG OR BH OR BI OR BJ OR BK OR BL OR BM OR BN OR BO OR BP OR BQ OR BR OR BS OR BT OR BU OR BV OR BW OR BX OR BY OR BZ OR CA OR CB OR CC OR CD OR CE OR CF OR CG OR CH OR CI OR CJ OR CK OR CL OR CM OR CN OR CO OR CP OR CQ OR CR OR CS OR CT OR CU OR CV OR CW OR CX OR CY OR CZ OR DA OR DB OR DC OR DD OR DE OR DF OR DG OR DH OR DI OR DJ OR DK OR DL OR DM OR DN OR DO OR DP OR DQ OR DR OR DS OR DT OR DU OR DV OR DW OR DX OR DY OR DZ OR EA OR EB OR EC OR ED OR EE OR EF OR EG OR EH OR EI OR EJ OR EK OR EL OR EM OR EN OR EO OR EP OR EQ OR ER OR ES OR ET OR EU OR EV OR EW OR EX OR EY OR EZ OR FA OR FB OR FC OR FD OR FE OR FF OR FG OR FH OR FI OR FJ OR FK OR FL OR FM OR FN OR FO OR FP OR FQ OR FR OR FS OR FT OR FU OR FV OR FW OR FX OR FY OR FZ OR GA OR GB OR GC OR GD OR GE OR GF OR GG OR GH OR GI OR GJ OR GK OR GL OR GM OR GN OR GO OR GP OR GQ OR GR OR GS OR GT OR GU OR GV OR GW OR GX OR GY OR GZ OR HA OR HB OR HC OR HD OR HE OR HF OR HG OR HH OR HI OR HJ OR HK OR HL OR HM OR HN OR HO OR HP OR HQ OR HR OR HS OR HT OR HU OR HV OR HW OR HX OR HY OR HZ OR IA OR IB OR IC OR ID OR IE OR IF OR IG OR IH OR II OR IJ OR IK OR IL OR IM OR IN OR IO OR IP OR IQ OR IR OR IS OR IT OR IU OR IV OR IW OR IX OR IY OR IZ OR JA OR JB OR JC OR JD OR JE OR JF OR JG OR JH OR JI OR JJ OR JK OR JL OR JM OR JN OR JO OR JP OR JQ OR JR OR JS OR JT OR JU OR JV OR JW OR JX OR JY OR JZ OR KA OR KB OR KC OR KD OR KE OR KF OR KG OR KH OR KI OR KJ OR KK OR KL OR KM OR KN OR KO OR KP OR KQ OR KR OR KS OR KT OR KU OR KV OR KW OR KX OR KY OR KZ OR LA OR LB OR LC OR LD OR LE OR LF OR LG OR LH OR LI OR LJ OR LK OR LL OR LM OR LN OR LO OR LP OR LQ OR LR OR LS OR LT OR LU OR LV OR LW OR LX OR LY OR LZ OR MA OR MB OR MC OR MD OR ME OR MF OR MG OR MH OR MI OR MJ OR MK OR ML OR MM OR MN OR MO OR MP OR MQ OR MR OR MS OR MT OR MU OR MV OR MW OR MX OR MY OR MZ OR NA OR NB OR NC OR ND OR NE OR NF OR NG OR NH OR NI OR NJ OR NK OR NL OR NM OR NN OR NO OR NP OR NQ OR NR OR NS OR NT OR NU OR NV OR NW OR NX OR NY OR NZ OR OA OR OB OR OC OR OD OR OE OR OF OR OG OR OH OR OI OR OJ OR OK OR OL OR OM OR ON OR OO OR OP OR OQ OR OR OS OR OT OU OR OV OR OW OR OX OR OY OR OZ OR PA OR PB OR PC OR PD OR PE OR PF OR PG OR PH OR PI OR PJ OR PK OR PL OR PM OR PN OR PO OR PP OR PQ OR PR OR PS OR PT OR PU OR PV OR PW OR PX OR PY OR PZ OR QA OR QB OR QC OR QD OR QE OR QF OR QG OR QH OR QI OR QJ OR QK OR QL OR QM OR QN OR QO OR QP OR QQ OR QR OR QS OR QT QU OR QV OR QW OR QX OR QY OR QZ OR RA OR RB OR RC OR RD OR RE OR RF OR RG OR RH OR RI OR RJ OR RK OR RL OR RM OR RN OR RO OR RP OR RQ OR RR OR RS OR RT OR RU OR RV OR RW OR RX OR RY OR RZ OR SA OR SB OR SC OR SD OR SE OR SF OR SG OR SH OR SI OR SJ OR SK OR SL OR SM OR SN OR SO OR SP OR SQ OR SR OR SS OR ST OR SU OR SV OR SW OR SX OR SY OR SZ OR TA OR TB OR TC OR TD OR TE OR TF OR TG OR TH OR TI OR TJ OR TK OR TL OR TM OR TN OR TO OR TP OR TQ OR TR OR TS OR TT OR TU OR TV OR TW OR TX OR TY OR TZ OR UA OR UB OR UC OR UD OR UE OR UF OR UG OR UH OR UI OR UJ OR UK OR UL OR UM OR UN OR UO OR UP OR UQ OR UR OR US OR UT OR UU OR UV OR UW OR UX OR UY OR UZ OR VA OR VB OR VC OR VD OR VE OR VF OR VG OR VH OR VI OR VJ OR VK OR VL OR VM OR VN OR VO OR VP OR VQ OR VR OR VS OR VT OR VU OR VV OR VW OR VX OR VY OR VZ OR WA OR WB OR WC OR WD OR WE OR WF OR WG OR WH OR WI OR WJ OR WK OR WL OR WM OR WN OR WO OR WP OR WQ OR WR OR WS OR WT OR WU OR WV OR WW OR WX OR WY OR WZ OR XA OR XB OR XC OR XD OR XE OR XF OR XG OR XH OR XI OR XJ OR XK OR XL OR XM OR XN OR XO OR XP OR XQ OR XR OR XS OR XT OR XU OR XV OR XW OR XX OR XY OR XZ OR YA OR YB OR YC OR YD OR YE OR YF OR YG OR YH OR YI OR YJ OR YK OR YL OR YM OR YN OR YO OR YP OR YQ OR YR OR YS OR YT OR YU OR YV OR YW OR YX OR YY OR YZ OR ZA OR ZB OR ZC OR ZD OR ZE OR ZF OR ZG OR ZH OR ZI OR ZJ OR ZK OR ZL OR ZM OR ZN OR ZO OR ZP OR ZQ OR ZR OR ZS OR ZT OR ZU OR ZV OR ZW OR ZX OR ZY OR ZZ

PARKING REQUIREMENTS:

MINIMUM DIMENSIONS 8.5' x 4' EACH SPACE SHALL BE 9' WIDE X 20' LONG

SPACES PROVIDED 16 (1 A.I.C. SPACE WITH VAN ACCESSIBILITY)

SPACES REQUIRED 7 + 9 = 16 SPACES MINIMUM

TOTAL SPACES PROVIDED 16 (1 A.I.C. SPACE WITH VAN ACCESSIBILITY)

EXISTING WAREHOUSE/STORAGE: 1 SPACE PER EACH EMPLOYEE ON THE LARGEST SHEET
 THIS CATEGORY WAS USED AFTER A MEETING WITH WATE DRAINING BUILDING COMMISSIONER ON 3-7-2022

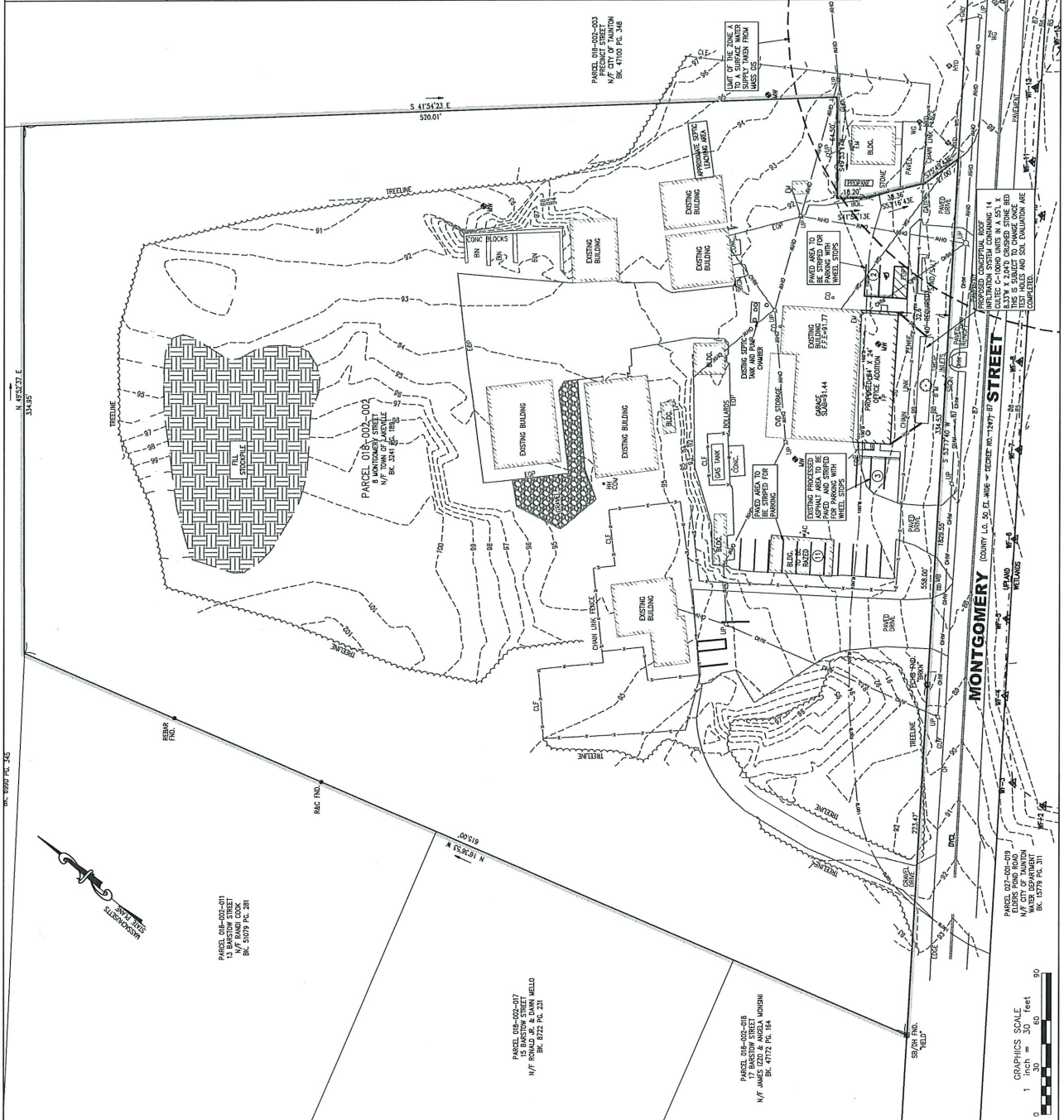
EXISTING WAREHOUSE/STORAGE: 7 EMPLOYEES USE 7 SPACES MINIMUM REQUIRED

TOTAL SPACES PROVIDED: 16 (1 A.I.C. SPACE WITH VAN ACCESSIBILITY)

SURVEY COMPANY OF RECORD

CONCEPT PLAN

ZLS
 ZENTH LAND SURVEYORS, LLC
 1162 ROCKDALE AVENUE
 NEW BEDFORD, MA 02740
 (508) 995-0100



PARCEL 018-002-003
 N/T TOWN OF LAKEVILLE
 13 MONTGOMERY STREET
 BK. 3247 PG. 189

PARCEL 018-002-002
 N/T TOWN OF LAKEVILLE
 8 MONTGOMERY STREET
 BK. 3247 PG. 189

PARCEL 018-002-001
 N/T CITY OF HANTON
 BK. 4700 PG. 348

PARCEL 018-002-017
 N/T BARSTOW STREET
 N/T RANDY COOK
 BK. 3209 PG. 281

PARCEL 018-002-018
 N/T BARSTOW STREET
 N/T JAMES
 BK. 4712 PG. 164

PARCEL 027-001-019
 N/T CITY OF HANTON
 WATER DEPARTMENT
 BK. 0275 PG. 31

GRAPHICS SCALE
 1" = 30'
 0 30 60 90 feet

**AGENDA ITEM #8
MARCH 27, 2023**

**REVIEW AND POSSIBLE VOTE TO APPROVE MEMORANDUM OF
UNDERSTANDING FOR THE SOUTHCOAST PUBLIC HEALTH
COLLABORATIVE**

Attached is the Memorandum of Understanding for the Southcoast Public Health Collaborative. The Board of Health has already voted to approve the MOU.



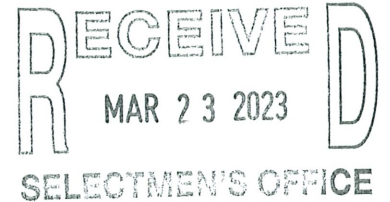
Town of Lakeville

Board of Health

241 Main Street

346 Bedford Street (mailing address)

Lakeville, MA 02347



Board of Health
(508) 946-3473
(508) 946-8805
(508) 946-3971 fax

TO: Ari Sky, Town Administrator

FROM: Board of Health Agent, Edward Cullen

RE: South Coast Public Health Collaborative

DATE: March 23, 2023

At the Board of Health meeting held on March 22, 2023, the Board of Health Members signed the Memorandum of Understanding (MOU) for the South Coast Public Health Collaborative. The South Coast Public Health Collaborative is part of the Massachusetts Public Health Shared Services Collaborative program and consists of 6 towns sharing services. The 6 towns are Lakeville, Freetown, Rochester, Mattapoisett, Marion and Westport. The state provides resources for cross-jurisdictional sharing of public health services. Westport is the lead community and they do the bulk of the work, and they get \$45,000 for being the lead community. The Collaborative gets a total of \$300,000 per year from the state to share between the 6 communities. The money can only be used for services such as personnel, trainings and software. There is no cost to the town other than the Health Agent's time used attending the meetings. The website below gives more information. The state now has all 351 communities in Massachusetts participating in a shared services collaborative.

<https://www.mass.gov/service-details/public-health-shared-services>

I have attached the signed Memorandum of Understanding for the Select Board to sign as well.

**MEMORANDUM OF UNDERSTANDING
FOR THE ESTABLISHMENT AND MAINTENANCE OF
THE SOUTH COAST PUBLIC HEALTH COLLABORATIVE**

This AGREEMENT is made by and between the Massachusetts cities and towns of Westport, Marion, Mattapoisett, Rochester, Lakeville, and Freetown (hereinafter “the Participating Municipalities” or “Municipalities”) for the purpose of the establishment, operation, and maintenance of the South Coast Public Health Collaborative.

WHEREAS, the Participating Municipalities are each empowered by law to staff, maintain and operate public health departments, which are a proper governmental function and service, and

WHEREAS, the Chief Executives of the Participating Municipalities agree that they shared many of the same public health challenges and could therefore benefit from collaboration in addressing those challenges, and

WHEREAS, each of the Participating Municipalities has determined that it is mutually beneficial to share between them the services and costs associated with the employment of shared public health staff and any other costs to enhance public health capabilities between the municipalities achieve the goals of the Municipalities, and

WHEREAS, the Participating Municipalities made a joint application for a grant from the Massachusetts Department of Public Health and were awarded funding to support a cross-jurisdictional public health sharing agreement from the Massachusetts Office of Local and Regional Health (hereinafter “OLRH”) via RFR 214333, the Public Health Excellence Grant Program for Shared Services, and

NOW, THEREFORE, BE IT RESOLVED, that the Participating Municipalities commit to sustain the Public Health Collaborative during the term of this Agreement, and to undertake the following actions to achieve said purpose:

1. The Participating Municipalities hereby establish the South Coast Public Health Collaborative (hereinafter “the Public Health Collaborative”) for the purpose of hiring, employing, and equipping shared staff e.g., Public Health Nurse, Epidemiologist, Inspector and Service Coordinator (hereinafter “Shared Staff”) to provide direct public health services. Shared Staff are to serve each of the Participating Municipalities and to fulfill their respective duties.
2. The Participating Municipalities agree to develop and adopt an Annual Workplan. The Annual Workplan shall include a list of goals and priorities that the Participating Municipalities aim to accomplish in the upcoming Fiscal Year. The Annual Workplan shall also include intended efforts to be conducted by Public Health Collaborative, including proposed allotments of time across the Participating Municipalities, office or workspace, use of software and hardware, and other materials necessary for the Shared Staff to perform their services.
3. The Participating Municipalities reserve the right to hire outside consultants or consulting services to fulfil all or part of the goals and priorities outlined in the Annual Workplan.

The procurement and contracting process must comply with M.G.L. Chapter 30B and other relevant municipal procurement statutes, thresholds, and laws. Each hired consultant will be subject to contracts and the parameters outlined within those contracts.

4. The Participating Municipalities agree to participate in the policy making for the “the Public Health Collaborative” and the hiring/procurement process of the Shared Staff. Each Participating Municipality is given one vote and decisions shall be approved by consensus of all Participating Municipalities. In the event that the Participating Municipalities are unable to reach consensus, the Town of Westport, as grant recipient and fiscal agent, retains the ability to provide a final decision.
5. The Participating Municipalities may agree to mediation or other mutually acceptable dispute resolution option, otherwise lack of consensus will be considered a withdrawal from this agreement, and each may seek relief available under the law.
6. The Town of Westport will serve as the fiscal agent for the Public Health Collaborative with responsibility for effectively managing and accounting for shared assets of the Participating Municipalities and operating the Public Health Collaborative as described in the sections above. The Town of Westport will be responsible for grant management including providing grant deliverables, acting as the primary OLRH point of contact for the grant, and attending all required meetings and trainings. The Town of Westport is also responsible for management of positions in accordance with grant requirements and decisions among the Participating Municipalities.
7. For all purposes, the employees and equipment of the respective Participating Municipal Departments will remain employees and property of the Participating Municipality, including but not limited to employee benefits and workers’ compensation. Each Participating Municipality shall indemnify and hold harmless all other Participating Municipalities for any liability caused by the action or inaction of the Participating Municipality’s employees and agents, from and against all claims, damages, liabilities, injuries, costs, fees, expenses, or losses, including, without limitation, reasonable attorney’s fees and costs of investigation and litigation.

This AGREEMENT shall take effect on November 16th, 2022 and shall be in effect until June 30th, 2023 unless it is superseded by a further inter-municipal agreement before that date. If any or all of the three anticipated three-year renewal options are exercised between the Participating Municipalities and the OLRH, this AGREEMENT shall be automatically extended, except if any Participating Municipality seeks withdrawal.

If a Participating Municipality seeks to withdraw from this AGREEMENT before it concludes, they shall inform the other Participating Municipalities in writing of their plans 90 days before their withdrawal will go into effect. Any Participating Municipality that withdraws is nevertheless obligated to honor their commitment to the Public Health Collaborative and provide any required documents to the Public Health Collaborative and/or the OLRH to complete withdrawal.

This AGREEMENT constitutes the entire and complete agreement between the parties and supplants any and all prior agreements or understandings relative to the Public Health Collaborative. This Agreement may not be amended except in writing agreed to by all Participating Municipalities and executed in the same manner as the Agreement itself. If any part

of this Agreement is deemed to be invalid, the remainder of the Agreement shall remain enforceable to the extent allowed by law.

This AGREEMENT incorporates all applicable provisions of Massachusetts law, including but not limited to 40 MGL 4A. The Public Health Collaborative will maintain accurate and comprehensive records of services performed, costs incurred, and reimbursements and contributions received; shall perform regular audits of such records, and render periodic financial statements to all participants.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on this 27th day of March, 2023, by their duly authorized Chief Executive Officers.

SIGNATURE PAGE: LAKEVILLE SELECT BOARD

Evagelia Fabian, Vice Chair

Richard LaCamera

Lorraine Carboni

**FIRST ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING
FOR THE ESTABLISHMENT AND MAINTENANCE OF
THE SOUTH COAST PUBLIC HEALTH COLLABORATIVE**

This First Addendum to the Memorandum of Understanding for the Establishment and Maintenance of the South Coast Public Health Collaborative (hereinafter "Agreement") hereby amends the Agreement as follows:

Paragraph 7 is hereby amended to read:

7. Employees and personnel providing services pursuant to this Agreement shall be independent contractors or employees of the Town of Westport. A Westport employee who performs services, pursuant to this Agreement on behalf of another member Municipality, shall be deemed to be acting within the scope of his or her current Municipal job duties at all times and remain an employee of the Town of Westport for insurance coverage purposes. Said Westport employee providing services pursuant to this Agreement shall be entitled to all benefits offered to the same class of employees of Westport and shall be subject to standard hiring and personnel practices of Westport. The Municipalities agree that Westport shall be reimbursed from these grant funds for any salaries, benefits and wages paid to any Westport employee who performs services pursuant to this Agreement and any additional liability insurance costs for any Westport employee providing services pursuant to this Agreement.

Each Participating Municipality shall indemnify and hold harmless all other Participating Municipalities for any liability caused by the action or inaction of the Participating Municipality's employees and agents, from and against all claims, damages, liabilities, injuries, costs, fees, expenses, or losses, including, without limitation, reasonable attorney's fees and costs of investigation and litigation.

WHEREAS, In all other respects, the Agreement and its terms are hereby ratified and confirmed.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on this 27th day of March, 2023, by their duly authorized Chief Executive Officers.

SIGNATURE PAGE: LAKEVILLE SELECT BOARD

Evagelia Fabian, Vice Chair

Richard LaCamera

Lorraine Carboni

**MEMORANDUM OF UNDERSTANDING
FOR THE ESTABLISHMENT AND MAINTENANCE OF
THE SOUTH COAST PUBLIC HEALTH COLLABORATIVE**

This AGREEMENT is made by and between the Massachusetts cities and towns of Westport, Marion, Mattapoisett, Rochester, Lakeville, and Freetown (hereinafter “the Participating Municipalities” or “Municipalities”) for the purpose of the establishment, operation, and maintenance of the South Coast Public Health Collaborative.

WHEREAS, the Participating Municipalities are each empowered by law to staff, maintain and operate public health departments, which are a proper governmental function and service, and

WHEREAS, the Chief Executives of the Participating Municipalities agree that they shared many of the same public health challenges and could therefore benefit from collaboration in addressing those challenges, and

WHEREAS, each of the Participating Municipalities has determined that it is mutually beneficial to share between them the services and costs associated with the employment of shared public health staff and any other costs to enhance public health capabilities between the municipalities achieve the goals of the Municipalities, and

WHEREAS, the Participating Municipalities made a joint application for a grant from the Massachusetts Department of Public Health and were awarded funding to support a cross-jurisdictional public health sharing agreement from the Massachusetts Office of Local and Regional Health (hereinafter “OLRH”) via RFR 214333, the Public Health Excellence Grant Program for Shared Services, and

NOW, THEREFORE, BE IT RESOLVED, that the Participating Municipalities commit to sustain the Public Health Collaborative during the term of this Agreement, and to undertake the following actions to achieve said purpose:

1. The Participating Municipalities hereby establish the South Coast Public Health Collaborative (hereinafter “the Public Health Collaborative”) for the purpose of hiring, employing, and equipping shared staff e.g., Public Health Nurse, Epidemiologist, Inspector and Service Coordinator (hereinafter “Shared Staff”) to provide direct public health services. Shared Staff are to serve each of the Participating Municipalities and to fulfill their respective duties.
2. The Participating Municipalities agree to develop and adopt an Annual Workplan. The Annual Workplan shall include a list of goals and priorities that the Participating Municipalities aim to accomplish in the upcoming Fiscal Year. The Annual Workplan shall also include intended efforts to be conducted by Public Health Collaborative, including proposed allotments of time across the Participating Municipalities, office or workspace, use of software and hardware, and other materials necessary for the Shared Staff to perform their services.
3. The Participating Municipalities reserve the right to hire outside consultants or consulting services to fulfil all or part of the goals and priorities outlined in the Annual Workplan.

The procurement and contracting process must comply with M.G.L. Chapter 30B and other relevant municipal procurement statutes, thresholds, and laws. Each hired consultant will be subject to contracts and the parameters outlined within those contracts.

4. The Participating Municipalities agree to participate in the policy making for the “the Public Health Collaborative” and the hiring/procurement process of the Shared Staff. Each Participating Municipality is given one vote and decisions shall be approved by consensus of all Participating Municipalities. In the event that the Participating Municipalities are unable to reach consensus, the Town of Westport, as grant recipient and fiscal agent, retains the ability to provide a final decision.
5. The Participating Municipalities may agree to mediation or other mutually acceptable dispute resolution option, otherwise lack of consensus will be considered a withdrawal from this agreement, and each may seek relief available under the law.
6. The Town of Westport will serve as the fiscal agent for the Public Health Collaborative with responsibility for effectively managing and accounting for shared assets of the Participating Municipalities and operating the Public Health Collaborative as described in the sections above. The Town of Westport will be responsible for grant management including providing grant deliverables, acting as the primary OLRH point of contact for the grant, and attending all required meetings and trainings. The Town of Westport is also responsible for management of positions in accordance with grant requirements and decisions among the Participating Municipalities.
7. For all purposes, the employees and equipment of the respective Participating Municipal Departments will remain employees and property of the Participating Municipality, including but not limited to employee benefits and workers’ compensation. Each Participating Municipality shall indemnify and hold harmless all other Participating Municipalities for any liability caused by the action or inaction of the Participating Municipality’s employees and agents, from and against all claims, damages, liabilities, injuries, costs, fees, expenses, or losses, including, without limitation, reasonable attorney’s fees and costs of investigation and litigation.

This AGREEMENT shall take effect on November 16th, 2022 and shall be in effect until June 30th, 2023 unless it is superseded by a further inter-municipal agreement before that date. If any or all of the three anticipated three-year renewal options are exercised between the Participating Municipalities and the OLRH, this AGREEMENT shall be automatically extended, except if any Participating Municipality seeks withdrawal.

If a Participating Municipality seeks to withdraw from this AGREEMENT before it concludes, they shall inform the other Participating Municipalities in writing of their plans 90 days before their withdrawal will go into effect. Any Participating Municipality that withdraws is nevertheless obligated to honor their commitment to the Public Health Collaborative and provide any required documents to the Public Health Collaborative and/or the OLRH to complete withdrawal.

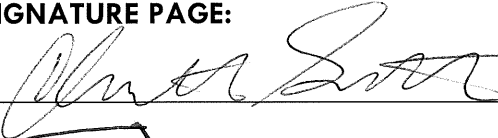

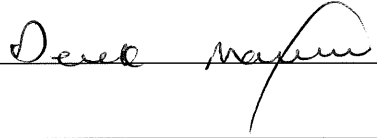
This AGREEMENT constitutes the entire and complete agreement between the parties and supplants any and all prior agreements or understandings relative to the Public Health Collaborative. This Agreement may not be amended except in writing agreed to by all Participating Municipalities and executed in the same manner as the Agreement itself. If any part

of this Agreement is deemed to be invalid, the remainder of the Agreement shall remain enforceable to the extent allowed by law.

This AGREEMENT incorporates all applicable provisions of Massachusetts law, including but not limited to 40 MGL 4A. The Public Health Collaborative will maintain accurate and comprehensive records of services performed, costs incurred, and reimbursements and contributions received; shall perform regular audits of such records, and render periodic financial statements to all participants.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on this 22 day of March, 2023 by their duly authorized Chief Executive Officers.

SIGNATURE PAGE:

 Christopher Spratt Board of Health chair
 Robert Paillucci Board of Health member
 Derek Maxim Board of Health member

**FIRST ADDENDUM TO THE MEMORANDUM OF UNDERSTANDING
FOR THE ESTABLISHMENT AND MAINTENANCE OF
THE SOUTH COAST PUBLIC HEALTH COLLABORATIVE**

This First Addendum to the Memorandum of Understanding for the Establishment and Maintenance of the South Coast Public Health Collaborative (hereinafter "Agreement") hereby amends the Agreement as follows:

Paragraph 7 is hereby amended to read:

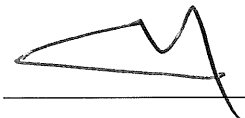
7. Employees and personnel providing services pursuant to this Agreement shall be independent contractors or employees of the Town of Westport. A Westport employee who performs services, pursuant to this Agreement on behalf of another member Municipality, shall be deemed to be acting within the scope of his or her current Municipal job duties at all times and remain an employee of the Town of Westport for insurance coverage purposes. Said Westport employee providing services pursuant to this Agreement shall be entitled to all benefits offered to the same class of employees of Westport and shall be subject to standard hiring and personnel practices of Westport. The Municipalities agree that Westport shall be reimbursed from these grant funds for any salaries, benefits and wages paid to any Westport employee who performs services pursuant to this Agreement and any additional liability insurance costs for any Westport employee providing services pursuant to this Agreement.

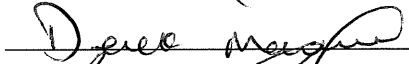
Each Participating Municipality shall indemnify and hold harmless all other Participating Municipalities for any liability caused by the action or inaction of the Participating Municipality's employees and agents, from and against all claims, damages, liabilities, injuries, costs, fees, expenses, or losses, including, without limitation, reasonable attorney's fees and costs of investigation and litigation.

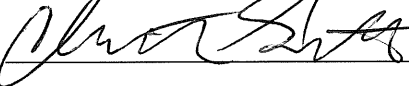
WHEREAS, In all other respects, the Agreement and its terms are hereby ratified and confirmed.

IN WITNESS THEREOF, the parties hereto have executed this Agreement on this 22 day of March, 2023 by their duly authorized Chief Executive Officers.

SIGNATURE PAGE:

 Robert Poillucci Board of Health member

 Derek Maxim Board of Health member

 Christopher Spratt Chair Board of Health

**AGENDA ITEM #9
MARCH 27, 2023**

**REVIEW AND POSSIBLE VOTE TO APPROVE PUBLIC WAY
LICENSE APPLICATION FOR ROCK HARD RACING FOR THE MIX
TAPE ON APRIL 16, 2023**

Attached is Public Way License Application for The Mix Tape Cycling Event on April 16, 2023 for the Board's approval. Also attached is the letter from Rock Hard Racing, map of the route and Certificate of Insurance for the event.

RECEIVED
FEB 22 2023
SELECTMEN'S OFFICE

Mike O'Connell
Rock Hard Racing
407 South St E
Raynham, MA 02767
774-218-5919

To Whom It May Concern,

Attached is our application for our The Mix Tape Cycling event on Sunday 4/16/23. This is an annual event that was held without issue in 2019 and 2022, but was canceled for 2020 and 2021 due to Covid-19. For 2023 we have significantly improved the route to increase safety and reduce time spent on roads that are more frequently traveled by motorists.

Unlike most cycling events, The Mix Tape is mostly off road and public roadways are only used to travel between dirt sections. After the first few minutes most riders will be split into small groups and the impact on motor traffic will be minimal, if not zero.

Riders leave Ted Williams Camp in Lakeville, MA and head into the quieter paved and dirt roads of eastern and southern Lakeville. From there they travel public roadways to DCR Freetown-Fall River State Forest where most of the event takes place. They travel public roadways on their return and enter DCR Massasoit State Park briefly before returning to Ted Williams Camp.

Please reach out to us with any questions.

Thank You,



Mike O'Connell
Rock Hard Racing
774-218-5919



Town of Lakeville
346 Bedford Street
Lakeville, MA 02347

RECEIVED
MAR 20 2023 Revised: Sept 20, 2021
SELECTMEN'S OFFICE

Public Way License Application

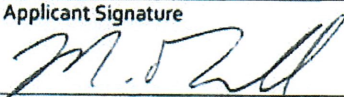
Must be Submitted No Less Than 60 Days Before Event

This license application is for parties who wish to use public ways for private events. All license applications shall be subject to review and approval by the Select Board in its sole discretion.

Public Way License Fee: \$500. Fee is reduced to \$250 for nonprofit organizations providing proof of legal status.

Additional charges for Police details and EMS coverage may apply. All requesting organizations must provide a map of the impacted streets and evidence of insurance.

Section 1 - Request Summary/Contact Info.

Organization/Applicant Rock Hard Racing		Event/Project Name The Mix Tape		Event/Project Location Ted Williams Camp	
Primary Contact Mike O'Connell		Phone # 774-218-5919	Email mike@neaf.cc		
Application Date 2/21/2023	Date(s) of Event 4/16/2023	Time(s) of Event 9:00am-1:00pm	Applicant Signature 		

Section 2 - Description of Request

Please use this space to describe your request. Include an overview of anticipated activities and specific requirements (EMS coverage, Police detail, road maintenance, etc.) Attach additional pages and information as needed.

This is a renewal of our 2022 event that was held without incident. For 2023 we have changed the route to further increase safety and reduce time spent on busy roads. This is a self-guided cycling event and racing is not permitted on paved roads, only in the off road sections. The full route can be found here: https://www.strava.com/routes/3062814160034438056/cue_sheet

Section 3 - Reviews (Date of Approval)

1. Public Works FM 3/13	2. Inspectional Svcs ND 3/13	3. Police MP 3/17	4. Fire MO 3/20	5. Town Admin	6. Select Board	7. DOT Approval Required <input checked="" type="checkbox"/>
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Section 4 - Process/Comments

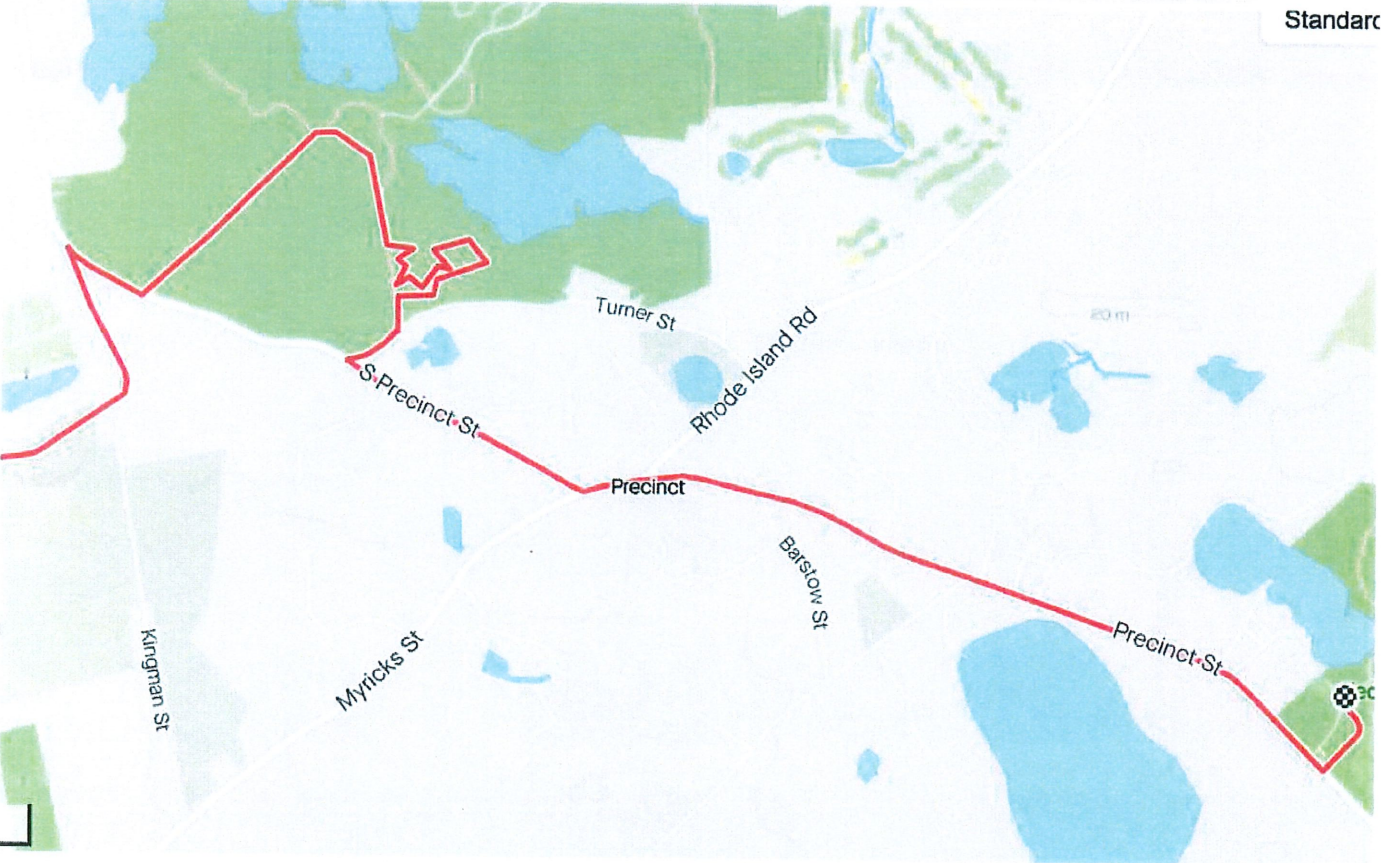
Evidence of Insurance (Date) exp. 12/31/23	Payment Received (Amount/Date) \$500 2/21/23	Additional Comments
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Section 5 - Fee Estimates

Base License Fee:	\$500
Police Detail:	\$242
Fire/EMS Coverage:	\$0
Other (Describe):	\$0
Total Estimate:	\$742

Other Fees Description:







Michael OConnell
mike@rockhardracing.com

On Feb 16, 2023, at 10:03 AM, Tracie Craig-McGee <tcraig-mcgee@lakevillema.org> wrote:

Our next meeting is February 28th, but we would need all the information to us prior to February 22nd, which is not feasible.

We are meeting in March on the 13th and 27th.

*Tracie Craig-McGee
Executive Assistant - Select Board
& Town Administrator
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347
508 946-8803*

From: Michael OConnell <mike@rockhardracing.com>
Sent: Wednesday, February 15, 2023 12:14 PM
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Cc: Jennifer Jewell, DPW - Administrative Assistant <jjewell@lakevillema.org>
Subject: Re: The Mix Tape

Thank you Tracie,

AGENCY The Camp Team, LLC		NAMED INSURED Eastern Fat Tire Association	
POLICY NUMBER S0019GL000001-02		138 Kaulback Rd. Sanbornton, NH, 03269	
CARRIER Accelerant Specialty Insurance Company	NAIC CODE 16890	EFFECTIVE DATE: 02/01/2023	

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,
FORM NUMBER: 25 FORM TITLE: Certificate of Liability Insurance

02/19/2023 - 02/19/2023, 04/29/2023 - 04/29/2023, 05/06/2023 - 05/06/2023, 05/20/2023 - 05/20/2023, 06/24/2023 - 06/24/2023, 06/28/2023 - 06/28/2023, 06/11/2023 - 06/11/2023, 06/12/2023 - 06/12/2023, 06/21/2023 - 06/21/2023, 06/14/2023 - 06/14/2023, 07/08/2023 - 07/08/2023, 07/22/2023 - 07/22/2023, 07/29/2023 - 07/29/2023, 08/26/2023 - 08/26/2023, 09/23/2023 - 09/23/2023, 09/16/2023 - 09/16/2023, 09/30/2023 - 09/30/2023, 11/18/2023 - 11/18/2023, 02/01/2023 - 12/31/2023; Registered Cyclo-cross participants: 08/19/2023 - 08/19/2023, 09/23/2023 - 09/23/2023, 09/30/2023 - 09/30/2023, 10/21/2023 - 10/21/2023, 10/28/2023 - 10/28/2023, 11/18/2023 - 11/18/2023, 11/25/2023 - 11/25/2023, 12/16/2023 - 12/16/2023;

**AGENDA ITEM #10
MARCH 27, 2023**

**REVIEW AND POSSIBLE VOTE TO APPROVE SELECT BOARD
MEETING MINUTES OF MARCH 6, 2023 AND MARCH 8, 2023**

TOWN OF LAKEVILLE
Select Board Meeting Minutes
March 6, 2023 – 6:00 PM

Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On March 6, 2023, the Select Board held a meeting at the Lakeville Police Station Meeting Room and the meeting was called to order at 6:00 PM by Vice Chair Fabian. Members present were Vice Chair Fabian, Member LaCamera and Member Carboni. Also present was Ari Sky, Town Administrator, Todd Hassett, Town Accountant and Christina Cotsoridis, Assistant to the Town Administrator. LakeCAM was recording the meeting for broadcast.

Present for the discussion were Brian Day, Chairman; Katherine Desrosiers; and Christopher Plonka, members of the Finance Committee. Chairman Day called the Finance Committee to order at 6:01 PM.

Review and possible vote to approve Finance Committee Minutes of November 2, 2022

Upon a motion made by Ms. Desrosiers and seconded by Mr. Plonka, it was:

VOTED: To approve the Finance Committee meeting minutes for November 2, 2022 as presented.
Unanimous in favor.

Upon a motion made by Ms. Desrosiers and seconded by Mr. Plonka, it was:

VOTED: To approve the Finance Committee meeting minutes for February 13, 2022 as presented.
Unanimous in favor.

**FY2024 Proposed Budget Overview/Update with the following Departments:
Accountant; Treasurer/Tax Collector; Board of Assessors; Town Clerk; Human Resources;
Animal Control; Town Administrator and Council on Aging**

Mr. Hassett said the Governor has released the initial State budget for FY24. That is critical to our Regional School Districts. The Cherry Sheet revenue is about \$100,000 less than projected due to a lower Smart Growth payment. We have been in contact with the Department of Revenue and have been assured there will be a correction in the next budget iteration. The Regional Schools experienced additional Chapter 70 and 71 aid. Both Old Colony and Freetown/Lakeville's operating assessment should come in below what we expected. Mr. Sky said the F/L Superintendent stated that the number will be at or below our proposed budget number. Mr. Hassett said the Old Colony assessment is going up \$10,000 and our enrollment is level. We confirmed that we have one (1) fewer student going to Bristol Agricultural, which will be reduced about \$37,000. They did indicate that they have had a lot of interest in potential students attending in the fall. We have received a detailed line item budget from Old Colony. Mr. Sky said the

overall budget was up 3-4%. Mr. Hassett said we have a small surplus on our overall budget. If State Aid does improve on Smart Growth, we can look to trim the Local Receipts estimate a bit. The Capital Expenditures Committee met and reviewed the requests and five-year plan. Certain items in the FY24 column are not planned on being presented in May at the Annual Town Meeting and would suggest that they are items for the Fall Special Town Meeting or later. There will be a separate item at Town Meeting to consider funding a feasibility study to look at Old Colony's facility. Our share is estimated at \$135,000. The debt associated would be apportioned to us over a number of years with a debt assessment. Chairman Day asked if the feasibility study stops if any of the Towns do not approve. Mr. Hassett said yes, however, we have been meeting with the member Towns and they seem pretty supportive. Chairman Day asked if said the Town thinks the \$100,000 correction will flip back or be somewhere in between. Mr. Sky said they did not indicate what it would be coming back to. The overall funding for 40S in FY24 is the same number as last year.

Accounting

Mr. Hassett said there is one (1) union full time staff person and he is part time on a contractual basis. There is a 3.5% increase in salaries. Mr. Hassett said he is paid from the financial services line. There is a modest amount for training and education. Office supplies increase related to printer cartridges. It is a fairly static expense budget with a 1.4% increase. Member Carboni asked about auditing. Mr. Hassett said that line item has been moved to the Select Board's Administrative Expenses. Last year, this year and the following year we will have additional audit funding due to CARES and ARPA monies. It is about \$5,000, but when the Federal funding drops away, it should be down.

Treasurer/Tax Collector

Erika Correia, Treasurer/Tax Collector, was present for the discussion. Ms. Correia said there are three (3) full time staff members in her office. She is asking for an increase in tax title and in-state travel. She has a new staff member, so she would like to send her and the Assistant. Vice Chair Fabian asked about the tax title properties. Ms. Correia said a lot of people have made payment plans. A tax title attorney is required for others. Vice Chair Fabian asked why the computer services line is not in the IT budget. Ms. Correia said that is on-line platform monthly billing, and we have a specialist that comes in to help with the Assessors Office and ours with billing. Mr. Plonka asked if all three (3) positions are union? Ms. Correia said she is not. Mr. Plonka asked about the 6.7% increase for the Assistant Treasurer. Mr. Sky said there is a step involved.

Mr. Hassett spoke about Debt Service. We have the final payment on the Library this coming year; that was an excluded debt exclusion. The Police Station, which is an exclusion, matures in FY34. Outside of the Debt Budget, we have one (1) Regional School piece of debt, paid through an assessment that matures in FY26. The Route 79 reconstruction debt exclusion project has been slow moving due to spending, so we have only borrowed \$500,000 to date. We typically pay off the ambulance in three (3) to four (4) years. We do have in the capital plan in the next five (5) years two (2) ambulances. The septic loan program is paid back through homeowner loans. Ms. Correia was successful obtaining financing at a low rate. New in FY24 is the Assawompset

Window and Door project with construction happening this summer. We have paid for the feasibility study and design is starting. We have spent about \$185,000 of the \$2.4 million so far. Our share will be \$2.1 million; this is not excluded and is inside the levy limit. Chairman Day said a common question from residents is are we still paying for this? Can we list the debt projects someplace so that residents can see it? Mr. Sky agreed and noted that was provided last year.

Board of Assessors

John Olivieri, Chairman of the Board of Assessors, was present for the discussion. Mr. Olivieri said there are four (4) items that have significant increases. Professional and revaluation services has a 25% increase from \$4,000 to \$5,000. We were underbudgeted a bit last year. Contracted assessment services for Regional Resources Group increased 2.7% which is contractual. Computer and GIS services increased from \$14,000 to \$17,500. We moved from an onsite server to the cloud to host the valuation database. We looked for other vendors for assessment software and received two (2) responses. One (1) is not taking on more municipalities and the other was Patriot which was in the ballpark of \$50,000 for set up and migration then the additional annual service fees which are comparable to what Vision is charging us now. There is a 25% increase for Vision of \$3,500, but based on the marketplace, it is probably the best option. Our maps upgrade increased \$1,500, which is a standard industry increase.

Member Carboni asked if CAI has been responsive to requests from the Assessors. Mr. Olivieri said they have been when asked. We are a bit off on what the Town's plans were. There were meetings a few years back with Departments, but with COVID, we haven't really been doing much of that. Member Carboni asked is there an opportunity to get that realigned and back on track. Mr. Sky said he has set up a meeting next week to discuss this. Member Carboni said we invested in that and it is a great resource for residents and staff. Chairman Day said a few years ago, DPW was added for layers to happen and it did not. Has this been sorted out? Do all departments rely on the same contract for their needs? Mr. Sky said the purpose of this meeting is to get this jumpstarted. Chairman Day said most of the software items are in the IT budget. Is there a reason to keep it separate? Mr. Sky said it is relevant to show this in the Assessors. Member LaCamera said we were supposed to get together and get this done. Is this the responsibility for the Assessors? Mr. Olivieri said their responsibility to facilitate. Member LaCamera said the GIS software is way out of date. There are State things available at no cost; all they need to do is update the layers. If this company can't do it, we need to do something else. Member Carboni said Mr. Sky has put together a coordination meeting next week. Member LaCamera asked who is responsible to make sure the layers get updated on a regular basis. Vice Chair Fabian said she believes it is the Assessors' responsibility to select the system, but she thinks everyone is supposed to contribute. Mr. Sky said it is one area with some dysfunction, and he is trying to get this moving. Member LaCamera said we spent a significant amount of money last year and we are putting more money into it. Member Carboni asked Mr. Sky to report back to the Board on this. Mr. Hassett said Mr. Olivieri mentioned this year with the full valuation certification process a few lines were underbudgeted and we will be coming to the Finance Committee for a transfer later in the year to shore up this year's budget.

Town Clerk

Lillian Drane, Town Clerk was present for the discussion. Ms. Drane said there are two (2) staff members in her office. Her budget did increase regarding salaries. There was a step for the Assistant Town Clerk for a 7.12% increase. Her other increase went to Town Clerk expenses for in state travel for her Assistant who will be attending more mentoring classes located throughout the State. Elections increased for Repair and Maintenance for the voting equipment for poll packs. She increased postage in Elections due to sending media cards by overnight mail and Attorney General mailing. Registrations were increased due to printing. The census books and the census has increased due to paper costs, so there was an increase of \$400.

Ms. Drane said she did not ask for a part-time person; she is hoping for that next year. The mail in voting has created a huge need. She cannot continue what she is doing. Member Carboni said next year is going to be a busy year. If we fund this position in 2024, will you be able to get that person up and running prior to next year? Ms. Drane said yes. Member Carboni said we know how busy that office is with the increases in the election process. She is ready to fund that position this year to get that office level. Chairman Day asked what is the part time salary. Mr. Sky said we can come back with a proposal. Member Carboni said there is a part time position in the Building Department budget already, but it has not been filled. That would release that floater position, which would help. Member LaCamera said the budget is really tight and there are some things going on that we cannot make any decisions on this. Logistically where would this person be. Member Carboni said that should not be the reason we are not funding a position. Ms. Drane said she cannot continue in her office with the space that she has. Member Carboni said the Town Clerk works extended hours to ensure that the residents are well serviced. Member LaCamera said we don't like employees to be in the building alone. Member Carboni said we will have to look at that. Vice Chair Fabian asked why is the position at the Building Department unfilled. Mr. Sky said the Board did not approve the job description. Member Carboni said we can put a placeholder in the budget for next year. Chairman Day asked would this position be in the front servicing the window. Ms. Drane said she would like this person to work in the front, but for now it would be backend administrative. Chairman Day said if it wasn't the whole year, when do you need them there to get them ready for the busy season. Ms. Drane said as soon as possible. Member Carboni said we are leaving it right now that we know there is a need.

Human Resources

John Viarella, Human Resources Director, was present for the discussion. Vice Chair Fabian asked are the part time hourly wages for the floaters? Is that a 6.6% increase? Mr. Viarella said he budgeted 19 hours a week as a worst-case scenario. Vice Chair Fabian asked if there are step increases. Mr. Viarella said no. We increased advertising for open positions, which has increased. Subscriptions have increased due to rate increases. For training, he needs to maintain his Human Resources certification. He would like to see his assistant get some formal Human Resources training. Member Carboni asked how is the new payroll system running. Mr. Viarella said very well. Implementation was a bit rushed by the vendor, but it is much easier to collect data. Member Carboni said contracted services went down. Mr. Viarella said there was a proposal for a classification study and money was budgeted for that. We hope to encumber that for the next fiscal year. Chairman Day asked if the new system is exception based. Mr. Viarella said yes. Chairman Day asked how many person hours have you saved per week. Mr. Viarella said probably about four (4) hours less for each payroll.

Mr. Hassett asked about employee benefits. Mr. Viarella said he budgeted for a 6% increase, but it may be less. He has a meeting tomorrow to discuss rates again. Mr. Sky said we anticipate a budgetary savings in FY23. Mr. Hassett said we won't enjoy this in FY25. The pension assessment went up substantially and we are looking for a similar increase in FY25. Plymouth County initially issued an assessment about 15% and we had them go back and have them spread that over two (2) years. Member Carboni asked what the Town's liability is now. Mr. Hassett said he will get that to the Board. Chairman Day asked if we are still funding past liabilities. Mr. Hassett said yes and the funding schedule is through 2035. Member LaCamera said the problem is compounded due to stock market problems. Vice Chair Fabian said this is a full year with the new health insurance option. Mr. Viarella said we have three (3) new hires that are on the new Health Savings Account. Chairman Day asked what is the split? Mr. Sky said 65%/35%. Chairman Day said with a year under your belt, do you think the new plan options have hit whatever success metrics you have or is there room. Mr. Sky said because high deductible plans are so much cheaper, we are doing fine from that perspective.

Animal Control

David Frates, Animal Control Officer, is present for the discussion. Mr. Sky said the biggest increases are rubbish removal and printing was to reflect reality. There are some facility issues that he needs to speak to the Board about in the future regarding repairs to the shelter. This year the Animal Shelter has received \$72,000 in donations. Some of that was vet care and \$49,000 was Shelter donations. Member Carboni asked if the four (4) assistants that are on staff are able to accommodate the schedule seven (7) days a week. Mr. Frates noted they are happy since their stipends were increased last year. Mr. Sky said the assistants have stepped up over the last few months and have done a really good job. Chairman Day asked about the vehicles. Mr. Frates said there is a 2019 vehicle and a 2002, which we just had a major problem with the motor. Bill Frates fixed it, so it is good for a few more years.

Council on Aging

Lori Fahey, Council on Aging Director, was present for the discussion. Ms. Fahey said she has three (3) full time staff and four (4) part time staff. The salary is the same as last year except for COLA increases and a step raise for a van driver. Salary is decreased by \$1,600 due to the hiring of the new full-time clerk at a lower pay rate. There is an increase in the rubbish line and in vehicle gasoline increased by \$1,600 due to a large increase in our vehicle use. Overall the budget has increased by \$237. Chairman Day said if the expansion were to go through, what additional services would you be able to offer? Ms. Fahey said there will be similar programming with an expansion of our food pantry. We would love to get a fitness room. We cannot add anymore weekly programming as we don't have the room for it. Vice Chair Fabian said the Veterans' Agent uses one of the Council on Aging's offices. Ms. Fahey said they would like another office. Member Carboni asked about the volunteer base. Ms. Fahey said we are 80 volunteers and are putting together our volunteer luncheon. We now do Meals on Wheels in house, so we have another 11 volunteers for that. Member Carboni asked if she could put the wish list on your website page so people can see it. Ms. Fahey said she can.

Mr. Sky asked if Mr. Hassett had mentioned Bristol Agricultural and Town Meeting. Mr. Hassett said we have a prior obligation that is under dispute by a non-county community sending students regarding debt being assessed on a per pupil basis rather than being funded by Bristol County, who have the equity interest in the facility. It appears that we do have an obligation that we did not have funded last year around \$54,000 for Lakeville's per pupil share for the new facility. Mr. Hassett said we are asking Town Meeting to consider reducing the Freetown/Lakeville Assessment line because their actual assessment is less than what was approved by approximately \$100,000 and shifting some of the funding it to cover this prior year obligation and keep it in the education budget. Member LaCamera asked if the Town received a breakdown on how this was calculated. Mr. Sky said not yet, but we have received an invoice with the amount. We don't want them holding our students hostage, so we will pay it. Member LaCamera said we are not the only community that this is happening to. Mr. Sky said there are five (5) communities that are objecting to it. There is no transparency with them when it comes to the assessment of the operating student fee, so they give us the same transparency on capital projects, which is not great. Member LaCamera said for the operating side, the State sets the tuition. Mr. Sky said part of the dispute is that you want to charge us for capital that is fine; do it as part of the tuition assessment. Their argument is that there is no requirement for that, and we will just charge you what we are going to charge you. That is what the disagreement has evolved into. DESE came back and said they can charge us that number as part of the assessment. We said okay charge us as part of the assessment. That is when we received the letter from them saying they would not let our students in unless we pay them. Chairman Day said this is for the massive rebuilding program they have going on. Mr. Sky said our number is not that bad compared to some of the other communities. Chairman Day said this is basically an extortion fee. Member LaCamera said there are a few schools that have the same situation. Most of these schools have students that don't belong to their regions. The cost of sending a student to some of these school systems are off the wall. Chairman Day asked if we signed a contract to get our kids in there. Mr. Sky did not think so. We have one (1) student at Norfolk Agricultural. Mr. Hassett said that tuition is \$26,000 a year plus transportation for a total of \$80-\$82,000.

Adjournment

Upon a motion made by Ms. Desrosiers and seconded by Mr. Plonka, it was:

VOTED: To adjourn the Finance Committee Meeting at 7:24 PM.
Unanimous in favor.

Upon a motion made by Member Carboni and seconded by Member LaCamera, it was:

VOTED: To adjourn the Select Board Meeting at 7:25 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of March 6, 2023

1. FY24 budget

TOWN OF LAKEVILLE
Select Board Meeting Minutes
March 8, 2023 – 6:00 PM

Lakeville Police Station Meeting Room
323 Bedford Street, Lakeville, MA

On March 8, 2023, the Select Board held a meeting at 6:00 PM at the Lakeville Police Station Meeting Room. The meeting was called to order at 6:00 PM by Vice Chair Fabian. Members present were Vice Chair Fabian, Member LaCamera and Member Carboni. Also present was Ari Sky, Town Administrator, Todd Hassett, Town Accountant and Christina Cotsoridis, Assistant to the Town Administrator. LakeCAM was recording the meeting for broadcast.

FY2024 Proposed Budget Overview/Update with the following Departments: Inspectional Services; Facilities; Planning; Fire; Police; Department of Public Works and Transfer Station; Capital

Present for the discussion were Brian Day, Chairman; Katherine Desrosiers; Lawrence Kostant; Adam Lynch and Christopher Plonka, members of the Finance Committee. Chairman Day called the Finance Committee to order at 6:00 PM.

Mr. Sky said we received updated numbers on the F/L Regional School budget. They have made some cuts. Our assessment increase is now \$493,554. We have had conversations with the Business Manager regarding positions that are still being funded by ESSER which totals approximately \$380,000. Mr. Hassett said ESSER grants are federally funded and they expire in 2024. There are full time positions funded by these grants funds and it is a concern going forward for 2025 and 2026.

Inspectional Services

Nathan Darling, Director of Inspectional Services, was present for the conversation. Vice Fabian said we are seeing in budgets across the board an increase for fuel and rubbish removal. Mr. Darling said hiring Paul Nee took a huge burden off of his staff. We are increasing contractual obligations for staff. In Conservation, we have kept because the Master Plan recommends a full-time agent, and we only have a part-time Agent now. Good land has been developed, so as we move forward, we will see a higher level of Conservation Agent needs. Mr. Darling said the only budget increase over 2.5% was Board of Health. We used to do a rabies clinic each year and there has always been \$1,500 in the budget for that. The public health nurse has established a vaccine clinic and a position to sign off for the administration of the vaccines. However, the vaccines are reimbursable. We are looking at staff, teachers, seniors and homebound people. Other than that, it is level with just salary increases. Member Carboni said you have a part time position that you did not fill. She is hoping that there is a plan to fill that. Mr. Darling said we used to have a full-time Clerk for Inspectional Services, who supported the Planning Board and Zoning Board of Appeals also. She dedicated 15-18 hours per week to Inspectional Services. When that position was moved over to the Planning Department, we developed a part-time position to make the Department whole. We have been using a floater clerk to fill those needs. Member LaCamera

said there was a big discussion last year about making the Conservation Agent full-time. We have only spent a third of his salary through February. Is there a program in place to do inspections on conservation land? Mr. Darling said there is a process in place to follow through on Orders of Conditions and Notice of Intents. Currently he does not go out and monitor Town owned properties that have conservation restrictions on them. Member LaCamera said there was a conversation about the Conservation Agent not being able to monitor any conservation bought through the Community Preservation Act funds. Mr. Darling said he can reach out to the Conservation Commission to create a policy on how we will monitor those properties. We can look at putting someone on that is better suited to get around on Conservation properties. Vice Chair Fabian said we may need more work done and that person can assist with that. It would have been good to have someone active that could help explain why certain things, like acquiring a golf course, may not have been in the best interest of Town. Mr. Darling said we had an interim conservation agent that was a wetlands scientist. We have kept her on as a consultant. Our actuals in 2021 and 2022 are probably what it's going to take to maintain current services. If we can move some of that money into a consulting line, we could hire a wetland scientist or someone who knows about tree disease.

Facilities

Paul Nee, Facilities Director, was present for the discussion. Vice Fabian said this is a fairly new thing for the Town. There is Mr. Nee's salary, but not much else. Mr. Sky said we are giving a full review of Facilities programs at your next meeting. Member Carboni said you have three (3) part time workers. Mr. Nee said yes, one (1) has resigned, but he is trying to convince him to take a leave of absence instead. He is going to hold off on filling that position for a short time. Mr. Kostant said there is a \$10,000 decrease. Mr. Hassett said this year we introduced the line for \$30,000 before we had Mr. Nee's position. We had a number of projects that we needed professional help to get them moving. Now that we have Mr. Nee, he has been able to take over some of that work. We moved the \$10,000 into maintenance of Town facilities. That allows him the ability to bring in a professional that he may need. Chairman Day asked if Mr. Nee was still assessing things now. Mr. Nee said every building needs work. He doesn't see a huge increase in the budget next year. Mr. Darling said Mr. Nee will identify more projects as he goes. Mr. Sky said he has asked Mr. Nee to do a full facility assessment on each building. Member LaCamera said anything over \$10,000 goes on the Capital Plan and there is a separate line item in the budget for repair and maintenance for day to day maintenance.

Planning Department

Marc Resnick was present for the discussion. Mr. Resnick said his budget is salaries for himself and the clerk. There is a few thousand in expenses and that is it. Member Carboni asked if someone from the Planning Board was going to be present to discuss this. Mr. Resnick said this is the Planning Department budget. Member Carboni said the Planning Board had its own budget and it looks like it got rolled in here. Mr. Sky said that is correct. Member Carboni said there are seminars that the Planning Board attended; is that built in here. Mr. Resnick said they get notified when CHAPA has seminars, as well as the Zoning Board. Vice Fabian said the 6.8% in salary is a step plus COLA for the clerk. Mr. Lynch said the hourly wage increase for the clerk is almost 7%. Mr. Sky said there are few positions that by virtue of the new contract had a step and COLA

at the same time. The step is 3-4% plus COLA. Vice Fabian said three (3) years ago when we did the budget, we did not have the actual rates for the unions, but these are actual.

Member LaCamera asked about the status of the Open Space plan. Mr. Resnick said it is pretty complete; it may be on the next Open Space meeting or the next meeting to be submitted to the State. Mr. Resnick said we will submit to the Select Board for comments. Member LaCamera said the Select Board needs to approve the final draft before it goes to the State. We should look at the preliminary version also. We spoke about GIS mapping and what needs to be done. There are multiple layers from the State that we are not utilizing. He wants to make sure that gets followed up on. Mr. Resnick said he is not sure the State GIS is compatible with ours. He uses the State website when he needs to use it. We could put a link on the Planning Board website directing people to the State site.

Fire Department

Michael O'Brien, Fire Chief, was present for the discussion. Chief O'Brien said this year's proposed budget represents contractual obligations for salaries. We are more competitive with area departments now and recruitment/detention issues have become less. In 2018, a needs assessment was done on the Fire Station. We have a 112% increase in our revenue for EMS Services and we have been very successful in grant writing. Also, our fees for inspections, burn permits and property transactions for smoke detectors have increased. Connecting the expenses to the revenue, our taxpayer burden is less than in 2018. Mr. Lynch said education is up a bit over the past three (3) years. Chief O'Brien said contractually the firefighters receive incentives to go to school and they get a bonus based on their degree. Mr. Kostant said there is a 211% increase. Chief O'Brien said we have a chief and deputy who both have master's degrees. Chairman Day asked if the 37% change for the contracted wages for the Lieutenants was due to promotions. Chief O'Brien said that is due to not having a Captain. A Captain position was funded and the position did not survive negotiations, so the funding was transferred back into Lieutenants. Chairman Day said there has been a reduction of employee turnover from 125% to 25%. Chief O'Brien said we have historically been a training ground. The initiatives that the Selectmen took to temporarily improve the facilities before they get a new building helps make people want to stay. We still have people leaving, but not as often. Compensation is increasing and the health care is more competitive.

Mr. Kostant said most of the revenue is from EMS. Was the increase in the Deputy Chief being really good at filling out paperwork or the second ambulance? Chief O'Brien said documentation has improved. We have a QHQI program that sets the standard for calls to be documented. When there are bad debts, it is attended to right away. The billing process has been streamlined. We have modified our billing for car accidents. Mr. Hassett said calls for service are up. Chief O'Brien said we rely heavily on callback, with an increase of 10% each year since he has been here. We can pay overtime or have another regular salary. Member Carboni said are mutual aid calls included in the call volume. Chief O'Brien said yes. Member Carboni said have mutual aid responses gone up since last year. Chief O'Brien said they have, but he pays attention to Middleborough. The Middleborough numbers were significant recently; we were going there often. In the last two (2) or three (3) months, they have reduced. He reached out to Middleborough and advocated for a solution. There has been a 50% decrease in Middleborough calls for the

ambulance lately. Middleborough was advocating for a 3rd ambulance in their contract with Brewster to rely less on us. We had a peak of 30 visits in a month. Member LaCamera said having one (1) mutual aid call a day that takes away our personnel is a serious problem. That needs to be addressed as we are exposed not being able to cover our calls. Chief O'Brien said Middleborough doesn't come here often, but when they do, they send every firefighter on duty for a fire.

Chief O'Brien said last year, the Department had 350 simultaneous calls. We are relying solely on off duty firefighters to cover a call. This is a 21% increase in simultaneous calls due to the lag at the hospitals. Member LaCamera said you put the chart together for the mutual aid. All were pretty much level, but Middleborough was through the roof. Why don't they call other Towns? Chief O'Brien said he believes it is because we are the closest station. Member LaCamera said why are we providing these services to other communities all the time. Vice Fabian said the Chief in Middleborough is fairly new and we hope that he will be able to address some of this. Chief O'Brien said the Middleborough Chief agrees that it is a problem and promised to address their policies. Member LaCamera said overtime costs in 2022 were \$73,000. The budget we are in right now is \$83,000 and we have spent over 83% of our overtime budget, which is related a lot to mutual aid. We are going to run out of money. You are asking for a \$10,000 increase, but that is not going to do it. Chief O'Brien said it is a problem and that's why he tried to connect his revenue to the budget. The callback guys generate the revenue by staffing a second ambulance. Member LaCamera said you can't look at it that way. It goes both ways.

Mr. Kostant said there may be a time where we need assistance; that is why it is mutual aid. There is a burden on the frequency of calls and it is geographic due to the location. Chief O'Brien said we average \$1,000 per ambulance call. Mr. Kostant asked are the mutual aid calls just for ambulance? Chief O'Brien said we go there for fires. You need 15 or 16 people to run a room and contents fire. We rely on mutual aid for fires; we will have three (3) towns come into Lakeville. Withdrawing from a mutual aid contract is huge concern for the firefighters' safety. They are our rescue team and backup. Mr. Kostant said when you are at a fire and need backup, if you aren't on a mutual aid program, lives will be lost. Chief O'Brien said we need to manage the Middleborough situation. He will speak to the Chief tomorrow, but if it becomes a time that he is not making progress, he will call the Town Administrator for a higher-level talk. He wanted to make sure that everyone knew if we have one (1) ambulance committed on a call, we will not respond to Middleborough. We don't call people in to go to Middleborough. It is tough for him to do that because he knows there is someone in that we may be harming. Vice Fabian said Middleborough has helped us with false alarms at the industrial park. Mr. Kostant said mutual aid is important.

Police Department

Matthew Perkins, Police Chief, was present for the discussion. Vice Fabian said the estimate for the contractual obligations is in the last line in the salary section. Chief Perkins said the salaries increase of 1.3% represents contractual obligations and step increases. He has asked for enhancements: funding of an additional sergeant position as he envisions a current sergeant in the role of Detective is \$9,776. The shift differential line for dispatchers to incentivize dispatchers and part time dispatchers to take the 3-11 and 11-7 shifts. It would be \$7,200. There is an increase in fuel on the expenses. Mr. Kostant asked how many dispatchers each shift. Chief Perkins said

one (1), but if there is training or a storm, there may be more. Mr. Kostant said is dispatching for both Fire and Police. Chief Perkins said yes. Chairman Day said is there no change in electricity costs? Chief Perkins said when we first moved in the new building, we estimated it and it has been right on.

Department of Public Works and Transfer Station

Franklin Moniz, DPW Director, was present for the discussion. Mr. Moniz said under DPW, the salaries, there is one enhancement which is the hourly wages for the clerk. After her contractual obligations, there is a \$1,300 increase from moving from a Level 2, Step 6 to a Grade B Step 2. Other increases are contractual obligations. Most of his staff is at the top step and the CDL stipend is new this year. Expenses are level funded except for gasoline and diesel. Snow and ice and street lighting and cemeteries are all level funded. We used a lot of salt, but did not need to call contractors in. Chairman Day asked what roads will be paved this year. Mr. Moniz said this Fiscal Year Pickens Street with a resurfacing. After July, South Pickens and South Kingman for resurfacing and a few preservation projects: Perhaps Kingman Street and a seal on a few other roads. Chairman Day said DPW took over a lot of work with the Parks. Is that working out well? Mr. Moniz said he has enough staff but at some point, we need some work done. Vice Fabian said there are a few things to be worked out, but we have worked out a lot. Member LaCamera said the last few years the State has said they will redo Route 18. They patched it this year. He asked Mr. Moniz if he could follow up to see if they are going to pave the road. They are supposed to do Route 79 through Route 105 light. County Road was paved up from 79 to the Lakeville line. Mr. Moniz said they did the Berkley side also. Member LaCamera asked Mr. Moniz to speak to the State about cleaning up the trash.

Transfer Station

Mr. Moniz said the increase in salaries are contractual obligations and there are some stipends in the new Laborer's Agreement. Mr. Moniz said there is a big increase in the cost to dispose of bulky waste, which covers construction materials. We are seeing no revenue in glass, cardboard, and some plastics recycling; we are paying to get rid of it. Also there is an increase in vehicle diesel and property and liability insurance increase. Mr. Moniz said we purchased the new loader last year. Mr. Hassett said we are looking to replace the roll off truck in FY25. Mr. Hassett said a lot of the lines this year are underbudgeted. We will have lines that are overbudget. We only have a \$55,000 budget for bulky waste, but we will exceed that. The FY23 budget will need a supplement before we get out of this year.

Chairman Day asked about the hazardous waste disposal. Mr. Moniz said in the past we have done it as a capital item. After discussion, it was decided that it is more of an operational thing and we added it to the budget. We do a cut-off with the companies for a certain number. Member LaCamera said this is an enterprise fund. Mr. Moniz is at 78% of his budget through February. Numbers have been stable over the past few years. Mr. Moniz said the last time we increased prices at the Transfer Station was in 2019, so we are going to be looking for fee increases. The increase will offset the increased costs for disposal. Vice Fabian said we don't want to overcharge either. We don't want people dumping things. Mr. Hassett said we subsidize this program

annually \$100,000. Mr. Moniz said the free mattress program has expired. The cost for non-recyclable mattresses is increasing. We are hoping that they will bring that back.

Capital

Mr. Sky said the Capital Expenditures Committee met last week and recommended the capital plan as presented. Mr. Hassett said most of the articles in the FY24 column will be brought to the Annual Town Meeting. There are a few footnotes: #1 are items to fund at the Special Town Meeting in May from existing available funds and a few items that may come before the Town later in the year, either in the fall or next spring, depending on how plans for those project progress. Mr. Hassett said we are not asking for any borrowing authorization in May, but it may come up later in the year for design of the Fire Station. We put estimated numbers in for the Fire Station. We have an annual line for road improvements and technology. We were able to obtain a grant this past year to help with disaster recovery and infrastructure needs. The security improvements are for the Town Buildings; this is a supplement from a previous article. We are \$41,000 short on the previous article. Chairman Day said wasn't that originally appropriated in 2021. Mr. Hassett said yes. Chairman Day said we had gotten quotes and staged the work in a number of phases with camera and card access or Phase 1, but he doesn't believe any of the work has been done. Mr. Sky said the camera work at Town Hall was done. Card access has been deferred, but we are looking at it again. This would allow for coverage of all Town Buildings with cameras. Member LaCamera said we did discuss the security plans, but there was one specific area that is not included in this budget. Mr. Sky said he has reached out to Ryan Maltais for a quote. We may have to amend this. Mr. Hassett said under DPW, there is a replacement sander for \$35,000; \$70,000 for a 4x4 pickup with equipment and a \$60,000 storage shed. There is a to be determined number regarding their facility. It may make sense to fold the shed and parking lot/drainage next year into the overall project. Mr. Moniz said the paving it to repave the lot and put a retention area and basins to the front of the property near the street. Mr. Moniz said the shed he is looking for is to keep equipment out of the weather.

For vehicles, Mr. Sky said soon we will be required to get hybrids. Chief Perkins said he received a quote for a hybrid cruiser with equipment is \$63,000. If we order now, we won't get them until FY25. If we have to wait that long, that is a deal breaker. A regular cruiser equipped is \$60,000. Mr. Kostant said you are looking at a cruiser and 2/3's of a cruiser per year. Chief Perkins said we will trade in old cruisers to reduce the cost. Ford says 150,000 police use miles are equivalent to 400,000 regular miles. Mr. Hassett said the first lease payment for the ladder truck ordered last June is delayed until June of 2024. The Fire Department has two (2) other pieces of equipment: thermal imaging and firefighter tracking and pump operations equipment for \$20,000, which will be funded through previous funding not used. Mr. Hassett said we will continue to look at the Senior Center, but it will not go before Town Meeting in May. That may not happen until next spring and we have targeted FY25 for possible construction of an addition to the Senior Center. Member LaCamera said \$500,000 is not going to do it; it is not even close. Mr. Sky said it will be a challenge. He wants to see how the feasibility study goes and get an estimate. Mr. Hassett said there was a request in the five-year plan from the Cemetery Commission for granite posts, but they have asked to defer it to FY25. This may be able to be funded through Community Preservation Act monies. Chairman Day said they need to get posts that meet a certain criterion. If a vendor finds them, is there a means to fund them. Mr. Hassett said a Reserve Fund

Transfer. He advocated to get the funding in FY24, but they spoke to the vendor and were assured that there was nothing to be done the next year or so. Mr. Sky said we always have the Fall Town Meeting. Mr. Hassett said Parks will be discussed next week. All projects will be funded through their Enterprise Funds. Chairman Day asked about any new projects. Mr. Sky said there is a project under development to make the new Bedford Street field accessible. They are intending to ask for ARPA funding around \$100,000 to \$115,000.

Adjournment

Upon a motion made by Ms. Desrosiers and seconded by Mr. Lynch, it was:

VOTED: To adjourn the Finance Committee Meeting at 7:47 PM.
Unanimous in favor.

Upon a motion made by Member Carboni and seconded by Member LaCamera, it was:

VOTED: To adjourn the Select Board Meeting at 7:47 PM.
Unanimous in favor.

List of documents provided at the Select Board Meeting of March 8, 2023

1. FY24 budget
2. Capital Plan

**AGENDA ITEM #11
MARCH 27, 2023**

NEW BUSINESS

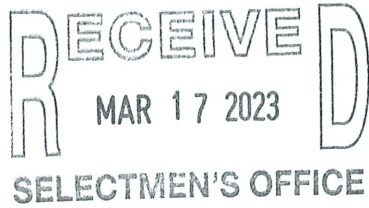
**AGENDA ITEM #12
MARCH 27, 2023**

**OLD BUSINESS
FY 24 BUDGET UPDATE**

AGENDA ITEM #13
MARCH 27, 2023

CORRESPONDENCE

1. Letter from Comcast regarding changes to Xfinity TV services
2. Notice from Keolis Commuter Services regarding 2023 Yearly Operational Plan



March 13, 2023

Board of Selectmen
Town of Lakeville
346 Bedford Street
Town Office Bldg.
Lakeville, MA 02347

Re: Programming Advisory

Dear Chairman and Members of the Board:

We are committed to keeping you and our customers informed about changes to Xfinity TV services. Accordingly, please note the following change:

- Effective March 31, 2023, Band Internacional is ceasing operations and will no longer be available through Xfinity. The package Brazilian 4 Pack will be renamed Brazilian 3 Pack and will include TV Globo, SporTV (formerly PFC), and Record TV. The price of the Pack has been reduced from \$34.99 to \$29.99 per month, plus applicable taxes and fees.

Please do not hesitate to contact me with any questions at Michael_Galla@comcast.com.

Very truly yours,

Michael Galla

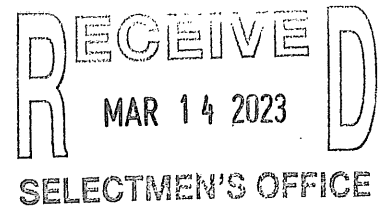
Michael Galla, Sr. Manager
Government Affairs



Keolis Commuter Services 2023 Yearly Operational Plan (YOP), prepared in accordance with the Massachusetts Rights-of-Way Management Regulations (333 CMR 11.00), can be found at:

FDCErailroadvegetation.com

- ➔ KEOLIS Commuter Services
- ➔ Environmental Monitor Notice
- ➔ 2023 Yearly Operational Plan
- ➔ "YOUR MUNICIPALITY"
- ➔ Right-of-Way Maps



The Integrated Vegetation Management activities proposed in the 2023 YOP for the Commuter Rail includes both mechanical and chemical controls. The mechanical controls (brush and tree clearing, trimming, removal), stump and basal treatments, vegetation clearing from Right-of-Way (ROW) track drainage ditches, and touch up of herbicide is scheduled throughout the year. The chemical application for the roadbed is scheduled, weather depending, from May 1 through June 30, 2023. The chemical application for areas adjacent to the roadbed is scheduled, weather depending, from August 1 through October 31, 2023.

The ROW Maps for each city/town reflect the herbicide application zones approved through the five-year Vegetation Management Plan permit issued for 2021-2025. The identification on the maps of private drinking water supply wells remains an ongoing process. **Please notify Fair Dermody Consulting Engineers, Keolis, and the Department of Agricultural Resources of any omissions and or new private drinking water supply wells.**

Please review your mailing address and the ten-digit police department emergency telephone number listed in the Plan and notify us of any revisions. Hard copies of all documents are available upon request, please email Matt@FDCEngineers.com.

**AGENDA ITEM #14
MARCH 27, 2023**

POSSIBLE EXECUTIVE SESSION PURSUANT TO M.G.L. C.30A, §21(A) (2) TO CONDUCT STRATEGY SESSIONS IN PREPARATION FOR NEGOTIATIONS WITH NON-UNION PERSONNEL OR TO CONDUCT COLLECTIVE BARGAINING SESSIONS OR CONTACT NEGOTIATIONS WITH NON-UNION PERSONNEL AND PURSUANT TO M.G.L. C.30A, §21(A) (3) TO DISCUSS STRATEGY WITH RESPECT TO COLLECTIVE BARGAINING, SPECIFICALLY WITH PBA LOCAL 185; IAFF LOCAL 3188 AND LABORER'S INTERNATIONAL UNION, IF AN OPEN MEETING MAY HAVE A DETRIMENTAL EFFECT ON THE BARGAINING POSITION OF THE PUBLIC BODY AND THE VICE CHAIR SO DECLARES AND PURSUANT TO M.G.L. C.30A, §21(A) (7) TO COMPLY WITH THE OPEN MEETING LAW, M.G.L. C.30A, §22(F): APPROVAL OF EXECUTIVE SESSION MINUTES FOR FEBRUARY 28, 2023 AND NOT TO RETURN TO OPEN SESSION

