



TOWN OF LAKEVILLE MEETING POSTING & AGENDA REMOTE MEETING

Town Clerk's Time Stamp
received & posted:

LAKEVILLE TOWN CLERK
RCVD 2022 JAN 10 AM 11:33

[Signature]
48-hr notice effective
when time stamped

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

Name of Board or Committee:	Planning Board
Date & Time of Meeting:	Thursday, January 13, 2022 at 7:00 p.m.
Location of Meeting:	REMOTE MEETING
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

1. In accordance with the provisions allowed by Chapter 20 of the Acts of 2021, the **January 13, 2022**, public meeting of the **Planning Board** will be held remotely. However, to view this meeting in progress, please go to 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/>
2. **Site Plan Review – 183 Rhode Island Road, continued – Assawompsett Golf Company**
3. **ANR Plan – 33-35 Myrick Street – submitted by Robert A. Lucey, PLS**
4. **Sign By-law - update**
5. **Design Standards - update**
6. **Master Plan Implementation - Fee Review Project-update**
7. **Review the following Zoning Board of Appeals petition:**
 - a. **Velozo –300 Pond Lane**
8. **Approve November 18, 2021 and December 9, 2021 Meeting Minutes**
9. **Old Business**
10. **New Business**
 - a. **Decision-Bud's Goods-informational**
11. **Next meeting. . . January 27, 2022**
12. **Any other business that may properly come before the Planning Board.**
13. **Adjourn**

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

#1

Read the following into the record:

In accordance with the provisions allowed by Chapter 20 of the Acts of 2021, signed by the Governor on June 16, 2021, the January 13, 2022, public meeting of the **Planning Board** will be held remotely. **However, to view this meeting in progress, please go to 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/>**

#2



TOWN OF LAKEVILLE
OFFICE OF THE BOARD OF SELECTMEN
346 Bedford Street
Lakeville, Massachusetts 02347
Telephone 508-946-8803

TO: Mark Knox, Chairman
Planning Board

FROM: Tracie Craig-McGee, Executive Assistant *TCM*

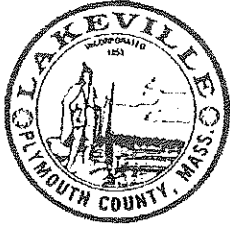
RE: Site Plan Review
183 Rhode Island Road

DATE: December 14, 2021

At their meeting on December 13, 2021, the Board of Selectmen reviewed the Site Plan Application for 183 Rhode Island Road.

As you are aware, the Town and State have been working on the plan for the reconstruction of Rhode Island Road (Route 79). Selectman LaCamera has spoken to Attorney Robert Mather, the applicant's legal counsel, to address some concerns regarding the modification of the entrance, including whether they will be conforming with the current engineering plans for the Route 79 project and in regards to the proposed sidewalk and utility easements.

Attorney Mather stated that they have already spoken to the Town's engineer for the Route 79 project, and the proposed modifications will be conforming with the reconstruction plan for Route 79. In regards to the sidewalk easement and utility easement, Attorney Mather agreed to include that in the Site Plan presented to the Planning Board.



Date Submitted: _____

Town of Lakeville
PLANNING BOARD
346 Bedford Street
Lakeville, MA 02347
508-946-8803

#3

FORM A

APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL (ANR)

To the Planning Board:

The undersigned believing that the accompanying plan of this property in the Town of Lakeville does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits said plan for determination and endorsement that Planning Board approval under this Subdivision Control Law is not required.

PLAN TITLE: PLAN OF LAND AT 33-35 MYRICKS LAKEVILLE, MASSACHUSETTS, LOT 4-3, ASSESSOR'S, MAP 17 Date: 11-30-2021

1. Owner's Signature: Anthony C Morris Date: Nov 30 2021

2. Owner's Name (Please Print): Anthony C. Morris

Owner's Address: 33 Myricks Street, Lakeville, MA 02347

3. Name of Land Surveyor: Robert A. Lucey, PLS

Surveyor's Address: 7 First Avenue

Surveyor's Telephone: 508-813-3069

4. Deed of property recorded in Plymouth County Registry,

Book 9683 Page 313

5. Assessors' Map, Block and Lot (MBL) Map17, Block 4, Lot 3

6. Location and Description of Property: 33-35 Myricks Street, Lakeville, MA

14.39 acres (Assessor's records) - Residentially Zoned

7. Plan Contact Name and Telephone Number:

Contact Name: Robert A. Lucey, PLS Telephone: 508-813-3069

7699 1887 88

THE COMMONWEALTH OF MASSACHUSETTS

LAKEVILLE

CITY OR TOWN

BOARD OF APPEALS

March 11, 1987

NOTICE OF ~~APPEAL~~ APPEAL

Conditional or Limited ~~Use~~ APPEAL

(General Laws Chapter 40A, as amended)

Notice is hereby given that a Conditional or Limited ~~Use~~ APPEAL has been granted

To ANTHONY C. MORRIS Owner or Petitioner

Address 33 MYRICKS STREET

City or Town LAKEVILLE, MA. 02347

33 MYRICKS STREET, LAKEVILLE, MA. 02347 Identify Land Affected

by the Town of LAKEVILLE Board of Appeals affecting the rights of the owner with respect to the use of premises on

33 MYRICKS STREET, LAKEVILLE, MA. 02347 (Assessors Map 17-4-3) City or Town and Map 5-2--1

the record title standing in the name of

ANTHONY C. MORRIS

whose address is 33 MYRICKS STREET, LAKEVILLE, MA. 02347

by a deed duly recorded in the PLYMOUTH County Registry of Deeds in Book

5426 Page 325 and Book 6396, Page 244 Registry District of the Land Court

Certificate No. Book Page

The decision of said Board is on file with the papers in Decision No. 87-1

In the office of the Town Clerk MARJORIE W. HENDERSON

Certified this 17 day of MARCH 1987

Board of Appeals:

Anthony C. Amico Chairman Board of Appeals

Herb A. Crosby Clerk Board of Appeals

19 at o'clock and minutes M.

Received and entered with the Register of Deeds in the County of

Book Page

Attest

Register of Deeds

Notice to be recorded by Land Owner.

REC'D APR 23 1987 AT 9-35AM AND RECORDED

THE PURPOSE OF THIS PLAN IS TO DIVIDE LOT 4-3 INTO 2 PARCELS, SHOWN AS LOT 1 & LOT 2 HEREON.

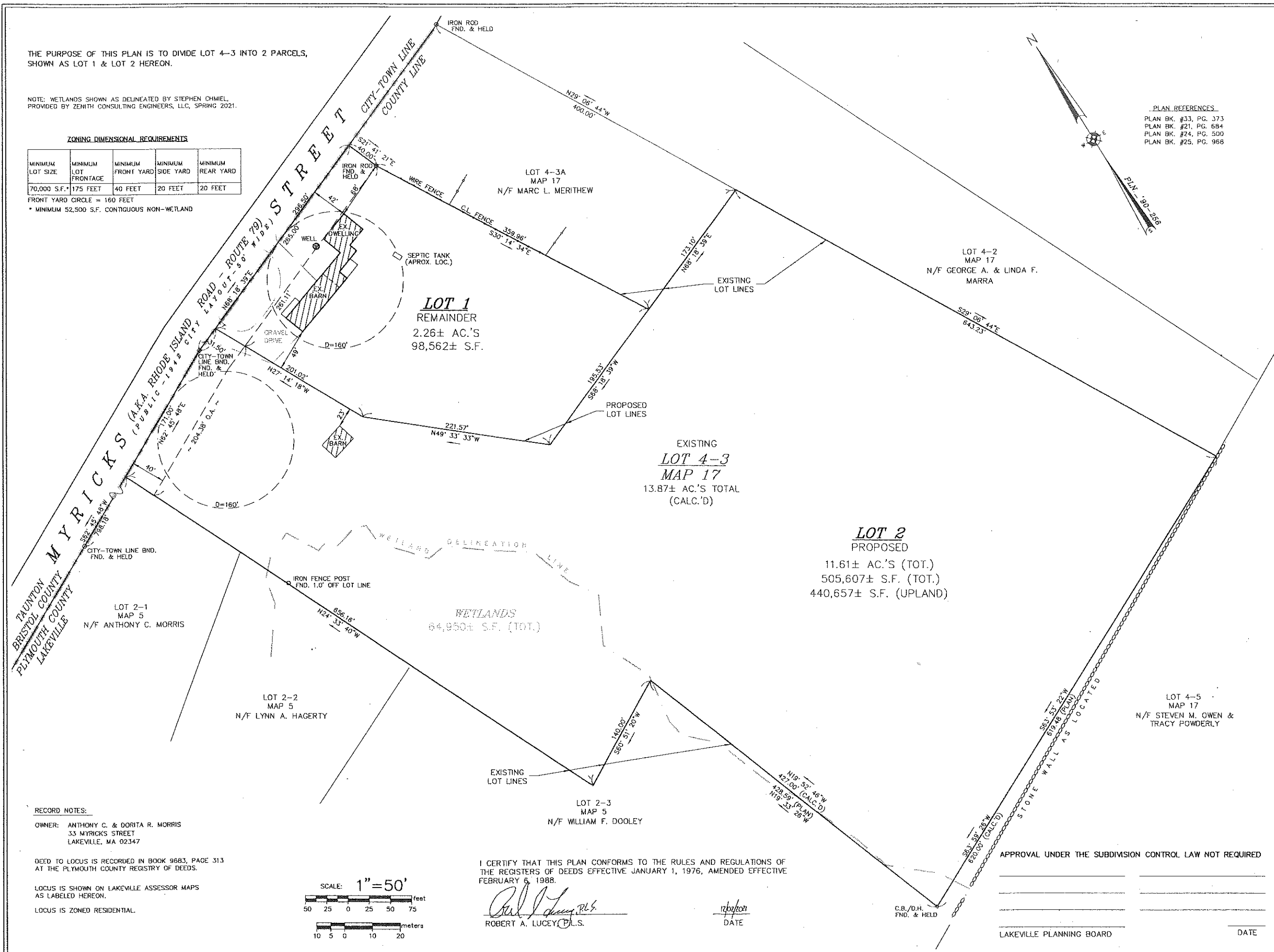
NOTE: WETLANDS SHOWN AS DELINEATED BY STEPHEN CHMIEL, PROVIDED BY ZENITH CONSULTING ENGINEERS, LLC, SPRING 2021.

ZONING DIMENSIONAL REQUIREMENTS

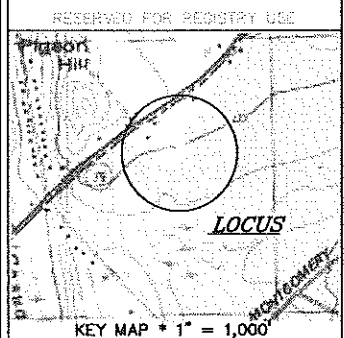
MINIMUM LOT SIZE	MINIMUM LOT FRONTAGE	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD
70,000 S.F.*	175 FEET	40 FEET	20 FEET	20 FEET

FRONT YARD CIRCLE = 160 FEET
 * MINIMUM 52,500 S.F. CONTIGUOUS NON-WETLAND

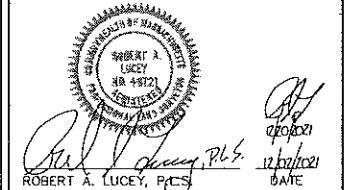
PLAN REFERENCES:
 PLAN BK. #33, PG. 373
 PLAN BK. #21, PG. 684
 PLAN BK. #24, PG. 500
 PLAN BK. #25, PG. 956



REVISIONS:	No.	DESCRIPTION	DATE
	1	ADJ. F.Y. CIRCLES	12-20-21



PREPARED BY:
DEAN'S POINT SURVEY CONSULTANTS
 7 FIRST AVENUE
 LAKEVILLE, MA 02347
 508-813-3069



PROJECT TITLE:
PLAN OF LAND
 AT
33-35 MYRICKS STREET
LAKEVILLE
MASSACHUSETTS
LOT 4-3
ASSESSOR'S MAP 17

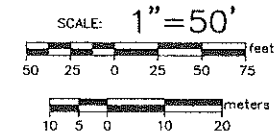
PREPARED FOR:
 ANTHONY C. MORRIS
 33 MYRICKS STREET
 LAKEVILLE, MASSACHUSETTS

DATE: 11-30-2021 REVISED: 12-20-2021
 COMP./DESIGN: RAL
 CHECK: RAL
 DRAWN: RAL
 FIELD: RAL
 LMSI JOB # BURNHAM
 DWG.No BURNHAM_ANR

1 SHEET OF 1

RECORD NOTES:
 OWNER: ANTHONY C. & DORITA R. MORRIS
 33 MYRICKS STREET
 LAKEVILLE, MA 02347

DEED TO LOCUS IS RECORDED IN BOOK 9683, PAGE 313 AT THE PLYMOUTH COUNTY REGISTRY OF DEEDS.
 LOCUS IS SHOWN ON LAKEVILLE ASSESSOR MAPS AS LABELED HEREON.
 LOCUS IS ZONED RESIDENTIAL.



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS EFFECTIVE JANUARY 1, 1976, AMENDED EFFECTIVE FEBRUARY 6, 1988.

Robert A. Lucey, P.L.S.
 ROBERT A. LUCEY, P.L.S.

12/20/21
 DATE

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

LAKEVILLE PLANNING BOARD

DATE

Sign Zoning By-Law
DRAFT CHANGES

6.6 Sign Regulations.....

26

2.0 DEFINITIONS

Sign:

Any words, lettering, parts of a letter, figures, numeral phrases, sentences, emblems, devices, trade names or trademarks by which anything is made known, such as are used to designate an individual, a firm, an association, a corporation, a profession, a business or a commodity or product, which are located outdoors or otherwise visible to persons not on the premises.

Sign Area:

For a sign the area shall be considered to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed. ~~Frames and S~~structural members not designed as advertising or attention-getting devices shall not be included in computation of sign area. For a sign consisting of individual letters, designs or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest quadrangle which encompasses all of the letters, designs or symbols.

Structure:

Any combination of materials attached to or requiring a fixed location on or in the ground. For the purposes of location on a lot, the following shall not be deemed to be structures prohibited within a setback required in the Zoning By-Law: boundary walls and fences, under 7' in height, utility poles, support posts not over 4 feet in height for mailboxes and name signs and parking lots. *(Underlined-Adopted Adjourned ATM, June 19, 2017; approved by Attorney General September 19, 2017)*

Electronic Sign/Message Board:

An electronic message display utilizing light-emitting diodes (LEDs), plasma or any other technology that presents static or multiple static advertisements on a rotating or repeating basis, freestanding or attached, which may or not be double-sided, including programable images, animation or letters.

Billboard:

Any sign larger than 64 square feet is considered a Billboard

6.4 Home Occupation

- 6.4.2.f No offensive noise, smoke, vibration, dust, odors, heat, light, or glare shall be produced by the home occupation. There shall be no exterior announcement or display of the home occupation except for a single unlighted sign on the premises. This sign shall not exceed two (2) square feet in area, as provided in Section 6.6.4.3. The sign shall conform in all other ways to the relevant portions of the Town bylaws.

5 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 General Sign Prohibitions

- 6.6.2.1 Signs, any part of which moves, flashes, or incorporates traveling or animated lights, static images which refresh more than 3 times in 1 minute, and all beacons and flashing devices whether a part of, attached to, or apart from a sign are prohibited.
- 6.6.2.2 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. No illumination shall be higher than or greater than 100 lumens.
- 6.6.2.3 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.
- 6.6.2.4 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.

6.6.3 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 or twenty (20) from surrounding grade, whichever is less.

6.6.3.3 Signs shall be limited in number to two (2) signs for each business or industrial establishment or company.

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

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

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

6.6.3.5.1 horizontally more than two (2) feet;

6.6.3.5.2 into or over any way;

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

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

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

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. Any such sign must be removed within 48 hours after its relevance has expired.

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

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

6.6.4.5 Signs less than two (2) square feet designating entry and egress from parking areas, and other necessary directional traffic control and safety-related signs shall have black background with white lettering and shall have no logos or markings other than directional markings.

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

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

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

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

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

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

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

6.6.6 Off-premise signs, 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.

6.6.7 Electronic Signs/Message Boards

SPGA – Planning Board; All Districts

Requirements and regulations for Electronic Signs/Message Boards:

- 1) Electronic signs/message boards up to twelve (12) square feet may be granted by Special Permit from the Planning Board. All electronic signs/message boards not granted by Special Permit or exceeding twelve (12) square feet are strictly prohibited.
- 2) Electronic signs shall be under 12 square foot in size.
- 3) Shall be turned off during the overnight hours from 11:00pm until 6:00am. Unless a facility providing medical care with hours of operation outside of these hours, in which case the applicant can submit for special permit through the special permit granting authority, Lakeville Planning Board.
- 4) Shall not exceed 100 lumens (or the equivalent)

- 5) Electronic signs shall be limited to white lights on a black background
- 6) LED images which refresh must be displayed for at least 20 seconds and may refresh or change, no more than 3 times in 1 minute.

6.7

SITE PLAN REVIEW

6.7.2 Procedure-Business or Industrial

The following information shall be required by the applicant for site plan review:

- 13) proposed and existing location of signs;

7.3.5 General Regulations in the PSP District - Applicable to Uses Permitted

7.3.5.2 Buffer Zones - A buffer zone, not less than one hundred feet in depth shall be continuously maintained along all exterior boundary lines. Buffer zones defined for the purposes of this by-law as designated areas providing or designed to provide visual and special protection for adjoining land areas, shall have natural vegetation or grass, bushes and trees suitably landscaped. Driveways, roads or walkways shall be allowable within 100 feet of existing streets for access purposes. No parking access shall be built within the buffer zone.

Informational signs, fences, hedges and earthen berms may be maintained within a buffer zone, to be of appropriate design and location.

7.4.6

Specific Uses by Special Permit

Adult Bookstore/Adult Motion Picture Theater

SPGA - Board of Appeals; Industrial District

- A. Adult bookstores, motion picture theaters and all advertising signs shall not be located within fifty (50) feet of a public or private way and must be set back a minimum of fifty (50) feet from all property lines.

Marijuana Uses - Adult Use Marijuana Establishments, and Marijuana Retailers, and Registered Marijuana Dispensaries

SPGA – Zoning Board of Appeals; *Marijuana Overlay District

2. Detailed Site Plans that include the following information:

- a. Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this By-Law;
- f. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and

Signs, larger, higher or a greater number than specified

SPGA - Board of Appeals; All Districts

Billboards

SPGA - Board of Appeals; All Districts

Requires a business to have unusual requirements or a long name requiring a larger sign and the Special Permit will not be detrimental to the character of the neighborhood of the Town, unduly distracting, blocking visibility of traffic or other business or scenic views.

Signs, off-premise

SPGA - Board of Appeals; All Districts

Applies to signs not exempt from local regulation by Chapter 93 of General Laws and not advertising the premises on which located or the occupant thereof or the goods and services available thereon; must advertise a business commodity or service available in Lakeville; shall not exceed 12 square feet in area; must be found to be appropriate for the location; Special Permit to be limited to a time period of not less than 3 years and subject to renewal.

7.6 LARGE-SCALE "BIG BOX" Design Standards

7.6.4.5 Pedestrian Flows

- 5) All internal pedestrian walkways shall be distinguished from driving surfaces through the use of appropriate signage and distinctive and durable, low maintenance surface materials such as pavers, bricks, or scored concrete applied in a manner that enhances pedestrian safety and comfort and the attractive appearance of the walkways.

7.7 SMART GROWTH OVERLAY DISTRICTS (SGODs)

7.3 Notes for Dimensional Requirements for all SGODs (unless otherwise noted):

D. Accessory Uses: Uses accessory to a permitted principal use are permitted on the same premises, provided that no accessory building may be located in a required front, side, or rear yard setback area.

- (1) Front, side, or rear yards of Neighborhood Business buildings may be used as seasonal outdoor seating areas for businesses, provided that such areas are regularly cleaned and maintained,

with trash removed on a daily basis. Seasonal outdoor seating areas may be installed during warm weather months. All related temporary furnishings and fixtures, including but not limited to tables, chairs, umbrellas, light fixtures, freestanding signs and menu boards, etc., shall be stored indoors off season; however, any fencing, bollards, planters, or other means of delineating the boundaries of such outdoor seating areas may remain in place permanently.

7.8 DEVELOPMENT OPPORTUNITIES (DO) DISTRICT

7.9.6 RULES AND REGULATIONS OF THE SPGA

- E. **Dimensional Provisions:** The SPGA may adopt regulations relative to densities of land use, the bulk and height of structures, yard sizes, lot areas, setbacks, open spaces, parking, use of signs and other dimensional criteria.

9.0 WIRELESS COMMUNICATIONS FACILITY

9.4 Design Provisions

- B. No monopole or other facility structure shall contain any sign or other devices for the purpose of advertisement.

10.0 Large-Scale Ground-Mounted Solar Photovoltaic Installations Overlay District

10.3.10 Design Standards

10.3.10.2 Signage

Signs on large-scale ground-mounted solar photovoltaic installations shall comply with a municipality's sign bylaw. A sign consistent with a municipality's sign bylaw shall be required to identify the owner and provide a 24-hour emergency contact phone number.

Solar photovoltaic installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the solar photovoltaic installation. All Signage must conform with Section 6.6

11.0 Land Based Wind Energy Facilities

J. Design Standards

3. Signage

Signs on wind energy facilities shall comply with the Town's sign by-law. The following signs shall be required:

- a) Those necessary to identify the owner, provide a 24-hour emergency contact phone number, and warn of any danger.
- b) Educational signs providing information about the facility and the benefits of renewable energy.

Wind turbines shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the wind energy facility.



Town of Lakeville

PLANNING BOARD ♦ 346 Bedford Street ♦ Lakeville, MA 02347 ♦ 508-946-8803

PLANNING BOARD FEE SCHEDULE

DESCRIPTION	FEE	PROPOSED	COMMENT
Form A – Approval Not Required	\$100.00 Per Lot	\$250 per modified lot (property line adjustment) \$500 per new lot	
Form B – Preliminary Plan	\$100.00 Per Plan	\$500 per plan	
Form C – Definitive Plan	\$700.00 + \$100.00 Per Lot * - * *	\$1500 per plan + \$500 per lot * * *	
Form C – Definitive Plan... Following submission of Form B at least 30 days prior to that of Form C	\$500.00 + \$100.00 Per Lot * - * *	\$750 per plan + \$500 per lot * * *	
Repeat Petitions	\$100.00 Each * - * *	Delete line	
Changes	\$100.00 Each	Minor \$200 Major \$1,500 + \$200 for advertising	
Engineering Review Fee	As Billed by the Engineer		

Town of Lakeville

PLANNING BOARD ♦ 346 Bedford Street ♦ Lakeville, MA 02347 ♦ 508-946-8803

Inspection Fees	\$4.00 / Lineal Feet of Road	As billed by the Engineer	
Retainer Fee Surety	At the completion of road (Release of Covenant) a Retainer Fee of \$15.00 Per Lineal Foot of Road shall be held through bond or passbook with the Town Treasurer until such time as the Town accepts the Roadway.	\$15/per lineal foot via bond or surety *See Rules and Regulations for complete explanation	
Street Acceptance		\$250 * **	
Site Plan Review	(Minor) — No Traffic, Drainage, or Signage Issues \$250.00 (Major) — In Public View \$1,000.00	Minor (No Traffic, Drainage, or Signage Issues) \$250 Major-up to 3 acres \$1,000 Over 3 acres \$500 an acre * **	
Special Permit DO District		\$12,500 * **	
Special Permit Water Development District		\$12,500 * **	
Chapter 43D - Expedited Local Permitting		\$12,500 * **	
Waiver		\$100	

Town of Lakeville

PLANNING BOARD ♦ 346 Bedford Street ♦ Lakeville, MA 02347 ♦ 508-946-8803

Copy of Rules & Regs		\$50	
Note:		At Planning Board discretion, fees may be reduced for a development which preserves open space	

- * The cost of all professional consultant(s) review and subsequent fees as determined by the Planning Board will be borne by the Applicant.
- ** All cost incurred by the Planning Board for the advertising and mailings for Public Notification, will be borne by the Applicant.

E. Fees and Costs (Proposed 11/6/2021)

1. Filing Fees. The minimum filing fees shall be as follows:

Form A Subdivision – Approval Not Required – ~~\$100.00 per lot.~~

\$250 per modified lot (property line adjustment only)

\$500 per new lot

Form B Preliminary Plan - ~~\$100.00 per plan~~ \$500 per plan (see II, E - 4)

Form C Definitive Plan - ~~\$700.00 + \$100.00 per lot~~ \$1,500 per plan + \$500 per lot (see II, E - 2, 3, 4)

Form C Definitive Plan *following submission of Form B by at least 30*

days – ~~\$500.00 + \$100.00 per lot~~ \$750 per plan, \$500 per lot (see II, E - 2, 3, 4)

~~Repeat Petitions~~ – ~~\$100.00~~ (see II, E - 2, 3) (DELETE LINE)

Changes Petition - Minor: \$200

Major: \$1,500 + \$200 for advertising (see II, E - 2, 3)

*Applies to changes submitted by applicant/developer

Engineering Review Fee (Peer review & Engineers' Inspection) – As billed by Engineer

Inspection Fees (~~Lakeville Street Inspector~~) - ~~\$4.00/Lineal Feet of Road (4 Inspections)~~ – As billed by Engineer

Surety - \$15 per lineal foot via bond or surety (*)

Site Plan Review – (~~Minor – no traffic, drainage or signage issues~~)
\$250.00

Site Plan Review – (~~Major – in public view~~) \$1000.00 (see II, E - 2, 3)

Site Plan Review –

Minor (No Traffic, Drainage, or Signage Issues) \$250

Major - up to 3 acres \$1,000

Over 3 acres - \$500 per acre (see II, E - 2, 3)

Special Permit: Development Opportunities District - \$12,500 (see II, E - 2, 3)

Special Permit: Water Development District - \$12,500 (see II, E - 2, 3)

Chapter 43D: Expedited Local Permitting - \$12,500 (see II, E - 2, 3)

Waiver - \$100

Copy of Planning Board Rules & Regulations - \$50

Street Acceptance - \$250 **

**If the Applicant intends to submit the road(s) associated with a Definitive Plan to Town Meeting for Acceptance, and has announced that intention at the time of Submission of Definitive Plan, then the following shall apply:

RETAINAGE OF PORTION OF SUBDIVISION SECURITY

At completion of the installation of the road and municipal services, and upon the request of the applicant for release of the (*) surety, the amount of \$15.00 per lineal foot of road shall be retained by the Planning Board and held by the Town Treasurer until such time as the Town accepts the Roadway, whether by fee or by easement. The form of retainage shall be at the option of the Developer in accordance with G.L. C.41 §81U, in one of the following forms: a proper bond, a deposit of money or negotiable securities, a covenant, or an agreement executed by the Applicant and the Applicant's Lender (Tripartite Agreement). (See III. K. regarding 2 year waiting period).

2. Consultant Fees The fees of any professional consultant(s) engaged by the Board to evaluate and provide peer review of the Applicant's Designers and Engineers shall be borne by the Applicant.

3. Other Costs and Expenses. Costs incurred by the Planning Board for sending notices to abutters by Certified Mail or advertisements for Hearings shall be borne by the applicant. All other expenses including, without limitation, recording fees and filing fees for documents, and costs for sampling, testing, and inspections required by the Board or its agent shall be paid solely by the applicant.

4. a. Form B per plan fees shall be credited toward Form C fees when Form B is submitted at least 30 days prior to submittal of Form C.

b. Form C plan fee is \$750 if Form B is submitted at least 30 days prior to submittal of Form C.

F. Payment

All applications shall be accompanied by a check payable to the order of the Town of Lakeville.



Town of Lakeville
Lakeville Town Office Building
346 Bedford Street
Lakeville, Massachusetts 02347

#7

OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

TO: Building Department
Planning Board ✓
Conservation Commission
Board of Health

FROM: Board of Appeals

DATE: December 28, 2021

RE: Attached Petition for Hearing
Veloza – 300 Pond Lane

Attached please find a copy of one (1) Petition for Hearing, which has been submitted to the Board of Appeals. The hearing for this petition will be held on January 20, 2022.

Please review and forward any concerns your Board may have regarding this petition to the Board of Appeals, if possible, no later than Monday, January 17, 2022.

Thank you.

Petition to be
filed with Town Clerk

#70
EXHIBIT "A"

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS
PETITION FOR HEARING

RECEIVED
NOV 30 2021
BOARD OF APPEALS

Name of Petitioner: CODY VELOZO

Mailing Address: 301 POND LANE, LAKEVILLE MA 02347

Name of Property Owner: CODY VELOZO

Location of Property: 300 POND LANE, LAKEVILLE MA 02347

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 46844 Page No. 311

Map 047 Block 011 Lot 001A

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 6.1.3, 6.3.2, 7.4.6 of the Zoning Bylaws

Variance from Section (s) _____ of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial _____


Brief to the Board: (See instructions on reverse side – use additional paper if necessary.)

I AM RESPECTFULLY REQUESTING A SPECIAL PERMIT UNDER THE
ZONING BYLAWS 6.1.3, 6.3.2, 7.4.6, TO PLACE AN ACCESSORY STRUCTURE
WITHIN SATRACKS OF A PRE-EXISTING NON CONFORMING LOT

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH
REFERENCE TO THE ABOVE PETITION OR APPEAL. ALL OF THE INFORMATION ON
THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE
AND CONFORMS TO THE REQUIREMENTS ON THE BACK OF THIS PETITION FORM.

Petitioner: Cody Velozo

Date: 11/8/21

Signed: 

Telephone: _____

Owner Signature: _____
(If not petitioner)

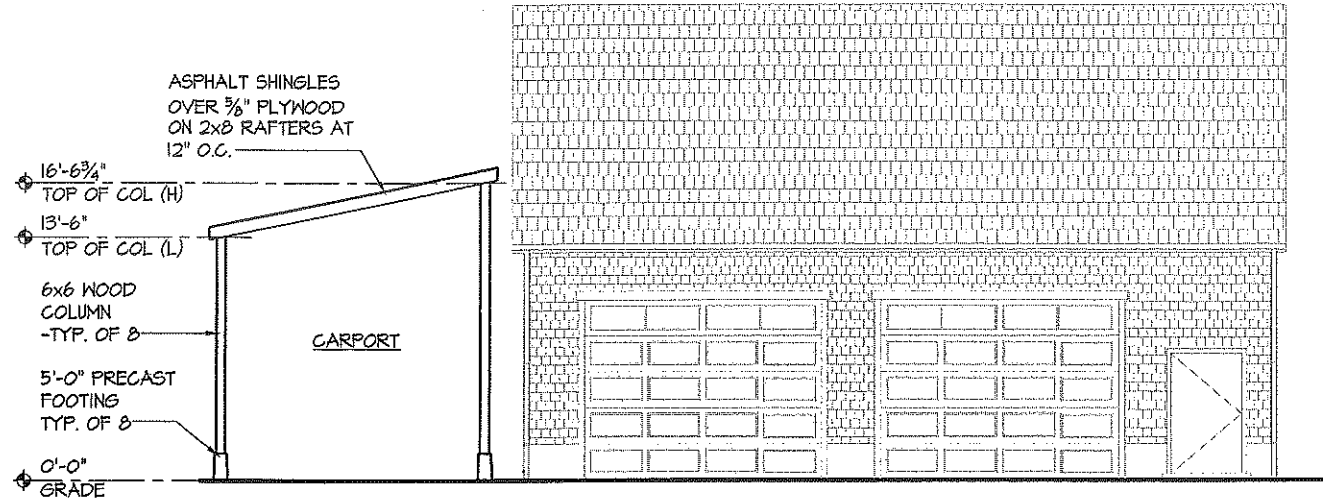
Owner Telephone: 508-889-2908

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER
INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes No

(Name and Title)

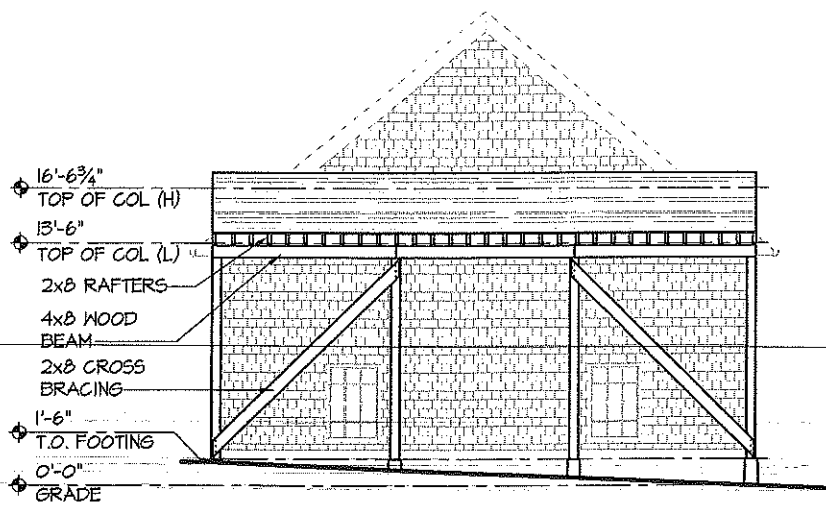


ASPHALT SHINGLES
OVER 3/8" PLYWOOD
ON 2x8 RAFTERS AT
12" O.C.

- 16'-6 3/4" TOP OF COL (H)
- 13'-6" TOP OF COL (L)
- 6x6 WOOD COLUMN -TYP. OF 8
- 5'-0" PRECAST FOOTING TYP. OF 8
- 0'-0" GRADE

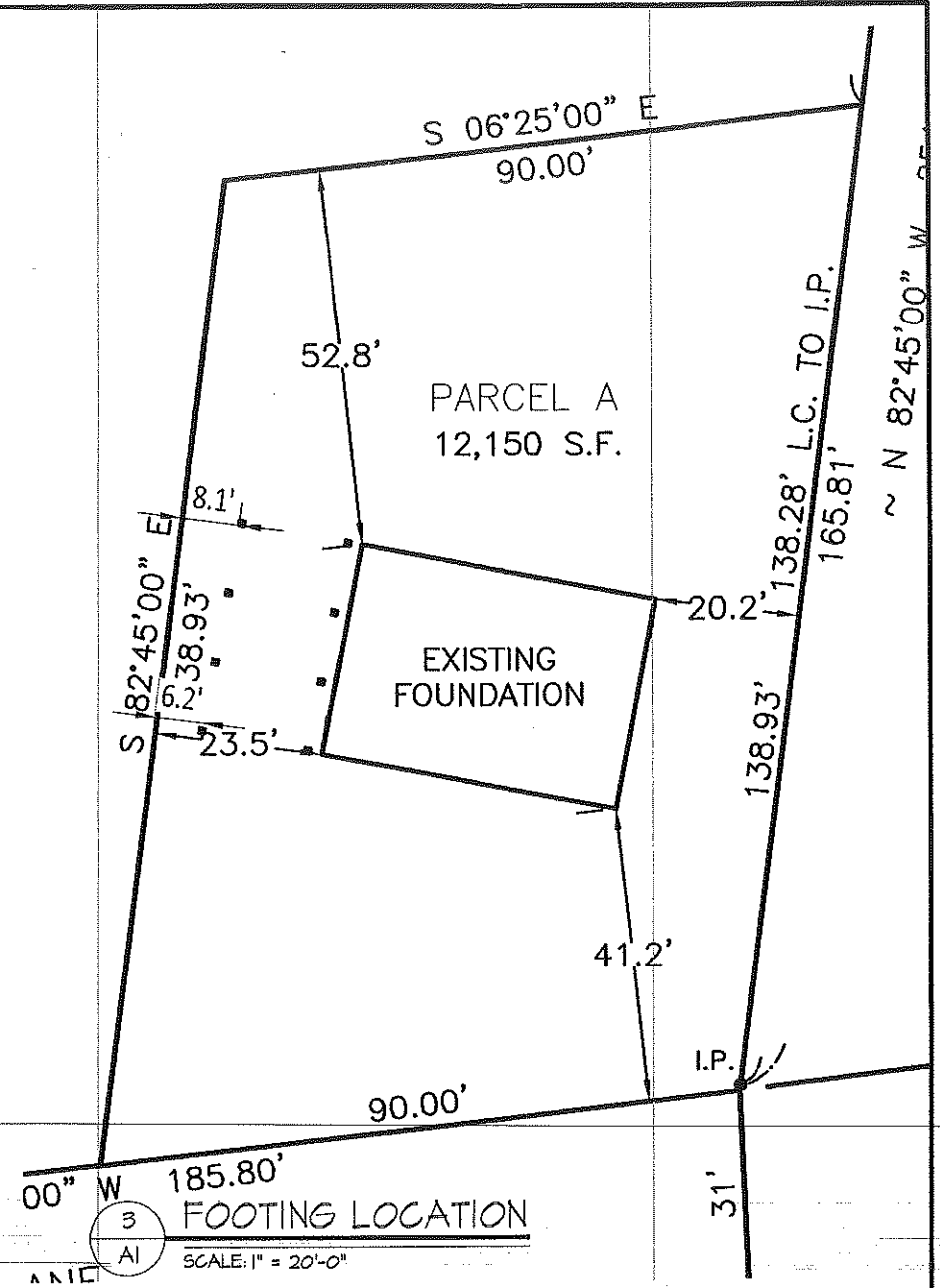
CARPORT

1 FRONT ELEVATION
AI SCALE: 1/8" = 1'-0"



- 16'-6 3/4" TOP OF COL (H)
- 13'-6" TOP OF COL (L)
- 2x8 RAFTERS
- 4x8 WOOD BEAM
- 2x8 CROSS BRACING
- 1'-6" T.O. FOOTING
- 0'-0" GRADE

2 SIDE ELEVATION
AI SCALE: 1/8" = 1'-0"



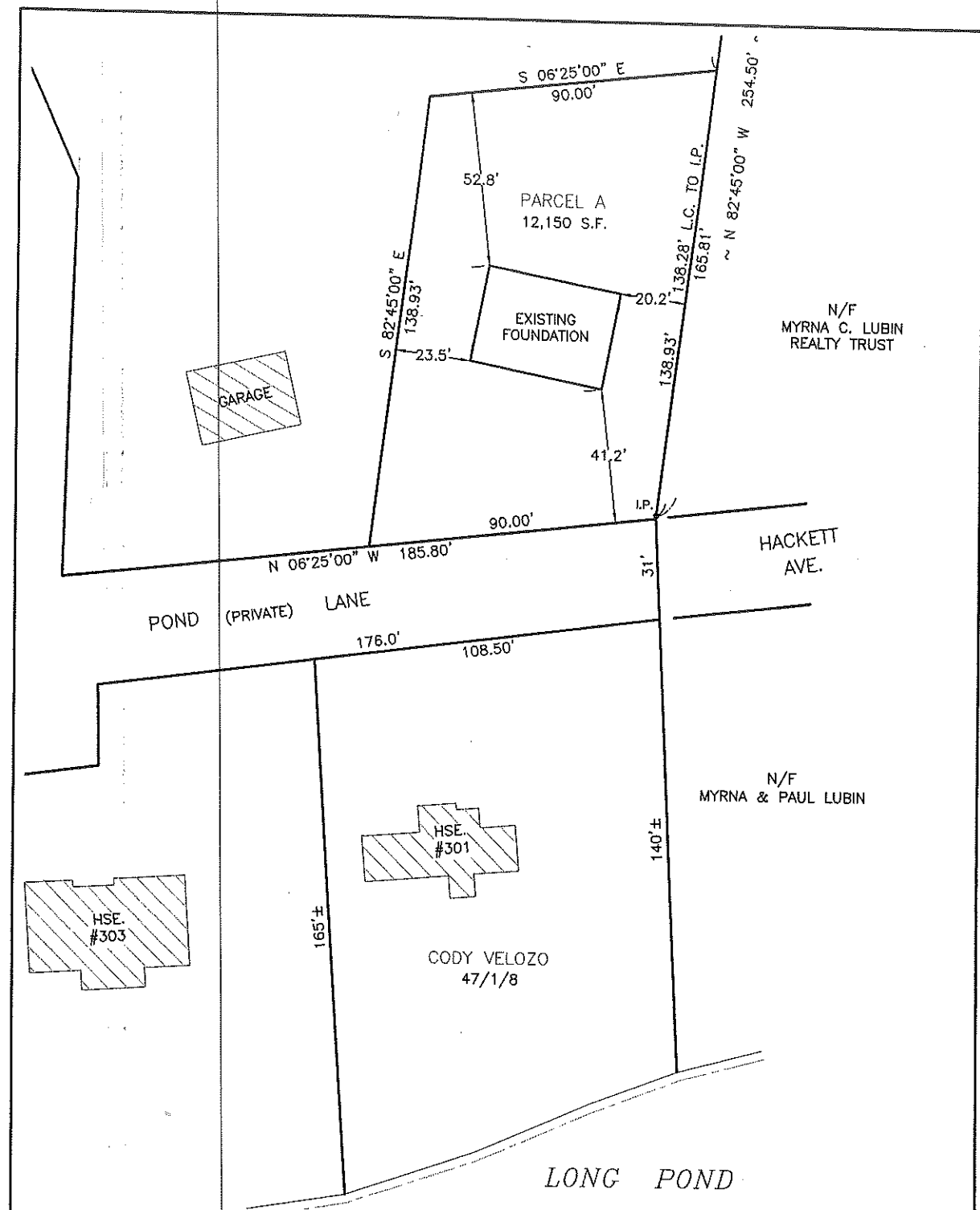
PARCEL A
12,150 S.F.

EXISTING FOUNDATION

FOOTING LOCATION

3 AI SCALE: 1" = 20'-0"

PROJECT:	301 POND LANE, LAKEVILLE, MA	DRAWING NUMBER:	AI
OWNER:	CODY VELOZO		
DRAWING TITLE:	FOOTINGS AND ELEVATIONS		
DATE:	NOVEMBER 18, 2021		



FOUNDATION LOCATION
AS-BUILT PLAN

SCALE: 1"=40' JUNE 1, 2016
 LOCATION: #301 POND LANE LAKEVILLE, MA



DATE _____ JONATHAN J. PINK, P.L.S.

AZOR
 LAND SCIENCES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 328 BEDFORD ST. LAKEVILLE, MA. 02347
 TEL (508) 946-5427 AZOR328@VERIZON.NET

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, November 18, 2021**

On November 18, 2021, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Michele MacEachern, Jack Lynch

Site Plan Review – 475 Kenneth W. Welch Drive- continued – submitted by Bud’s Goods & Provisions Corp.

Mr. Knox advised this was a continuance from their previous meeting. The applicant has requested they continue this hearing until their December 9th meeting.

Mr. Knox then made a motion, seconded by Mr. Lynch, to continue the Site Plan Review for 475 Kenneth W. Welch Drive until December 9, 2021, at 7:00 p.m. The vote was **unanimous for**.

Sign By-law – update

Mr. Conroy made a motion, seconded by Mr. Lynch, to continue the Sign By-law update until December 9, 2021, at 7:00 p.m. The vote was **unanimous for**.

Design Standards – update

Mr. Knox noted that Ms. MacEachern had circulated to them a portion of the density bonus which has the current design standards that they have. If they looked at the lot coverage requirement for business zone which is 50%, that needs to be part of the review of the design standards if they want to also make an effort to change the trigger from 50% to a lower number. At their next meeting, they could also focus on going through the design standards that already exist to make them mimic what other members want.

Mr. Knox made a motion, seconded by Mr. Lynch, to continue the Design standards update until December 9, 2021, at 7:00 p.m. The vote was **unanimous for**.

Master Plan Implementation – Fee review project – update

Mr. Knox asked if there was anything new on this. Ms. MacEachern advised she had sent out the revisions from their last meeting. It was just a matter of going through and approving or accepting them. Mr. Knox said they also might want to add another portion to their review because of the updated earthworks bylaw that was approved at Town Meeting. He thought he should talk to the Board of Selectmen regarding that because one of the exemptions is a properly permitted project. He did not think the Town should give up the revenue from the removal of earth if the Planning Board does Site Plan Review or a subdivision. That is technically the permitting project. However, if they don't have something in their fee review schedule to cover that, it means it got permitted without the Town receiving revenue for it. He would like to work with the Selectmen regarding this.

Mr. Knox made a motion, seconded by Mr. Lynch, to continue the fee review project until the December 9, 2021, at 7:00 p.m. The vote was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Mr. Lynch, to approve the Minutes from the October 14, 2021, meeting. The vote was **unanimous for**.

Old Business

There was no old business.

New Business

There will be a meeting of the Hazard Mitigation Plan Committee at the Police Station on Saturday, December 4, 2021, from 9 a.m. to 11 a.m.

Mr. Knox advised there was an Invoice to approve for SouthCoast Media Group for the legal advertising for the public hearings. He made a motion to approve the SouthCoast Media Group Invoice dated 10/1/21 through 10/31/21. The Invoice is in the amount of \$399.82. It was seconded by Mr. Lynch. The vote was **unanimous for**.

Next meeting

Mr. Knox advised the next meeting is scheduled for December 9, 2021, at 7:00 p.m.

Adjourn

Mr. Knox made a motion, seconded by Mr. Lynch, to adjourn the meeting. The vote was **unanimous for**.

Meeting adjourned at 7:09.

DRAFT

8

Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, December 9, 2021

On December 9, 2021, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was making a video recording of the meeting.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair, Michele MacEachern

Others present:

Atty. Phillip Silverman, Ben Nadolny; Atty. Robert Mather

Site Plan Review – 475 Kenneth W. Welch Drive- continued – submitted by Bud’s Goods & Provisions Corp.

Atty. Silverman and Mr. Ben Nadolny were present. Atty. Silverman said the Board had requested some updates to the Plan which they had provided. The first was clarity of the boundaries of the property and some of the surrounding properties. The biggest problem is that there are some parking issues in that area and the Board wanted to see if they were to expand to full capacity in the future, what could they add that would alleviate any parking concerns. Atty. Silverman stated that they still have the 23 parking spaces in the revised plan. At the top of the plan, there are an additional seven spaces. That shows 30 spaces potential if they should expand further into the building in the future. With that parking, the lot coverage would be 30.3%.

Mr. Knox said the plan looked better. His only comment would be the location of the dumpster pad looks like it could be a challenge for a truck to come in and dump it. Atty. Silverman said they would have the general contractor take a look at that. Ms. MacEachern said her only concern would be if, in the future, they were contracted with the local distributors in that area, that there was some sort of provision for safe pedestrian movement. Mr. Knox noted that they no longer need the fire lane in front of the building, if they have an aisle down the middle of the parking spaces. The fire lane just becomes the back of the building off of the new proposed area. He just wanted to note that if they did need to expand the parking area that sufficient pathway be left. He would expect all of that to become paved, and it would no longer be a gravel path.

Mr. Knox then made a motion, seconded by Mr. Conroy, to recommend approval of the Site Plan for 475 Kenneth W. Welch Drive. The **vote** was **unanimous for**.

Mr. Knox made a motion, seconded by Ms. MacEachern, to close the hearing. The **vote** was **unanimous for**.

Site Plan Review – 183 Rhode Island Road – submitted by Assawompsett Golf Company.

Atty. Robert Mather was present. He represented the Assawompsett Golf Company LLC. Mr. Greg Drake from Outback Engineering was also present. Atty. Mather noted this was not an initial Site Plan approval but revisions to a Site Plan. This project was originally approved in 2000. The reason they are here is to change the existing entrance for the restaurant to emergency access only. The new entrance will be in the front and will allow entry directly into the restaurant. The entrance off of Route 79 is too small and the radius needs to be changed from a 20 foot to a 30 foot. Atty. Mather noted that the revisions in the front take into account that the State is re-doing Route 79. The existing sign will need to be relocated to where it will be ten feet off the property line which considers the widening that is planned.

Atty. Mather advised he had prepared a list of all the changes that are off the original Site Plan. They include a new entrance that is to be constructed, with the existing entrance to be for emergency access. The other item is this allows them to move the ADA parking, and in a new area create 12 spaces for public parking. Multiple directional signs will also be added. He noted that comments the Fire Department had made were incorporated into #9, 10, and 11. Atty. Mather noted that when you enter, there is a small island area where the main fire hydrant is located. The Fire Chief is correct that because of the tall ornamental grass there, you can't see it. That grass will all be removed and replaced with low level landscaping. In addition, it is the same situation at the entrance to the sprinkler system. That landscaping will also be removed and replaced. The Fire chief also noted that the connection to the sprinkler system is not the right size, so they will replace those connections with the size recommended.

Atty. Mather said the sign at the entrance will be moved back. The large boulder sign will be moved into the circle. The landscaping there will be modified to allow for clearer view. There was also another small radius issue where the golfers go to the left that will be adjusted to a ten-foot radius. He noted the new Site Plan eliminates the tennis courts and a maintenance building that had been on the original Plan. He then turned the presentation over to Mr. Drake in regards to the drainage. Mr. Drake said the existing system was designed to be able to handle the 16,000 square feet of impervious surface, but was never built. Now they are adding, with this new design, approximately 2,900 square feet, so the existing system should be able to handle that additional water.

Atty. Mather said that they easily meet the parking requirements. They are required to have 104 spaces. There are 189 existing spaces and this plan will add 6 spaces for a total of 195 spaces. They will have 7 ADA spaces and they are required to have 5. Atty. Mather said they would be making one change to the Plan where it says the entrance will be removed. It is not going to be removed but it will be restricted. They will also be adding a signature block to the Plan to allow the Board to sign it. Mr. Knox also wanted to make sure the ADA spaces where the three were across the aisle were technically compliant. They may need a walkway across like a hatched crosswalk. Mr. Drake thought there could be a painted walkway. Atty. Mather said they would make sure they would meet the Board's requirements and that they are ADA compliant. Mr. Knox also wanted to make sure that they had the most recent Route 79 Plan. Atty. Mather said he thought they had the most recent, but they could also check to make sure that was accurate.

He would also check on the access to the maintenance area and that the turning radius of the circle meets current Fire Department requirements.

Ms. MacEachern noted that the Open Space Committee had requested that any plantings be native species. There is a list available if they were interested in it. Atty. Mather said that they would advise the LeBaron landscaper of that and of the available list.

Mr. Knox then made a motion, seconded by Mr. Conroy, to continue this Site Plan Review until January 13, 2022, at 7:00 p.m. The **vote** was **unanimous for**.

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Ms. MacEachern, to approve the Minutes from the October 28, 2021, meeting. Ms. MacEachern-Aye, Mr. Knox-Aye, Mr. Conroy-Abstain

Mr. Knox made a motion, seconded by Mr. Conroy, to approve the Minutes from the November 4, 2021, meeting. The **vote** was **unanimous for**.

Next meeting

Mr. Knox advised the next meeting is scheduled for January 13, 2022, at 7:00 p.m.

Old Business

There was no old business.

New Business – Planning Board draft meeting schedule for 2022

Members reviewed the draft meeting schedule for 2022.

Mr. Conroy made a motion, seconded by Ms. MacEachern, to approve the meeting schedule as drafted for 2022. The **vote** was **unanimous for**.

Master Plan Implementation – Fee review project – update

Mr. Knox said he had not had a chance to speak to anybody about adding a fee for gravel removal. He felt when the new bylaw was passed, one of the exemptions from it going to the Board of Selectmen, was if it was an already permitted project. If they permitted a Site Plan or subdivision, he did not want it to be exempt from the gravel removal fee. He thought they should add that fee to their fee schedule and mirror the 15 cents per yard for gravel removal that the Town charges. He noted the trigger proposed was 5,000 cubic yards in one year. At Town

Meeting, Ms. Mancovsky amended that to 2,000 cubic yards. He said they could either send a memo to the Board of Selectmen or he could call them, but he did think that was something that they should discuss to put on the fee schedule.

Design Standards – update

It was agreed to revisit this item in January when all members were present. Mr. Knox made a motion, seconded by Mr. Conroy, to continue the design standards agenda item and the Master Plan fee review project agenda item until the January 13, 2022, meeting at 7:00 p.m. The **vote** was **unanimous for**.

Adjourn

Mr. Knox made a motion, seconded by Mr. Conroy, to adjourn the meeting. The **vote** was **unanimous for**.

Meeting adjourned at 7:48.

DRAFT

10
21-20

TOWN OF LAKEVILLE
MASSACHUSETTS

Received

ZONING BOARD OF APPEALS

DEC 07 2021

NOTICE OF DECISION

Lakeville Town Clerk
[Signature]

ON A SPECIAL PERMIT

(To be mailed forthwith to the petitioner, abutters, and owners of land within 300 feet of the property line, the Board of Selectman, Building Inspector, the planning boards of every abutting municipality and to every person present at the hearing who requested that notice be sent to him and stated the address to which such notice was to be sent, as provided in Section 15, Chapter 40A, as amended)

Applicant _____ Date: December 7, 2021

Bud's Goods & Provisions Corp. Case No: 21-20

Owner _____ Address: 54 West Boylston Street

Green Peak LLC _____ Worcester, MA 01606

Premises Affected _____

475 Kenneth W. Welch Drive

Special Permit Application _____

Referring to the above application so as to permit
A Marijuana Product Manufacturing Establishment and a Marijuana Transporter pursuant to Section 7.4.6 of the Zoning By-law.

After a public hearing on October 21, 2021, and November 18, 2021
the Appeals Board at its meeting on November 18, 2021

VOTED TO GRANT a Special Permit under Article 7 Section 7.4.6 of the Zoning By-law, subject to the conditions, safeguards, and limitations on time and use specified in the attached Decision of the Board.

The decision of the Board, together with a detailed record of its proceedings stating the reasons for the decision and the conditions imposed, shall be filed within 14 days after the hearing in the office of the Town Clerk. Decision filed with the Town Clerk on December 7, 2021.

IMPORTANT Any appeal from the decision of the Appeals Board can be made only to the Court and must be made pursuant to Section 17, Chapter 40A (G.L.) as amended, and must be filed within twenty (20) days after the date of the filing of the decision with the Town Clerk.

THE ZONING BOARD OF APPEALS

[Signature]
Clerk

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS

SPECIAL PERMIT DECISION – APPROVED WITH CONDITIONS

Decision Date: December 7, 2021

Name/Address of Applicant: Bud's Goods & Provisions Corp.
54 West Boylston Street
Worcester, MA 01606

Name/Address of Property Owner: Green Peak LLC
54 West Boylston Street
Worcester, MA 01606

Location: 475 Kenneth W. Welch Drive
Lakeville, MA 02347.

Assessors' Reference: Map 24, Block 6, Lot 8

Zoning District: Industrial District

PROJECT DESCRIPTION: The Property is currently a vacant 20,000 square foot industrial building that is located along Kenneth W. Welch Drive in close proximity to its intersection with Bedford Street. Bud's Goods anticipates interior renovations to allow for the operation of a 6,747 square foot Marijuana Product Manufacturing Establishment and Marijuana Transporter within the existing premises located at 475 Kenneth W. Welch Drive, Lakeville, Massachusetts (the "Property").

The Project exterior consists of 23 parking spaces. Bud's Goods anticipates hiring 25 employees, with a maximum of 12 on site at any given time. Bud's Goods stated that its proposed use of the Property will not disturb the existing right of way, pedestrian access, and will not cause a hazard to vehicle or pedestrian traffic. Traffic generated and patterns of access and egress will not cause congestion, hazard, or a substantial change to the neighborhood character. Marijuana and marijuana products will be securely transported to and from other Marijuana Establishments utilizing a secure shipping and receiving area as well as standard operating procedures consistent with Cannabis Control Commission's ("CCC") regulations and in a manner approved by the CCC following review of such procedures and an on-site inspection to ensure site security. Facility signage will be discrete and utilized for employee and vendor wayfinding only. Bud's Goods intends to utilize the existing lighting that is affixed to the building and intends to illuminate the parking lot to ensure the safety of employees leaving the facility.

No members of the public will be granted access to the interior of the facility. Additionally, employees, vendors, and visitors will be required to check in with security upon entry to the establishment.

No usable marijuana waste will be stored in the exterior of the site. All recyclables and waste, including organic waste composed of or containing finished marijuana and marijuana products, will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations. Liquid waste containing marijuana or by-products of marijuana processing will be disposed of in compliance with all applicable state and federal requirements.

Product deliveries will leave from the facility on a regular basis in unmarked transport vans. Pursuant to 935 CMR 500.105, there will be no advertising, markings, or branding indicating that the vehicle is being used to transport marijuana. Marijuana and marijuana products will be transported in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. At least two agents will staff vehicles transporting marijuana.

VOTE OF THE BOARD: At a duly noticed public hearing and after review of the application and materials submitted as part of the application, including statements made at the public hearing, the Lakeville Zoning Board of Appeals, on November 18, 2021, on a motion made by Jeffrey Youngquist, seconded by Gerald Noble, voted to APPROVE the application for a Special Permit for a Marijuana Product Manufacturing Establishment and Marijuana Transporter pursuant to Section 7.4.6 of the Zoning Bylaw for property located at 475 Kenneth W. Welch Drive in Lakeville, MA. The vote was 5-0. Members voting were John Olivieri, Jr., Jeffrey Youngquist, Gerry Noble, Christopher Campeau, and Christopher Sheedy.

PROCEDURAL HISTORY:

1. On August 31, 2021 an application of which a true copy marked "A" is made a part of this record was filed with the Town Clerk and submitted to the Appeals Board.
2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Middleboro Gazette a newspaper published in Middleboro, MA on 10/7/21 and on 10/14/21.
(Date) (Date)
3. On October 7, 2021 notice of the hearing, a copy of which marked "C" is made a part of this record, were mailed postpaid to the petitioner, abutter, and owners of the land within 300 feet of the property line, being the same persons named in the Assessors certificate which was a part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, and the planning boards of every abutting municipality.
4. On October 21, 2021 and November 18, 2021, a hearing was held pursuant to the provisions allowed by Chapter 20 of the Acts of 2021, signed by the Governor on June 16, 2021, by Zoom -- a virtual platform, at which opportunity was given to all those interested, those to be heard in favor or opposition to said petition, application, or appeal at which hearing:

Atty. Phillip Silverman and Benjamin Nadolny were present.

5. The complete record of the materials submitted as part of this application for a Special Permit may be reviewed at the Lakeville Town Hall.

FINDINGS:

The Board found the proposed use of the Property as a Marijuana Product Manufacturing Establishment and Marijuana Transporter pursuant to Section 7.4.6 of the Zoning Bylaw is in harmony with the general purpose and intent of the Bylaw based on the following findings:

1. The application seeks to construct a 6,747 square foot facility within a 20,000 square foot vacant building with 23 dedicated parking spaces.
2. The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.
 - a. The Board finds that Bud's Goods has proposed an odor control system that will contain air and odors within the existing building.
3. The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development which could occur if the special permit were denied.
 - a. The Board finds that the use located in the Industrial Zone meets this standard.
4. Bud's Goods has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.
 - a. The Board finds that the proposed project is allowed in the Industrial District by special permit and therefore, the Board has determined that the use is most compatible with the character of the Industrial District and no reasonable alternative is available to accomplish this purpose.
5. The Special Permit Granting Authority shall determine that the proposal generally conforms to the principals of good engineering, sound planning, and correct land use, and that Bud's Goods has the means to implement the proposal if a Special Permit is granted.
 - a. The Board finds that Bud's Goods is required to meet rigorous state regulations and therefore, the proposed use generally conforms to the principal of good engineering, sound planning, and correct land use, and that Bud's Goods has experience in this industry and has the means to implement the proposal if the Special Permit is granted.
6. The Special Permit Granting Authority shall have the power to impose reasonable conditions and modifications, including limitations of time and use, as a condition of a Special Permit, and may secure compliance or performance by requiring the posting of a bond or other safeguards.
 - a. The Board approves the Special Permit subject to the following conditions set forth below.

CONDITIONS:

The Board grants this approval for a Special Permit subject to the following conditions:

1. The facility shall be permitted to operate from 8:00 a.m. to 6:00 p.m.

2. A copy of the applicable approval from the CCC shall be provided to the Building Commissioner, Health Agent, Fire Chief, Police Chief, and the Board.
3. An annual report of operations shall be provided to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued compliance with the conditions of this special permit.
4. Any change in ownership or change in management staff and individuals with key access to the Establishment shall also be reported within 30 days of such change.
5. This permit does not allow a Marijuana Retailer use and the retail sales of marijuana is prohibited.
6. This Special Permit is not transferrable or assignable to another party or entity and shall remain exclusively with Bud's Goods for the operation of the facility as a Marijuana Product Manufacturing Establishment and Marijuana Transporter. Events deemed a transfer or assignment of the Special Permit shall include, without limitation: (i) the Company's takeover or merger by or with any other entity; (ii) the Company's outright sale of assets and equity, majority stock sale to another organization or entity for which the Company does not maintain a controlling equity interest; (iii) or any other changes to a majority of the founding member ownership or status of the Company. A Special Permit may be transferred or assigned only with the approval of the Board in the form of an amendment to the Special Permit.
7. Smoking, burning and consumption of marijuana or marijuana infused products on the premises for personal or consumer use is prohibited.
8. The facility shall not generate outside odors and shall implement, install and maintain at all times effective odor control technology to prevent the generation of outside odors from the processing or manufacturing of marijuana or marijuana products. Bud's Goods shall ensure proper operation and maintenance of all odor mitigation equipment to ensure maximum efficiency and effectiveness and shall repair and upgrade the air filtration systems, as necessary, to ensure the effectiveness of the odor control technology in meeting the Bylaw standard for odor mitigation.
9. The Building Commissioner, in enforcing the conditions herein, may require additional odor investigation and/or odor mitigation measures or sound investigations and/or sound mitigation measures should concern and complaints develop about plant odor or sound generation from the facility which are, in the opinion of the Building Commissioner, legitimate in nature. Bud's Goods shall be required to address such issues with the Building Commissioner and the Board to its satisfaction. Any complaints of noxious odors shall be cured within 24 hours of notification
10. The permit holder shall notify the Building Commissioner, the Health Agent, the Fire Chief, the Police Chief, and the Board in writing within forty-eight hours of the cessation of operation of the adult use marijuana cultivation and product manufacturing uses or the expiration or termination of the license holder's Final License CCC.
11. The Special Permit shall lapse upon the expiration or termination of Bud's Goods' license by the Cannabis Control Commission.

12. There shall be a valid Host Community Agreement in effect at all times during the operation of the Adult Use Marijuana Establishment.
13. Prior to filing this Special Permit Decision with the Town Clerk, Bud's Goods shall pay any and all outstanding fees and obligations due to the Town of Lakeville pertaining to the Special Permit application and the Property.
14. Any changes to the Security Plan and Emergency Procedures shall be reported, in writing, to the Police Chief and Fire Chief within 14 days of such changes taking effect.
15. Prior to occupancy and for the life of the Establishment, Bud's Goods shall provide to the Building Inspector and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
16. There shall be no composting on-site.
17. Any signs shall conform to the Town of Lakeville Zoning By-Law.
18. Prior to occupancy, fire alarm system or the Establishment must be approved by the Lakeville Fire Department.
19. This decision hereby incorporates all of the Applicant's requirements of the Host Community Agreement entered into between the Applicant and Board of Selectmen.
20. Any expansion of the existing building will require an amendment to this Special Permit.
21. Any expansion or change of the proposed use will require a new Special Permit.

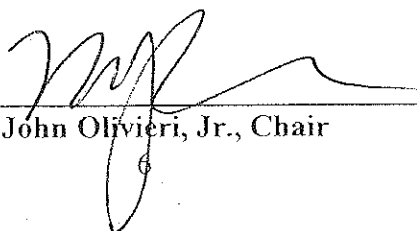
VOTE:

Any appeal of this Decision shall be made to a court of competent jurisdiction within twenty (20) days of the date the Board files this Decision with the Town Clerk in accordance with the provisions of G.L. c. 40A, §17.

NOTE: Show the vote of each member upon each question or, if absent or failing to vote, indicate such fact, and set forth clearly the reason or reasons for its decision, and of its other official action.

Members voting: John Olivieri, Jr.-Aye, Jeffrey Youngquist-Aye, Gerald Noble-Aye,
Christopher Campeau-Aye, Christopher Sheedy-Aye

Zoning Board of Appeals of the Town of Lakeville


John Olivieri, Jr., Chair

12-10-21
Date

ZONING BOARD OF APPEALS

NOTICE FOR RECORDING IN THE REGISTRY
OF A DECISION ON A SPECIAL PERMIT

Date: December 7, 2021

(A copy shall be sent to the applicant, and shall be filed with Town Clerk together with the Record of Proceedings and plans.)

Notice is hereby given that a Special Permit has been granted in compliance with statutory requirements as set forth in Chapter 40A as amended

TO Bud's Goods & Provisions Corp.
Owner or Petitioner

ADDRESS 54 West Boylston Street, Worcester, MA 01606

By the Appeals Board, affecting the rights of the owner with respect to use of the premises on

475 Kenneth W. Welch Drive
Identity of Land Affected

The record title standing in the name of
Green Peak LLC

whose address is 54 West Boylston Street Worcester MA
Street City or Town State

by a deed duly received in the Plymouth District,

Registry of Deeds in Book 9460, Page 18.

Registry District of Land Court, Certificate No. _____

Book _____, Page _____

The decision of said Board is on file with the papers and plans in the Office of the Town Clerk.

Signed and certified this 7th day of December, 2021.

THE APPEALS BOARD

[Signature] Chairman
[Signature] Clerk

CERTIFICATE BY THE TOWN CLERK FOR FILING OF THE DECISION IN THE REGISTRY

This is to certify that twenty (20) days have elapsed since filing of the above decision with this office and no appeal has been filed, or an appeal has been filed and denied in case.

Signature and seal of the Town Clerk

THE COMMONWEALTH OF MASSACHUSETTS
LAKEVILLE
CITY OR TOWN

ZONING BOARD OF APPEALS

Date December 7, 2021

NOTICE OF SPECIAL PERMIT

(General Laws Chapter 40A, Section 15 as amended)

Notice is hereby given that a Special Permit has been granted
To Bud's Goods & Provisions Corp.
Owner or Petitioner
Address 54 West Boylston Street
City or Town Worcester, MA 01606
Identify Land Affected


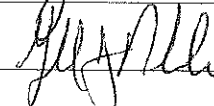
by the town of Lakeville Board of Appeals affecting the
rights of the owner with respect to the use of the premises on
475 Kenneth W. Welch Drive Lakeville
Street City or Town
the record title standing in the name of
Green Peak LLC

whose address is 54 West Boylston Street Worcester MA
Street City or Town State

by a deed duly recorded in the Plymouth County Registry of Deeds in
Book 9460, Page 18 Registry District of the Land Court
Certificate No. _____ Book _____ Page _____

The decision of said Board is on file with the papers in Decision or Case No. 21-20
in the office of the Town Clerk Lillian M. Drane
Certified this 7th day of December, 2021

THE APPEALS BOARD

 Chairman
 Clerk

_____ 19 ___ at _____ o'clock and _____ minutes _____ M.

Received and entered with the Registry of Deeds in the County of _____
Book _____ Page _____

Attest

Register of Deeds

Notice to be recorded by Land Owner.