

AGENDA
Lakeville Select Board and acting as the
Wage & Personnel Board as needed
Remote Location Meeting
April 25, 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 April 25, 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. 6:45 PM Meet with Town Moderator and Lakeville Representatives of the Freetown/Lakeville Regional School Committee to discuss the possible reappointment of Robert Marshall to the Old Colony Regional Vocational Technical High School District Committee
4. Review and possible vote to place Warrant Article 11 on Annual Town Meeting Warrant and vote to approve Final Warrant for Annual Town Meeting – May 16, 2022
5. 7:00 PM Meet with Finance Committee and Town Moderator for May 16, 2022 Special and Annual Town Meeting Warrant Review
6. 7:45 PM Hearing- 19 South Kingman Street – Estate of Salvatore Cucinnotti – Class II Dealer’s License
7. 8:00 PM Rent Control Board Hearing – Twin Coach Estates Request for Rent Increase
8. Discuss and possible vote to renew the following licenses: Anthony and Dorita Morris – 33 Myricks Street: Auctioneer, Junk Dealer and Junk Collector Licenses; Hugh and Judy Rogers – 201 County Street: Junk Dealer and Junk Collector Licenses; Robin E. Marques and Donald L. Bernier, Jr. – 61 Rhode Island Road: Junk Dealer and Junk Collector Licenses; and Christine Ann Goyette – 330 Bedford Street: Junk Dealer and Junk Collector Licenses
9. Discuss and possible vote on Site Plan Review-156 Rhode Island Road
10. Discuss and possible vote on appointing Select Board SRPEDD delegate
11. Receive letter of resignation from Council on Aging Director and discuss the hiring process
12. Discuss and possible vote to appoint David Frates as Animal Control Officer/Constable; Darcy Lee as Assistant Animal Control Officer; Lisa Podielsky as Assistant Animal Control Officer and Ronnie Frates as Assistant Animal Control Officer appointments
13. Discuss and possible vote on request from Elliot Farm LLC for one-day beer and wine licenses for May 1, 2022; June 5, 2022; July 3, 2022, August 7, 2022 and September 4, 2022
14. Discuss and possible vote on request from the Tuesday Club of Assonet to place a sign on Town Property for the annual Strawberry Festival

15. Discuss and schedule Select Board Meeting Dates for June, July and August
16. New Business
17. Old Business
18. 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
APRIL 25, 2022**

SELECT BOARD ANNOUNCEMENTS

The final date to register to vote at the Special and Annual Town Meetings is TUESDAY, April 26th at 8:00 pm. Please visit the Town's website under News to get further information on how to register to vote.

The Annual and Special Town Meetings will take place on May 16, 2022 beginning at 6:30 PM in the Aponequet High School Auditorium.

The Town has several open positions that we are hiring for. Also, there are different vacant positions on various Town Committees. Information on available positions can be found on the Town's website under News.

**AGENDA ITEM #2
APRIL 25, 2022**

TOWN ADMINISTRATOR ANNOUNCEMENTS

**AGENDA ITEM #3
APRIL 25, 2022**

**MEET WITH TOWN MODERATOR AND LAKEVILLE
MEMBERS OF F/L REGIONAL SCHOOL COMMITTEE TO
REAPPOINT ROBERT MARSHALL AS OLD COLONY DISTRICT
SCHOOL COMMITTEE MEMBER**

Robert Marshall's appointment to the Old Colony Regional Vocational Technical High School District Committee expires on May 1, 2022. Mr. Marshall has indicated that he wishes to be reappointed to the position. His new appointment expiration date will be May 1, 2025.

The appointment committee is comprised of the Town Moderator, who acts as the Chairperson, Board of Selectmen and the Lakeville Members of the F/L Regional School Committee. I have received confirmation from the Town Moderator and at least 1 of the School Committee Members that they will be in attendance so we will have a quorum.



OLD COLONY

REGIONAL VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT
476 NORTH AVENUE, ROCHESTER, MASSACHUSETTS 02770-1899

Telephone: 508-763-8011 • Fax: 508-763-9821



Gary Linehan
Assistant Principal

Aaron L. Polansky
Superintendent-Director

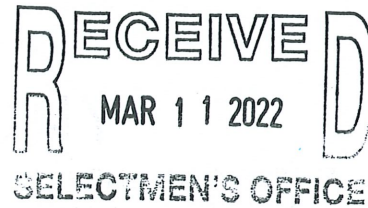
J. Michael Parker
Principal

Sarah Griffith
Business Manager

Krystla Fay
Special Services Coordinator

Bethanie Botelho
CVTE Coordinator

Carmen Amaral
Academic Coordinator



March 7, 2022

Town of Lakeville
Board of Selectmen
Town Moderator
Town Clerk
346 Bedford Street
Lakeville, MA 02347

**RE: Old Colony Regional Vocational Technical
High School District Agreement Section 1
Paragraph C (As Amended)**

Enclosed please find a Notice relative to the appointment of school committee members by the member towns of the District, which pursuant to the District Agreement, must be made on or before May 1, 2022.

Sincerely,

Aaron L. Polansky
Superintendent-Director

ALP:jc

Enclosure

cc: Mrs. Shirley Bouruqe, Chairman, O.C.R.V.T.H.S. District Committee
Mr. Robert Marshall

scappoin:3/22

**MEMORANDUM: CONCERNING THE APPOINTMENT OF MEMBERS TO
SERVE ON THE OLD COLONY REGIONAL
VOCATIONAL TECHNICAL HIGH SCHOOL DISTRICT
COMMITTEE**

The Agreement between the Towns of Acushnet, Carver, Lakeville, Mattapoisett, and Rochester, Massachusetts with respect to the establishment of a regional vocational high school district provides that on or before May 1st of the year next following the year in which the regional district school has enrolled pupils, each member town shall appoint three (3) members to serve on the district school committee, one for a term of one year, one for a term of two years, and one for a term of three years. Thereafter in every year in which the term of office of a member expires, the member town involved shall appoint one member to serve on the committee for a term of three years from May of the year in which the appointment is required to be made.

Further, the Agreement provides that all appointments to the committee as outlined above shall be made by an appointing Committee; consisting of three (3) members of the Board of Selectmen; three (3) members of the Local School Committee and the Town Moderator, who shall be the Chairperson. The Board of Selectmen and the Local School Committee shall designate the members of their respective Boards who will serve on the appointing Committee. If a member town has no local school committee because it is a member of a kindergarten through twelve regional school district, the appointments and filling of vacancies to be made by such town shall be made by the joint action of the Board of Selectmen, the members from the town's membership on a kindergarten through grade twelve regional district school committee and the Town Moderator, who shall be the Chairman. All members of the Committee shall serve until their successors are appointed and qualified.

NOTE: LAKEVILLE ROBERT MARSHALL TERM EXPIRES - 2022

Reference

DISTRICT AGREEMENT -

- (A) SECTION 1 PARAGRAPH A. COMPOSITION**
- (B) SECTION 1 PARAGRAPH B. INITIAL COMMITTEE**
- (C) SECTION 1 PARAGRAPH C. PERMANENT COMMITTEE**

Tracie Craig-McGee

From: Robert Marshall <rmarsh1098@aol.com>
Sent: Monday, March 14, 2022 11:20 AM
To: Tracie Craig-McGee
Subject: Re: Old Colony School Committee

Dear Select Board, School Committee, and Moderator,

Please let this letter serve as my request to be re-appointed to another term as one of our Lakeville representatives on the Old Colony Regional Vocational Technical School Committee. The learning curve is steep, and there is much for us left to be done.

Thank you,

Bob Marshall

-----Original Message-----

From: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
To: Robert Marshall <rmarsh1098@aol.com>
Sent: Mon, Mar 14, 2022 9:26 am
Subject: RE: Old Colony School Committee

Yes please.

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

From: Robert Marshall <rmarsh1098@aol.com>
Sent: Friday, March 11, 2022 1:18 PM
To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>
Subject: Re: Old Colony School Committee

Tracie,

Yes. Do you need a request letter??

Bob

[Sent from the all new AOL app for Android](#)

On Fri, Mar 11, 2022 at 11:14 AM, Tracie Craig-McGee
<tcraig-mcgee@lakevillema.org> wrote:

Hi Bob,

I just received notice that your term is up for Old Colony on April 30th. Are you interested in continuing on?

**AGENDA ITEM #4
APRIL 25, 2022**

REVIEW AND POSSIBLE VOTE TO PLACE WARRANT ARTICLE 11 ON ANNUAL TOWN MEETING WARRANT AND VOTE TO APPROVE FINAL WARRANT FOR ANNUAL TOWN MEETING – MAY 16, 2022

I have attached the draft warrant for the Annual Town Meeting. Also attached is an email from Town Counsel regarding Article #11.

The Board had voted to approve and place Articles 1-10 at your previous meeting meetings on April 11 and 20th. The only article to be approved and placed on the Annual Town Meeting Warrant is Article 11.

Once that vote occurs, the Board would vote to approve the Annual Town Meeting Warrant for May 16, 2022.

COMMONWEALTH OF MASSACHUSETTS
Town of Lakeville
Annual Town Meeting
Monday, May 16, 2022

To any of the Constables of the **TOWN OF LAKEVILLE,**

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet in the

**APPONEQUET REGIONAL HIGH SCHOOL GYMNASIUM
100 HOWLAND ROAD, LAKEVILLE, MA**

On Monday, May 16, 2022 at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: To see if the Town will vote to determine the salaries of all elected officers and to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to defray Town expenses for the fiscal period July 1, 2022 to June 30, 2023 inclusive, said sums to be allocated in accordance with the budget document to be presented at Town Meeting, and to make appropriation, or take any other action relative thereto.

Proposed by Select Board

ARTICLE 2: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Park Department for the fiscal period July 1, 2022 to June 30, 2023, inclusive, and to make appropriation, or take any other action relative thereto.

Proposed by Select Board

ARTICLE 3: To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money as may be necessary to operate the Landfill/Transfer Station for the fiscal period July 1, 2022 to June 30, 2023, inclusive, and to make appropriation, or take any other action relative thereto.

Proposed by Select Board

ARTICLE 4: To see if the Town will vote to raise and appropriate, transfer from available funds, borrow or otherwise provide a sum of money for capital improvements and equipment and all costs incidental or related thereto, and to authorize Town Officials to take such action and execute all documents as may be necessary to effectuate the purposes of this vote, or take any action relative thereto.

Line	Department	Item	Amount	Funding Source
1	Technology	Technology System Improvements	\$75,000.00	Free Cash
2	Police	Cruiser replacements	100,000.00	Free Cash
3	Fire	Ladder Truck	1,400,000.00	Lease-Purchase (MGL Ch 44, S21C)
4	Highway	Roadway Improvements	375,000.00	Free Cash
5	Highway	Front End Loader w/Equipment	215,000.00	Free Cash
6	Transfer Station	Crackseal & Sealcoat Parking Lot	25,000.00	Solid Waste Retained Earnings
7	Council on Aging	Preliminary Design – Senior Center Addition	40,000.00	LeBaron Mitigation
8	Parks	Jon Paun Park Building Demolition	50,000.00	Free Cash
9	Parks	Replace Clear Pond Park Guard Shack	25,000.00	Park Retained Earnings
		TOTAL	\$2,305,000.00	

Proposed by Select Board

ARTICLE 5: To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money for the purpose of adding to the Stabilization Fund pursuant to the provisions of M.G.L. Chapter 40, Section 5B, or take any action relative thereto.

Proposed by Select Board

ARTICLE 6: To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of money for the purpose of adding to the Other Post Employment Benefits Trust (OPEB), or take any action relative thereto.

Proposed by Select Board

ARTICLE 7: 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 and instead shall comply with the requirements found in 7.10.4.4.
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.
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 as described below. 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, 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 Select Board must vote to accept this park prior to final approval, or the land shall remain as open space and 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 Select Board 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 as required by the Town of Lakeville Rules and Regulations of the Planning Board Governing the Subdivision of Land.
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 Fillings.

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-Law 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 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 and these bylaws.
5. The Planning Board shall require a performance guarantee pursuant to M.G.L. Ch.41 Section 81U 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 have 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

Proposed by Planning Board

ARTICLE 8: To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws by **ADDING** the following Definitions to Section 2.0 Definitions and **DELETE** the existing Section 6.6 Sign Regulations and **REPLACE** with the following new Section 6.6 Sign Regulations:

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 (1) 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 (1) business or use is located in a building only one (1) freestanding sign may be erected, which shall serve all of the businesses or uses 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 twenty (20) seconds and may refresh or change, no more than three (3) times in one (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 sign's 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.

6.6.2 Permit Required

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.

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.

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 (1) 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:

1. horizontally more than two (2) feet;
2. into or over any way;
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.

6.6.3.8 Freestanding signs shall have landscaping at the base.

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

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.

6.6.3.11 Wall signs shall not exceed fifteen (15%) of the area of the wall it is attached to or thirty-two (32) Square Feet whichever is less.

6.6.3.12 Window signs shall not exceed thirty percent (30 %) of the total area of all windows and doors.

6.6.3.13 One (1) Temporary subdivision sales sign not to exceed thirty-two (32) square feet. This sale sign shall be removed upon the issuance of occupancy permits for seventy-five percent (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.

6.6.4.2 Temporary posters, placards, or signs associated with a political campaign or current political issue associated with an election.

6.6.4.3 Signs located on residential structures or driveways, 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.

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.

6.6.4.6 Normal highway control signs, hazard signs, and other State-approved highway safety signs.

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

6.6.4.8 One (1) sign not exceeding thirty-two (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.

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.

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 (2) 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 (1) or more temporary signs may be displayed on the premises shall not exceed ninety (90) days in each twelve (12) month period per establishment.

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

6.6.5.7 At the end of the ninety (90) 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.

6.6.6 Special Permits

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.

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

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.

6.6.6.4 Changeable copy signs and electronic message boards shall not exceed twelve (12) square feet. Only one (1) of these types of signs are permitted per property.

6.6.6.5 Common Directory signs may be allowed to have one (1) additional internally illuminated panel per business not to exceed twelve (12) square feet.

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.

6.6.7 General Sign Prohibitions

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.

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.

6.6.7.6 Roof mounted signs that are taller than two (2) feet or extend over the peak of the roof.

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.

6.6.7.8 Portable Signs except for Temporary signs.

6.6.7.9 Banners, pennants, ribbons, streamers, spinners, balloons, and string of lights.

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

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

6.6.7.12 Electronic Outdoor Advertising Signs.

6.6.7.13 Internally illuminated signs greater than twenty-four (24) square feet.

6.6.7.14 Free Standing signs exceeding thirty (30) feet in Height.

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

6.6.8. Removal of signs

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.

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.

6.6.9 Nonconforming Signs

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, and same location of the existing sign.

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
2. When the name of the business changes and the sign is changed or modified in shape or size.

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

6.6.10 Administration, Violations, Appeals

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

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

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.

Or take any other action relative thereto.

Proposed by Planning Board

ARTICLE 9: 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.

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 structure to be occupied by a business, or industrial use;
- 2) An addition to an existing structure occupied by a business or industrial use 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 structure occupied by a business or industrial use which increases the previously approved occupant load by 10%;
- 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; and/or
- 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, flagged for approval 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, 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 in accordance with G.L. Ch. 44 Section 53G.

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 projects listed in Section 6.7.3. The Planning Board shall ensure that such standards are met during the review of any Planning Board site plan review application or those that also require a special permit.

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 connector 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. Notwithstanding whether or not the project is adjacent to a Residential District the plan shall comply with Sections 5.2.4.1, 5.2.4.2, 5.2.5.1 or 5.2.5.2 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. The Board may require that specific areas adjacent to buildings or areas of the business' operations be specifically reserved for loading or delivery operations. These areas cannot be counted for parking or utilized for access aisles. All service areas, dumpster and trash receptacle locations, and other similar uses shall be screened from the street and from public view, 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.

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 majority vote. 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 the Planning Board placing the extension request on an agenda of 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 or designee of the Planning Board 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.

Or take any other action relative thereto

Proposed by Planning Board

ARTICLE 10: To see if the Town will vote to amend the following Section of the Zoning By-law with deletions noted in ~~striketrough~~ and additions **highlighted:**

Section 7.4 **Special Permits**, Sub-section 7.4.6, Specific Uses by Special Permit, **Auto or Boat sales, rentals or service**

SPGA – Board of Appeals; ~~Industrial Districts~~ **Business District**

Or take any other action relative thereto

Proposed by Planning Board

ARTICLE 11:

To see if the Town will vote to: (a) authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, for active and passive recreation, agricultural, open space, and general municipal purposes and on such terms and conditions as the Select Board deems appropriate, all or a portion of the following parcels of land: a parcel of land located at 44 Clear Pond Road, containing 138.10 acres, more or less, and being described in deed recorded with the Plymouth County Registry of Deeds in Book 40414, Page 215, and the parcels of land located at 1 Cedarberry Lane containing 12.61 and 0.71 acres, and land at 31 Stetson Street, containing 7.09 acres, more or less, and described in deeds recorded in Book 35204, Page 120, 121, and 122, said parcels being all the parcels owned by the owners thereof and now or formerly classified under G.L. c. 61A and/or G.L. c. 61B; (b) raise and appropriate, transfer from available funds, and/or borrow \$13,625,000 for the purpose of funding said acquisition and costs incidental or related thereto, and to meet this appropriation, to authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said sum under G.L. Chapter 44, Sections 7, 8 and/or any other enabling authority and to issue bonds or notes of the Town therefor, provided, however, that the appropriation authorized hereunder shall be expressly contingent upon the passage of a Proposition 2 1/2 ballot question under the provisions of G.L. c.59, §21C; (c) authorize the Select Board to apply for, accept and expend any funds that may be provided by the Commonwealth or other public or private sources to defray all or a portion of the costs of said acquisition, including, but not limited to, grants and/or reimbursement from the Commonwealth under the Self-Help Act, G.L. Chapter 132A, Section 11 (now, so-called LAND grants); and (d) authorize the Select Board to enter into any and all agreements and execute any and all instruments as may be necessary or appropriate to effectuate the foregoing acquisition; or take any action in relation thereto.

Proposed by Select Board
Requires 2/3rds vote

You are directed to serve this warrant by posting an attested copy hereof seven (7) days at least before the day appointed for the Annual Town Meeting at the following places: Town Office Building, Baldies Pizzeria, Fat Cousins, the Clark Shores Association Bulletin Board, Apponequet Regional High School, Lakeville Senior Center, and Assawompset Elementary School.

Hereof fail not and make return of the warrant with your doings hereon at the time and place of said meeting.

Given under our hands this 25th day of April, 2022.

Richard LaCamera, Chairman

A true copy, Attest:

Evagelia Fabian

Constable

Lorraine Carboni

Lakeville, MA April _____, 2022

LAKEVILLE SELECT BOARD

From: Shirin Everett <SEverett@k-plaw.com>

Sent: Thursday, April 21, 2022 4:59:37 PM

To: Ari Sky <asky@lakevillema.org>

Subject: LAKE: County Club Covenant

Hi Ari,

The Town is required to exercise its right of first refusal **by July 1**, which means that the following things must occur **by that date**:

1. Town Meeting votes to authorize the acquisition and appropriate the funds, and the ballot question needs to pass;
2. The Select Board need to vote to exercise the Town's purchase rights (this can happen before or after Town Meeting);
3. Town will record a Notice of Exercise of Right of First Refusal;
4. Town needs to send a letter to the owners informing them that it has exercised the right of first refusal and send them a purchase and sale agreement; and
5. The Town needs to send a check for \$250,000 as a deposit under the P&S Agreements.

The closing will occur 90 days after the sellers sign and return the P&S back to the Town, at which time the remaining funds will become due.

The Covenant provides that the grantees must be paid \$1,000,000 if the Town intends to use the property for other than golf club purposes or exercise any of the activities that are prohibited in the Declaration (such as construction of non-golf related buildings, excavation of soil, etc.). It is unclear if the payment is due if the Town simply ceases to use the property for golf course purposes, though if it does, I expect that the grantees will demand payment soon.

Shirin Everett, Esq.

KP | LAW

101 Arch Street, 12th Floor

Boston, MA 02110

O: (617) 654 1731

F: (617) 654 1735

severett@k-plaw.com

www.k-plaw.com

This message and the documents attached to it, if any, are intended only for the use of the addressee and may contain information that is PRIVILEGED and CONFIDENTIAL and/or may contain ATTORNEY WORK PRODUCT. If you are not the intended recipient, you are hereby notified that any dissemination of this communication is strictly prohibited. If you have received this communication in error, please delete all electronic copies of this message and attachments thereto, if any, and destroy any hard copies you may have created and notify me immediately.

**AGENDA ITEM #5
APRIL 25, 2022**

**MEET WITH FINANCE COMMITTEE AND TOWN MODERATOR
FOR MAY 16, 2022 SPECIAL AND ANNUAL TOWN MEETING
WARRANT REVIEW**

I have attached both warrants.

— Please use ATM Warrant
From Item #4

COMMONWEALTH OF MASSACHUSETTS

Town of Lakeville

Special Town Meeting

Monday, May 16, 2022

To any of the Constables of the TOWN OF LAKEVILLE,

Greetings:

In the name of the Commonwealth, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet in the

APPONEQUET REGIONAL HIGH SCHOOL GYMNASIUM
100 HOWLAND ROAD, LAKEVILLE, MA

On Monday, May 16, 2022, at 6:30 PM, then and there to act on the following articles:

ARTICLE 1: To see if the Town will vote to transfer the sum of \$3,639.28 from Free Cash for the following unpaid bills from prior fiscal years; or take any other action in relation thereto.

Unpaid Bill No.	Department	Vendor	Amount	Purpose
1	Fire	Zoll Medical Corporation	3,639.28	Medical Supplies
	Total		\$3,639.28	

Proposed by the Select Board

ARTICLE 2: To see if the Town will vote to transfer the sum of \$100,000.00 from Free Cash to supplement the appropriations stated below that were previously voted in Article 1 of the May 10, 2021 Annual Town Meeting for the Fiscal Year beginning July 1, 2021 for various Town Departments; or take any other action in relation thereto.

Line No.	Department	Budget Line Item	Amount	Purpose
50	Snow & Ice	Wages	\$10,000.00	Winter 2022 costs
51	Snow & Ice	Expenses	\$90,000.00	Winter 2022 costs

Proposed by the Select Board

ARTICLE 3: To see if the Town will vote to transfer from the unused balances of the capital projects identified below the sum of \$96,200.00 for the capital projects stated below and anything incidental or related thereto, including but not limited to the purchase and installation of furniture, equipment and supplies; or take any other action in relation thereto.

Unused Capital Projects balances (to close/transfer):

Department	Project/Purpose	Town Meeting	Amount
Select Board	Financial Software	ATM 06/2016, Art 26	\$1,412.50
Fire	Ambulance replacement	ATM 06/2017, Art 1	137.02
Fire	Turnout Gear	ATM 06/2018, Art 5	1,284.73
Facilities	Generator/Senior Center	ATM 06/2018, Art 5	6,411.35
Town Clerk	Database Software	ATM 06/2019, Art 5	6,077.50
Police	Cruisers replacement	ATM 06/2019, Art 5	1,806.76
Facilities	Generator/Town Offices	ATM 06/2020, Art 4	25,939.61
Public Works	Air Scrubber	ATM 06/2020, Art 4	2,410.00
Police	Cruisers replacement	ATM 06/2020, Art 4	0.01
Fire	Pickup Truck	STM 11/2020, Art 3	92.20
Fire	Radios replacement	STM 11/2020, Art 3	47,740.54
Public Works	Mower replacement	STM 11/2020, Art 3	2,450.47
Public Works	ZTrak Mower w/Equip	ATM 05/2021, Art 4	437.31
		TOTAL (close/transfer)	\$96,200.00

And Transfer the Unused Funds to the Following FY2022 Capital Projects:

Line	Department	Item	Amount
1	Fire	Command Vehicle replacement	\$65,000.00
2	Public Works	Tow Behind Air Compressor	30,000.00
3	Public Works	Used Cab & Chassis w/Equip (supplement ATM 05/22, Art 7)	1,200.00
		TOTAL	\$96,200.00

Proposed by the Select Board

You are directed to serve this warrant by posting an attested copy hereof fourteen days at least before the day appointed for a Special Town Meeting and seven days at least before the day appointed for the Annual Town Meeting at the following places: Town Office Building, Baldie's Pizzeria, Fat Cousins, the Clark Shores Association Bulletin Board, Apponequet Regional High School, Lakeville Senior Center, and Assawompset Elementary School.

Hereof fail not and make return of this warrant with your doings hereon at the time and place of said meeting.

Given under our hands this 20th day of April, 2022.

Richard LaCamera, Chairman

Evagelia Fabian

Lorraine Carboni

LAKEVILLE SELECT BOARD

A true copy, Attest:

Constable
Lakeville, MA April 2022

**AGENDA ITEM #6
APRIL 25, 2022**

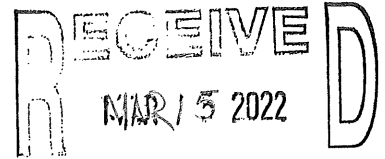
**HEARING – 19 SOUTH KINGMAN STREET – ESTATE OF
SALVATORE CUCINOTTI – CLASS II DEALER’S LICENSE**

The Board has received an application for a Class II Dealer’s License for the property located at 19 South Kingman Street. This property previously was licensed, but it expired on January 1, 2022. I have attached a copy of the previous license.

Also attached is a memo from Nate Darling, Building Commissioner; a copy of the Zoning By-Laws Use Chart for Auto Sales and the Board’s current Class II Motor Vehicle Dealer License Regulations for your review.

If approved, a bond would be required from the applicant prior to releasing the license. We would also need proof of an agreement with a repair shop who would be doing repairs in regards to the State’s Lemon Law.

TOWN OF LAKEVILLE



APPLICATION FOR A LICENSE TO BUY, SELL, EXCHANGE OR ASSEMBLE SECOND HAND MOTOR VEHICLES OR PARTS THEREOF

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a II class license, to Buy, Sell, Exchange or Assemble second hand motor vehicles or parts thereof, in accordance with the provisions of Chapter 140 of the General Laws.

1. What is the name of the concern? ESTATE OF SALVATORE CUINOTTI DBA AS SC AUTO

Business address of concern. No. 19 S. KINGMAN ST St., LAKEVILLE City - Town.

2. Is the above concern an individual, co-partnership, an association or a corporation? INDIVIDUAL

3. If an individual, state full name and residential address. 1508 982-6027 ANDREA S CUINOTTI PERSONAL REPRESENTATIVE OF ESTATE 19 S. KINGMAN ST LAKEVILLE MA 02347

4. If a co-partnership, state full names and residential addresses of the persons composing it.

5. If an association or a corporation, state full names and residential addresses of the principal officers. President Secretary Treasurer

6. Are you engaged principally in the business of buying, selling or exchanging motor vehicles? YES If so, is your principal business the sale of new motor vehicles? NO Is your principal business the buying and selling of second hand motor vehicles? YES Is your principal business that of a motor vehicle junk dealer? NO

7. Give a complete description of all the premises to be used for the purpose of carrying on the business.

THERE IS AN EXISTING OFFICE USED FOR USED AUTO DEALERSHIP WITH SEPARATE ENTRANCE OPERATED BY MY DECEASED FATHER FOR THE PAST 22 YRS. THERE IS A LARGE HALF CIRCLE DRIVEWAY TO DISPLAY HIGH END USED AUTOS.

8. Are you a recognized agent of a motor vehicle manufacturer? NO (Yes or No)

If so, state name of manufacturer _____

9. Have you a signed contract as required by Section 58, Class 1? YES (Yes or No)

10. Have you ever applied for a license to deal in second hand motor vehicles or parts thereof? NO (Yes or No)

If so, in what city — town _____

Did you receive a license? _____ (Yes or No) For what year? _____

11. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? NO (Yes or No)

Sign your name in full John C. Curtis (Duly authorized to represent the concern herein mentioned)

Residence 19 S. KINGMAN ST LAWRENCE MA 02347

IMPORTANT

EVERY QUESTION MUST BE ANSWERED WITH FULL INFORMATION, AND FALSE STATEMENTS HEREIN MAY RESULT IN THE REJECTION OF YOUR APPLICATION OR THE SUBSEQUENT REVOCATION OF YOUR LICENSE IF ISSUED.

NOTE: If the applicant has not held a license in the year prior to this application, he must file a duplicate of the application with the registrar. (See Sec. 59)



TOWN OF LAKEVILLE
346 BEDFORD STREET
LAKEVILLE, MA 02347
508-946-8804

RECEIVED
APR 21 2022
SELECTMEN'S OFFICE

*OFFICE OF
BUILDING COMMISSIONER*

TO: Select Board
FROM: Nathan P. Darling, Building Commissioner
RE: 19 South Kingman Street – Class II Motor Vehicle License
DATE: April 21, 2022

As requested by your office, I have visited 19 South Kingman Street for the purposes of establishing a new Class II Motor Vehicle License. As you may or may not be aware, the previous owner passed away late last year which was the cause of missing the renewal deadline. As I am told, his daughter will now have to meet the Select Board's regulations for a new license which will be a difficult if not impossible task. Whereas this license is discretionary, it is exclusively within the Select Board's jurisdiction to deny or approve it.

For discussion purposes, I will offer the following findings/facts:

- The site has seen significant improvement over the last few months and is in better condition now than at any point in recent history.
- The subject property is in the residential district.
- From a zoning prospective only, non-use of a duly permitted/licensed pre-existing non-conforming use typically does not expire for a period of two years unless the intent to abandon said use exists.
- There have been no official complaints or concerns filed with my office related to the licensed property nor am I aware of any present Zoning By-Law or Building Code violations that may affect the issuance of this license.

Should the Select Board view this license as a renewal in light of the unfortunate circumstances or approve a new license, it would be my recommendation to condition approval to continued cleanup/organization of the property and fencing improvements to better conceal the activity from public view.

Theater (seating capacity of less than 300), bowling alley or other commercial amusement, provided all business is conducted within the structure	N	Y	SP	Y
Museum	SP	Y	Y	Y
Hotel or Motel	N	Y	Y	N
Wholesale office or showroom with no on-site storage	N	Y	Y	Y
Launderette	N	SP	N	N
Funeral Home, Mortuary or Crematory (Adopted adjourned ATM 6/19/2017; approved by Attorney General 9/19/2017)	N	Y	N	N
Animal kennel or hospital	N	SP	N	N
Radio or television studio	N	Y	Y	Y
Bus or railroad terminal or passenger station	N	SP	SP	SP
Commercial parking facility	N	SP	SP	SP
Auto or boat sales, rentals or service (Underlined: Adopted STM 4/30/18; approved by AG June 8, 2018)	N	<u>SP</u>	<u>N</u>	N
Car Wash	N	SP	N	N
Filling Station allowed only in areas served by municipal water (Adopted 5/8/2006; approved by Attorney General 6/14/2006) (Underlined: Adopted STM 11/13/18; approved by AG January 7, 2019)	N	SP	<u>N</u>	N
Storage of junk for commercial purposes	N	SP	SP	N
Drive through facility (Underlined: Adopted STM 4/30/18; approved by Attorney General 6/8/2018)	N	SP	<u>SP</u>	N

4.1.3 Industrial Uses

	R	B	I	I-B
Warehouse, offices or facilities for distributing merchandise	N	N	Y	Y
Plant for manufacturing, processing, fabricating or assembly, provided that no such use shall be permitted which would be detrimental or offensive or tend to reduce property values in the same or adjoining districts by reason of dirt, odor, fumes, smoke gas, sewerage, refuse, noise, excessive vibration or danger of explosion or fire	N	N	Y	SP
Research laboratoryDry-excluding genetic or biological researchWet-including genetic or biological research *(Adopted 6/13/2005; approved by Attorney General 9/30/2005)	N N*	N N*	SP N*	SP N*
Renewable and Alternative Energy Research (Adopted 6/13/2011; approved Attorney General 9/14/2011)	N	N	Y	Y
Sale of new or used construction or materials handling equipment	N	Y	Y	N
Farm implements and machinery wholesaling	N	N	Y	SP
Lumber, feed or ice establishment wholesaling	N	N	Y	SP
Plumbing, electrical or carpentry shop or other similar service or repair establishment	N	SP	Y	Y
Water towers or reservoirs	N	SP	SP	SP
Steam laundry or dry-cleaning plant	N	SP	SP	SP

TOWN OF LAKEVILLE
CLASS II MOTOR VEHICLE DEALER
LICENSE REGULATIONS

These regulations shall apply to motor vehicle dealers licensed under the provisions of M.G.L. Chapter 140, Sections 57-59, inclusive.

General Provisions

1. No person, except one whose principal business is the manufacture and sale of new motor vehicles, but who incidentally acquires and sells secondhand vehicles, or a person whose principal business is financing the purchase of or insuring motor vehicles, but who incidentally acquires and sells secondhand vehicles, shall engage in the business of buying, selling or exchanging of secondhand motor vehicles or allow any property under his control to be used as a place of sale or display of such motor vehicles without first securing a Class II license as provided in MGL c. 140, section 59.
2. A Class II license shall be defined in MGL c. 140, section 58 and may be issued to a person whose principal business is the buying or selling of second hand motor vehicles, a person who purchases and displays second hand motor vehicles for resale in retail transactions, and any other person who displays second hand motor vehicles not owned by him pursuant to an agreement in which he receive compensation, whether solely for displaying the vehicles, upon the sale of each vehicle, or otherwise, may be granted a used car dealer's license.
3. The Licensing Authority in the Town of Lakeville shall be the Board of Selectmen and in issuing Class II licenses it shall follow the procedures set forth in MGL c. 140, section 59.
4. As required by MGL c 140, Section 58, a licensee shall obtain or continue in effect a bond or equivalent proof of financial responsibility satisfactory to the municipal licensing authority in the amount of \$25,000 executed by a surety company authorized by the insurance department to transact business in the commonwealth.

Application Criteria

1. The total number of Class II licenses shall be 15.
2. The license fee of \$200.00 shall be submitted with the application.
3. The Board of Selectmen shall only consider applications for a Class II license that are complete upon filing.

13. All Licenses granted under MGL c. 140, s 59 shall be revoked by the Licensing Authority if it appears, after a hearing, that the licensee is not complying with MGL c. 140, s 57 to 69, inclusive, or the rules and regulations made hereunder.
14. Applicants for Class II licenses that are not granted an active license shall have their names placed on a waiting list if so requested by the applicant. Their place on the list shall be based upon the date their completed application was first received by the Selectmen's Office.

Operation Criteria

1. The specific site must be an appropriate location for such use.
2. The office will be located in the building where the business will be located and accessible from the outside. The logbook shall be on the premises at all times.
3. All repairs and maintenance of motor vehicles on the premises are to be done inside a building or buildings.
4. Appropriate fencing may be required if, in the opinion of the Board of Selectmen, it is deemed necessary to control access to the property or to maintain the aesthetic value of the neighborhood.
5. The premises and abutting property must be kept free of debris emanating from the licensed area.
6. The use of the property for the sale of motor vehicles will not be detrimental to the established or future character of the neighborhood or of the Town of Lakeville.
7. The applicant must show that adequate and appropriate facilities will be provided for the proper operation of the motor vehicle dealership, as specified by State and Town regulations.

Mailed 1/6

NUMBER
4

THE COMMONWEALTH OF MASSACHUSETTS

FEE
\$200

TOWN of LAKEVILLE

USED CAR DEALER'S LICENSE - CLASS II.
TO BUY AND SELL SECOND-HAND MOTOR VEHICLES

In accordance with the provisions of Chapter 140 of the General Laws with amendments thereto
Salvatore Cucimotti, dba SC Auto is hereby licensed
to buy and sell second-hand motor vehicles at No. 19 South St.
Kingman Street on premises described as follows:

CONDITIONS: not to exceed 4 vehicles: 1 - unregistered, 1 - with dealer
plate and 2 vehicles not visible from the street. No repairs or storage of
hazardous material or waste on site.

December 28, 2020

Signed

[Signature]
L. J. ...

THIS LICENSE EXPIRES JAN. 1, 2022

THIS LICENSE MUST BE POSTED IN A CONSPICUOUS PLACE UPON THE PREMISES.

**AGENDA ITEM #7
APRIL 25, 2022**

**RENT CONTROL BOARD HEARING – TWIN COACH ESTATES
REQUEST FOR RENT INCREASE**

The Board received an email from Twin Coach Estates notifying of the completion of their capital project and requesting that the Board schedule the public hearing for the proposed rent increase not to exceed \$25.00 per month to cover the cost of the capital improvements.

I had requested a final invoice marked paid, along with photos of the finished work (attached).

In an email dated April 19th (attached) Ms. Cordeiro explained that they have only made partial payment as the vendor needs to fix the walkway around Haskell Circle. So far, Twin Coach has paid \$57,000 of the total \$206,100 for the work.

I have attached pages 5 and 6 of the rules and Regulations for Mobile Home Park Accommodations, Rents and Evictions in regarding to Capital Improvements and Capital Equipment Rent Adjustments.

The original cost estimate for the work was \$198,300.

From: Lisa Cordeiro <linky9@verizon.net>

Sent: Tuesday, April 12, 2022 8:14 PM

To: Tracie Craig-McGee <tcraig-mcgee@lakevillema.org>

Cc: twincoach2014@outlook.com; rev.cordeiro@verizon.net; bevans19@verizon.net; patsycappy4@gmail.com; jrriedl@aol.com; jeff@Bristolsouth.net; tchoate@cdi.coop

Subject: Re: Pre-approval letter

Hi Tracie,

I hope all is well with you. Attached is the final invoice dated 4/12/2022 for our newly paved roads @ Twin Coach Estates HOA, Inc. Can you please move forward with the next step in processing our rent control request? If you need anything else, please let me know. I hope to hear from you soon. Thank you.

Sincerely,

Lisa Cordeiro

Treasurer

Twin Coach Estates HOA

From Lisa Cordeiro:

April 19th

Here are some pictures. If you need more, please let me know.

We have authorized partial payment and are in the process of obtaining the remaining money from ROC to pay the bill, but we will not be authorizing full payment until asphalt services fixes the walkway around Haskell Circle because it's unacceptable as they left it. We continue to be in discussion with ROC about releasing partial payment to asphalt services and for Asphalt Services to fix the problem with the walkway. At this point in time, it doesn't look like anything is going to happen with any of this until next week. Additionally, we may incur an extra charge because Asphalt Services had to repair some storm drains.

The invoice that was sent to you indicated we gave \$10,000. Below is a copy of a check in the amount of \$47,000 that was mailed to Asphalt Services today.











Resident Ownership Capital LLC - Clearing Account

NO.

Asphalt Services LLC

Loan # Pol/Tax #
2112

Payee Disbursement Voucher
Loan Name
Twin Coach Estates Homeowners As

Date Paid
04/18/22

Amount
-47,000.00

Check Number
1000084

Payee Disbursement Total: -47,000.00

Resident Ownership Capital LLC
Clearing Account
6 Loudon Rd, Suite 501
Concord, NH 03301

EASTERN BANK
Lynn, Massachusetts 01901
5-179/113

CHECK NO.

1000084

Forty Seven Thousand and 00/100

DATE

Dollars
AMOUNT

April 18, 2022

\$47,000.00

PAY
TO THE
ORDER
OF

ASPHALT SERVICES LLC
59 PEBBLEBROOK DR
MIDDLEBORO, MA 02346

[Signature]

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑆011301798⑆ 601606831⑆

Resident Ownership Capital LLC - Clearing Account

[Handwritten marks]

ASPHALT SERVICES LLC

W. Stanley



Professional Asphalt Paving
59 Pebble Brook Drive • Middleboro, MA 02346

(774) 406-6421

Driveways • Parking Lots
Stone Driveways • Seal Coatings

PROPOSAL

INVOICE

PROPOSAL SUBMITTED TO
Twin Coach Estates

STREET
Haskell Cir

CITY
Lakewille STATE
MA ZIP CODE

PHONE
508 965 9862

DATE
4/12/22 INVOICE #

JOB NAME
Paving

JOB LOCATION

EMAIL

Job Description	PRICE
<input checked="" type="checkbox"/> Removal <u>Mid / Grand Driveways</u>	<u>\$10,000 -</u>
<input type="checkbox"/> Gravel _____	<u>Paid</u>
<input type="checkbox"/> Stone _____	<u>\$196,000</u>
<input type="checkbox"/> Grading _____	<u>owed.</u>
<input type="checkbox"/> Base _____	
<input checked="" type="checkbox"/> Top <u>Machine Lay New Roadway Top & compact</u>	
<input type="checkbox"/> Sealcoating _____	
<input checked="" type="checkbox"/> Other (Specify) <u>Long walkways & compact.</u>	
TOTAL	<u>\$206,000</u>

Terms and Conditions: We hereby propose to: _____

_____ dollars (\$) with payment to be made as follows:

I completely understand the terms and conditions as proposed. Signature: [Signature]

All workmanship is guaranteed for 2 years from cracking, settlement, and 80% of drainage. When resurfaced you receive a one year warranty. Asphalt Services is not responsible for tire marks or vegetational growth. If any other work is done over and above the paving work performed by Asphalt Services (including seal coating) the guarantee will be null and void. Any and all attempts to collect monies from a customer which result in legal action, legal fees and attorney's fees, will be the responsibility of the customer. Overages and inaccuracies (such as soft ground, boulders, and low areas) may occur, but will be discussed promptly. Asphalt is measured by the square foot (not linear foot). All materials are owned by Asphalt Services until paid in full. Areas broken will be cut & patched not redone. We do not warranty tire impressions or marks. Price includes up to 3" of removed material. Asphalt Services' price does not reflect other contractors prices high or low. Payment is Non-refundable. Note: This proposal may be withdrawn by us if not accepted within _____ days. Authorized Signature: [Signature]

ACCEPTANCE OF PROPOSAL

All terms & specifications are completely understood and expected. All work is to be paid in full upon completion.

Date: 4-12-22 Printed Name: ROBERT CORDEIRO
Signature: [Signature]

TURN OVER

Asphalt Services LLC
 59 Pebblebrook Dr
 Middleboro, MA 02346 US
 7744066421
 asphaltservicespaving@gmail.com

Estimate

ADDRESS

Twin Coach Estates Hoa
 Haskell Cir
 Lakeville

ESTIMATE # 1361
DATE 12/13/2021

DATE	SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
	paving	Sawcut and pulverize 1530 x 24 road way Remove all loose asphalt Fine grade roadway for correct slope Vibratory compact subbase Machine lay "commercial grade road top and compact with new asphalt berms Seal edges with tack \$78,700 1530 ' on new walkway Mill/grind and remove loose asphalt walkways Fine grade and vibratory compact subbase Lay new finish walkways and compact \$12,500 Section 2: (900x24) \$48,600 Walkway 900' \$8,000 Section 3: (600x24) \$36,000 Walkway 600' \$6,500 Walkway 900' \$8,000	1	0.00	0.00

\$198,300.00

TOTAL **\$0.00**

Accepted By

Accepted Date

of adjudicatory hearings before State administrative agencies, which the Board hereby adopts and shall implement as its own rules and regulations for the conduct of adjudicatory proceedings. Within thirty (30) days of the filing of Petitions, the Board shall meet and determine whether to proceed on such Petition pursuant to the formal or informal rules as outlined in 801 CMR 1.00 et seq. or under other procedures and shall indicate its determination as to which rules and procedures shall be followed in its notice of agency action to affected parties, and in the public notice of said hearing.

- E. All decisions made by the Board under this Section shall be rendered in writing within 30 days from the date the Board closes the public hearing on the petition.
- F. The Lakeville Mobile Home Park Rent Control Board shall levy a filing fee upon any and all parties that make application to request a rent adjustment for a mobile home accommodation. The filing fee for any individual rent adjustment requested pursuant to Section 5 of these rules and regulations shall be \$50.00. The filing fee for a general rent adjustment pursuant to Section 5B of these regulations shall be \$10.00 per unit for which a general adjustment is requested. In addition, a check for \$100.00 shall be issued, to cover advertising costs. The above filing fee shall be paid by check or money order made payable to the Town of Lakeville and presented upon the filing of the petition to the Town Clerk.

Section 6 – Incorporation of Administrative Procedure Act and 801 CMR 1.00

The provisions of Massachusetts General Law Chapter 30A including those provisions giving agencies the power to issue, vacate, modify, and enforce subpoenas shall be applicable to the Board as if said Board were an agency of the Commonwealth, as well as, those provisions relating to judicial review and agency order. The rules and regulations at 801 CMR 1.00 et seq. as adopted by the Secretary of Administration for Massachusetts for application and use by state agencies for the conduct of both formal and informal adjudicator hearings shall be the rules and regulations and procedures adopted for use before The Lakeville Mobile Home Rent Control Board for the hearing of all petitions for rent adjustment, and for eviction, unless at the time of the filing of the petitions and before the notice of agency action shall be published, the Board shall by vote determine to use an alternative procedure which nonetheless shall be consistent with the provisions of Massachusetts General Laws Chapter 30A, Section 10, 11, and 12.

Section 7 – Capital Improvements and Capital Equipment Rent Adjustment

A. Pre-Approval

A park owner or management may file a petition for the purpose of obtaining pre-approval from the Board for an increase in maximum rent to offset the cost of a substantial and necessary capital improvement or purchase of capital equipment. The procedures set forth in Section 7 above for individual rent adjustment petitions shall be used for capital improvement or capital equipment petitions. The park Owner or Management shall file with the petition for pre-approval any and all information relating to the cost of and need for financing the capital improvement or capital equipment purchase. Any pre-approval given by the Board shall also be deemed an approval of such financing. The Board shall consider whether the improvement is necessary and the reasonableness of the cost of the improvement in considering a rent

increase to support the cost of the improvement. The rent increase shall be conditioned upon satisfactory and final approval of the improvement.

B. Final – Approval

Upon completion of capital improvement or purchase of capital equipment for which a park owner or management has received pre-approval, the Board may give final approval of the increase in maximum rent(s). Final approval shall only be given by the Board upon submission of satisfactory evidence by the park owner or management that the capital improvement has been satisfactorily completed or the capital equipment has been purchased and that the costs incurred for such improvement are equal to or exceed the cost upon which pre-approval was given. In the event that such costs are less than the original estimated costs, the maximum rent shall be increased only to the extent that it reflects such costs. The Board shall hold a public hearing upon submission by the park owner or management of evidence of completion of the capital improvement.

Section 8 – Conference of Jurisdiction

The Plymouth Division of the District Court Department shall have original jurisdiction concurrently with the Superior Court, of all petitions for review brought pursuant to Section 14 of Chapter 30A of the General Laws. The Superior Court shall have jurisdiction to enforce Chapter 269 of the Acts of 2006 of the Town of Lakeville General By-Laws and may restrain violations thereof.

Section 9 – Information to be supplied in Connection with Petitions for Adjustment:

Upon receipt by the Board of a petition for adjustment of maximum rent, the Board may request documents, which information may include but not be limited to:

- A. Reviewed Financial statements for the three (3) years preceding the filing of the Notice of Claim; such statement should clearly set forth income, sources of income, and a detailed breakdown of operating expenses.
- B. An interim updated financial statement showing income and operating expenses for the current year.
- C. A complete and current balance sheet.
- D. A statement of the number of employees, job titles and descriptions of any employee whose employment relates to the affected mobile home park.
- E. Current capital improvements and dates of completion.
- F. Proposed capital improvements and proposed dates of completion.
- G. Proposed budget for the year in which the increase is to be effective.
- H. A statement of the rate of return sought and the assessed valuation of the property.

In any case where the Owner seeking an upward adjustment in rent owns and operates more than one mobile home park, all financial documentation submitted shall pertain solely to the operation of the mobile home park for which the upward adjustment is sought.

Upon receipt by the Board of a petition for a downward adjustment of maximum rent, the Board may request documents which information may include but not be limited to:

**AGENDA ITEM #8
APRIL 25, 2022**

**DISCUSS AND POSSIBLE VOTE ON REQUEST FROM
TOWN CLERK TO RENEW JUNK DEALER, JUNK
COLLECTOR AND AUCTIONEER LICENSES**

The Town Clerk has requested that the Selectmen vote to renew the following licenses with an expiration date of May 1, 2023:

Anthony and Dorita Morris, 33 Myricks Street – Auctioneer License, Junk Dealer License & Junk Collector License

Hugh and Judy Rogers, 201 County Street - Junk Dealer License and Junk Collector License

Robin Marques and Donald Bernier, Jr., 61 Rhode Island Road – Junk Dealer License and Junk Collector License

Christine Ann Goyette, 330 Bedford Street – Junk Dealer License & Junk Collector License

Nate Darling has performed inspections on each property. He has submitted a memo for the Board, which is attached, along with the Junk, Old Metals or Second Hand Articles Bylaw.



TOWN OF LAKEVILLE

OFFICE OF THE TOWN CLERK


346 Bedford Street
Lakeville, Massachusetts 02347
508-946-8814
ldrane@lakevillema.org

RECEIVED
FEB 15 2022

SELECTMEN'S OFFICE

FROM THE OFFICE OF
LILLIAN M. DRANE
MMC/CMMC

TO: Select Board

FROM: Lillian M. Drane, Town Clerk 

RE: Junk Dealer, Junk Collector & Auctioneer License Renewals

DATE: March 1, 2022

Please vote to renew the following licenses due to expire on **May 1, 2022**:

Anthony and Dorita Morris 33 Myricks Street, Lakeville, MA	Auctioneer License Junk Dealer License Junk Collector License
Hugh and Judy Rogers (Dad's Treasurers) 201 County Street, Lakeville, MA	Junk Dealer License Junk Collector License
Robin E. Marques and Donald L. Bernier, Jr. 61 Rhode Island Rd, Lakeville, MA	Junk Dealer License Junk Collector License
Christine Ann Goyette 330 Bedford Street, Lakeville, MA	Junk Dealer License Junk Collector License

NOTE: Per our Town of Lakeville General By-Laws, Junk, Old Metals or Second Hand Articles, Pg #23



TOWN OF LAKEVILLE
346 BEDFORD STREET
LAKEVILLE, MA 02347
508-946-8804

RECEIVED
APR 21 2022
SELECTMEN'S OFFICE

OFFICE OF
BUILDING COMMISSIONER

TO: Select Board
FROM: Nathan P. Darling, Building Commissioner
RE: Auctioneer License; Junk Dealer & Junk Collector License
DATE: April 21, 2022

As requested by your office, I have visited the four properties associated with these license renewals. Whereas these Auctioneer, Junk Dealer and Junk Collector licenses are discretionary, it is exclusively within the Select Board's jurisdiction to deny or approve them.

- **Anthony and Dorita Morris – 33 Myricks Street:** While this property is within the residential district, it has operated as an auction house for decades. The owners have shown significant effort to organize storage of materials and clean up debris. Renewal of associated license(s) is recommended.
- **Hugh and Judy Rogers (Dad's Treasurers) – 201 County Street:** The property is within the business district and renewal of associated license(s) is recommended.
- **Robin E. Marques and Donald L. Bernier, Jr. – 61 Rhode Island Road:** The property is within the residential district and material storage onsite appears to surpass what can be reasonably expected on a property of this nature. I have requested additional resources to evaluate the current property condition and will continue to monitor. Renewal of associated license(s) is not recommended at this time.
- **Christine Ann Goyette – 330 Bedford Street:** The property is within the business district and renewal of associated licenses is recommended.

It is also important to note that there have been no official complaints or concerns filed with my office related to the licensed properties nor am I aware of any present Zoning By-Law or Building Code violations that may affect the subject renewals.

CC: Town Clerk

JUNK, OLD METALS OR SECOND HAND ARTICLES

Section 1.

The open display or open storage of junk is prohibited on any premises. For purposes of this by-law, the term "junk" includes old, second-hand or previously used, discarded or scrapped articles or materials of any type, whether collected, held or stored for salvage, sale, exchange, recycling, processing, conversion or any other purpose.

Every person who is licensed by the Town Clerk, upon authorization by the Board of Selectmen, as a keeper of a shop for the purchase, sale or barter of junk, old metals or second hand articles shall keep a book in which at the time of each purchase, sale or barter, shall be legibly written in the English language an account and description, including all distinguishing marks and numbers of the property purchased, sold or bartered. The full name and residential address of each person purchasing, selling or bartering such property and the date of each such transaction shall be entered in such book. Only property purchased by the keeper of such a shop at a cost of fifty dollars, or greater, or bartered for with property valued at fifty dollars, or greater, shall be required to be listed in such book.

Section 2.

A book required to be kept pursuant to Section 1 shall be open at all reasonable times to inspection by any police officer of the Town of Lakeville. Any person who has possession or control of a book required to be kept pursuant to Section 1 shall permit such inspection.

Section 3.

The property described in a book kept pursuant to Section 1 shall on demand of a police officer authorized pursuant to Section 2 to inspect such book to be exhibited to such police officer.

Section 4.

Violation of any provision of this section shall be subject to a criminal penalty not to exceed three hundred dollars (\$300.00), or when enforced by non-criminal disposition pursuant to G.L.c40, s21D, as follows:

First Offense \$100.00

Second Offense \$200.00

Third Offense and Subsequent Offenses \$300.00

In any case, each day of violation shall constitute a separate offense.

(Adopted November 8, 2000; approved by Attorney General January 12, 2001)