

AGENDA
Lakeville Select Board and acting as the
Wage & Personnel Board as needed
Remote Location Meeting
March 21, 2022 – 6:30 PM

PLEASE ASK IF ANYONE IS RECORDING THE MEETING
AND ANNOUNCE CABLE TAPING (IF PRESENT)

In accordance with provisions allowed by Chapter 20 of the Acts of 2021, the March 21, 2022 public meeting of the Lakeville Select Board will be held remotely. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>**

1. Select Board Announcements
2. Town Administrator Announcements
3. 7:00 PM Meet with Finance Committee to possibly approve FY23 Budget; FY23 Capital Plan and Debt Schedule
4. 7:30 PM Discuss and possible vote to comment on SRPEDD recommendations for Assawompset Pond Complex project phasing
5. Revisit discussion and possible vote regarding increase in Assawompset Pond Complex Assessment for FY22 and FY23
6. Discuss and possible vote to forward four (4) Zoning By-Law amendments to Planning Board for hearing
7. Discuss request from Planning Board for comments on Site Plan – 2 Bedford Street
8. Discuss proposed Town Values Statement
9. Discuss request from Twin Coach Estates Homeowner’s Association for Rent Increase
10. Discuss and possible approval of job descriptions for Clear Pond: Park Director; Park Attendant and Life Guard/Swimming Instructor
11. Discuss and possible vote to approve Public Way License for The Mix Tape Event – April 10, 2022
12. Discuss and possible vote regarding assignment of \$1,500 donation from Sun Multisports
13. Discuss and possible vote to accept letter of resignation from Adam Young from Open Space Committee
14. Review and possible vote to approve Select Board Meeting Minutes of March 7, 2022
15. New Business
16. Old Business
17. Any other business that can properly come before the Select Board

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

**AGENDA ITEM #1
MARCH 21, 2022**

SELECT BOARD ANNOUNCEMENTS

The Annual Town Election will take place on April 4, 2022 from 12:00 PM to 8:00 PM at the Loon Pond Lodge at Ted Williams Camp. Absentee ballot applications are available and must be received by the Town Clerk prior to 5:00 PM on March 29, 2022.

In person absentee voting in person is available during regular business hours, Monday-Thursday, 8:00am - 4:30pm & Friday, 8:00am - 12 noon at the Town Clerk's Office ***BY APPOINTMENT ONLY***). Absentee voting over the counter will end **on Friday, April 1st at 5:00 P.M.**

Please visit the Town's website home page under News for all the information you will need on absentee and in person absentee voting.

**AGENDA ITEM #2
MARCH 21, 2022**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
MARCH 21, 2022**

**MEET WITH FINANCE COMMITTEE TO POSSIBLY APPROVE
FY23 BUDGET; FY23 CAPITAL PLAN AND DEBT SCHEDULE**

Attached are the revised budget pages, capital plan and debt schedules for FY23.

Town of Lakeville
SOURCES & USES - FY2023 BUDGET

	FY2020	FY2021	FY2022	3/17/2022 FY2023
	Final Budget	Final Budget	Original Budget	TA Recommends v3
Levy Base	22,656,022	23,627,168	24,667,773	25,918,179
Amended prior year growth				
2 1/2% increase	566,401	590,679	616,694	647,954
New Growth	404,745	449,926	633,712	479,308
Overrides	0	0	0	0
Debt Exclusions	929,617	927,300	897,999	913,163
L-F RSD Exclusions	315,548	298,607	281,159	285,691
Capital Exclusions	0	0	0	0
Unused Levy	(6,357)	(19,970)	(14,885)	
Property Tax Levy	24,865,976	25,873,710	27,082,453	28,244,296
Cherry Sheet Receipts	1,637,279	1,560,992	1,637,942	1,635,124
Local Receipts	3,399,004	3,575,000	3,789,886	3,983,500
Subtotal, Revenues	29,902,259	31,009,702	32,510,281	33,862,920
Add: Additional Sources				
Free Cash - operating	183,655	294,000	100,000	0
Free Cash - capital/other	0	802,602	864,362	1,825,000
Overlay Surplus	0	230,000	0	0
Stabilization	0	0	0	0
Debt Service Stabilization	0	0	0	0
Other	1,008,715	148,178	44,340	50,000
Subtotal, Additional Sources	1,192,370	1,474,780	1,008,702	1,875,000
Less:				
Overlay	(46,132)	(270,166)	(285,989)	(250,000)
Overlay deficits	0	0	0	0
Cherry sheet offsets	(18,060)	(18,818)	(24,009)	(24,395)
Snow & Ice deficit	0	0	0	0
Cherry Sheet charges	(190,049)	(193,051)	(199,591)	(202,704)
Other deficits raised	(2,972)	0	0	0
Park Enterprise subsidy	0	(50,000)	0	(17,500)
Landfill Enterprise subsidy	(90,000)	(100,000)	(95,000)	(95,000)
Water Enterprise subsidy	0	0	0	0
Subtotal	(347,213)	(632,035)	(604,589)	(589,599)
Net available for Appropriation	30,747,416	31,852,447	32,914,393	35,148,321
Expenditures By Category:				TA RECOMMENDS
Fixed Costs	4,609,198	4,644,562	4,803,999	4,817,511
General Government	2,216,616	2,235,272	2,414,480	2,630,182
Public Safety	4,031,447	4,156,058	4,317,227	4,495,139
Public Works	913,306	1,104,932	1,148,535	1,241,447
Human Services	532,460	545,964	565,080	552,532
Culture & Recreation	376,195	394,577	397,485	400,828
Education	17,064,894	17,610,827	18,328,225	19,185,682
Subtotal, Operating Budget	29,744,116	30,692,192	31,975,031	33,323,321
Articles - non-capital	25,000	14,714	4,362	0
Articles - capital	978,300	1,095,542	685,000	815,000
Transfer to OPEB Fund	0	50,000	0	310,000
Transfer to Stabilization Fund(s)	0	0	250,000	700,000
Total Expenditures/Uses	30,747,416	31,852,447	32,914,393	35,148,321
Surplus (Shortfall)	0	0	0	0

SOURCES:	
New Growth	29,173
Debt Exclusion: F-L RSD	15,691
State Aid	(47,818)
State Assessments	1,881
State Offsets	(386)
Subtotal, Sources	(1,459)
USES:	
141 Assessing-Exp (software maint)	(3,000)
192 Town Offices (APC assessment)	(3,000)
193 Facilities-position reclassification	(5,000)
300 F-L RSD Operating Assessment	(71,130)
300 F-L RSD Debt Assessment	(15,691)
350 Old Colony - preliminary budget	56,730
491 Cemeteries-Expenses	(2,000)
543 Veterans Benefits - reduced claims	45,000
850 Regional Planning (SRPEDD)	(175)
911 Pension Assessment allocation	(675)
914 Group Health Insurance - rates	17,900
Park Enterprise subsidy - pending	(17,500)
Subtotal, Uses	1,459
Net Change (from v1)	-
PENDING:	
Freetown-Lakeville RSD Operating Assessment	-

TOWN OF LAKEVILLE

General Fund - Fiscal Year 2023

Line #		FY2020 ACTUAL	FY2021 ACTUAL	FY2022 BUDGET	Fiscal Year 2023 Recommend v2
GENERAL GOVERNMENT:					
122 SELECTMEN/ADMINISTRATION					
1	Salaries	430,046	259,697	401,032	331,180
2	Expenses	50,488	68,817	96,700	76,100
131 FINANCE COMMITTEE					
3	Expenses	180	180	400	400
4	Reserve Fund (budget)	200,000	150,000	150,000	150,000
135 ACCOUNTANT					
5	Salaries	54,730	57,270	59,384	61,685
6	Expenses	66,231	80,915	82,575	83,955
141 ASSESSORS					
7	Salaries	80,380	83,743	89,404	91,040
8	Expenses	100,456	103,548	102,275	109,800
145 TREASURER/COLLECTOR					
9	Salaries	174,127	135,811	173,975	189,006
10	Expenses	52,934	106,266	78,500	53,750
151 LEGAL SERVICES					
11	Expenses	57,429	91,934	60,000	75,000
152 HUMAN RESOURCES & PAYROLL					
12	Salaries	-	146,929	155,676	185,820
13	Expenses	-	17,048	30,250	57,640
14	Compensation Reserve	-	-	-	-
155 INFORMATION TECHNOLOGY					
15	Salaries	132,375	51,603	-	-
16	Expenses	192,947	298,360	384,605	424,638
161 TOWN CLERK					
17	Salaries	127,127	136,418	142,693	148,978
18	Expenses	6,712	10,516	11,900	14,000
162 ELECTIONS					
19	Expenses	24,449	24,518	26,800	28,200
163 BOARD OF REGISTRARS					
20	Expenses	11,489	12,017	18,600	19,000
171 CONSERVATION COMMISSION					
21	Salaries	23,980	17,671	29,325	29,911
22	Expenses	1,125	851	3,100	3,100
175 PLANNING BOARD					
23	Salaries	-	-	-	130,730
24	Expenses	-	107	300	3,500
176 APPEALS BOARD					
24	Expenses	89	92	150	150
191 HISTORIC TOWN HOUSE					
25	Expenses	4,495	248	650	-
192 TOWN OFFICE/FIRE STATION					
26	Expenses	94,216	71,885	109,300	120,600
193 TOWN FACILITIES					
27	Salaries	91,869	102,668	111,084	123,199
28	Expenses	57,445	70,871	76,000	110,000
195 TOWN REPORT					
29	Expenses	-	-	800	800
198 CABLE TV ADVISORY COMMITTEE					
30	Expenses	6,952	8,432	8,000	8,000
199 OTHER GENERAL GOVERNMENT					
31	Expenses	(862)	16,149	11,002	-
Subtotal, GENERAL GOVERNMENT		2,041,409	2,124,564	2,414,480	2,630,182
					8.93%

<u>Line #</u>		<u>FY2020 ACTUAL</u>	<u>FY2021 ACTUAL</u>	<u>FY2022 BUDGET</u>	<u>Fiscal Year 2023 Recommend v2</u>
PUBLIC SAFETY:					
210 POLICE					
32	Salaries	1,556,588	1,956,626	2,092,183	2,226,680
33	Expenses	181,658	191,763	217,200	219,270
215 COMMUNICATIONS					
34	Salaries	194,924	-	-	-
220 FIRE & AMBULANCE					
35	Salaries	1,335,187	1,378,808	1,390,236	1,421,410
36	Expenses	108,844	117,823	117,835	138,085
241 BUILDING INSPECTION					
37	Salaries	246,588	258,258	282,782	262,969
38	Expenses	2,529	817	4,300	4,000
242 P-T INSPECTORS					
39	Salaries	73,380	84,318	77,300	83,300
291 EMERGENCY MANAGEMENT					
40	Salaries	2,500	2,500	2,500	2,500
41	Expenses	4,974	2,214	5,480	5,480
292 ANIMAL CONTROL					
42	Salaries	98,530	101,832	107,111	111,995
43	Expenses	16,989	15,368	20,300	19,450
Subtotal, PUBLIC SAFETY		3,822,691	4,110,327	4,317,227	4,495,139 4.12%
EDUCATION:					
300 FREETOWN-LAKEVILLE REGIONAL					
44	School Committee-Stipends	6,500	6,500	6,500	6,500
45	Operating Assessment	14,781,769.00	15,319,922.00	15,150,806	15,655,724
	Transportation			269,055	354,089
	NonExcluded Debt			57,663	-
	Excluded Debt			281,159	285,691
				15,758,683	16,295,504
46	330 OLD COLONY REGIONAL VOC-TECH	1,960,970	1,988,835	2,251,643	2,494,913
47	340 BRISTOL AGRICULTURAL	312,398	265,948	311,399	388,765
Subtotal, EDUCATION		17,061,637	17,581,205	18,328,225	19,185,682 4.68%
PUBLIC WORKS:					
420 HIGHWAY					
48	Salaries	567,213	592,486	734,685	798,097
49	Expenses	172,633	170,433	268,350	268,350
423 SNOW & ICE					
50	Salaries	19,173	32,241	32,500	35,000
51	Expenses	110,492	154,429	75,000	100,000
424 STREET LIGHTING					
52	Expenses	15,066	15,597	25,000	25,000
491 CEMETERY					
53	Expenses	11,697	10,394	13,000	15,000
Subtotal, PUBLIC WORKS		896,274	975,580	1,148,535	1,241,447 8.09%

- DRAFT -

For Discussion Purposes

<u>Line #</u>	<u>FY2020 ACTUAL</u>	<u>FY2021 ACTUAL</u>	<u>FY2022 BUDGET</u>	<u>Fiscal Year 2023 Recommend v2</u>	
HUMAN SERVICES:					
511 BOARD OF HEALTH					
54	Salaries	86,745	105,454	105,288	114,809
55	Expenses	4,702	2,420	10,550	9,000
56	VNA Services	9,400	4,000	5,000	5,000
541 COUNCIL ON AGING					
57	Salaries	168,237	179,042	197,333	214,114
58	Expenses	26,848	24,608	30,300	31,000
543 VETERANS					
59	Salaries	18,119	19,128	19,144	19,719
60	Expenses	143,969	117,849	197,465	158,890
Subtotal, HUMAN SERVICES					
		458,020	452,501	565,080	552,532
					-2.22%
CULTURE & RECREATION:					
610 LIBRARY					
61	Salaries	258,073	270,843	276,019	284,258
62	Expenses	103,786	101,577	116,966	116,070
660 HISTORIC LIBRARY					
63	Expenses	7,360	6,629	4,000	-
64	691 HISTORICAL COMMISSION	95	339	500	500
Subtotal, CULTURE & RECREATION					
		369,314	379,388	397,485	400,828
					0.84%
DEBT SERVICE:					
710 DEBT SERVICE					
65	Principal	958,224	858,492	908,128	828,293
66	Interest	302,001	277,126	250,686	224,959
67	Short-Term Interest	25,822	22,386	13,990	22,350
Subtotal, DEBT SERVICE					
		1,286,047	1,158,004	1,172,804	1,075,602
					-8.29%
INTERGOVERNMENTAL:					
830 COUNTY					
68	Plymouth County Coop Ext.	-	-	500	-
850 REGIONAL					
69	Regional Planning	1,986	2,036	2,087	2,325
Subtotal, INTERGOVERNMENTAL					
		1,986	2,036	2,587	2,325
					-10.13%
FIXED COSTS:					
70	911 PLYMOUTH COUNTY RETIREMENT	1,030,988	1,134,278	1,277,423	1,377,667
71	913 UNEMPLOYMENT COMPENSATION	247	16,373	30,000	10,000
72	914 GROUP INSURANCE	1,927,135	1,867,494	2,047,560	2,059,142
73	945 RISK MANAGEMENT	219,394	263,509	273,625	292,775
Subtotal, FIXED COSTS					
		3,177,764	3,281,654	3,628,608	3,739,584
					3.06%
SUBTOTAL, GENERAL FUND					
		\$ 29,115,142	\$ 30,065,259	\$ 31,975,031	\$ 33,323,321
					4.22%

<u>Line #</u>	<u>FY2020</u> <u>ACTUAL</u>	<u>FY2021</u> <u>ACTUAL</u>	<u>FY2022</u> <u>BUDGET</u>	<u>Fiscal Year 2023</u> <u>Recommend v2</u>
PARK:				
Salaries	107,903	66,797	125,815	125,365
Expenses	135,485	69,946	71,760	88,855
Subtotal, PARK	243,388	136,743	197,575	214,220
				8.42%
WATER:				
Expenses	-	-	-	-
Capital/Debt Service	-	-	-	-
Subtotal, WATER	-	-	-	-
SOLID WASTE:				
Salaries	182,554	183,932	199,338	206,007
Expenses	189,606	193,831	198,255	203,517
Subtotal, SOLID WASTE	372,160	377,763	397,593	409,524
				3.00%
TOTAL - ALL BUDGETS	\$ 29,730,690	\$ 30,579,765	\$ 32,570,199	\$ 33,947,065
				4.23%

TOWN OF LAKEVILLE

Capital Plan

FY2023-FY2027

version 2

Approved March 8, 2022

	FY2023	FY2024	FY2025	FY2026	FY2027
SELECT BOARD					
(2) Design/Construct - Town Hall/Fire Station Technology Improvements	300,000.00 75,000.00	1,500,000.00 75,000.00	12,000,000.00 100,000.00	100,000.00	125,000.00
FACILITIES					
Library Roof replacement			250,000.00		
POLICE					
Cruisers replacement w/equip Unmarked replacement w/equip	100,000.00	102,000.00	104,000.00	104,000.00 45,000.00	106,000.00
FIRE-EMA					
(-) Ladder truck	1,400,000.00				
(1) Command Vehicle replacement Utility Terrain Vehicle w/EMS skid Ambulance replacement Engine replacement	65,000.00	25,000.00	350,000.00	650,000.00	
PUBLIC WORKS					
Roadway Improvements	375,000.00	375,000.00	375,000.00	425,000.00	425,000.00
(1) Tow behind Air Compressor w/equip Ztrak mower Z997R w/equipment Bud Permit Material Removal 1-Ton Dump Truck w/equipment Sidewalk Plow w/equipment Front End Loader w/equipment Storage Shed w/staging & electrical 1 Riding & 1 Zero turn Mowers w/eqp Cab & Chassis w/Dump & Equipment DPW Facility Improvements (placeholder) 4x4 Pickup Truck w/equip	30,000.00	25,000.00 65,000.00	25,000.00 75,000.00	25,000.00 65,000.00	25,000.00 90,000.00

	<u>FY2023</u>	<u>FY2024</u>	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>
SOLID WASTE/TRANSFER STATION					
Crackseal & sealcoat parking lot	25,000.00			200,000.00	
Rolloff Truck w/equipment					
CEMETERIES					
Historic Posts (54) - Thompson Cemetery		45,000.00			
COUNCIL ON AGING					
Addition to Senior Center	40,000.00	60,000.00	500,000.00		
PARK					
Jon Paun Park Building Demolition	50,000.00				
Replace Clear Pond Park Guard Shack	25,000.00				
Repave Clear Pond Basketball Courts		34,000.00			
Clear Pond Bathhouse			30,000.00		
Playground Equipment at Clear Pond			20,000.00		
TWC - Repairs to Snack Bar				15,000.00	
TOTALS	\$ 2,700,000.00	\$ 2,381,000.00	\$ 13,979,000.00	\$ 1,629,000.00	\$ 771,000.00

- (1) May 2022 Special Town Meeting
- (2) November 2022 Special Town Meeting

Borrowing	\$ 1,400,000.00	\$ 1,500,000.00	\$ 12,350,000.00	\$ 650,000.00	\$ -
Free Cash	1,115,000.00	712,000.00	804,000.00	739,000.00	746,000.00
Retained Earnings	50,000.00	34,000.00	50,000.00	215,000.00	-
Debt/Capital Stabilization	-	-	250,000.00	-	-
Other/Old Capital	135,000.00	60,000.00	500,000.00	-	-
Overlay Surplus	-	75,000.00	25,000.00	25,000.00	25,000.00
TOTALS	\$ 2,700,000.00	\$ 2,381,000.00	\$ 13,979,000.00	\$ 1,629,000.00	\$ 771,000.00

* NOTE: does not include Education requests, AES Windows/Doors project under design, construction cost TBD (FY2024?)

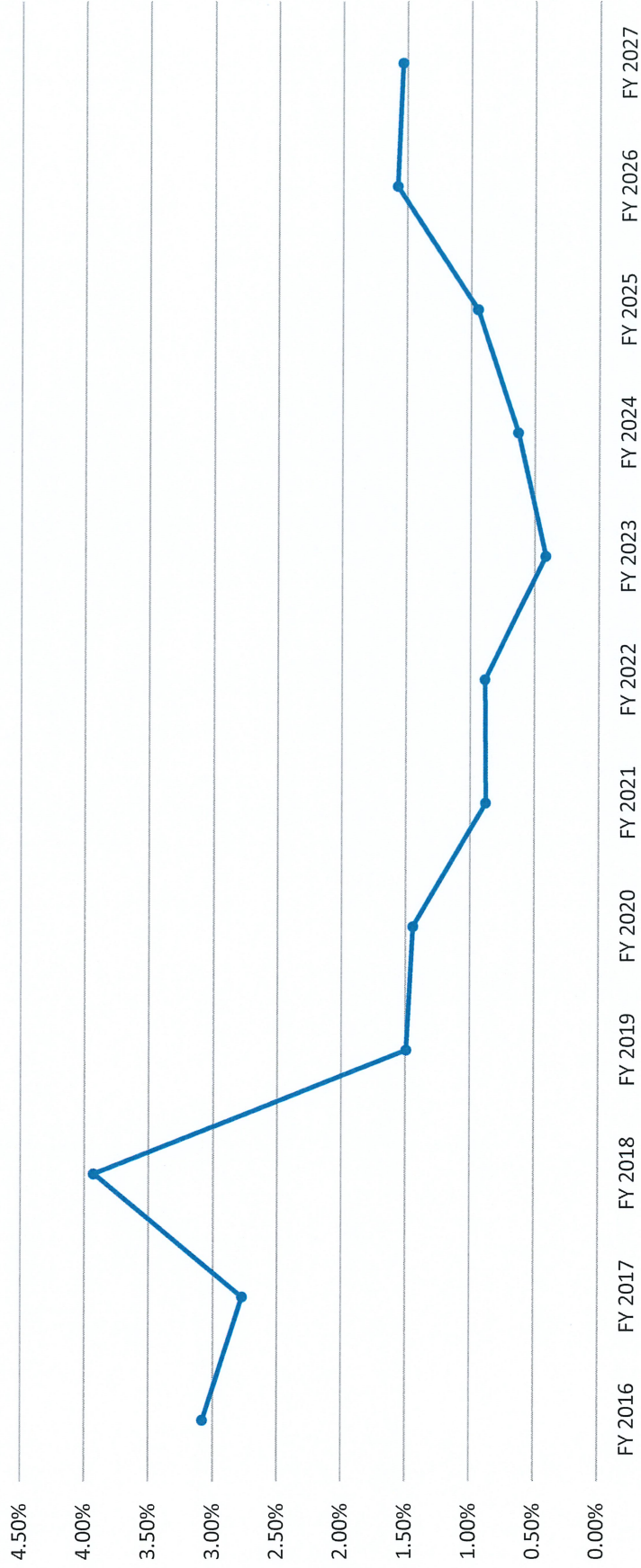
TOWN OF LAKEVILLE
Debt Service Plan - Preliminary
FY2020-FY2027

DEBT SERVICE PLAN:

Within Tax Levy Limit:

	ACTUAL		BUDGET		PROPOSED		PROJECTED			
	FY2020	FY2021	FY2022	FY2022	FY2023	FY2023	FY2024	FY2025	FY2026	FY2027
Sewer - CWMIP	8,894	8,893	8,951	8,951	8,939	8,939	8,926	8,913	8,900	-
School Roof	40,800									
Howland Road Land	25,150									
Tamarack Land	5,350	5,150	5,050	5,050						
TWC Repavement	36,710	35,710								
Ambulance	106,108	54,463	102,500	102,500	103,500	103,500	133,750	130,000	140,000	135,000
Fire Pumper	118,062	113,043	113,300	113,300						
Highway Facility (TBD)								xxx	xxx	xxx
AES Windows/Doors (net of MSBA 53.53%)							35,000	140,000	136,000	132,000
Ladder Truck									196,000	190,400
Fire Engine										29,250
	341,074	217,259	229,801	229,801	112,439	112,439	177,676	278,913	480,900	486,650
Excluded Debt:										
F-L RSD MS/HS and GRAMS	315,548	298,607	281,159	281,159	285,691	285,691	117,705	112,557	107,464	-
Bettys Neck Land	63,000	61,800	60,600	60,600						
Senior Center	21,600	36,050	35,350	35,350						
Library	121,400	119,200	116,863	116,863	109,313	109,313	106,500	-	-	-
Police Station	723,617	710,250	683,386	683,386	748,850	748,850	748,500	724,000	698,000	572,000
Route 79 Improvements			1,800	1,800	55,000	55,000	101,250	127,500	294,000	285,600
Town Hall/Fire Station								52,000	540,000	1,080,000
	1,245,165	1,225,907	1,179,158	1,179,158	1,198,854	1,198,854	1,073,955	1,016,057	1,639,464	1,937,600
Other Debt:										
MWPAT - Septic	5,414	5,525								
Septic Loan Program	9,942	7,920	45,004	45,004	50,000	50,000	78,800	77,300	75,800	74,300
	15,356	13,445	45,004	45,004	50,000	50,000	78,800	77,300	75,800	74,300
TOTAL DEBT SERVICE	1,601,595	1,456,611	1,453,963	1,453,963	1,361,293	1,361,293	1,330,431	1,372,270	2,196,164	2,498,550

Included Debt as a % of Levy Limit



Note: Projected levy estimates New Growth at \$500,000 in FY 2024-2025, \$400,000 in FY 2026-2027.

**AGENDA ITEM #4
MARCH 21, 2022**

**DISCUSS AND POSSIBLE VOTE TO COMMENT ON SRPEDD
RECOMMENDATIONS FOR ASSAWOMPSET POND COMPLEX
PROJECT PHASING**

Attached is SRPEDD's recommendations for future project phasing.

APC Management Team Quarterly Meeting

SRPEDD RECOMMENDATIONS FOR FUTURE PROJECT PHASING

We proposed to finalize this prioritized list and include it in the APC and Nemasket River Management Plan that will be finalized in June 2022. We will then spend/leverage the \$250K in funds that was direct to SRPEDD for use in the APC region in list order.

<p>PHASE 1: WORK THAT IS HIGH PRIORITY AND ACTIONABLE (in priority order)</p> <ol style="list-style-type: none">1. Removal of weeds from Long Pond and the Nemasket River<ul style="list-style-type: none">Plan for eco-harvester weed removal based on areas of weed concentration shown in solutions studyPresent to permitting agencies (local Con Comms, US Fish and Wildlife, Natural Heritage)Contract with eco-harvesting company (*after evaluating options, SRPEDD does not recommend the purchase of an eco-harvester by any local entity; more effective and realistic to rent rather than keep up with the required liability and operator training issues, as well as to allow for the use of updated technologies as they come out)2. Address sedimentation build-up with a 5-year emergency permit<ul style="list-style-type: none">Building off model emergency permit from several years3. Install automatic pond level loggers<ul style="list-style-type: none">Direct transmission of level data to a publicly-facing website database4. Signage Plan and Installed Signage / Monitoring around the ponds<ul style="list-style-type: none">Aimed at curbing inappropriate recreation	<p>Community and Stakeholder Engagement Throughout All Phases</p>
<p>PHASE 2: WORK THAT IS HIGH PRIORITY BUT REQUIRES SOME FURTHER STUDY OR ANTECEDENT ACTIONS (in priority order)</p> <ol style="list-style-type: none">5. Wareham Street dam removal<ul style="list-style-type: none">Funds for first-cut conceptual removal design already in process6. Permeable Reactive Barrier Long Pond Pilot Program<ul style="list-style-type: none">We've removed immediate issue in item 1 above, now let's keep them from coming back; goal of PRB technology7. Replacing the Snake River Culvert<ul style="list-style-type: none">Note that it is after items 1 and 6, which help to address transmissible weeds8. Buy high priority preservation land	
<p>PHASE 3: WORK THAT WOULD BE MOST DISRUPTIVE TO STATUS QUO - NEEDS ON-GOING STUDY AND CONSIDERATION (in priority order)</p> <ol style="list-style-type: none">9. APC Dam upgrade / reconfiguration10. Initiating a property buy-out program	

**AGENDA ITEM #5
MARCH 21, 2022**

**REVISIT DISCUSSION AND POSSIBLE VOTE
REGARDING INCREASE IN ASSAWOMPSET POND
COMPLEX ASSESSMENT FOR FY22 AND FY23**

Attached is a history of the APC Fund.

APC Fund History

Description	FY 2020 Actual	FY 2021 Actual	FY 2022 YTD
Starting Balance (July 1):	20,693.77	18,984.70	16,396.26
<u>Revenue</u>			
Boat Permits	1,175.00	1,725.00	0.00
50 Betty's Neck Dog Mall	200.00	0.00	0.00
Betty's Neck Hay Sales	2,500.00	2,500.00	0.00
Lakeville	3,500.00	6,000.00	0.00
New Bedford	6,000.00	6,000.00	0.00
Taunton	6,000.00	6,000.00	0.00
<u>Donations</u>	<u>0.00</u>	<u>210.00</u>	<u>0.00</u>
Total Revenue:	19,375.00	22,435.00	0.00
<u>Expenditures</u>			
Rangers	20,377.84	24,191.04	10,671.39
Telephone	679.63	832.40	166.48
<u>Supplies</u>	<u>26.60</u>	<u>0.00</u>	<u>2.65</u>
Total Expenditures:	21,084.07	25,023.44	10,840.52
Ending Balance (June 30):	18,984.70	16,396.26	5,555.74

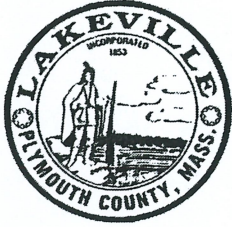
**AGENDA ITEM #6
MARCH 21, 2022**

**DISCUSS AND POSSIBLE VOTE TO FORWARD FOUR (4)
ZONING BY-LAW AMENDMENTS TO PLANNING
BOARD FOR HEARINGS**

The Town Planner will be here to review the attached Zoning By-Law Amendments for the Annual Town Meeting.

If approved, the motion would be:

To forward the following articles to the Planning Board to hold public hearings on for the Annual Town Meeting: New Site Plan Review By-law; new Sign By-law; new bylaw allowing Open Space Residential Developments; and change requirements for Auto or Boat Sales, Rentals or Service.



Town of Lakeville

Planning Department
346 Bedford Street
Lakeville, MA 02347
774-776-4350

RECEIVED
MAR 14 2022
SELECTMEN'S OFFICE

Date: March 14, 2022

Memo To: Lakeville Selectboard

Memo From: Marc Resnick, Town Planner

Re: Town Meeting Articles

Attached are four Articles to amend the Town of Lakeville Zoning By-Laws that the Planning Board is submitting for the Annual Town Meeting scheduled for May 16, 2022. The Board voted to submit these Articles after reviewing them at their meeting held on March 9, 2022. The four Articles are:

1. To Delete the existing Site Plan Review By-Law and adopt a new Site Plan Review By-Law
2. To Delete the existing Sign By-Law and adopt a new Sign By-Law
3. To adopt a new By-Law allowing Open Space Residential Developments
4. To change a note relating to a previously adopted change to the requirements for Auto or Boat Sales, Rentals, or Service.

Please let me know if you have any questions

Article _____

To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws by **DELETING** the existing Section 6.7 Site Plan Review and **REPLACE** it with the following new Section:

6.7 SITE PLAN REVIEW

6.7.1 Purpose

The Purpose of this By-Law is to protect the public health, safety and welfare; to promote balanced growth; to protect property values; and to encourage development by providing the public and the Town with an opportunity to review and comment.

Site plan review is to ensure that the design and layout of certain developments permitted as of right or by Special Permit will constitute suitable development and will not result in a detriment to the neighborhood or the environment. It is to ensure the protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against light, sight, sound, dust and vibration, and preservation of light and air.

6.7.2 Authority: The Planning Board shall hear and decide all applications for site plan review in accordance with the provisions of this Section 6.7

6.7.3 Applicability:

Site Plan Review applies to the following:

- 1) New construction of a business or industrial structure;
- 2) An addition to an existing business or industrial structure resulting in a floor area of over 1,500 square feet in the aggregate or a disturbance in lot coverage of over 1,500 square feet;
- 3) A change in occupancy of an existing business or industrial structure which increases the previously approved occupant load by 10%; and/or
- 4) A change in use of an existing structure to a business or industrial use
- 5) New multifamily building construction of three (3) or more units
- 6) New construction, modification, or addition to any residential structure which will disturb more than 43,560 square feet of ground.

6.7.4 Submittal Requirements

- 1) locus plan;
- 2) location of structures within 200 feet of property lines;
- 3) existing and proposed buildings, showing setbacks from property lines;
- 4) floor plans, building elevations, siding types, roof materials, and colors
- 5) parking areas, driveways, and facilities for pedestrian movement including parking calculations based on current regulations;
- 6) utilities and lighting;
- 7) landscaping, including trees to be removed and retained;
- 8) loading areas, service areas, and refuse removal locations;
- 9) drainage system design; drainage calculations and verification of soil types;
- 10) existing and projected traffic volumes from the site and effect on the local road network;
- 11) existing and proposed contour elevations in five (5) foot increments;
- 12) location of well or public drinking water supply;
- 13) location of septic system or sewer connection;
- 14) location of wetlands approved by the Conservation Commission;
- 15) proposed and existing design and location of signs;
- 16) all information should pertain to existing and proposed;
- 17) Sediment and Erosion Control Plan detailing the location, installation and maintenance of sediment and erosion controls during and after construction. The Plan shall adhere to the standards and specifications found in the Massachusetts Erosion and Sediment Control Guidelines dated March 1997 as amended;
- 18) other plans, studies, or reports requested by the Planning Board that may be necessary to determine compliance with the provisions of this By-Law.

6.7.5. Review Procedure

6.7.5.1 Application: Applicants for a building permit subject to Section 6.7.3 shall submit an application, direct abutters list, fees, and fourteen (14) copies of a site plan and an electronic copy as described herein to the Town Clerk for Planning Board approval. The Planning Department shall distribute the plans and application to the following departments for review and comment.

:

- Police Department
- Fire Department
- Board of Health
- Conservation Commission
 - DPW Director
- Building Department
 - Select Board

6.7.5.2 Hearings: The Planning Board shall give notice of a Public Hearing by publication of a notice in a newspaper of general circulation and by posting a notice at Town Hall at least seven

(7) days before the hearing. Notice shall also be sent to all abutters at least seven 7 days prior to the hearing date. The Public Hearing shall be posted no later than twenty-one (21) days after the receipt of a complete application. At the request of the applicant, these time periods may be extended.

6.7.5.3 Consultants: The Planning Board may require that any plans, reports, or studies be reviewed by outside consultants at the applicant's expense.

6.7.6 Performance Standards

6.7.6.1. Purpose. The following performance standards have been adopted in order to control the size, scale, and impacts of nonresidential or multifamily developments. The Planning Board shall ensure that such standards are met during the review of any Planning Board special permit application or site plan review application.

6.7.6.2. Preservation of landscape. The landscape shall be preserved in its natural state insofar as practicable by minimizing any grade changes and vegetation and soil removal.

6.7.6.3. Off-street parking and loading. The plan shall comply with Section 6.5 of these bylaws. Unless otherwise allowed by the Planning Board, construction materials and standards not specified within Section 6.5 shall be consistent with those found within the Lakeville Subdivision Regulations. Provisions shall be made to accommodate areas for snow storage.

6.7.6.4. Circulation. Driveways and internal circulation shall be safe, adequate and convenient for automotive as well as pedestrian and bicycle traffic. Sidewalks and parking lots shall meet Massachusetts Architectural Access Board Regulations and the American with Disabilities Act Design Standards. Site distances, driveway widths, grade, location, drainage, signage, islands, and other control structures, curb radii and intersection angles shall all be provided for review. The Planning Board reserves the right to require certain driveways to meet or exceed the road standards found in the Lakeville Subdivision Regulations.

6.7.6.5. Site access. The Planning Board shall evaluate the safety of motorists, bicyclists, and pedestrians utilizing the site and the roadways leading into the site. To ensure the public's safety, the Planning Board may require sidewalks or pedestrian paths within and between developments. The Planning Board may also require the connection of adjacent properties via the use of common drives.

6.7.6.6. Architectural requirements. Consideration shall be given to ensure that buildings are appropriate in scale, massing, height, roofline, and building materials to ensure that the architecture shall be in harmony with the surrounding neighborhood and the Town. Rooftop mechanical installation shall be hidden from view from the street or abutting properties. See Section 6.7.7 for specific standards.

6.7.6.7. Screening, buffers and landscaping requirements. The plan shall comply with Sections 5.2.4 or 5.2.5 of these bylaws. Plants should be indigenous to the area or be able to

survive New England winters. Salt-tolerant varieties shall be planted along roadways and parking areas.

6.7.6.8. Lighting. Lighting shall be designed to enhance public safety and provide for adequate and appropriate outdoor lighting. The design shall not produce unwanted glare, light trespass on abutting properties or an over illumination of the site. Lighting shall be full cut off fixtures, dark sky compliant except for sign lighting.

6.7.6.9. Service areas. Service areas and delivery locations shall be located so that delivery vehicles are parked outside the street right-of-way or in on-site driveways. The Board shall ensure that these areas do not impede on-site vehicular circulation. 2. The Board may require that specific areas adjacent to buildings or areas of the businesses operations be specifically reserved for loading or delivery operations. These areas can not be counted for parking or utilized for access aisles. 3. All service areas, dumpster and trash receptacle locations, and other similar uses shall be screened from the street and from public view. They may be screened through a variety of materials such as walls, fences, plantings or a combination of these materials.

6.7.6.10. Utility service. All utility service transmission systems, including but not limited to water, sewer, natural gas, electrical, cable and telephone lines, shall, whenever practicable, be placed underground.

6.7.6.11. Drainage. 1. All efforts shall be made to design the drainage system to utilize low-impact development (LID) methods. Developments not incorporating any LID design elements shall prove to the Board that the use of these drainage systems is not feasible for the project due to unique site characteristics or its location. 2. Detailed drainage design and computations shall be provided in conformance with the Department of Environmental Protection, Massachusetts Stormwater Handbook (latest edition). Closed drainage systems shall be designed for a 25-year storm event. Culverts, detention basins, and infiltration systems shall be designed for 100-year events. 3. Post-development drainage rates shall not exceed pre-development levels. Within the Water Resource Protection District, special attention shall be made to ensure water quality is not degraded. Easements shall be shown on the plan. If they are to be granted to the Town, a written easement and a specific easement plan of such for recording purposes is necessary.

6.7.6.12. Off-site improvements. The Planning Board may require applicants to make offsite improvements to public roads or other community facilities, or to make payments for the reasonable costs associated with the impacts of the proposed development. Such improvements may include but are not limited to the widening of streets and improvement of intersections providing access to the site; the installation of curb and sidewalks along streets serving the site; and drainage improvements necessitated by the development of the site.

6.7.6.13. Public safety. Buildings and adjacent grounds shall permit reasonable access and operation by fire, police and other emergency personnel and equipment. The Board may require fire lanes at locations providing access to buildings to ensure that these areas are open for fire vehicle access.

6.7.6.14. Construction standards. All construction specifications shall comply with the standards in the Lakeville Subdivision Regulations. Where these regulations do not cover construction items, construction shall be in accordance with Commonwealth of Massachusetts, Department of Transportation, Standard Specifications for Highways and Bridges (latest edition) or standard engineering practices as determined by the Board or its designee.

SECTION 6.7.7. ARCHITECTURAL STANDARDS:

The following architectural requirements shall apply to all new structures. Additions or alterations to existing structures may be exempted from specific requirements at the reasonable discretion of the Planning Board, based on such factors as the cost, scope and extent of the work, the relative proportion of the existing structure to be added or altered, and the goal of harmony with the existing structure or structures.

6.7.7.1 Facades: For long front facades, vary the setback, height, and roof form of the building within the range provided by traditional buildings in the region to continue the established rhythm of facades on the street.

In most cases, long facades should be avoided, generally extending no more than 50 feet without a change in the wall plane. Setbacks and projections of several feet in depth are most effective at visually breaking up large facades. Smaller setbacks used in conjunction with larger setbacks can be effective. The bulk and mass of the building should be broken down to a scale that reflects the context of the surrounding neighborhood.

6.7.7.2 Siding: The following siding treatments most commonly found in New England shall be used: Clapboard, vertical board, brick, stone, and wood shingles. Natural materials are preferred.

The use of vinyl or aluminum is strongly discouraged in the Business District. Concrete block, stucco, adobe, or other non-traditional siding types are also discouraged. Sidings having a panelized or prefabricated appearance are unacceptable.

6.7.7.3 Roofs: Roofs shall be of various pitched varieties commonly found in New England.

Gable or Hip Roofs are most preferred. Shed and Gambrel style roofs are also acceptable. False mansard or other flat roofs are the least desirable. All roofs should have appropriate overhangs.

Flat roofs should not be completely eliminated from consideration, but should only be built where the size of the building does not permit a pitched roof. When flat roofs are permissible, any roof top mechanicals should be hidden from the main viewpoints on ground level.

6.7.7.4 Roof Materials: Roofs shall be constructed of materials, which are commonly found in New England. Shingled roofs constructed of asphalt or wood shingles are preferred. Standing seam, copper, or other metal roofs are also acceptable. Multiple roof plain slopes are acceptable, as New England Architecture often includes a variety of roof styles and plains, however it should be limited. Roll roofing, built-up tar and gravel, plastic, or fiberglass roofing materials are not appropriate. On flat roofs that are not visible from public areas, other roof materials may be considered.

6.7.7.5 Architectural Features and Details: Balconies, decks, covered porches, decorative shingles, bracketed eaves, columns, balustrades, towers, turrets, skylights, and arches are among the details to be considered. All features and details should be in proportion with the building. Use of metal, fiberglass, or plastic awnings is not appropriate.

6.7.7.6 Windows and Doors: All windows and doors shall be of a New England character. Large plate glass windows are discouraged unless they are broken up with mullions or muttons. Mirrored glass or walls are not acceptable. Also, aluminum windows/wall systems with or without colored metal panels known as curtain wall systems are not acceptable. Windows and doorways should be encased with trim. Decorative trim is preferred.

6.7.7.7 Lighting: Lighting for new developments whether mounted on the building or on poles shall be designed so as not to spill onto adjacent properties. Shielded lights are preferred or exposed bulb fixtures, which are historic in character. Lighting elements shall be covered by globe or shielded. Low-level lighting is preferred over large high-level light fixtures. Lighting shall comply with the Town of Lakeville Outdoor Lighting By-Law.

6.7.7.8 Equipment: All roof, wall or ground mounted mechanical equipment, trash collection or dumpster locations, delivery or loading areas, and outdoor storage areas shall be located outside primary visual corridors and screened from public view.

SECTION 6.7.8 Decision, Inspection, Fees, and Appeals.

6.7.8.1 Planning Board Action: The Planning Board shall take final action on the Site Plan Review application within twenty one (21) days of the close of the public hearing. Planning Board action shall be by vote of a majority of the members, or majority of a voting quorum. The Planning Board may attach reasonable conditions to mitigate any impact of the proposed development. Any disapproval shall state the reasons why the site plan does not meet the requirements of this By-Law

6.7.8.2 Appeals: Any decision rendered by the Planning Board may be appealed by the applicant to a court of competent jurisdiction as set forth in MGL c. 40A, § 17, and no building permit specifically connected to the appeal may be issued until the appeal is resolved

6.7.8.3 Expiration of Site Plan Approval: Any approval of a site plan which has been granted pursuant to this By-Law shall expire two (2) years from the date of final action, unless work in accordance with the Site Plan Approval has not sooner commenced, except for good cause.

6.7.8.4 Extensions: The Planning Board may extend approvals for an additional two-year period, such extension not to be reasonably denied. Thereafter, extensions may be granted on a year-to-year basis. A request for extension, accompanied by a schedule of completion, shall be completed by the applicant and filed with the Planning Board in advance of its scheduling a hearing on the extension request at a regular or special Planning Board meeting. Extensions may not be granted for plans which no longer conform to the Town of Lakeville Zoning By-Law.

6.7.8.5 Compliance: No building permit shall be issued by the Building Commissioner for any development subject to this section and no construction or site preparation shall be started until the Planning Board decision has been filed with the Town Clerk and the plans have been endorsed by the Planning Board.

6.7.8.6 On-site construction: The Board shall require the inspection of site construction approved under this section. The applicant shall be responsible for the inspection fee. An applicant may make limited on-site changes to an approved site plan. Said changes shall be based on unforeseen conditions, situations, or emergencies. The Town Planner shall review the request and may approve limited on-site changes that are generally consistent with the approved site plan. The Planning Board shall review changes that are of such a nature or magnitude that they would unreasonably compromise the basis of approval. The Planning Board may review any request for on-site construction changes under general business and may either approve, modify or deny the requested on-site changes. Said request shall not be unreasonably denied. An as built plan shall be submitted.

6.7.8.7 Regulations: The Planning Board may adopt and from time to time amend reasonable procedural regulations, application forms, standard construction detail drawings (as included in the Planning Board Subdivision Rules and Regulations), and specifications for the administration of this by-law, without requiring Town Meeting Approval.

6.7.8.8 Fees: The Planning Board may adopt reasonable application and administrative fees, technical review fees, and inspection fees for site plan review.

6.7.8.9 Appeal: The appeal of any decision of the Planning Board hereunder shall be made in accordance with the provisions of Massachusetts General Laws Chapter 40A, §17.

Or take any other action relative thereto

Lakeville Sign Bylaw

Proposed sign changes 2022 – *Changes in Italics*

ADD TO: Section 2.0 Definitions

Awnings: — *An awning with lettering or logo advertising the name of the business shall constitute a sign. All such awnings over doorways and windows shall only count as one sign.*

Changeable Copy Signs: *Signs with letters which can be manually or mechanically moved in order to change the message or wording of the sign*

Common Directory Sign: *Where more than one business is located in a building only one freestanding sign may be erected, which shall serve all of the businesses at that location.*

Directional Signs: *Shall be solely for pedestrian or vehicular traffic. Directional signs shall indicate parking entrances, exits, drive-thru's, etc. They shall not include any other information, advertising, or logos.*

Electronic Message Boards: *Electronically controlled signs that display lighted messages that change at intermittent intervals. Images which refresh must be displayed for at least 20 seconds and may refresh or change, no more than 3 times in 1 minute.*

Electronic Outdoor Advertising: *A use whereby an outdoor sign or billboard, whether double-faced, back-to-back, or V-shaped, with a screen(s) that serves to advertise, direct or call attention to any business, article, substance, or service, or anything that is digitally or electronically projected, on or by a structure of any kind on real property or upon the ground itself, and that advertises services, products or commodities that are not available on said real property or parcel.*

Freestanding Sign: *Any sign supported by a structure permanently anchored to the ground which is independent from any building.*

Internally Illuminated Sign: *A sign which is illuminated by means of a light source completely enclosed by the signs panels.*

Portable Signs: *A sign or advertising display that is not permanent, affixed to a building, structure or the ground.*

Public Events: *An entertainment event open to the general public such as outdoor concerts, winter carnivals, parades, etc.*

Wall Sign: *A sign attached parallel to or painted on the wall of a building.*

Window sign: *A permanent or temporary sign applied to, attached to, or inside a window or door which is visible from the exterior.*

6.6 SIGN REGULATIONS

6.6.1 Purpose

To provide information to the public and for the identification of permitted activities from public ways, the erection and maintenance of signs shall be subject to regulation in order to preserve and enhance the visual appearance and character of the Town, to provide for the safety and general welfare of the public, and to prevent injurious and detrimental effects from the distracting demands for attention resulting from uncontrolled shapes, sizes, colors, motions, lighting, and inappropriate locations.

MOVE EXISTING SECTION 6.6.2 General Sign Prohibitions TO SECTION 6.6.7

ADD NEW SECTION: 6.6.2 Permit Required

ADD 6.6.2.1 No sign shall be erected, altered, or relocated without a permit issued by the Building Commissioner, except as otherwise provided herein.

ADD 6.6.2.2 The applicant proposing to erect, alter or relocate a sign shall submit to the Building Commissioner a completed sign permit application, together with the required application fee and sketches of all proposed signs. The drawings shall specify the building and sign dimensions, colors, attachment methods, location of the signs, method of illumination and any other pertinent information which may be required

ADD 6.6.2.3 Sign permit fees shall be determined by the Select Board.

6.6.3 General Sign Regulations

6.6.3.1 No sign shall be located closer than ten (10) feet from the street right-of-way, and no closer than thirty (30) feet from the side or rear property lines.

6.6.3.2 Signs shall be limited to a maximum height of twenty (20) feet as measured from the crown of the road directly perpendicular to the sign.

6.6.3.3 Signs shall be limited in number to two (2) signs for each business or industrial establishment or company. Business or industrial sites containing more than one establishment (mill outlets, shopping centers, industrial parks, etc.) shall be limited to two (2) signs per establishment, one of which shall be attached to the structure to designate the establishment within the structure, and the other attached to or part of a central common directory sign. Business and Industrial subdivisions may have one (1) entrance sign, not being a directory sign, in addition to the above. Signs for this common directory sign and for the business and industrial subdivision entrance sign may be double-sided and a maximum of sixty-four (64) square feet in area.

6.6.3.4 Unless permitted elsewhere in this By-Law, no sign may exceed thirty-two (32) square feet in area.

6.6.3.5 Signs erected upon or attached to a building shall not project:

6.6.3.5.1 horizontally more than two (2) feet;

6.6.3.5.2 into or over any way;

6.6.3.5.3 above the highest part of the building, not exceeding twenty (20) feet from ground level.

6.6.3.6 No free-standing sign shall project more than two (2) feet horizontally from its means of support.

6.6.3.7 The colors red, green or yellow shall not be used in a manner that might confuse the meaning or stop signs, stop lights or other traffic signs.

ADD 6.6.3.8 Freestanding signs shall have landscaping at the base

ADD 6.6.3.9 All Signs must be maintained, this includes awning material, lettering, lighting, and landscaping.

ADD 6.6.3.10 Free Standing signs are permitted to have either a changeable copy sign or an electronic Message Board as part of its sign but not both.

ADD 6.6.3.11 Wall signs shall not exceed 15% of the area of the wall it is attached to or 32 Square Feet whichever is less.

ADD 6.6.3.12 Window signs shall not exceed 30 % of the total area of all windows and doors.

ADD 6.6.3.13 One Temporary subdivision sales sign not to exceed 32 square feet. This sale sign shall be removed upon the issuance of occupancy permits for 75% of the subdivision.

6.6.4 Exemptions

6.6.4.1 Flags or insignia of the United States or any political subdivision thereof or any other nation or country when not used for commercial promotion or display.

ADD the Words to 6.6.4.2 associated with an election so that the section now reads:

6.6.4.2 Temporary posters, placards, or signs associated with a political campaign or current political issue **associated with an election**. Any such sign must be removed within 48 hours after its relevance has expired.

6.6.4.3 Signs located on residential structures or driveways, so long as they do not exceed two (2) square feet and are for the primary purpose of indicating the name or names of the resident.

6.6.4.4 For sale, lease, or rent signs on real property or the signs of real estate agents or brokers, so long as they do not exceed six (6) square feet in area.

6.6.4.5 Signs less than two (2) square feet designating entry and egress from parking areas, and other directional traffic control and safety-related signs.

RENUMBER 6.6.4.5 Normal highway control signs, hazard signs, and other state-approved highway safety signs **TO 6.6.4.6**

***ADD 6.6.4.7** Permanent subdivision or residential development identification signs shall not exceed 12 square feet. They may only be externally illuminated by spotlights and shall be set back 10 feet from property lines.*

***ADD 6.6.4.8** One sign not exceeding 32 square feet on a building or project under construction, repair, or renovation identifying the contractor, architect, and/or owner. This sign shall be removed upon issuance of an occupancy permit for all or part of the building.*

***ADD 6.6.4.9** Fuel pump information signs, only as required by State law, are allowed and shall not affect the computation of allowable number of signs or aggregate sign size on a property.*

6.6.5 Temporary Signs

6.6.5.1 Temporary exterior signs or mobile sign displays are permitted to advertise the opening of a business at a new location or to advertise a special event at its intended location.

6.6.5.2 Such signs shall not exceed thirty-two (32) square feet in area.

ADD 6.6.5.3 and renumber the remainder of the section accordingly

***6.6.5.3** Banners or portable signs may be allowed for special events but must be removed after the event has concluded.*

6.6.5.4 No two or more of such signs shall be closer than five hundred (500) feet apart.

6.6.5.5 The combined total number of days that one or more temporary signs may be displayed on the premises shall not exceed sixty (60) days in each twelve (12) month period per establishment.

6.6.5.5 Temporary signs shall be displayed in conformance with setback requirements for all signs.

6.6.5.7 At the end of the sixty (60) day period, the sign shall be removed by the initiative of the company, organization, or individual or their agents as indicated by the display of information.

6.6.5.8 All such temporary signs as herein described must meet the approval of the Building Commissioner regarding safety of construction, placement, mounting, and lighting. By written notice specifying the corrections needed, the Building Commissioner shall order the immediate action of the displayer to either correct the sign or have it removed.

If immediate action is not taken, the Building Commissioner may, at his own initiative or with the enlisted aid of any Town department, remove such sign.

ADD TO 6.6.6 THE SECTION TITLE: *Special Permits*
RENUMBER THE EXISTING SECTION 6.6.6 AS: 6.6.6.1

REMOVE the words from 6.6.6.1: Off Premise signs, so the section now reads

6.6.6.1 Signs larger in area or higher than specified or a greater number of signs, may be granted by Special Permit of the Board of Appeals.

ADD 6.6.6.2 *A Special Permit may not be issued for signs prohibited by this by-law in Section 6.6.7*

ADD 6.6.6.3 *Changeable copy signs, electronic message board signs, and internally illuminated signs or the portion of a sign that is changeable copy, an electronic message board or internally illuminated shall require a Special Permit.*

ADD 6.6.6.4 *Changeable copy signs and electronic message boards shall not exceed 12 square feet. Only one of these types of signs are permitted per property*

ADD 6.6.6.5 *Common Directory signs may be allowed to have 1 additional internally illuminated panel per business not to exceed 12 sq ft.*

ADD 6.6.6.6 *Changeable copy signs, electronic message board signs and internally illuminated signs may not be illuminated during the overnight hours from 11:00 pm until 6:00 am unless for a facility providing medical care or emergency services with hours of operation during these hours. In this case, the applicant can apply for a special permit to keep the sign illuminated.*

NEW SECTION 6.6.7 General Sign Prohibitions MOVED FROM SECTION 6.6.2 General Sign Prohibitions

AND RENUMBER THE REMAINDER OF THIS SECTION ACCORDINALY

6.6.7.1 Signs, any part of which moves, flashes, or incorporates traveling or animated lights and all beacons and flashing devices whether a part of, attached to, or apart from a sign are prohibited.

6.6.7.2 No illumination shall be permitted which casts glare onto any residential premises, or onto any portion of a way so as to create a traffic hazard.

6.6.7.3 Any sign which is considered by the Building Commissioner, police department or fire department to be obstructive, hazardous, or dangerous because of age, damage, poor construction, or a potential danger in a severe storm must be removed immediately, but in

no case later than seven (7) days following receipt of written notice from the Building Commissioner.

6.6.7.4 No sign shall be attached to or obstruct any fire escape, fire or emergency exit; no sign shall be located as to obstruct free passage of light and air to any door, window, skylight, or other similar opening.

ADD 6.6.7.5 No sign shall be located in such a way that it prevents the driver of a vehicle from having a clear and unobstructed view, from an adequate and safe distance, of any official sign or approaching traffic.

ADD 6.6.7.6 Roof mounted Signs that are taller than 2 feet or extend over the peak of the roof.

ADD 6.6.7.7 No sign shall be attached to utility poles, trees, or traffic control signs or devices, except for public event banners or flags.

ADD 6.6.7.8 Portable Signs except for Temporary signs.

ADD 6.6.7.9 Banners, pennants, ribbons, streamers, spinners, balloons, string of lights not associated with a specific holiday or religious event, and flags other than those identifying a nation, state, city town, or institutional organization, unless otherwise exempted by this bylaw.

ADD 6.6.7.10 Electronic message boards or the electronic message board portion of a sign that exceeds 12 Square feet.

ADD 6.6.7.11 Changeable copy signs or the portion of a sign that is changeable copy that exceeds 12 square feet.

ADD 6.6.7.12 Electronic Outdoor Advertising Signs

ADD 6.6.7.13 Internally illuminated signs greater than 24 square feet.

ADD 6.6.7.14 Free Standing signs exceeding 30 feet in Height

ADD 6.6.7.15 Signs not located at the location of the business or off premise signs

ADD NEW SECTION: 6.6.8. Removal of signs

ADD 6.6.8.1 Any sign which is insecure, in danger of falling over, or is deemed unsafe by the Building Commissioner shall be removed.

ADD 6.6.8.2 Abandoned signs shall be removed by the sign permit holder and/or the owner of the building or premises at which the abandoned sign is located within ninety (90) days from the date the sign became abandoned

ADD NEW SECTION: 6.6.9 Nonconforming Signs

ADD 6.6.9.1 *A lawfully existing non-conforming sign may have its surface and support renewed or replaced with new material without applying for a new permit if the replacement or renewal is for the same business and has the same dimensions, same copy and same location of the existing sign.*

ADD 6.6.9.2 *All non-conforming signs shall be removed or shall be altered so as to conform with the following provisions:*

- 1. When the nature of the business changes and the sign is changed or modified in shape, size or legend; or*
- 2. When the name of the business changes and the sign is changed or modified in shape, size, or legend*

Add 6.6.9.3 *Any abandoned sign shall not be reestablished except in conformance with this bylaw.*

ADD NEW SECTION 6.6.10 Administration, Violations, Appeals

ADD 6.6.10.1 *It shall be the duty of the Building Commissioner to administer this By-Law.*

ADD 6.6.10.2 *Violations of the Sign By-Law shall be enforced in accordance with Section 8.0 of these By-Laws*

ADD 6.6.10.3 *Appeals of any decision taken by the Building Commissioner shall be made in accordance with Section 8.0 of these By-Laws.*

Article _____

To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws by adding the following new Section:

Section 7.10 Open Space Residential Development

7.10.1 Purpose

1. To permit maximum flexibility and creativity in design for the development of single-family subdivisions that will be superior to conventional plans;
2. To promote the most harmonious use of the land's natural features, resources and topography, which will promote the general health and safety of the public;
3. To discourage sprawled development, minimize environmental disruption, and provide a shorter network of streets and utilities which will promote a more efficient distribution of services; and
4. To encourage the permanent preservation of open space, agricultural land, forestry land, wildlife habitat, other natural resources including aquifers, water bodies and wetlands, and historical and archaeological resources.

7.10.2. Special Permit Required. Open space residential development may be authorized only by a special permit as granted by the Planning Board.

7.10.3 Pre-Application Meeting. A pre-application meeting is required to be held at any regular meeting of the Planning Board. Concept plans for the traditional subdivision and open space plan shall be submitted for discussion. The Board may invite representatives of other Boards or Commissions to attend. The intent of such meeting is to allow the Town the opportunity to discuss with the applicant and review each proposal prior to the special permit process. After the pre-application review, an applicant may then proceed to the preliminary plan review process.

7.10.4. Dimensional and Design Requirements.

1. The number of building lots may not exceed the number of building lots of the tract as permitted by Board of Health and Conservation Commission regulations, existing zoning and a conventional subdivision per the Lakeville Subdivision Regulations ("subdivision regulations").
2. Lots may be reduced in size to a minimum of 30,000 square feet of contiguous upland area. The general location of septic systems and wells shall be shown on the plans to

ensure proper distances can be maintained to protect public health. The Health Department shall provide guidance to the Board on the proper location of these utilities.

3. Lots approved under this section do not have to comply with the requirements of Section 5.1 Intensity Regulations
4. All lots and structures shall comply with the following dimensional requirements.

Frontage: 100 feet *
Front yard setback: 25 feet
Side yard setback: 20 feet
Rear yard setback: 25 feet

Maximum Height of buildings
Number of Stories 2.5
Height 35 Feet

Lot Coverage 40%

Towers are not permitted

* The Board may allow 20% of the lots to have the frontage reduced to 50 feet

5. The width of each lot shall not be reduced to less than the required frontage from the street to building site on each lot.
6. All accessory structures and uses shall comply with the requirements of Section 5 of these bylaws unless otherwise provided for herein.
7. Strong emphasis shall be placed upon preserving and integrating the existing topography, natural features (such as rock outcrops, specimen trees and clumps of trees) and man-made features such as stonewalls into the plan.
8. Existing/proposed screening, distances between the OSRD and existing abutters, and topography shall all be considered. The intent is to minimize impacts on existing abutters. A deed restriction may be required if such limitations are applied.
9. When determined necessary by the Board, screening and buffering shall be required. It may consist of landscaped berms, evergreen plantings, solid walls or fences complemented by suitable plantings, "no cut" provisions (for existing vegetation), or a combination of these items. The location of the screening/buffering and species type(s) of vegetation shall be noted on the definitive plan.

7.10.5. Dedicated Open Space

1. A minimum of 50% of the upland area of the parcel shall become dedicated open space pursuant to MGL c. 40A, § 9. The Planning Board may reduce this figure to a minimum

of 40% if it determines there are unique circumstances (re: shape of parcel, topography, wetlands, etc.) that would individually or together preclude the construction of the OSRD or that the open space to be provided is of exceptional value to the Townspeople. Roadway layouts shall be excluded from the open space land area calculations.

2. Uses for open space: The open space may be used for wildlife habitat and conservation and may also be used for the following additional purposes: historic preservation, outdoor education, passive recreation, active recreation, aquifer protection, stormwater management, agriculture, horticulture, forestry, or a combination of these uses and shall be served by suitable access for such purposes. In subdivisions of 25 or more lots the Board may require a portion of the site be developed for active recreation such as but not limited to playgrounds, sports fields, courts, etc... The Selectboard must vote to accept this park prior to final approval, or the land shall be deeded to the Conservation Commission as open space.
3. Detention or retention basins may be located in the open space however this land area may not be counted towards the minimum open space required.
4. Dedicated open space may be utilized as natural courses for disposal for storm drainage from impervious surfaces. Other than minor berming (maximum 3-1 slopes which shall blend into the landscape) and riprap at pipe outflows, no significant disruptions of the land (contour changes greater than three feet) for drainage are permitted.
5. Dedicated open space may be in one or more parcels of a size and shape appropriate for its intended use. The parcels shall be laid out to promote convenient access by the homeowners within the OSRD and the general public. Wherever practical, parcels shall be accessible via upland areas. The adequacy of the open space land shall be determined by the Planning Board.
6. Public access to proposed preserved open space, including paths, shall be provided. The plan shall show the location, construction details, and signage for pathways. Paths in OSRDs shall not be utilized for snowmobiles and other motorized travel, but may be used for cross-country skiing, snowshoeing, horseback riding, and other non-motorized modes of travel.
7. Parking for public access or facilities to serve the recreational uses shall be allowed on the open space land.

7.10.6. Ownership of Dedicated Open Space. The open space shall, at the Planning Board's election be conveyed to:

1. The Town of Lakeville Conservation Commission and accepted by it for open space, or

2. The Town of Lakeville Selectboard and accepted by it for a park, or
3. be conveyed to a nonprofit organization, the principal purpose of which is the conservation of open space. In this case where the open space is not conveyed to the Town, a permanent conservation, agricultural or historical preservation restriction approved by Town counsel and enforceable by the Town, conforming to the standards of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways except as permitted by this bylaw and approved by the Planning Board. Restrictions shall provide for periodic inspection of the open space by the Town. Such restriction shall be submitted to the Planning Board prior to approval of the project and at the Registry of Deeds/Land Court simultaneously with recording of the endorsed definitive subdivision plan. A management plan may be required by the Planning Board which describes how existing woods, fields, meadows, or other natural areas shall be maintained with good conservation practices.
4. If necessary, such restrictions shall further provide for maintenance for the common land in a manner which will ensure its suitability for its function, appearance, cleanliness, and proper maintenance of drainage, utilities, and the like.
5. Where the boundaries of the open space are not readily observable in the field, the Planning Board shall require placement of surveyed bounds sufficient to identify the location of the open space.

7.10.7. Preliminary Subdivision and OSRD Concept Plan Application Process.

After the preapplication review, an applicant must file for preliminary subdivision approval and approval of the OSRD concept plan.

1. An application, a preliminary set of plans, illustrating a conventional subdivision plan and proposed OSRD shall be filed with the Lakeville Town Clerk and the Planning Board. The application shall be accompanied by 14 copies of the plans and any other supporting materials, which must be prepared and stamped by a professional civil engineer and landscape architect. This submittal shall comply with the Lakeville Subdivision Regulations. An electronic copy shall also be filed.
2. The preliminary subdivision plan shall be used by the Planning Board to determine the maximum number of lots which could be created via a conventional plan. The applicant must demonstrate to the satisfaction of the Board that all the lots shown on the preliminary plan comply with the applicable sections of the Lakeville Zoning By-Laws and Subdivision Regulations. This number will be the maximum allowed in an OSRD Special Permit and definitive subdivision plan submittal.
3. The burden of proof shall be upon the applicant to prove that all the proposed lot(s)

are suitable for building. The Planning Board reserves the right to challenge the status of any lot and not allow such to be included in any definitive plan filing.

4. Formal percolation and depth to groundwater tests shall be conducted on a portion of the lots located on the OSRD development area. Depending on the results of these tests and after consultation with the Board of Health, the Board may require additional testing. The results of these tests shall be submitted with the application.

5. A preliminary sketch plan of the proposed OSRD shall be submitted. It shall contain the proposed location of the road(s), lots, drainage, and dedicated open space. General topography (with ten-foot contours maximum), major site features and adjacent streets shall also be shown.

6. The Planning Board shall hold a public hearing on the preliminary plan within 45 days after the receipt of the application. It shall act on the application within 60 days of date of the first hearing unless an extension is agreed to by the applicant.

7. The conceptual OSRD shall also be reviewed and discussed during the hearing process. Comments and recommendations shall be incorporated in plans included in any subsequent filings.

8. If the preliminary conventional and conceptual OSRD plans are approved, the Planning Board shall, insofar as practical under the law, allow the submittal of a combined special permit and definitive subdivision plan. A combined submission will not be authorized in those cases where either the conventional preliminary plan or proposed OSRD concept plan is not approved by the Planning Board.

7.10.8. Special Permit Application and Filings.

A special permit application for an OSRD shall include a definitive subdivision plan with 14 copies and an electronic copy. It shall be prepared in accordance with the Lakeville Subdivision Regulations. Administrative and consulting review fees required by the Board shall be paid by the applicant. In addition, the applicant shall provide the following information:

1. A detailed analysis of the site, including wetlands, soil conditions, areas within the one-hundred-year floodplain, trees over eight inches in diameter in areas identified by the Planning Board, and natural, and/or man-made features and other items as the Planning Board may request;
2. A description of the proposed design characteristics of the site pursuant to these regulations;
3. Drainage calculations meeting the requirements of the subdivision regulation and zoning bylaws.

4. A copy of any restrictive covenant(s) for the preserved open space, association rules and regulations and/or other documentation relating to the creation of a homeowners' association or similar entity, if necessary.
5. The Planning Board may require other plans, studies, or reports as may be necessary for the Board to understand the impact of the proposal and determine compliance with the provisions of this By-Lay and the Lakeville Subdivision Regulations.

7.10.9. Special Permit Decision.

1. The Planning Board shall conduct a public hearing in accordance with the provisions of these bylaws.
2. If the Planning Board disagrees with any recommendations of another Town of Lakeville Board, it shall state its reasons therefor in writing.
3. The Planning Board shall consider the approval criteria in this section and other factors to determine if it approves the plan as submitted.
4. The Planning Board may impose conditions as a part of any approval that furthers the purposes of this Section 7.10.1 and these bylaws.
5. The Planning Board shall require a performance guarantee to secure the proper completion of all infrastructure as well as the fulfillment of any conditions of approval.

7.10.10. Approval Criteria.

The Planning Board may grant a special permit under this Section only if it finds that:

1. The proposed plan is in harmony with the intent and requirements of this section and these bylaws.
2. Open space as required by this bylaw has been provided and generally conforms to the dedicated open space section of this bylaw.
3. Proposed uses of the open space comply with this bylaw.
4. Proposed open space will be dedicated in compliance with the Massachusetts General Laws and this bylaw and is suitably protected.
5. Approximate building sites have been identified and are not located closer than 100 feet to wetlands and waterbodies.
6. Proposed streets have been aligned to provide vehicular access to each house

in a reasonable and economical manner. Lots and streets have been located to avoid or minimize adverse impacts on open space areas and to provide views of and access to the open space for the lots.

7. All lots meet the applicable dimensional requirements of this Open Space Residential Development By-Law.
8. If required, all documents creating a homeowners' association has been submitted to the Board and approved by Town Counsel.
9. The development will not have a detrimental impact on the neighborhood or abutting properties; and
10. Other factors as determined appropriate by the Planning Board.

7.10.11. Revisions to Approved Special Permits. Subsequent to granting of a special permit, the Planning Board may permit the relocation of lot lines or changes to landscaping within the project, provided that any change in the number of lots, street layout, square footage or composition of dedicated open space, or disposition thereof, will require further review and a public hearing.

Or take any other action relative thereto

Article _____

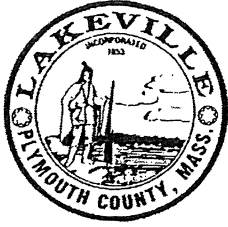
To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws, Section 7.4.6 Specific uses by Special Permit, by **DELETING** the requirement that Auto or Boat Sales, Rentals, or Service receive a Special Permit in the Industrial District and **ADDING** the requirement that they receive a Special Permit in the Business District, or take any other action relative thereto

**AGENDA ITEM #7
MARCH 21, 2022**

**DISCUSS REQUEST FROM PLANNING BOARD FOR COMMENTS
ON SITE PLAN – 2 BEDFORD STREET**

The Town Planner will be here for the discussion.

I have attached the following for your review: memo from the Town Planner; Site Plan; Building Renderings; application for site plan review; letter from applicant's attorney and Order of Conditions.



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

Date: March 16, 2022

Memo To: Lakeville Planning Board

Memo From: Marc Resnick, Town Planner

Re: 2 Bedford Street

I have reviewed the Site Plan Review submission for 2 Bedford Street and have the following comments about the site plan.

- The location of the abutting houses should be shown on the plan. Section 6.7.2.1
- The dumpster location is not convenient for restaurant personnel and would be better located along the North side of the site by the rear retaining wall.
- Details of the retaining wall should be submitted. These should include fencing along the top of the walls
- Section 5.2.3 of the Zoning By-Laws requires a 40' buffer at the rear of the property. A 30' buffer is shown
- Location of mechanical equipment should be shown.
- There is a drive thru shown on the building plans but there is a proposed patio between the street and the building. If a drive thru is proposed the site plan needs to be modified, if not these windows and signage should be removed from the building drawings.
- The first two spaces on either side of the southern parking lot and the first one in the other front lot should be removed as any cars waiting for these spots could be waiting in the roadway which could create a dangerous situation given the speeds of Bedford street.
- Additional landscaping should be added along the front of the site and the south side near the street

- A 6-foot-high solid wood or vinyl fence should be placed along the property line with #12 Bedford Street where the abutting houses are at the back of the lot.
- A lighting plan should be submitted as well as details of all exterior lighting fixtures. These should be dark sky compliant and comply with Lakeville's Outdoor Lighting By-Law.
- There are no areas identified as loading or unloading areas.
- There is a difference in the number of restaurant seats shown in the parking requirement chart. It shows both 80 and 78 seats
- The sign needs to be located 10 feet back from the property line.
- The use of reclaimed pavement borrow for the road base is not permitted.

The lot coverage requirement in the Business district is 50%. The zoning compliance table shows 66% of lot coverage. However, the calculations for the lot coverage have not been provided. The lot coverage should subtract the wetland areas and surface drainage areas before the percent is obtained. This is in Section 5.2.2.1

As stated in Section 5.1.4 the applicant may increase lot coverage up to 70% the applicant can comply with the design standards in Section 7.6.1. The following are comments related to this Section.

7.6.3.1 The building is longer than 100 feet and does not incorporate wall projections or recesses over its length.

7.6.3.2 It is unclear from the submitted drawings if the first-floor windows comply with this Section. It appears that the second-floor windows do comply however details should be provided for both types of windows as well as the doors.

7.6.3.3 Additional information should be provided to determine the compliance with this Section. Specific siding materials and colors should be provided.

7.6.3.4 The roof has dormers on one side and copulas across the peak and could be deemed in compliance with this section.

7.6.3.5 More information is needed on building materials and colors to determine compliance with this section

7.6.3.6 It appears this this section may be met as there is a canopy over the door, dormers are located over the doorways and display windows next to the doors.

7.6.4.1 There should be a door on the side of the restaurant facing the street

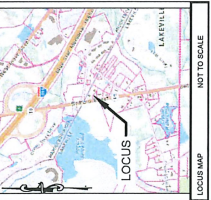
7.6.4.2 This requirement appears to be met as most of the parking is on the side or rear of the lot

7.6.4.3 The building is setback more than the minimum 60 feet

7.6.4.4 Loading areas, truck parking, and mechanical equipment should be shown on the plan.

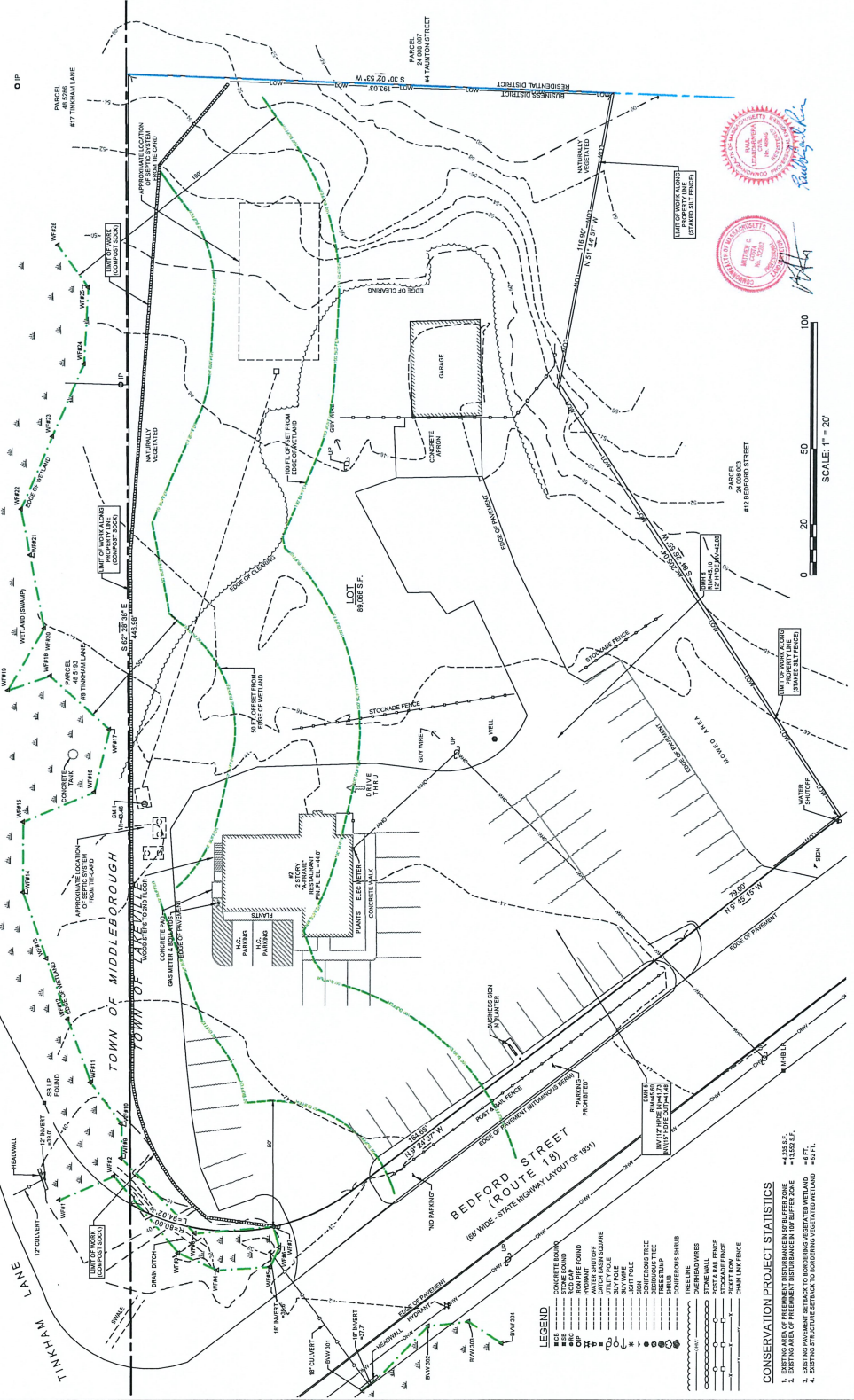
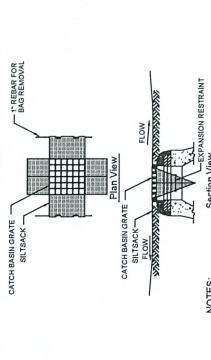
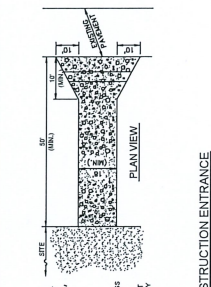
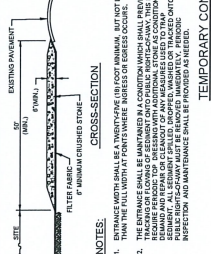
7.6.4.5 #1 and #2 don't apply but #3 requires a 6-foot-wide planting strip between the foundation and the walkway around the building. There are no internal walkways, and there should be a designated walkway between the two lower lots and a walkway from the rear lot to the building.

7.6.4.6 There is a patio/seating area, but the Board needs to determine whether the sidewalk in front of the stores meets the intent of a window-shopping walkway. The site does not have any of the other features.



DEMO, EROSION AND SEDIMENTATION CONTROL PLAN

1. PRIOR TO ANY WORK THE CONTRACTOR SHALL EXAMINE AND FAMILIARIZE HIMSELF WITH ALL CONSTRUCTION DOCUMENTS AND PROJECT PERMITS FOR THIS WORK.
2. THE INSTALLER SHALL EXAMINE THE WORK AREA AND SITE CONDITIONS PRIOR TO THE WORK TO BE PERFORMED PRIOR TO INSTALLATION OF DEMONSTRATION AND EROSION CONTROL.
3. WORK AREAS SHALL ESTABLISH THE LIMIT OF WORK AREAS AS INDICATED IN THE CONSTRUCTION DRAWINGS AND MAINTAIN THE LIMIT OF WORK IN GOOD CONDITIONS THROUGHOUT THE DURATION OF THE CONSTRUCTION.
4. DEMONSTRATION CONTROL SYSTEMS SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
5. ALL DEMONSTRATION CONTROL SYSTEMS SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION.
6. THE CONTRACTOR SHALL MAINTAIN DEMONSTRATION CONTROL SYSTEMS TO PROTECT AGAINST EROSION. THE CONTRACTOR SHALL REGULARLY AND AT LEAST ONCE A WEEK REMOVE THE SILT BAGS.
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LEGEND

- 1" CULVERT
- 6" CULVERT
- 12" CULVERT
- 24" CULVERT
- 36" CULVERT
- 48" CULVERT
- 60" CULVERT
- 72" CULVERT
- 84" CULVERT
- 96" CULVERT
- 108" CULVERT
- 120" CULVERT
- 144" CULVERT
- 168" CULVERT
- 192" CULVERT
- 216" CULVERT
- 240" CULVERT
- 288" CULVERT
- 336" CULVERT
- 384" CULVERT
- 432" CULVERT
- 480" CULVERT
- 528" CULVERT
- 576" CULVERT
- 624" CULVERT
- 672" CULVERT
- 720" CULVERT
- 768" CULVERT
- 816" CULVERT
- 864" CULVERT
- 912" CULVERT
- 960" CULVERT
- 1008" CULVERT
- 1056" CULVERT
- 1104" CULVERT
- 1152" CULVERT
- 1200" CULVERT

CONSERVATION PROJECT STATISTICS

- 1. EXISTING AREA OF PRESUMED DISTURBANCE IN 2017: 133,554 SQ. FT.
- 2. EXISTING AREA OF PRESUMED DISTURBANCE IN 2018: 133,554 SQ. FT.
- 3. EXISTING DISTURBANCE TO BARRIERS VEGETATED WETLAND: 51 FT.
- 4. EXISTING DISTURBANCE TO BARRIERS VEGETATED WETLAND: 51 FT.

CAPE & ISLANDS ENGINEERING

2 BEDFORD STREET
LAUREL, MASSACHUSETTS

DATE: FEBRUARY 8, 2021
CHECKED BY: MC

PROJECT: 2 BEDFORD STREET, LAUREL, MASSACHUSETTS

PREPARED FOR: TOWN OF LAUREL

SCALE: 1" = 20'

DATE: FEBRUARY 8, 2021

PREPARED BY: TOWN OF LAUREL

PROJECT: 2 BEDFORD STREET, LAUREL, MASSACHUSETTS

DATE: FEBRUARY 8, 2021

CHECKED BY: MC

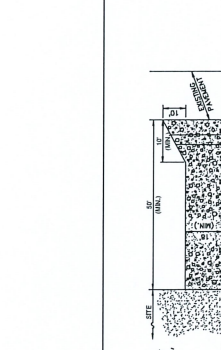
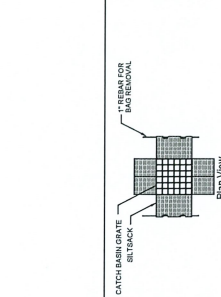
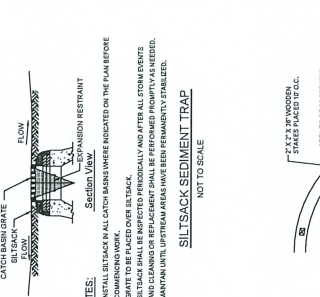
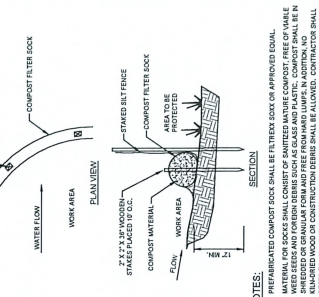
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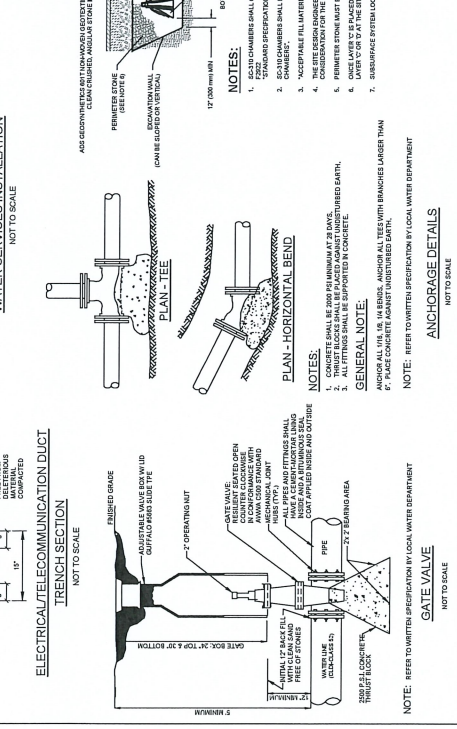
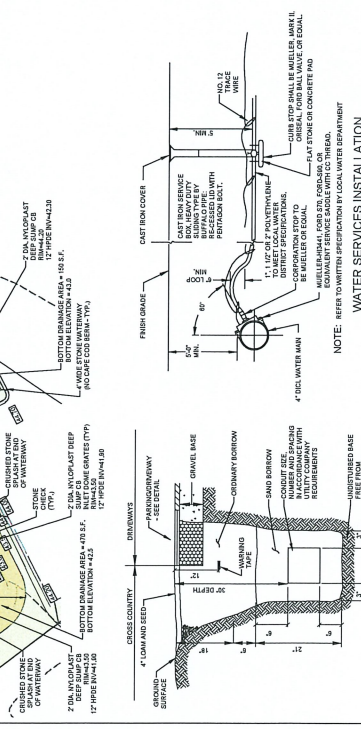
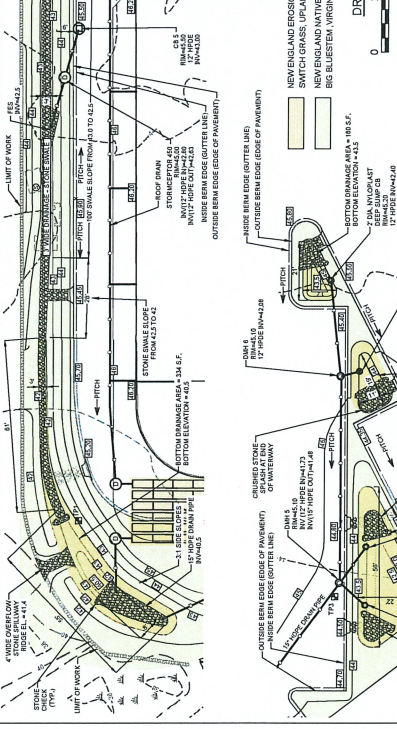
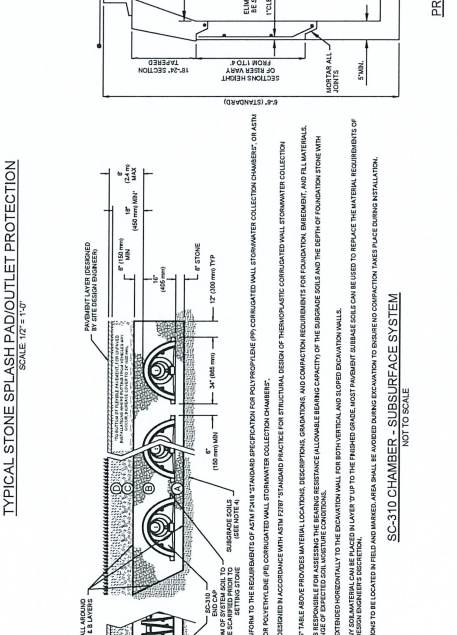
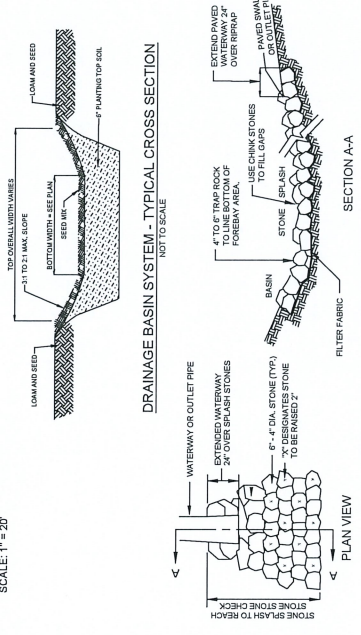
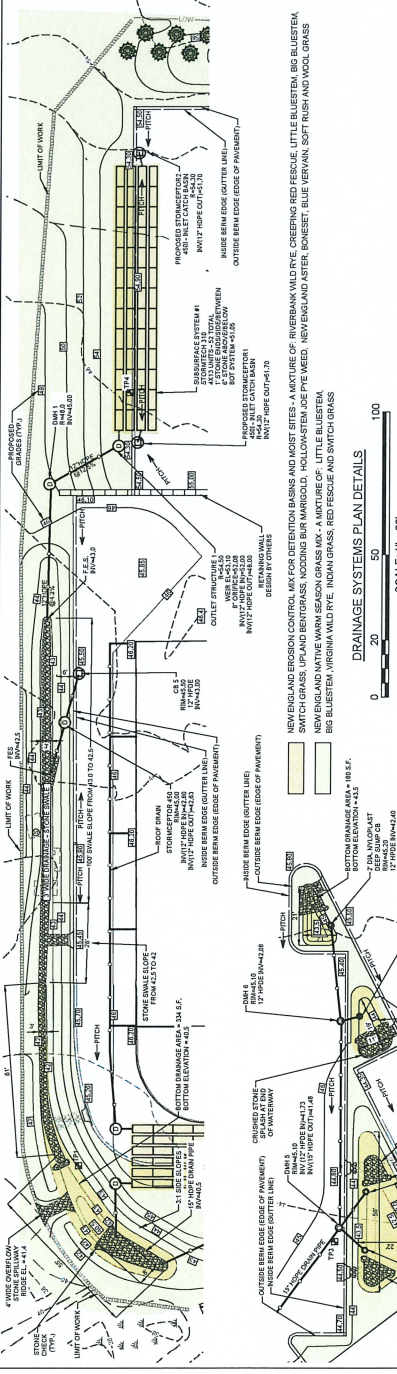
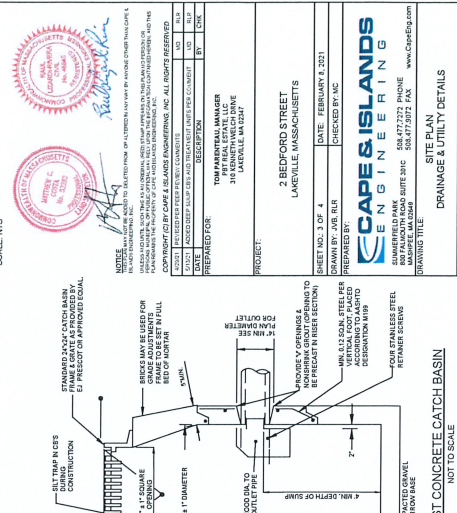
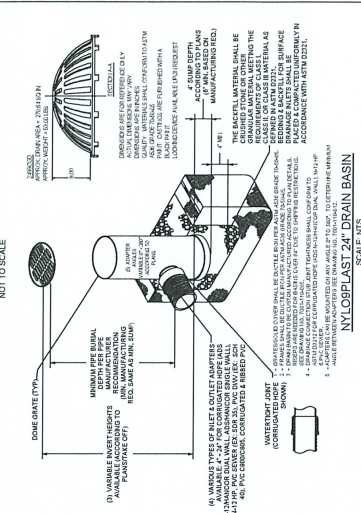
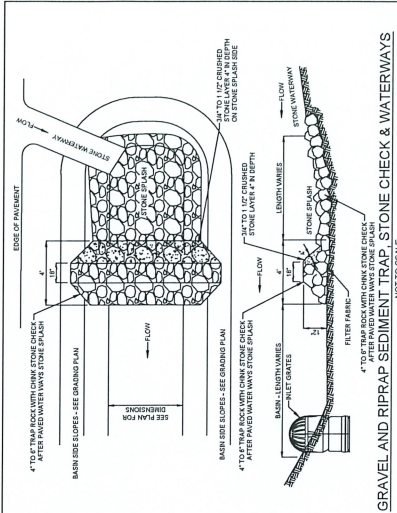
DATE: FEBRUARY 8, 2021

CHECKED BY: MC

NOTES:

1. MATERIAL FOR SOCKS SHALL CONSIST OF SANITIZED MATRICE COMPOST, FREE OF WABLE AND WEEDS, AND SHALL BE PLACED IN A MESH BAG THAT IS 18" X 18" X 18" IN SIZE. THE SOCKS SHALL BE WASHED OR RINSED ON A HARD SURFACE PRIOR TO USE. IN ADDITION, NO SOXES SHALL BE USED ON WOODS OR CONSTRUCTION DEBRIS SHALL BE ALLOWED. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.
2. SOCKS SHALL BE INSTALLED AT THE POINT OF DISCHARGE OF ALL CONSTRUCTION EQUIPMENT AND SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE CONSTRUCTION PERIOD.
3. SOCKS SHALL BE REMOVED AND REPLACED AS NEEDED. CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES.





CAPE & ISLANDS ENGINEERING
 2 BEDFORD STREET
 LAURELLE, MASSACHUSETTS
 DRAWN BY: JVD, RLB
 CHECKED BY: JVD
 DATE: FEBRUARY 7, 2021
 SHEET NO. 2 OF 4
 PREPARED BY: JVD, RLB
 PROJECT: DRAINAGE & UTILITY DETAILS
 SITE PLAN
 2 BEDFORD STREET
 LAURELLE, MASSACHUSETTS
 508-477-2722 PHONE
 508-477-2722 FAX
 www.cheapeis.com

NOTES:

1. SEDIMENT CHAMBERS SHALL CONFORM TO THE REQUIREMENTS OF ASTM F1964 STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) COMPACTED WALL STORMWATER COLLECTION CHAMBERS OR ASTM F2000 STANDARD SPECIFICATION FOR POLYPROPYLENE (PP) COMPACTED WALL STORMWATER COLLECTION CHAMBERS.
2. CHAMBERS SHALL BE DESIGNED TO ACCOMMODATE WITH A MINIMUM OF 2\"/>

GENERAL NOTE:

1. ALL FITTINGS SHALL BE SUPPORTED IN CONCRETE.

ANCHORAGE DETAILS
 NOT TO SCALE

WATER SERVICES INSTALLATION
 NOT TO SCALE

PLAN - HORIZONTAL BEND
 NOTES:
 1. ALL FITTINGS SHALL BE SUPPORTED IN CONCRETE.
 2. ALL FITTINGS SHALL BE SUPPORTED IN CONCRETE.
 3. ALL FITTINGS SHALL BE SUPPORTED IN CONCRETE.

ELECTRICAL/TELECOMMUNICATION DUCT TRENCH SECTION
 NOT TO SCALE

ANCHORAGE DETAILS
 NOT TO SCALE

2 BEFORD STREET

LAKEVILLE, MA 02346

Sheet Number	Sheet Name
A0.0	COVER
A1.1	FIRST FLOOR PLAN
A1.2	SECOND FLOOR PLAN
A2.1	FRONT * REAR ELEVATION
A2.2	SIDE ELEVATIONS
A3.1	DIAGRAMATIC BUILDING
A4.1	3D VIEWS

Drawing List

#	REVISION	DATE

* NOTES
 * SEE ALL DIMENSIONS IN FIELD.

PROJECT
 2 BEFORD STREET
 LAKEVILLE, MA 02346

FILED
 ISSUED FOR
 CONSTRUCTION
 COVER

PROJECT NUMBER 2346
 DATE 04.06.2021
 DRAWN BY: SGE



CONSULTANT

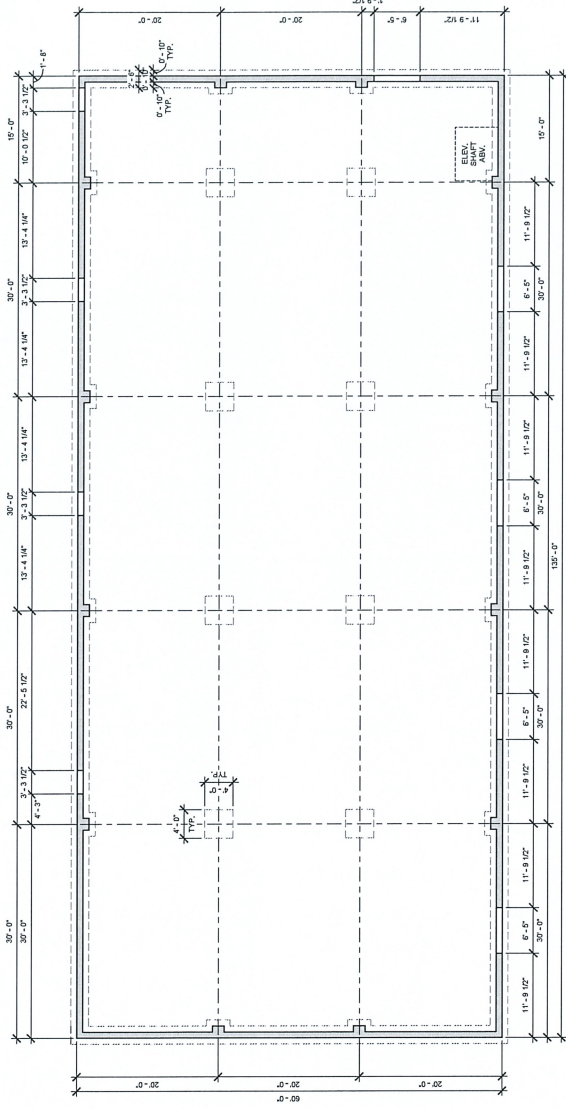
REVISION	DESCRIPTION	DATE

NOTES
VERIFY ALL DIMENSIONS IN FIELD.

PROJECT
2 BEFORD STREET
LAKEVILLE, MA 02346

ISSUED FOR
CONSTRUCTION
FOUNDATION PLAN +
DETAILS
PROJECT NUMBER
2346
DATE
04.05.2021
DRAWN BY:
SE/TG

Scale
A1.0
1/8" = 1'-0"



FOUNDATION PLAN
1/8" = 1'-0"



© CONSULTANT

#	REVISION	DESCRIPTION	DATE

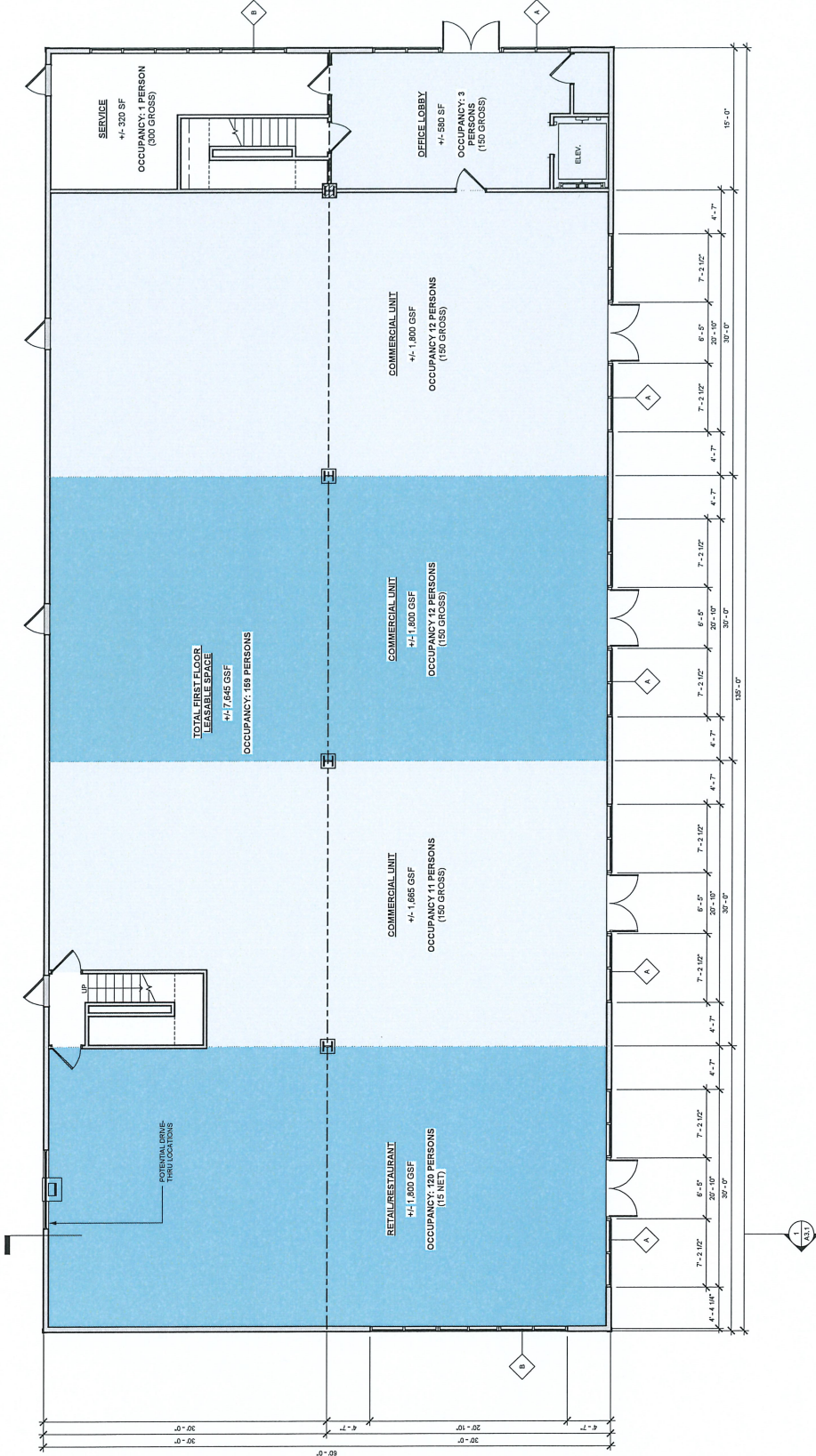
NOTES:
VERIFY ALL DIMENSIONS ON SITE.

SUBJECT:
2 BEFORD STREET
LAKEVILLE, MA 02346

PURPOSE:
ISSUED FOR
CONSTRUCTION
REVISION DATE:
FIRST FLOOR PLAN

PROJECT NUMBER: 2346
DATE: 04.08.2021
DRAWN BY: SGE

Scale: **A1.1**
3/16" = 1'-0"



#	REVISION	DATE

NOTES
1. SEE ALL DIMENSIONS IN FIELD.

PROJECT
2 BEFORD STREET
LAKEVILLE, MA 02346

PHASE
ISSUED FOR CONSTRUCTION

DATE
04.06.2021

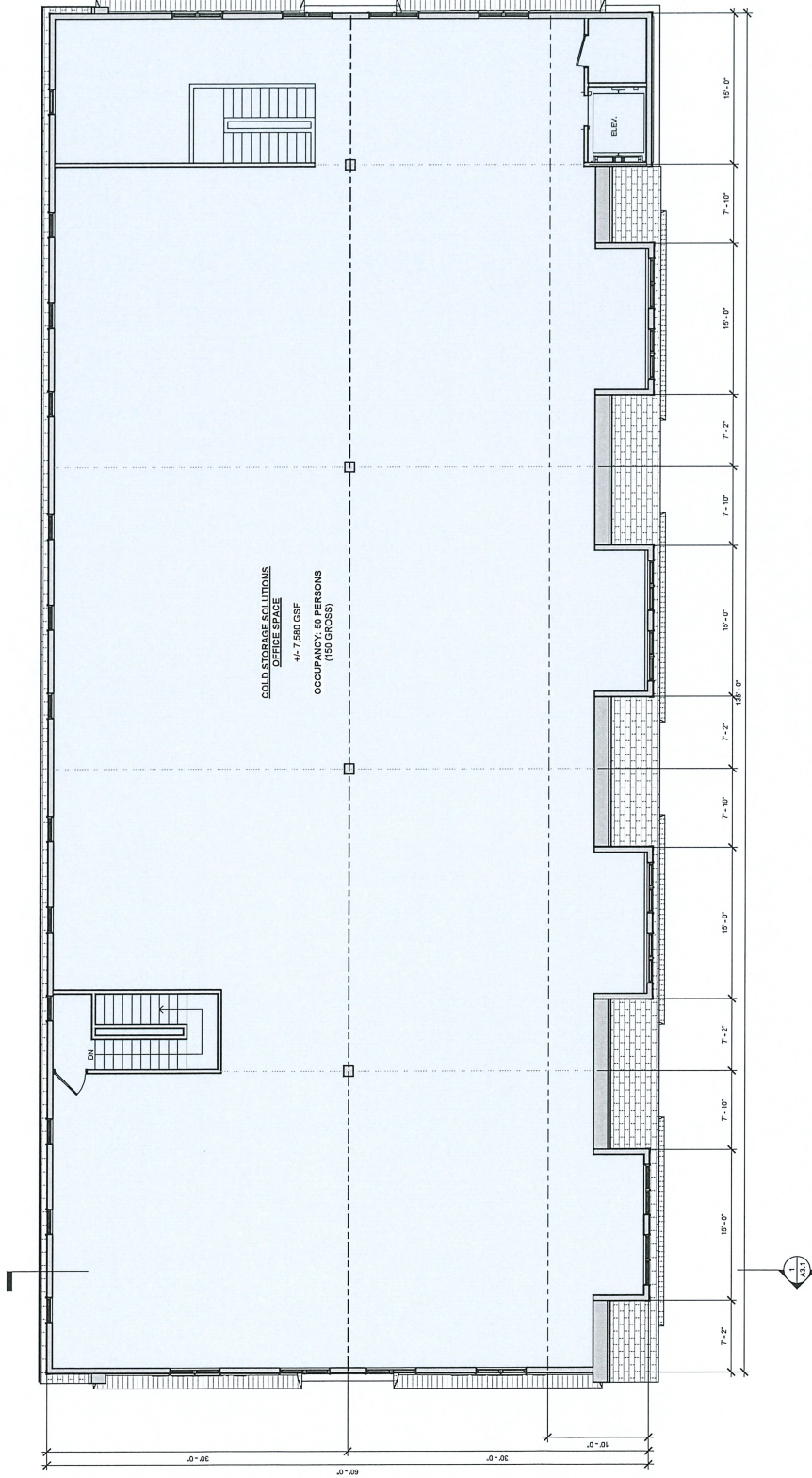
PROJECT NUMBER
2346

DRAWN BY:
SGE

SECOND FLOOR PLAN

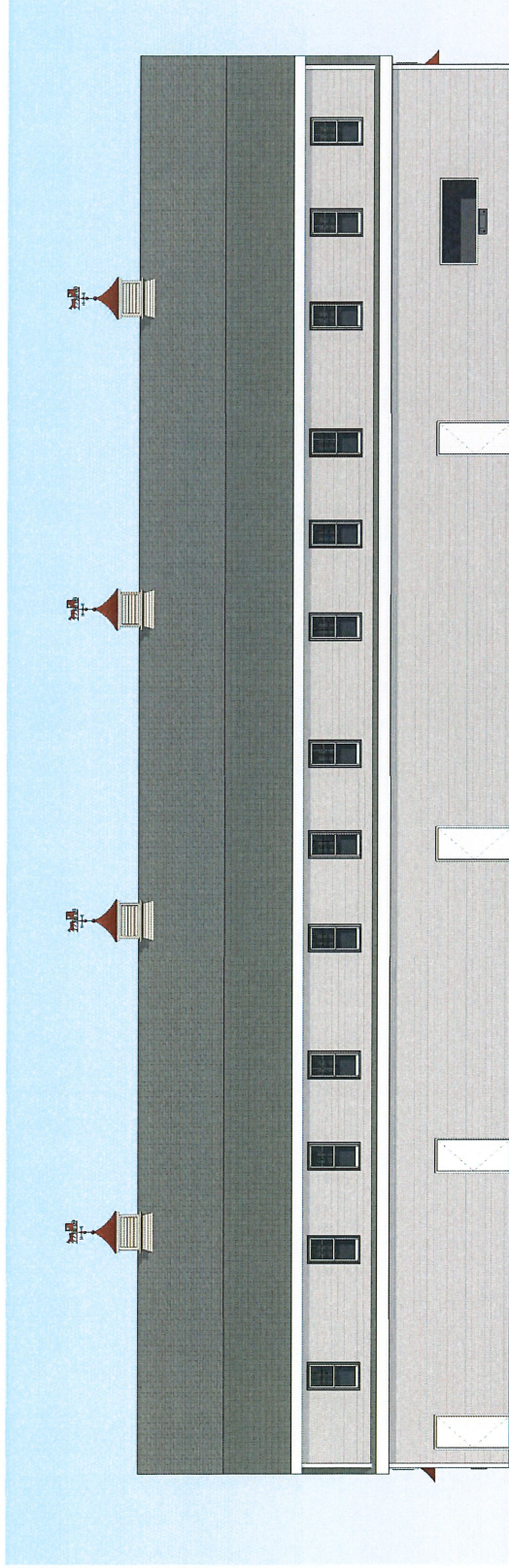
A1.2
3/16" = 1'-0"

Scale





① SOUTH ELEVATION
3/16" = 1'-0"



② NORTH ELEVATION
3/16" = 1'-0"

CONSULTANT

#	REVISION	DESCRIPTION	DATE

NOTES
VERIFY ALL DIMENSIONS ON SITE.

PROJECT
#2 BEFORE STREET
LAKEVILLE, MA 02346

STATUS
ISSUED FOR CONSTRUCTION

DATE
04.06.2021

PROJECT NUMBER
2346

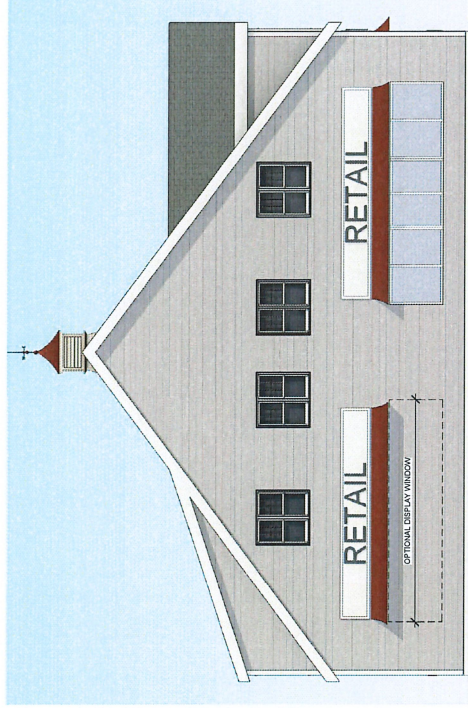
DATE
04.06.2021

DRAWN BY:
SLP

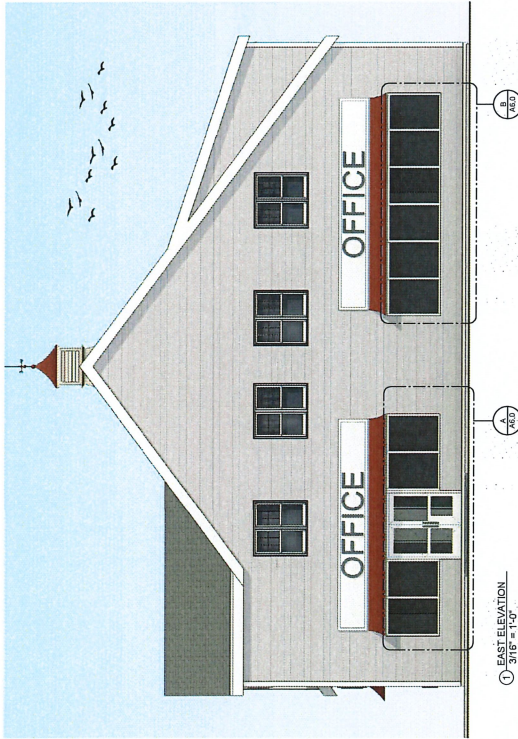
SCALE
3/16" = 1'-0"

A2.2

Scale
3/16" = 1'-0"



② WEST BEDFORD ST. ELEVATION
3/16" = 1'-0"



① EAST ELEVATION
3/16" = 1'-0"

CONSULTANT

REVISION	DESCRIPTION	DATE

NOTES
VERIFY ALL DIMENSIONS OF FITTED.

PROJECT
2 BEFORD STREET
LAKEVILLE, MA 02346

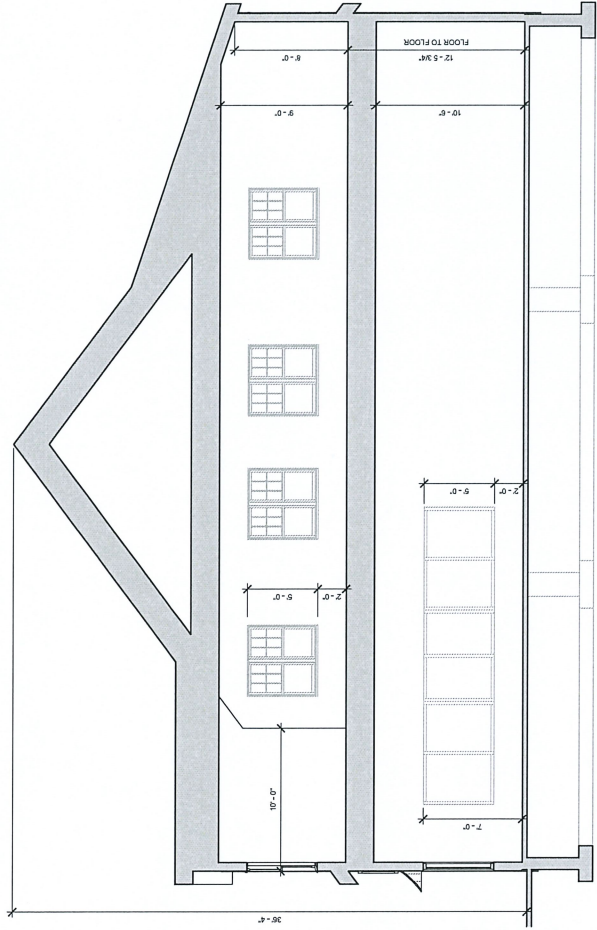
ISSUED FOR
CONSTRUCTION

DIAGRAMATIC
BUILDING SECTIONS

PROJECT NUMBER 2346
DATE 04.08.2021
DRAWN BY: SGE

A3.1

Scale
1/4" = 1'-0"



REVISION	DESCRIPTION	DATE

NOTED
VERIFY ALL DIMENSIONS BEFORE FIELD.

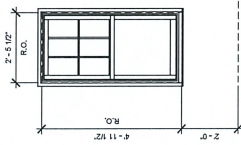
PROJECT
2 BEFORD STREET
LAKEVILLE, MA 02346

ISSUED FOR
CONSTRUCTION
3D VIEWS

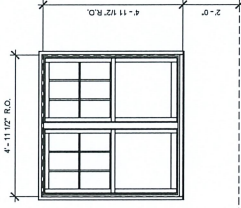
PROJECT NUMBER 2346
DATE 04.06.2021
DRAWN BY SLP



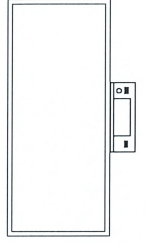
PROJECT MANAGER TO VERIFY ALL DIMENSIONS WITH FINAL QUOTE



FELLA 200 SERIES
2000 DOUBLE HUNG WINDOW
QUANTITY: 10

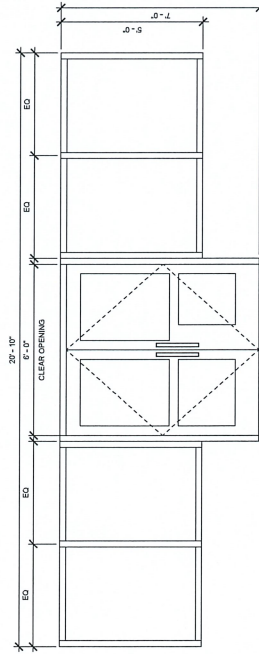


FELLA 200 SERIES
2000 DOUBLE HUNG WINDOW WITH OVERHANG
QUANTITY: 16

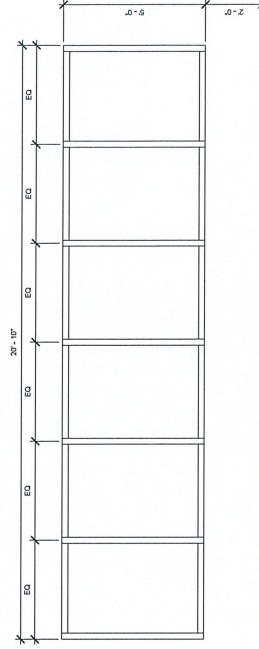


TRANSACO 100 WINDOW
BY OTHERS. CHECK WITH OWNER AND TENANT.

WINDOW LEGEND
1/2" = 1'-0"



(A) STOREFRONT TYPE 'A' - EXTERIOR ALUMINUM STOREFRONT
1/2" = 1'-0"
QUANTITY: 5



(B) STOREFRONT TYPE 'B' - EXTERIOR ALUMINUM STOREFRONT
1/2" = 1'-0"
QUANTITY: 2

REVISION	DESCRIPTION	DATE

NOTES
1. VERIFY ALL DIMENSIONS IN FIELD.

PROJECT
2 BIFORD STREET
LAKEVILLE, MA 02346

ISSUE
ISSUED FOR CONSTRUCTION

WINDOW + STOREFRONT DETAILS
PROJECT NUMBER: 2346
DATE: 04.05.2021
DRAWN BY: SGE

THE LAW OFFICES OF BELLO & MORTON, LLC

184 Main Street Wareham, Massachusetts 02571 · 508-295-2522

February 15, 2022

Town of Lakeville

Planning Board

346 Bedford Street

Lakeville, MA 02347

***Re: Application for Site Plan Review on the Site Located on 2 Bedford Street, Lakeville,
MA***

Dear Board:

Please find enclosed our application for Site Plan Review which includes the following:

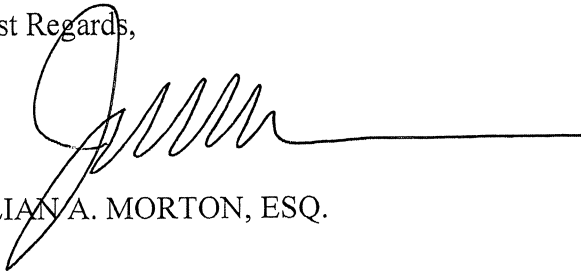
1. Application for Site Plan Review submitted by Attorney Jilian Morton, on behalf of her client Thomas J. Parenteau of PBT Real Estate LLC
2. Current Deed: Property Owner: PBT Real Estate LLC
3. Full Site Plan Set Entitled: “ 2 Bedford Street, Lakeville, Massachusetts,” Prepared by Cape & Islands Engineering, dated December 15, 2021
4. Architectural Renderings of the proposed build Prepared by Longfellow Designs Build, Inc.
5. Order of Conditions from the Lakeville Conservation Commission who heard the project last year and has approved.
6. Check to the Town of Lakeville for Application of Site Plan Review Fee.

7. Stormwater Management Report as well as Technical Peer Review Response from the Conservation Hearings regarding 2 Bedford Street

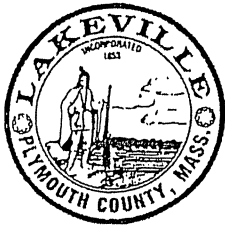
The proposed build includes the construction of an 8,100 square foot commercial building with 111 parking spaces which will include retail space and cold storage freezer space as well. We ask to be heard at the next available hearing once publication is made and abutters are notified. Thank you. Please advise what the other applicable fees are so we may pay.

Please direct any and all questions to my attention.

Best Regards,

A handwritten signature in black ink, appearing to read 'Julian A. Morton', followed by a long horizontal line extending to the right.

JILIAN A. MORTON, ESQ.



Town of Lakeville
 Planning Board
 346 Bedford Street
 Lakeville, MA 02347
 508-946-3473

RECEIVED
 MAR - 7 2022
 SELECTMEN'S OFFICE

APPLICATION FOR SITE PLAN REVIEW

Name of Applicant: Thomas J. Parenteau, of PBT Real Estate LLC
 Street: c/o Attorney Jilian Morton, 184 Main Street
 City/Town: Wareham State: MA Zip: 02571
 Telephone: 508-295-2522 Email: jam@mortonlawllc.com
 Property Owner Name: (same as applicant)

Street: _____
 City/Town: _____ State: _____ Zip: _____
 Telephone: _____ Email: _____

Contact Person's Name: Attorney Jilian A. Morton
 Telephone: 508-295-2522 Email: jam@mortonlawllc.com

SITE INFORMATION

Street and number: 2 Bedford Street
 Zoning District: Business Map 24 Block 8 Lot 1
 Lot size: 2.3 acres Frontage: 337.67
 Current use: vacant land

PLAN INFORMATION

Plan Title: "2 Bedford Street, Lakeville, MA dated December 15, 2021"
 Prepared by: Cape and Island Engineering
 Date prepared: 12/15/2021 Revision date (s): _____

Full*
 Plan Set

Detailed Description of proposed work: _____

** please see the attached letter*

TO THE LAKEVILLE PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for review of the above **SITE PLAN** by the Planning Board and certifies that, to the best of the APPLICANT'S knowledge and belief, the information contained herein is correct and complete and that said PLAN conforms with the requirements of the Rules and Regulations of the Lakeville Planning Board and the Zoning By-Law of the Town of Lakeville.

Applicant's Signature: *Murray J. Kocutewicz* Date: *2/9/2022*

Property Owner's Signature: _____ Date: _____
(if not Applicant)

Will you have a representative other than yourself? Yes No

Name: *Attorney Jillian Morton*

Telephone: *508-295-2522* Email: *jam@mortonlawllc.com*

To be completed by Planning Board staff:

Distributed to: Board of Health, Board of Selectmen, Building Department, Conservation Commission, Fire Chief, Highway Surveyor, Open Space Committee, Police Chief

Date/initials: _____

*** Electronic Recording ***

Doc#: 00105479

Bk: 55670 Pg: 43 Page: 1 of 15

Recorded: 09/16/2021 02:50 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

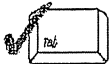
Provided by MassDEP:
SE192-856
MassDEP File #

eDEP Transaction #
Lakeville
City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



1. From: Lakeville
Conservation Commission

2. This issuance is for (check one): a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:
Tom Parenteau
a. First Name b. Last Name

PBT Real Estate LLC
c. Organization

310 Kenneth Welch Drive
d. Mailing Address

Lakeville MA 02347
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name

c. Organization

d. Mailing Address

e. City/Town f. State g. Zip Code

5. Project Location:

2 Bedford St. Lakeville
a. Street Address b. City/Town

024/008 Lot 1
c. Assessor's Map/Plat Number d. Parcel/Lot Number

Latitude and Longitude, if known: 41d53m40.02Ns 70d57m29.340Ws
d. Latitude e. Longitude



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SS
MassDEP File #
192-856
eDEP Transaction #
Lakeville
City/Town

A. General Information (cont.)

6. Property recorded at the Registry of Deeds for (attach additional information if more than one parcel):
Plymouth
a. County
53108
c. Book
b. Certificate Number (if registered land)
285
d. Page
7. Dates: 02/11/2021 05/25/2021 6/9/2021
a. Date Notice of Intent Filed b. Date Public Hearing Closed c. Date of Issuance
8. Final Approved Plans and Other Documents (attach additional plan or document references as needed):
Site Plan / Layout Plan
a. Plan Title
Cape & Islands Engineering Raul Lizardi Rivera, PE, Matthew Costa,
b. Prepared By PLS
05/13/21 1" = 20'
d. Final Revision Date e. Scale
- | f. Additional Plan or Document Title | g. Date |
|--------------------------------------|---------|
| | |

B. Findings

1. Findings pursuant to the Massachusetts Wetlands Protection Act:

Following the review of the above-referenced Notice of Intent and based on the information provided in this application and presented at the public hearing, this Commission finds that the areas in which work is proposed is significant to the following interests of the Wetlands Protection Act (the Act). Check all that apply:

- a. Public Water Supply b. Land Containing Shellfish c. Prevention of Pollution
d. Private Water Supply e. Fisheries f. Protection of Wildlife Habitat
g. Groundwater Supply h. Storm Damage Prevention i. Flood Control

2. This Commission hereby finds the project, as proposed, is: (check one of the following boxes)

Approved subject to:

- a. the following conditions which are necessary in accordance with the performance standards set forth in the wetlands regulations. This Commission orders that all work shall be performed in accordance with the Notice of Intent referenced above, the following General Conditions, and any other special conditions attached to this Order. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SF192-856
 MassDEP File #

eDEP Transaction #
 Lakeville
 City/Town

B. Findings (cont.)

Denied because:

- b. the proposed work cannot be conditioned to meet the performance standards set forth in the wetland regulations. Therefore, work on this project may not go forward unless and until a new Notice of Intent is submitted which provides measures which are adequate to protect the interests of the Act, and a final Order of Conditions is issued. **A description of the performance standards which the proposed work cannot meet is attached to this Order.**
- c. the information submitted by the applicant is not sufficient to describe the site, the work, or the effect of the work on the interests identified in the Wetlands Protection Act. Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides sufficient information and includes measures which are adequate to protect the Act's interests, and a final Order of Conditions is issued. **A description of the specific information which is lacking and why it is necessary is attached to this Order as per 310 CMR 10.05(6)(c).**
- 3. Buffer Zone Impacts: Shortest distance between limit of project disturbance and the wetland resource area specified in 310 CMR 10.02(1)(a) _____ a. linear feet

Inland Resource Area Impacts: Check all that apply below. (For Approvals Only)

Resource Area	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
4. <input type="checkbox"/> Bank	_____ a. linear feet	_____ b. linear feet	_____ c. linear feet	_____ d. linear feet
5. <input type="checkbox"/> Bordering Vegetated Wetland	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
6. <input type="checkbox"/> Land Under Waterbodies and Waterways	_____ a. square feet _____ e. c/y dredged	_____ b. square feet _____ f. c/y dredged	_____ c. square feet	_____ d. square feet
7. <input type="checkbox"/> Bordering Land Subject to Flooding	_____ a. square feet	_____ b. square feet	_____ c. square feet	_____ d. square feet
Cubic Feet Flood Storage	_____ e. cubic feet	_____ f. cubic feet	_____ g. cubic feet	_____ h. cubic feet
8. <input type="checkbox"/> Isolated Land Subject to Flooding	_____ a. square feet	_____ b. square feet		
Cubic Feet Flood Storage	_____ c. cubic feet	_____ d. cubic feet	_____ e. cubic feet	_____ f. cubic feet
9. <input type="checkbox"/> Riverfront Area	_____ a. total sq. feet	_____ b. total sq. feet		
Sq ft within 100 ft	_____ c. square feet	_____ d. square feet	_____ e. square feet	_____ f. square feet
Sq ft between 100-200 ft	_____ g. square feet	_____ h. square feet	_____ i. square feet	_____ j. square feet



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE192-856
 MassDEP File #

eDEP Transaction #
 Lakeville
 City/Town

B. Findings (cont.)

Coastal Resource Area Impacts: Check all that apply below. (For Approvals Only)

	Proposed Alteration	Permitted Alteration	Proposed Replacement	Permitted Replacement
10. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below			
11. <input type="checkbox"/> Land Under the Ocean	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
12. <input type="checkbox"/> Barrier Beaches	Indicate size under Coastal Beaches and/or Coastal Dunes below			
13. <input type="checkbox"/> Coastal Beaches	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment	<u> </u> d. nourishment
14. <input type="checkbox"/> Coastal Dunes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. nourishment	<u> </u> d. nourishment
15. <input type="checkbox"/> Coastal Banks	<u> </u> a. linear feet	<u> </u> b. linear feet		
16. <input type="checkbox"/> Rocky Intertidal Shores	<u> </u> a. square feet	<u> </u> b. square feet		
17. <input type="checkbox"/> Salt Marshes	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
18. <input type="checkbox"/> Land Under Salt Ponds	<u> </u> a. square feet	<u> </u> b. square feet		
	<u> </u> c. c/y dredged	<u> </u> d. c/y dredged		
19. <input type="checkbox"/> Land Containing Shellfish	<u> </u> a. square feet	<u> </u> b. square feet	<u> </u> c. square feet	<u> </u> d. square feet
20. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, Inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above			
	<u> </u> a. c/y dredged	<u> </u> b. c/y dredged		
21. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u> </u> a. square feet	<u> </u> b. square feet		
22. <input type="checkbox"/> Riverfront Area	<u> </u> a. total sq. feet	<u> </u> b. total sq. feet		
Sq ft within 100 ft	<u> </u> c. square feet	<u> </u> d. square feet	<u> </u> e. square feet	<u> </u> f. square feet
Sq ft between 100-200 ft	<u> </u> g. square feet	<u> </u> h. square feet	<u> </u> i. square feet	<u> </u> j. square feet



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 5 – Order of Conditions
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
 SE192-856
 MassDEP File #

eDEP Transaction #
 Lakeville
 City/Town

B. Findings (cont.)

* #23. If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.5.c (BVW) or B.17.c (Salt Marsh) above, please enter the additional amount here.

23. Restoration/Enhancement *:

a. square feet of BVW

b. square feet of salt marsh

24. Stream Crossing(s):

a. number of new stream crossings

b. number of replacement stream crossings

C. General Conditions Under Massachusetts Wetlands Protection Act

The following conditions are only applicable to Approved projects.

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Order.
2. The Order does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of private rights.
3. This Order does not relieve the permittee or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.
4. The work authorized hereunder shall be completed within three years from the date of this Order unless either of the following apply:
 - a. The work is a maintenance dredging project as provided for in the Act; or
 - b. The time for completion has been extended to a specified date more than three years, but less than five years, from the date of issuance. If this Order is intended to be valid for more than three years, the extension date and the special circumstances warranting the extended time period are set forth as a special condition in this Order.
 - c. If the work is for a Test Project, this Order of Conditions shall be valid for no more than one year.
5. This Order may be extended by the issuing authority for one or more periods of up to three years each upon application to the issuing authority at least 30 days prior to the expiration date of the Order. An Order of Conditions for a Test Project may be extended for one additional year only upon written application by the applicant, subject to the provisions of 310 CMR 10.05(11)(f).
6. If this Order constitutes an Amended Order of Conditions, this Amended Order of Conditions does not extend the issuance date of the original Final Order of Conditions and the Order will expire on 05/25/2024 unless extended in writing by the Department.
7. Any fill used in connection with this project shall be clean fill. Any fill shall contain no trash, refuse, rubbish, or debris, including but not limited to lumber, bricks, plaster, wire, lath, paper, cardboard, pipe, tires, ashes, refrigerators, motor vehicles, or parts of any of the foregoing.



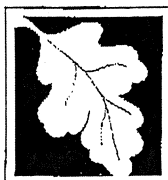
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C. General Conditions Under Massachusetts Wetlands Protection Act

8. This Order is not final until all administrative appeal periods from this Order have elapsed, or if such an appeal has been taken, until all proceedings before the Department have been completed.
9. No work shall be undertaken until the Order has become final and then has been recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land upon which the proposed work is to be done. In the case of the registered land, the Final Order shall also be noted on the Land Court Certificate of Title of the owner of the land upon which the proposed work is done. The recording information shall be submitted to the Conservation Commission on the form at the end of this Order, which form must be stamped by the Registry of Deeds, prior to the commencement of work.
10. A sign shall be displayed at the site not less than two square feet or more than three square feet in size bearing the words,

"Massachusetts Department of Environmental Protection" [or, "MassDEP"]
 "File Number SE192-856 "
11. Where the Department of Environmental Protection is requested to issue a Superseding Order, the Conservation Commission shall be a party to all agency proceedings and hearings before MassDEP.
12. Upon completion of the work described herein, the applicant shall submit a Request for Certificate of Compliance (WPA Form 8A) to the Conservation Commission.
13. The work shall conform to the plans and special conditions referenced in this order.
14. Any change to the plans identified in Condition #13 above shall require the applicant to inquire of the Conservation Commission in writing whether the change is significant enough to require the filing of a new Notice of Intent.
15. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Order at reasonable hours to evaluate compliance with the conditions stated in this Order, and may require the submittal of any data deemed necessary by the Conservation Commission or Department for that evaluation.
16. This Order of Conditions shall apply to any successor in interest or successor in control of the property subject to this Order and to any contractor or other person performing work conditioned by this Order.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

17. Prior to the start of work, and if the project involves work adjacent to a Bordering Vegetated Wetland, the boundary of the wetland in the vicinity of the proposed work area shall be marked by wooden stakes or flagging. Once in place, the wetland boundary markers shall be maintained until a Certificate of Compliance has been issued by the Conservation Commission.
18. All sedimentation barriers shall be maintained in good repair until all disturbed areas have been fully stabilized with vegetation or other means. At no time shall sediments be deposited in a wetland or water body. During construction, the applicant or his/her designee shall inspect the erosion controls on a daily basis and shall remove accumulated sediments as needed. The applicant shall immediately control any erosion problems that occur at the site and shall also immediately notify the Conservation Commission, which reserves the right to require additional erosion and/or damage prevention controls it may deem necessary. Sedimentation barriers shall serve as the limit of work unless another limit of work line has been approved by this Order.
19. The work associated with this Order (the "Project")
- (1) is subject to the Massachusetts Stormwater Standards
- (2) is NOT subject to the Massachusetts Stormwater Standards

If the work is subject to the Stormwater Standards, then the project is subject to the following conditions:

- a) All work, including site preparation, land disturbance, construction and redevelopment, shall be implemented in accordance with the construction period pollution prevention and erosion and sedimentation control plan and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Construction General Permit as required by Stormwater Condition 8. Construction period erosion, sedimentation and pollution control measures and best management practices (BMPs) shall remain in place until the site is fully stabilized.
- b) No stormwater runoff may be discharged to the post-construction stormwater BMPs unless and until a Registered Professional Engineer provides a Certification that:
- i. all construction period BMPs have been removed or will be removed by a date certain specified in the Certification. For any construction period BMPs intended to be converted to post construction operation for stormwater attenuation, recharge, and/or treatment, the conversion is allowed by the MassDEP Stormwater Handbook BMP specifications and that the BMP has been properly cleaned or prepared for post construction operation, including removal of all construction period sediment trapped in inlet and outlet control structures;
 - ii. as-built final construction BMP plans are included, signed and stamped by a Registered Professional Engineer, certifying the site is fully stabilized;
 - iii. any illicit discharges to the stormwater management system have been removed, as per the requirements of Stormwater Standard 10;



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

iv. all post-construction stormwater BMPs are installed in accordance with the plans (including all planting plans) approved by the issuing authority, and have been inspected to ensure that they are not damaged and that they are in proper working condition;

v. any vegetation associated with post-construction BMPs is suitably established to withstand erosion.

c) The landowner is responsible for BMP maintenance until the issuing authority is notified that another party has legally assumed responsibility for BMP maintenance. Prior to requesting a Certificate of Compliance, or Partial Certificate of Compliance, the responsible party (defined in General Condition 18(e)) shall execute and submit to the issuing authority an Operation and Maintenance Compliance Statement ("O&M Statement") for the Stormwater BMPs identifying the party responsible for implementing the stormwater BMP Operation and Maintenance Plan ("O&M Plan") and certifying the following:

i.) the O&M Plan is complete and will be implemented upon receipt of the Certificate of Compliance, and

ii.) the future responsible parties shall be notified in writing of their ongoing legal responsibility to operate and maintain the stormwater management BMPs and implement the Stormwater Pollution Prevention Plan.

d) Post-construction pollution prevention and source control shall be implemented in accordance with the long-term pollution prevention plan section of the approved Stormwater Report and, if applicable, the Stormwater Pollution Prevention Plan required by the National Pollution Discharge Elimination System Multi-Sector General Permit.

e) Unless and until another party accepts responsibility, the landowner, or owner of any drainage easement, assumes responsibility for maintaining each BMP. To overcome this presumption, the landowner of the property must submit to the issuing authority a legally binding agreement of record, acceptable to the issuing authority, evidencing that another entity has accepted responsibility for maintaining the BMP, and that the proposed responsible party shall be treated as a permittee for purposes of implementing the requirements of Conditions 18(f) through 18(k) with respect to that BMP. Any failure of the proposed responsible party to implement the requirements of Conditions 18(f) through 18(k) with respect to that BMP shall be a violation of the Order of Conditions or Certificate of Compliance. In the case of stormwater BMPs that are serving more than one lot, the legally binding agreement shall also identify the lots that will be serviced by the stormwater BMPs. A plan and easement deed that grants the responsible party access to perform the required operation and maintenance must be submitted along with the legally binding agreement.

f) The responsible party shall operate and maintain all stormwater BMPs in accordance with the design plans, the O&M Plan, and the requirements of the Massachusetts Stormwater Handbook.



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C. General Conditions Under Massachusetts Wetlands Protection Act (cont.)

- g) The responsible party shall:
1. Maintain an operation and maintenance log for the last three (3) consecutive calendar years of inspections, repairs, maintenance and/or replacement of the stormwater management system or any part thereof, and disposal (for disposal the log shall indicate the type of material and the disposal location);
 2. Make the maintenance log available to MassDEP and the Conservation Commission ("Commission") upon request; and
 3. Allow members and agents of the MassDEP and the Commission to enter and inspect the site to evaluate and ensure that the responsible party is in compliance with the requirements for each BMP established in the O&M Plan approved by the issuing authority.
- h) All sediment or other contaminants removed from stormwater BMPs shall be disposed of in accordance with all applicable federal, state, and local laws and regulations.
- i) Illicit discharges to the stormwater management system as defined in 310 CMR 10.04 are prohibited.
- j) The stormwater management system approved in the Order of Conditions shall not be changed without the prior written approval of the issuing authority.
- k) Areas designated as qualifying pervious areas for the purpose of the Low Impact Site Design Credit (as defined in the MassDEP Stormwater Handbook, Volume 3, Chapter 1, Low Impact Development Site Design Credits) shall not be altered without the prior written approval of the issuing authority.
- l) Access for maintenance, repair, and/or replacement of BMPs shall not be withheld. Any fencing constructed around stormwater BMPs shall include access gates and shall be at least six inches above grade to allow for wildlife passage.

Special Conditions (if you need more space for additional conditions, please attach a text document):

see attachments

20. For Test Projects subject to 310 CMR 10.05(11), the applicant shall also implement the monitoring plan and the restoration plan submitted with the Notice of Intent. If the conservation commission or Department determines that the Test Project threatens the public health, safety or the environment, the applicant shall implement the removal plan submitted with the Notice of Intent or modify the project as directed by the conservation commission or the Department.



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D. Findings Under Municipal Wetlands Bylaw or Ordinance

1. Is a municipal wetlands bylaw or ordinance applicable? Yes No
2. The Lakeville Conservation Commission hereby finds (check one that applies):
- a. that the proposed work cannot be conditioned to meet the standards set forth in a municipal ordinance or bylaw, specifically:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

Therefore, work on this project may not go forward unless and until a revised Notice of Intent is submitted which provides measures which are adequate to meet these standards, and a final Order of Conditions is issued.

- b. that the following additional conditions are necessary to comply with a municipal ordinance or bylaw:

1. Municipal Ordinance or Bylaw _____ 2. Citation _____

3. The Commission orders that all work shall be performed in accordance with the following conditions and with the Notice of Intent referenced above. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, the conditions shall control.

The special conditions relating to municipal ordinance or bylaw are as follows (if you need more space for additional conditions, attach a text document):



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E. Signatures

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

6/9/2021
 1. Date of Issuance
4
 2. Number of Signers

Joseph Chamberlain
 Signature
[Signature]
 Signature
[Signature]
 Signature
Robert Bunker
 Signature

JOSEPH CHAMBERLAIN
 Printed Name
Nancy Yeatts
 Printed Name
John M LeBlanc
 Printed Name
Robert Bunker
 Printed Name

Signature
 Signature
 Signature
 Signature

Printed Name
 Printed Name
 Printed Name
 Printed Name

by hand delivery on

by certified mail, return receipt requested, on

Date

6/9/2021
 Date



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F. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate MassDEP Regional Office to issue a Superseding Order of Conditions. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order associated with this appeal will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order, or providing written information to the Department prior to issuance of a Superseding Order.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40), and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal ordinance or bylaw, and not on the Massachusetts Wetlands Protection Act or regulations, the Department has no appellate jurisdiction.



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G. Recording Information

Prior to commencement of work, this Order of Conditions must be recorded in the Registry of Deeds or the Land Court for the district in which the land is located, within the chain of title of the affected property. In the case of recorded land, the Final Order shall also be noted in the Registry's Grantor Index under the name of the owner of the land subject to the Order. In the case of registered land, this Order shall also be noted on the Land Court Certificate of Title of the owner of the land subject to the Order of Conditions. The recording information on this page shall be submitted to the Conservation Commission listed below.

 Conservation Commission

Detach on dotted line, have stamped by the Registry of Deeds and submit to the Conservation Commission.

To:

 Conservation Commission

Please be advised that the Order of Conditions for the Project at:

 Project Location

 MassDEP File Number

Has been recorded at the Registry of Deeds of:

 County

 Book

 Page

for: _____
 Property Owner

and has been noted in the chain of title of the affected property in:

 Book

 Page

In accordance with the Order of Conditions issued on:

 Date

If recorded land, the instrument number identifying this transaction is:

 Instrument Number

If registered land, the document number identifying this transaction is:

 Document Number

 Signature of Applicant

Lakeville Conservation Commission Conditions:

1. Provide a signed illicit discharge statement prior to construction.
2. Any changes made by the Planning Board are subject to review by the Conservation Commission for additional conditions or an amended Order of Conditions.

Lakeville Conservation Standard Conditions

1. All siltation barriers must be installed prior to the start of work and an inspection requested by email or phone (lcanedy@lakevillema.org or call 508-946-8823).
2. This Order of Conditions (OOC) must be recorded at the Plymouth Registry of Deeds and a stamped receipt returned to the Lakeville Conservation Commission before work begins.
3. This document shall be included by reference in all contracts, plans and specifications dealing with the activity that is the subject of this OOC, and that are created or modified after the issuance date of this OOC, along with a statement that this OOC shall supersede any conflicting contractual arrangements, plans or specifications.
4. The applicant shall provide a copy of this OOC to the person or persons supervising the activity that is the subject of this OOC, and will be responsible for ensuring that all persons performing the permitted activity are fully aware of the terms and conditions of this OOC.
5. All construction materials, earth stockpiles, landscaping materials, slurry pits, waste products, refuse, debris, stumps, slash or excavate may only be stockpiled or collected in areas as shown and labeled on the approved plans under cover and surrounded by a double staked row of hay bales to prevent contact with rainwater or if no such areas are shown, must be placed or stored outside all resource areas.
6. No material of any kind may be buried, placed or dispersed in areas within the jurisdiction of the Commission by activities that are the subject of this OOC, except as are expressly permitted by this OOC or the plans approved herein.
7. There shall be no pumping of water from wetland resource areas without prior approval from the Conservation Commission.
8. All waste products, grubbed stumps, slash, construction materials, etc. shall be deposited at least 100 feet from the wetland resource areas unless specified in this OOC.
9. No fuel, oil or other pollutants shall be stored in any resource area or the buffer zone thereto, unless specified in this OOC or expressly authorized by the Commission or their Agent.
10. There shall be no underground storage of fuel or other hazardous substances in areas within the jurisdiction of the Conservation Commission.
11. No trash dumpsters will be allowed within 100 feet of areas subject to protection under the Wetlands Protection Act unless authorized by the OOC.