



Received & posted: K. Murray  
 Town Clerk  
 RECEIVED  
 LAKEVILLE TOWN CLERK  
 OCT 20 2020 12:01 PM

## REMOTE MEETING NOTICE/ AGENDA

Posted in accordance with the provisions of MGL Chapter 30A, §. 18-25

Name of Board, Committee or Commission:	<b>Planning Board</b>
Date & Time of Meeting:	<b>Thursday, October 22, 2020 at 7:00 p.m.</b>
Location of Meeting:	<b>REMOTE MEETING</b>
Clerk/Board Member posting notice	<b>Cathy Murray</b>

### AGENDA

1. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the October 22, 2020, public meeting of the **Planning Board** shall be physically closed to the public to avoid group congregation. **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. **Ledgewood Estates**-Discuss release of security
3. **Master Plan Implementation** – Update on Site Plan Review costs
4. **Development Opportunities District** – Update
5. **43D Committee**
  - Review proposed Public Hearing Review Schedule
  - Review submission requirements
  - Revisit peer review items
6. Approve Meeting Minutes for October 8, 2020.
7. Old Business
8. New Business
  - Review memo regarding Special Town Meeting
9. Next meeting. . . November 12, 2020 at 7:00 p.m.
10. Any other business that may properly come before the Planning Board.
11. 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.

**Read the following into the record:**

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the October 22, 2020, public meeting of the **Planning Board** shall be physically closed to the public to avoid group congregation. **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/>**

TOWN OF LAKEVILLE  
Planning Board Meeting Minutes  
February 11, 2016

On February 11, 2016 the Planning Board held a meeting at 7:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Hoeg at 7:30 PM. Planning Board Members present were: Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson, Peter Conroy, Donald Bissonnette and Pauline Ashley, Recording Secretary. LakeCAM was recording for local cable broadcast.

**Ledgewood Estates (Form C)**

Notice as it appeared in the Middleboro Gazette was read by Brian Hoeg. Ad appeared on January 28, 2016 and February 4, 2016. Jason Youngquist (Outback Engineering) on behalf of Paul Turner (Ledgewood Development) We are talking a road that is approximately 654 feet long with 4 houses – 2 on Pierce Avenue that are approximate 12.8 acres and 1 house in the middle of the property. The northeast corner of the property is wetlands in the corner. At this point we are talking an agent walking the property next Wednesday. All the drainage from the road will go to the catch basins and not to the wetlands. I just received a copy of the letter from Jeremy Peck and will need to add some changes that he would like to see. I will be changing the slopes to comply with his request. The back pitch has a 2% pitch. All water is going to the back none on Pierce Avenue. It will match the existing flow. Sylvester Zienkiewicz – basically there are no major plan changes. Nothing remarkable. Peter Conroy – where is the concrete ramp? Jason Youngquist – It where the sidewalk goes around. Janice Swanson – is Jeremy Peck asking for more detail. Jason Youngquist – yes. Jeremy Peck prefers 2”. Sylvester Zienkiewicz, -- As far as Form A’s are concerned we are talking 2 on Pierce Avenue. Jason Youngquist they will have access on both streets. Sylvester Zienkiewicz --Where is the tree line proposed. Jason Youngquist – we have marked the proposed tree lines we want to cut as little as possible. There is no good reason to cut more than is necessary. Peter Conroy – where is the proposed culvert. Jason Youngquist - the drainage is along the country line on Pierce Avenue. Peter Conroy – there is no proposed pipe at this time. Brian Hoeg – is there a ditch? Jason Youngquist -- we are looking into in more. Peter Conroy – is this going to be a private way. Jason Youngquist no. Charlene Clymer – when did you flag the property were you just on your property? Can I see it when you walk the property? Jason Youngquist – it would be up to my client. C. Clymer – what type of drainage is it rip rap. I just want to make sure that our lines agree. It is an open basin with the rip rap. I plan on building my retirement home back there and I don’t want any water coming on to my property. I am not thrilled with the plan. All of that will end up on my property. Jason Youngquist -- it will not impact your property at all no more water should end of then is there now. We have to check the impact. That is where we are going to match the existing conditions. It is the same all of the way. We will try to get it away from property. Charlene Clymer – this 114 can you raise it to 118 and you could get it to go this way. Jason Youngquist – it is the same all the way across. We will try to get it away from you property. Charlene Clymer – How can I get some assurance the water will not run onto my property. I feel that this needs to be higher. Brian Hoeg – this is 1 foot from the free board. What did it perk like? Jason Youngquist – Everything goes that way now. Charlene Clymer – I know what you are saying but I don’t agree. I know what it does now. Would you walk over and explain it to me. Jason Youngquist – it is going to your property now. Charlene Clymer I am concerned with how it is going now. I need more clarification. How wide is the road. Is this a 50 foot layout

with 24 feet of pavement? David – 48 Pierce Avenue – I am right next to Charlene’s property. My concern is that it is all wet back there. If you go down 8 feet it is water and clay. I am downhill and I am concerned also. Brian Hoeg – do you know where the stream goes now. Jason Youngquist – this flows down to the pond. Charlene Clymer – if it is rocky it will not go down. Donald Bissonnette – you cannot allow any more water then goes there now. Jason Youngquist – You cannot allow any more than what is pre-existing. Charlene Clymer if it is there now you are saying it will be there as it is now. Jason Youngquist – if it is going there now that is the way that it will go. Shawn Banks 50 Pierce Avenue – It is wet there now. We get water now until June or July. The back corner is wet now. It is wet year round. Charlene Clymer my main concern is that I get more wetland there then is there now. Brian Hoeg there should be no more water then what is there now. Charlene Clymer the water will go to the road and end up here. Mike Ellis, 70 County Road. The rear abuts Charlene Clymer and runs from County Road to Lot 8. Where is the basin? When were the calcs done.? Jason - based on the condition and type of soil we did a 2 year, 10 year and 100 year. Sylvester Zienkiewicz – are the wetland shown on the plan? GIS says now wetland. Brad Kenny – Pierce – I believe the information that I have is based on a 69 soil survey from the county. What is the condition of the aqua fur – what is the impact. . Sylvester Zienkiewicz - have you checked the information available through the Board of Health ? There is a great deal of information available. Brad Kenny – I am concerned when it is dry (Sept /October) . Sylvester Zienkiewicz—in August and September it means that it is very dry – 5 feet or less. Brian Hoeg – you are looking at a dry time. ?? If this becomes a town road who will take care of the drainage? Jason Youngquist – it has fairly low maintenance. This plan has been reviewed by Jeremy Peck. He is well aware of what he needs. Charlene Clymer – we are looking at 2 drainage ditches. The town does not take care of them. The Town does not do regular maintenance. One of the concerns is sand coming into the drainage. That type of basin has things in place that are required. Barbara Sherman 3 School Street. What is the rate. Jason Youngquist – I believe 5 gallons per minute down to 1. It does not get better. Brian Hoeg – I don’t think it is the aqua fur The water does seem to be the problem. I don’t think the water as being the problem. Sylvester Zienkiewicz -- We take it out and then it goes back into the ground. It does have the impact on the water table. Sharon Banks – the water will be different in different places. You are saying no problem but experience says different. Jason Youngquist – that is not a problem You are putting it back down into the land. Charlene Clymer – what is the process at this point. Brian Hoeg – it appears that minor concerns take care of the issues. At this point I will continue this hearing to the 25<sup>th</sup>. Talk to the Board of Health if you’re well is not recharging. I would be interest to hear what they say. Sylvester Zienkiewicz – they have all of the information available to you. Ben 57 Pierce Avenue Sharon is on a tough corner. Scott Richmond about 7 or 8 surrounding the lots. I am concerned about visibility and privacy. Jason Youngquist – nothing is being done back there. It is wooded. Barbara Sherman – will there be any restrictions on the property? Jason Youngquist – we are not restricting the property. Donald Bissonnette – how many. (57 Pierce Ave.) -- How about Lot 7 on the northern edge and the surrounding lots – I am concerned about visibility and privacy. Jason Youngquist – there is nothing back there. It is wooded. Barbara Sherman – are there going to be any restrictions on the property? Jason Youngquist – regulations are in place by the Town We try to minimize the cutting. Brian Hoeg – this hearing will be continued to February 25, 2016 @ 7:30 p.m.

**TOWN OF LAKEVILLE**  
**Planning Board Meeting Minutes**  
**February 25, 2016**

On February 25, 2016 the Planning Board held a meeting at 7:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Hoeg at 7:30 PM. Planning Board Members present were: Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson, Peter Conroy, Donald Bissonnette and Pauline Ashley, Recording Secretary.

**Ledgewood Estates** – Hearing continued from February 11, 2016 hearing. Brian Hoeg – at this point I will turn the hearing over to the engineer. Jason Youngquist – there are 2 Form A lots in front of the 4 lots in the back. I just receive the comments from Jeremy Peck. He has comments concerning the front County drainage on the side of the swale that is on the side of the road. Jeremy Peck requested a pipe under the road. In addition we met with Charlene Clymer and we did walk the property out back. We feel that there is no affect to her property out back. We move the swale away from her property line. We also made a couple of changes as requested in Jeremy Peck letter. The pipe will make sure the swale is working. We did 12". Jason Youngquist – we are slowing down the water. John Banks – 50 Pierce Avenue – we are down from there. Will the telephone pole stay there. Jason Youngquist – that water will come down but we are adding another drain. John Banks It would be appreciated if you could control the lighting. Jason Youngquist – The Form A's will come out on Ledgewood Dr. . Mike Ellis you met with Charlene Clymer – will it affect my land. Jason—we moved it up 40 feet but it will discharge to the wetlands. It goes straight down. Mike Ellis is there any maintenance. Jason Youngquist there is a lot during construction. Once it is accepted by the town it will be yearly maintenance. Brian Hoeg – At this time if there is no further discussion I would entertain a motion to send the plan upstairs for the 21 day appeal period.

Upon a motion made by Peter Conroy, and seconded by Janice Swanson, it was:

VOTED: That we send the plan upstairs to the Town Clerk's office for the 21 day appeal period.. Vote was unanimous.

**William Bachant** – I am interested in having my property changed from residential to business. Years ago it was a trucking company. We are thinking a real estate office. Brian Hoeg – we are pretty much in favor of the change. Peter Conroy – The RV place abuts it. Janice Swanson – that is an area that we would be in favor of the change from residential to business. Sylvester Zienkiewicz – across 18 is residential. Brian Hoeg – You will need to get us the boundaries Peter Conroy – I am in favor but is there a problem with spot zoning. Janice Swanson – the Attorney General would have to agree. I am also in favor. . Sylvester Zienkiewicz – We need to hold a hearing. Pauline – We could advertise on March 24 and March 31 and hold the hearing on April 7, 2016.

Upon a motion made by Sylvester Zienkiewicz, and seconded by Peter Conroy, it was:

VOTED: To set a hearing date of April 7, 2016. Vote was unanimous.

#2a  
Cont.

**TOWN OF LAKEVILLE**  
**Planning Board Meeting Minutes**  
**April 7, 2016**

On April 7, 2016 the Planning Board held a meeting at 7:30 PM at the Town Office Building in Lakeville. The meeting was called to order by Chairman Hoeg at 7:30 PM. Planning Board Members present were: Brian Hoeg, Sylvester Zienkiewicz, Janice Swanson, Peter Conroy and Pauline Ashley, Recording Secretary. LakeCam was recording.

**142 Bedford Street Hearing Residential to Business**

Brian Hoeg – notice as it appeared in the Middleboro Gazette on March 24, 2016 and March 31, 2016 was read by Brian. Janice Swanson – there is business in the area now. Brian Hoeg – does anyone question? Peter Conroy – I personally believe it is a good fit for business.

Upon a motion made by Janice Swanson and seconded by Peter Conroy, it was:

VOTED: To recommend to the Board of Selectmen that the following parcel 025-006-006 142 Bedford Street - .74 acres be changed from Residential to Business at the next annual town meeting. Vote was unanimous

Chairman Brian Hoeg –At this time I would entertain a motion to close the hearing.

Upon a motion made by Sylvester Zienkiewicz and seconded by Peter Conroy it was

VOTED: To close the hearing. Vote was unanimous.

**Ledgewood Estates**

Pauline Ashley – the 21 day appeal period has passed concerning this sub-division. Original plan was sent to the Clerk’s Office on February 24, 2016. Covenant dated March 4, 2016 was received. Plan signed as submitted.

**Bills**

Brian Hoeg – I have a bill for services rendered in the amount of \$441.32.

Upon a motion made by Sylvester Zienkiewicz and seconded by Peter Conroy it was

VOTED: To approve the bill for services rendered in the amount of \$441.32. Vote was unanimous.

**Nomination of Chairman**

Upon a motion made by Sylvester Zienkiewicz and seconded by Peter Conroy it was

VOTED: To defer the nomination of chairman until a full Board was present. Vote was unanimous

#2b

## Cathy Murray, Appeals Board Clerk

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**From:** Cathy Murray, Appeals Board Clerk  
**Sent:** Tuesday, October 20, 2020 1:51 PM  
**To:** Mike O'Shaughnessy  
**Subject:** RE: Ledgewood

Hi Mike,

The Planning Board will address this again at their October 22<sup>nd</sup> meeting. I'll get the Zoom invite to you before then.

The Treasurer is currently holding \$43,095.14.

At this time, I think I will only need one full size copy of both plans.

Cathy

**From:** Mike O'Shaughnessy <Mike@mpoesq.com>  
**Sent:** Thursday, October 15, 2020 2:18 PM  
**To:** Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>  
**Subject:** FW: Ledgewood

Michael O'Shaughnessy, Esq.  
43 East Grove Street, Suite 5  
Middleboro, MA 02346  
Phone: (508) 947-9170  
Fax: (508) 947-9130  
Email: [mike@mpoesq.com](mailto:mike@mpoesq.com)

**From:** Mike O'Shaughnessy  
**Sent:** Thursday, October 15, 2020 2:16 PM  
**To:** Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>  
**Subject:** FW: Ledgewood

Hi Cathy,

Attached as pdf files, please find the following:

Roadway As Built Plan;  
Roadway Acceptance Plan and  
Compaction Report.

It is my understanding that the Board indicated to Paul Turner that it would be retaining \$15/lf of roadway.

It is my understanding that the roadway is 852 feet in length.

#2b. cont

Based on this length, the money that the planning board will retain is \$12,870.00.

Could you please let me know how much is currently held and when the planning board expects to release the money?

Also, do you need hard copies of the plans? If so how many?

Mike

Michael O'Shaughnessy, Esq.  
43 East Grove Street, Suite 5  
Middleboro, MA 02346  
Phone: (508) 947-9170  
Fax: (508) 947-9130  
Email: [mike@mpoesq.com](mailto:mike@mpoesq.com)



#20



165 East Grove Street  
 Middleborough, MA 02346  
 P: (508) 946-9231  
 F: (508) 947-8873

### Test Method for Density of Bituminous Paving Mixtures

Date/Time: 06-25-2020 / 6:30 AM – 2:30 PM	Weather: Sunny 70 - 80° Humidity: 83 – 92%
Project: Ledgewood Drive Lakeville, MA	Material Source: TL Edwards Stoughton, MA
Contract #: OE-2840	Mix: MassDOT Surface Mix 1/2" PG 64-28
Client: Paul Turner	Location: Ledgewood Dr. Lakeville, MA
Contractor: John Nye	Job Hours: 8

#### Density Gauge Information

Make: Troxler PaveTracker Plus	Reference Date: 6/25/2020
Model #: 2701-B	Field Calibration Date: 6/25/2020
Serial #: 72944	Calibration Method: Method B
Offset: 4	Thickness of Lift Test: 1.5"

#### Compaction Test Results

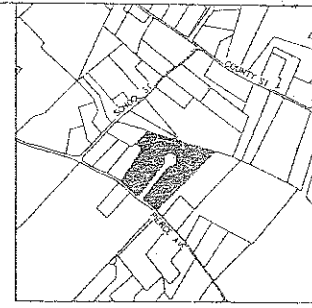
Station	Offset	Time	Random (Y/N)	Max Theoretical Density lb/ft <sup>3</sup>	In-Place Density lb/ft <sup>3</sup>	Percent Compaction
6 + 00	4	7:33 AM	Y	150.7	142.1	94.3
7 + 00	4	8:19 AM	Y	150.7	140.5	94.1
8 + 00	4	9:16 AM	Y	150.7	145.3	96.4
5 + 00	4	9:58 AM	Y	150.7	145.5	96.5
4 + 00	4	10:40 AM	Y	150.7	142.0	94.2
3 + 00	4	11:21 AM	Y	150.7	143.5	95.2
2 + 00	4	12:09 PM	Y	150.7	145.8	96.7
1 + 00	4	1:25 PM	Y	150.7	143.5	95.2

Comments: Total tons of Asphalt used: 216 tons.

Note: All test results and findings contained within this report are limited to test locations indicated. Outback Engineering personnel present onsite to observe certain operations of the contractor and to record/report certain data related to those operations to our client. The presence and activities of our personal shall not relieve any contractor from its obligation to meet contractual requirements. All tests were conducted in accordance with AASHTO T 343 standards.

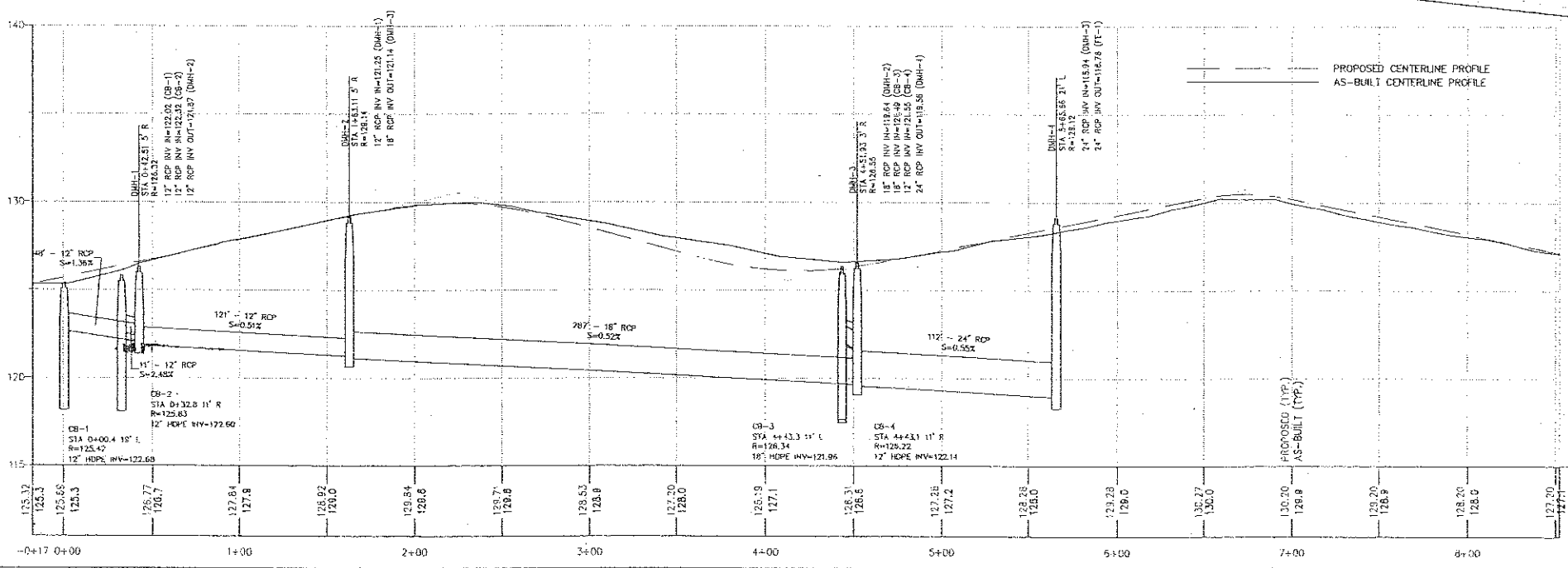
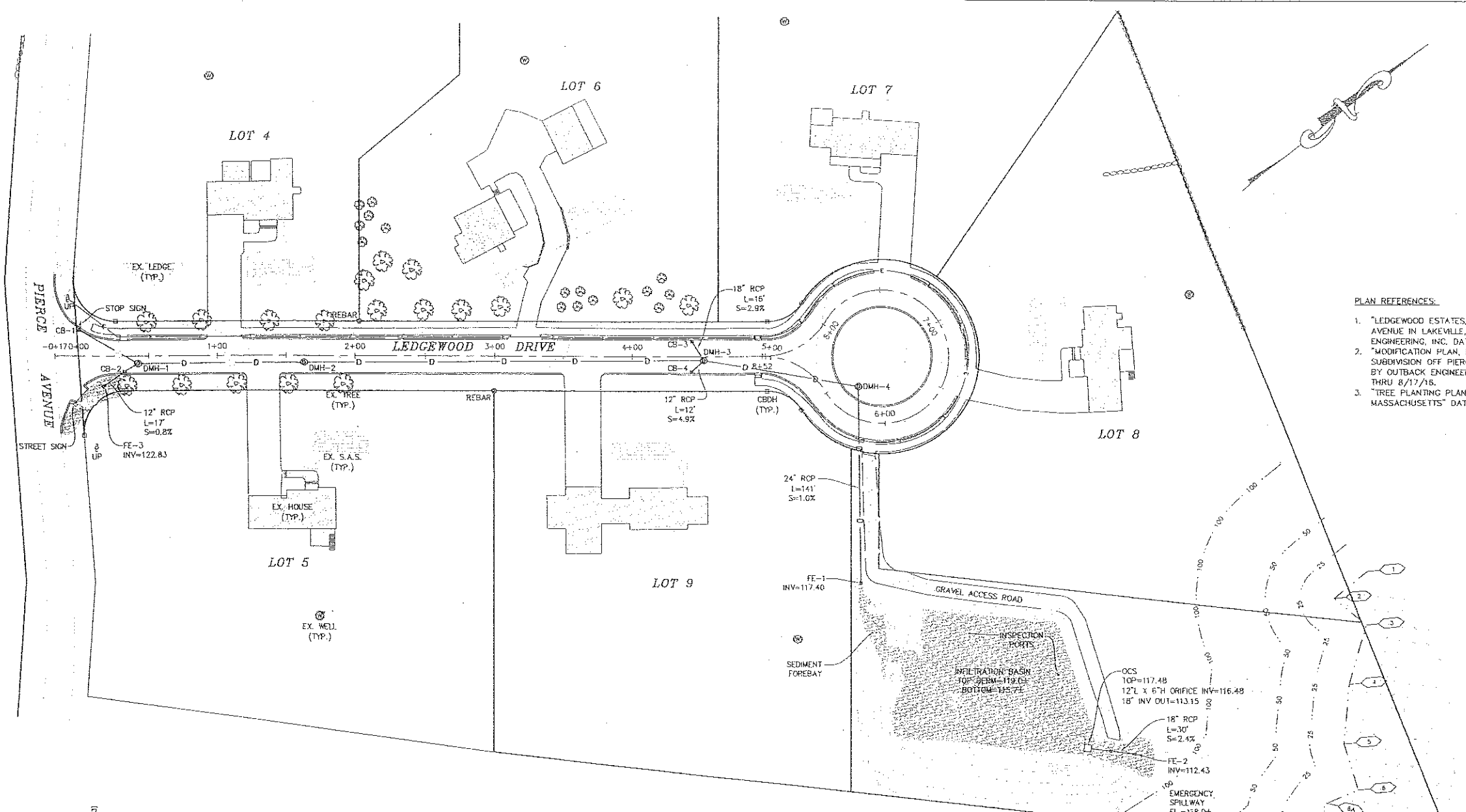
Tested by: Michael Smith	Reviewed by: Jason Youngquist P.E.
Date: 06/25/2020	Date: 07/02/2020
Test Results within Engineering limits of 92.5% – 97.5% compaction: Yes	

#2d



LOCUS  
SCALE: 1"=1000'

- PLAN REFERENCES:
1. "LEDGEWOOD ESTATES, A RESIDENTIAL SUBDIVISION OFF PIERCE AVENUE IN LAKEVILLE, MASSACHUSETTS," BY OUTBACK ENGINEERING, INC. DATED 1/5/16 AND REVISED THRU 3/3/16.
  2. "MODIFICATION PLAN, LEDGEWOOD ESTATES, A RESIDENTIAL SUBDIVISION OFF PIERCE AVENUE IN LAKEVILLE, MASSACHUSETTS," BY OUTBACK ENGINEERING, INC. DATED 6/4/16 AND REVISED THRU 8/17/16.
  3. "TREE PLANTING PLAN, LEDGEWOOD DRIVE IN LAKEVILLE, MASSACHUSETTS" DATED 9/9/19 BY OUTBACK ENGINEERING, INC.



I CERTIFY THAT THIS PLAN IS A TRUE AND ACCURATE REPRESENTATION OF THE SUBDIVISION INFRASTRUCTURE AND TOPOGRAPHY INCLUDING INVERTS, ELEVATIONS AND LOCATIONS.

I CERTIFY HEREBY THAT THE ROAD AND DRAINAGE SYSTEM HAS BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE DESIGN PLANS AND SPECIFICATIONS.



DATE: 9-24-20 PROFESSIONAL LAND SURVEYOR

DATE: 9-24-20 PROFESSIONAL CIVIL ENGINEER

REVISIONS		
NO.	DATE	DESCRIPTION

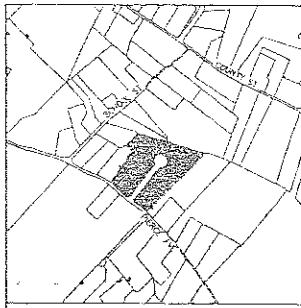
**OWNER**  
PAUL E. TURNER CORP.  
3 FAIRWAY DRIVE  
LAKEVILLE, MA 02347  
ASSESSORS PARCEL 007-003-010  
DEED BOOK: 45395 PAGE:135

**LEDGEWOOD DRIVE ROADWAY AS-BUILT PLAN**  
"LEDGEWOOD ESTATES"  
A  
RESIDENTIAL SUBDIVISION  
OFF PIERCE AVENUE  
IN  
LAKEVILLE  
MASSACHUSETTS

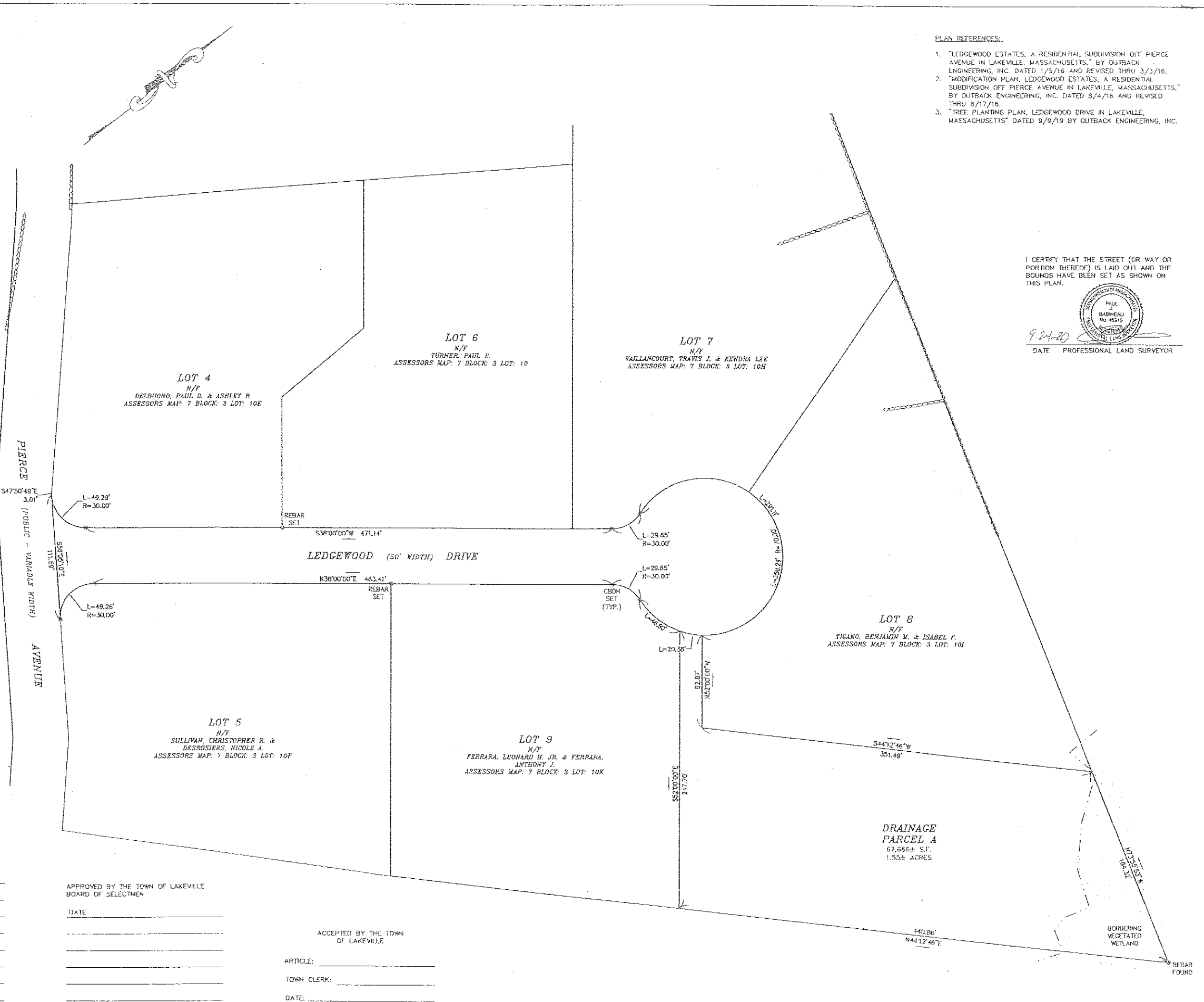


165 EAST GROVE STREET  
MIDDLEBOROUGH, MA 02346  
TEL: (508)-946-9231  
FAX: (508)-947-8873  
www.outback-eng.com

DATE: AUGUST 28, 2020  
DRAWN BY: T.E.M. CHECKED BY: J.A.Y.  
SCALE: 1"=40' SHEET 1 OF 1  
0' 40' 80' 120'  
OE-2840



- PLAN REFERENCES:
1. "LEDGEWOOD ESTATES, A RESIDENTIAL SUBDIVISION OFF PIERCE AVENUE IN LAKEVILLE, MASSACHUSETTS," BY OUTBACK ENGINEERING, INC. DATED 1/5/16 AND REVISED THRU 3/3/16.
  2. "MODIFICATION PLAN, LEDGEWOOD ESTATES, A RESIDENTIAL SUBDIVISION OFF PIERCE AVENUE IN LAKEVILLE, MASSACHUSETTS," BY OUTBACK ENGINEERING, INC. DATED 8/4/16 AND REVISED THRU 8/17/16.
  3. "TREE PLANTING PLAN, LEDGEWOOD DRIVE IN LAKEVILLE, MASSACHUSETTS" DATED 9/9/19 BY OUTBACK ENGINEERING, INC.



I CERTIFY THAT THE STREET (OR WAY OR PORTION THEREOF) IS LAID OUT AND THE BOUNDS HAVE BEEN SET AS SHOWN ON THIS PLAN.

9-24-20  
DATE PROFESSIONAL LAND SURVEYOR

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS AND THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIP'S, AND THE LINES OF THE STREETS AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

9-24-20  
DATE PROFESSIONAL LAND SURVEYOR

REVISIONS		
NO.	DATE	DESCRIPTION
1	9/17/2020	ADD SURVEYOR CERTIFICATION

**OWNER**

PAUL E. TURNER CORP.  
3 FAIRWAY DRIVE  
LAKEVILLE, MA 02347

ASSESSORS PARCEL 007-003-010  
DEED BOOK: 45395 PAGE: 135

**ROADWAY ACCEPTANCE PLAN**

"LEDGEWOOD ESTATES" ON LEDGEWOOD DRIVE IN LAKEVILLE, MASSACHUSETTS

**Outback Engineering**  
Incorporated

155 EAST GROVE STREET  
MIDDLEBOROUGH, MA 02346  
TEL: (508)-946-9231 FAX: (508)-947-8873  
www.outback-eng.com

DATE: AUGUST 28, 2020  
DRAWN BY: T.E.M. CHECKED BY: P.J.B.  
SCALE: 1"=40' SHEET 1 OF 1

WE, THE UNDERSIGNED MEMBERS OF THE LAKEVILLE PLANNING BOARD HEREBY CERTIFY THAT LEDGEWOOD DRIVE APPEARS ON A PLAN APPROVED UNDER THE SUBDIVISION CONTROL LAW IN ACCORDANCE WITH MGL CH.41 SEC.81L

DATE \_\_\_\_\_

APPROVED BY THE TOWN OF LAKEVILLE BOARD OF SELECTMEN

DATE \_\_\_\_\_

ACCEPTED BY THE TOWN OF LAKEVILLE

ARTICLE: \_\_\_\_\_

TOWN CLERK: \_\_\_\_\_

DATE: \_\_\_\_\_



### Town of Lakeville

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

## PLANNING BOARD FEE SCHEDULE

DESCRIPTION	FEE
Form A – Approval Not Required	\$100.00 Per Lot
Form B – Preliminary Plan	\$100.00 Per Plan
Form C – Definitive Plan	\$700.00 + \$100.00 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 * **
Repeat Petitions	\$100.00 Each * **
Changes	\$100.00 Each
Engineering Review Fee	As Billed by the Engineer
Inspection Fees	\$4.00 / Lineal Feet of Road
Retainer Fee	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.
Site Plan Review	(Minor) – No Traffic, Drainage, or Signage Issues \$250.00 (Major) – In Public View \$1,000.00

- \* 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.

#5a



Memorandum

To: Chapter 43D Review Committee  
Town of Lakeville

Date: October 15, 2020

Project #: 14849.00

From: Brittany Gesner, PE

Re: Lakeville Hospital Redevelopment  
Proposed Public Hearing Review Schedule

As discussed with Town of Lakeville Representatives on October 9, 2020 and at the Project Review Committee for Chapter 43D on October 14, 2020, VHB has prepared Table 1 below as a suggested public review and peer review schedule for the Lakeville Hospital Redevelopment project.

Public Hearings for the Lakeville Hospital Redevelopment Project are proposed for the first and third Thursday of the month, beginning in December. Public Hearings for the Lakeville Hospital Redevelopment are anticipated to be joint hearings with attendance from all jurisdictional boards/committees who have vested interested in the subject matter of that hearing.

**Table 1 Proposed Public Review and Peer Review Schedule for Lakeville Hospital Redevelopment Project**

Date	Activity	Anticipated Boards/ Commissions in Attendance
Wed, Oct 14, 2020	Pre-Filing Hearing #1: Procedural Review of Chapter 43D Process	Project Review Committee for 43D
Wed, Oct 28, 2020	Pre-Filing Hearing #2: Determination on Required Filing Materials	Project Review Committee for 43D
Thurs, Oct 29, 2020	Submit Application Materials to Town	
Wed, Nov 11, 2020	Kick-off with peer reviewer (all disciplines)	
Thurs, Dec 3, 2020	Public Hearing #1: Introductory Hearing, Project Overview, Wetland Delineation	Planning Board, Conservation Commission, Board of Health, Open Space Committee
Wed, Dec 2, 2020	Comments due from peer reviewer & Town pertaining to Hearing #2 Subject Matter	
(3rd Thursday) → Thurs, Dec 17, 2020	Public Hearing #2: Zoning, Use, Site Layout, Parking, Access & Circulation	Planning Board
Wed, Dec 16, 2020	Comments due from peer reviewer & Town pertaining to Hearing #3 Subject Matter	
Thurs, Jan 7, 2021	Public Hearing #3: Architectural, landscape, lighting, and noise	Planning Board, Board of Health, Open Space Committee
Wed, Jan 6, 2021	Comments due from peer reviewer & Town pertaining to Hearing #4 Subject Matter	
(3rd Thursday) → Thurs, Jan 21, 2021	Public Hearing #4: Traffic	Planning Board

120 Front Street  
Suite 500  
Worcester, MA 01608  
P 508.752.1001

#5a-cont.



Memorandum

From: Brittany Gesner, PE  
Ref: 14849.00  
October 15, 2020  
Page 2

Wed, Jan 6, 2021	Comments due from peer reviewer & Town pertaining to Hearing #5 Subject Matter	
Thurs, Feb 4, 2021	Public Hearing #5: Wetlands, Grading, Stormwater Management, & Erosion Control	Planning Board, Conservation Commission
Wed, Jan 27, 2021	Comments due from peer reviewer & Town pertaining to Hearing #6 Subject Matter	
(3rd → Thurs, Feb 18, 2021 Thursday)	Public Hearing #6: Septic and Utilities	Planning Board, Board of Health
Wed, Feb 24, 2021	Comments due from peer reviewer & Town pertaining to Hearing #7 Subject Matter	
Thurs, Mar 4, 2021	Public Hearing #7: Conclusionary Hearing – Summary of Public Review & Peer Review Process. Boards/Commissions to vote on Project.	Planning Board, Conservation Commission, Board of Health



Submission Requirements	Y/N
Existing Conditions Plan	
Site Plans	
Septic Plans	
Landscape Plans	
Photometric Plans	
Building Elevations	
Stormwater Management Report	
Traffic Impact and Access Study	
Notice of Intent	

Submit electronically to all Boards/Committees/Departments. Hard Copies available upon request.	Y/N
Police Chief	
Fire Chief	
DPW Director	
Building Commissioner	
Open Space Committee	
Board of Selectmen	
Historic Commission	

Order of Conditions from the Lakeville Conservation Commission	Y/N
One (1) hard copy of NOI Narrative, Site Plans, Stormwater Management Report. Electronic submission and additional hard copies available upon request.	
Stamped plans including site locus clearly identifying location of property. Plans to include 100' buffer, 50' buffer and all water and septic lines, site topography, percentage of impervious coverage, direction of hydrologic flow and annual mean water (NOI)	
Proof of mailing or hand delivery to DEP	
Certified abutter list and proof of certified mailing to all abutters (copy of green cards)	
Site Access Consent Form	
Administrative Filing Fee Check made out to the Town of Lakeville as required by the Conservation Commission	
WPA Transmittal Form and Fees	

Required Local Approvals	
Special Permit within Development Opportunities District	Planning Board
Site Plan Review	Planning Board Conservation Commission
Notice of Intent	Board of Health
Septic Plan Approval	Board of Health
Water Service Approval	Board of Health

Septic Permit (New Construction) from the Lakeville Board of Health	Y/N
One (1) hard copy of sewage disposal design plans. Electronic submission and additional hard copies available upon request.	
Subsurface sewage disposal system design plan inclusive of the requirements of 310 CMR 15.220(4) stamped by a Massachusetts Registered Professional Engineer	
Application and fee as required by the Board of Health	
Certified abutter list and proof of certified mailing to all abutters (copy of green cards)	

Special Permit/Site Plan Review from the Lakeville Planning Board	Y/N
One (1) hard copy of all submission materials. Electronic submission and additional hard copies available upon request.	
locus plan	
location of structures within 200 feet of property lines	
existing and proposed buildings, showing setbacks from property lines	
building elevations	
parking areas, driveways, and facilities for pedestrian movement including parking calculations based on current regulations	
drainage systems	
utilities and lighting	
landscaping, including trees to be removed and retained	
loading and unloading facilities	
provisions for refuse removal	
drainage calculations and verifications of soil types	
existing and projected traffic volumes from the site and effect on the load road network	
existing and proposed contour elevations in five (5) foot increments	
location of well or public drinking water supply	
location of wetlands approved by the Conservation Commission	
proposed and existing location of signs	
any building over 35,000 cubic feet should be accompanied by engineered plans drawn by a certified architect as required by the Massachusetts building code	
all information should pertain to existing and proposed	
Stormwater Management Plan detailing the Best Management Practices that will be employed at the site such that stormwater runoff shall meet the performance standard found in the most current version of the Massachusetts Department of Environmental Protection's Stormwater Management Policy	
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	
Certified abutter list and proof of certified mailing to all abutters (copy of green cards)	

Additional Submissions	Y/N
Request to Board of Selectmen Regarding Applicability of Earth Removal Permit	
Request to Board of Selectmen for Water Allocation	
Request to Historic Commission for Demolition of Existing Buildings	
Noise study	
Utility study - will include flow test	
Architectural elevations & roof plan	

Peer Review:

Buffers

Light – night lighting for 24 hour operation

Sound – truck backing up noise for 24 hour operation (no more than 10db above ambient pg 17)

Air – Truck exhaust smells

Sign Regulation Adherence (pg 26)

Traffic Study

- Distribution vs. Warehouse
- Follow-up after 6 months and yearly for the next five (or more) years
- Heavy Truck Flow effects upon roads and bridges
- Traffic congestion potential need for traffic light at entrance/exit

Vehicle and pedestrian Movement

- Truck traffic entering/exiting (signage)
- Impact on existing residents/pedestrians

Adequacy of Disposal of Waste

- Septic system for building proposing 556 parking spots/employees
- Trash collection

Protection of Environmental Features

- Wetlands buffers

Stormwater Management

- Mass Dept of Environmental Protection
- Mass Erosion and Sediment Control Guidelines
- Building Design Standards Adherence

Phased Development

- Permits granted in phases to ensure completion of each phase

Dimensional Provisions (pg 93)

- Bulk/height of structures
- Setbacks, open spaces, parking
- Other dimensional criteria

ADA Compliant



**Planning Board  
Lakeville, Massachusetts  
Minutes of Meeting  
October 8, 2020  
Remote meeting**

On October 8, 2020, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

**Members present:**

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

**Also present:**

David Maddigan, Maddigan Land Surveying, Jamie Bissonnette, engineer from Zenith Consulting Engineers (ZCE), Paul Turner

**Agenda item #1**

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely. Mr. Knox asked if anyone else was recording the meeting. There was no response.

**ANR plan – 83 & 85 Howland Road**

Mr. Maddigan from Maddigan Land Surveying was present. He advised they should have a Form A plan in front of them showing two lots. They are currently in existence, and they are just reconfiguring the interior lot line. They determined, during the survey from an old 1989 plan, that there was an error in the area calculation. Lot 2 is now reconfigured to meet today's area and zoning requirements including the frontage, area, the shape circle, the minimum distance at the front setback, the building offsets, and the minimum required upland. Mr. Maddigan advised the Building Commissioner has looked at the plan and is okay with it.

Mr. Knox wanted to note for the record that the shape circle is known in Lakeville as the front yard circle, and that it was on the plan. Mr. Knox said that he had also spoken with the Building Commissioner regarding this. One question that had been asked was regarding the easement for the driveway on Lot 2 for Lot 1. This is not an exclusive use easement so it doesn't deduct from the upland or the square footage required for Lot 2. Mr. Knox stated they could move the driveway to their own frontage. Is it because of the location and angle of the house and whatever garages will remain that the driveway was best suited on the right-hand side of the house?

Mr. Maddigan replied that Mrs. Mach had always owned both the properties so she had the driveway where it was the most comfortable. Now that she is selling that lot, her driveway is going to be slightly over. She does have the area to slide it over but the applicant, Mr. Grinham, said he would create an easement on his property for her to continue to use her driveway as she always has. Mr. Maddigan stated the agreement between the parties has been recorded, and that is indicated on the plan. Ms. Mancovsky asked if an easement was also required for the location of the cesspool which appeared to be very close to the property line. Mr. Maddigan said that it was 16 feet off the property line, and he believed Title V was 10 feet.

Ms. MacEachern said Note #5 states this property is not within a FEMA flood zone but according to the GIS map and also the FEMA website it does appear there is a flood zone for Lot 1. Mr. Maddigan replied that Ms. MacEachern may be correct and that was a generic note copied over from another plan. He noted there is a brook there which he did not believe was in the floodplain. However, the larger body of water is further down the street. Ms. MacEachern indicated it was in the Zone A. Mr. Maddigan explained sometimes they include the note, and sometimes they do not. It has no bearing on the Form A plan but was more for the building code. Mr. Knox said he believed it was in the Rules and Regulations that the Board liked it to be noted. After checking another plan, Mr. Maddigan said it appeared that part of Lot 2 was in a Zone X and part of it was in Zone A.

Ms. Mancovsky asked if there were wetlands that weren't depicted. Mr. Maddigan replied there are wetlands shown on Lot 1 up in the back. It was delineated for the buildability of Lot 2. The wetland flag numbers were also shown on the plan. Mr. Knox asked if there were any additional questions. There were none. Mr. Knox asked Mr. Maddigan if he would amend the plan to have the note reflect the Floodplain Zone A and X for Lot 1. Mr. Maddigan was fine with that. He asked if the plan could be approved contingent upon it.

Mr. Knox then made a motion, seconded by Ms. Mancovsky, to endorse the ANR plan for 83 and 85 Howland Road with the amended Floodplain note to reflect the A and X Zones for Lot 1.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

### Pauline's Path - 73 Howland Road

Mr. Jamie Bissonnette from ZCE was present. He advised that tonight he had two Form C Definitive Plans that he was looking for signatures on. They are both past the appeal period and have been signed by the Town Clerk. The first one is for Pauline's Path. They are looking for endorsements so they can record and move forward with being able to construct the site. Mr. Knox said this has been approved but he would allow a discussion for any questions or concerns. This was, however, just a formality to make a motion to endorse and come up with a reasonable time frame in which they can get to the Town Hall to sign the plan. It was agreed that they would all try to make it there by the following Tuesday.

Mr. Knox then made the motion, seconded by Mr. Conroy, to sign and endorse the plan for 73 Howland Road, Pauline's Path.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox noted that the procedure for going forward would be for Mr. Bissonnette to leave one original copy and one mylar. He would then take the original and make the requested amount of copies for the Board. Ms. Murray would hold on to the mylar until she had received the copies back from him.

Mr. Knox made a motion, seconded by Mr. Conroy, that they would sign one original set and one mylar set. The applicant would then return five paper copies to the Board.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

#### Bella Way – 39 Cross Street and part of 5 Harding Street

Mr. Knox advised the next item on the agenda was to endorse the plan for Bella Way. Mr. Jamie Bissonnette was present and stated this was the same situation as the previous agenda item. It was an approved subdivision that has been through the appeal period and signed by the Town Clerk. They are looking for endorsements on this plan.

Mr. Knox then made the motion, seconded by Mr. Conroy, to sign and endorse the plan for Bella Way, 39 Cross Street and part of 5 Harding Street with the same process to sign the mylar and one original set. The applicant would then return five paper copies to the Board.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Ms. Mancovsky asked if the covenants had been referenced on the plan. Ms. Murray advised she thought those documents had all been completed and were just waiting to be signed until after the appeal period. She would pull them out for their signature when they signed the plan. Mr. Bissonnette requested copies of the covenant after they were signed so they could also be recorded at the Registry. He advised the covenant is referenced on the plan with the book and page where it is recorded.

Mr. Bissonnette also noted that he saw the Zoning Board petition for Bella Way was on the agenda for their review and comments. As tonight the Board had just voted to endorse the plan, they would appreciate their favorable support of this petition for the construction of the three single family houses. Mr. Knox said that he did not want to speak for the Board, but that was the best intent for the neighborhood, and why they supported the plan.

Ledgewood Estates

Mr. Paul Turner was present. Mr. Knox advised they received a letter this week from Atty. O'Shaughnessy regarding the release of security for Ledgewood Estates. Mr. Knox then read the letter into the record. Mr. Turner advised the project is complete, and they are in the process of going in front of the Selectmen to start the procedure of having the road accepted by the Town. Outback Engineering has completed a drainage as-built and a metes and bounds survey. Mr. Knox asked that a copy of that be submitted to the Board. Mr. Turner said that he would have to check on that.

Mr. Knox then recited from the Rules and Regulations that the Planning Board shall retain from the security held...an amount sufficient to cover any work necessary to assure that such construction and installation remain in a state of completion until the way is accepted as public by the Town Meeting. Mr. Knox advised he was unsure what the security amount is but typically what the Planning Board would do is release part of that security and hold \$15 per linear foot of the roadway until Town Meeting. Mr. Turner was fine with that. Mr. Knox said they will need as part of that process either a peer review by an engineer for the Town or some sort of a guarantee certification from an engineer.

Mr. Conroy noted that this would be for Town Meeting of 2022. It is two years from the date of the final coverage. The road has to be intact and completely covered for those two years and then it is eligible for acceptance by the Town. Mr. Turner said the final pavement was three or four months ago. Mr. Conroy said he was very familiar with this area and estimated it was in late May. Mr. Knox recommended Mr. Turner submit that information along with the final as-builts to the Planning Board. Mr. Knox reiterated that there will have to be a peer review to confirm that it agrees with the as-built. Mr. Turner noted that as they built the road when it was approved, the Highway Superintendent, Mr. Peck, supervised its construction. Did they or the Highway Department have that documentation? Mr. Knox was unsure but said they would follow up on this.

Master Plan implementation – update on Site Plan Review costs

The latest Planning Board Fee Schedule had been included for discussion. Mr. Knox stated if the Board was going to utilize a peer review engineer or at some point a part time Planner, they might want to look at these fees so as to not create a financial burden to the Town if a large project should come in. They would need adequate funds to cover that assistance or oversight. A Planner would be a payroll cost.

Mr. Knox then started going over the various fees. He asked if the ANR plan they had just reviewed been a \$200 fee. Ms. Murray was unsure but mentioned that sometimes the procedure had been to charge only for the new lot created but sometimes there had been a charge to the original lot because the lines had changed. She suggested they come up with a standard procedure. Ms. Mancovsky felt that the fee should be on each lot. Mr. Knox then looked at the Inspection Fees at \$4.00 per lineal feet of road. Is that a good number or should they ask Environmental Partners if that was an adequate amount?

Mr. Conroy replied that he was on the Board when they restructured these prices. They had polled the area Towns as to what they were charging. They fell right in the middle on a lot of these items. He thought the inspection fees were based on the fact, at that time, they did have an in-house civil engineer in the Public Works Department. He had given them some input on what he thought the value of something like that was.

Mr. Knox then said that for Site Plan Review, they have both minor and major. He asked Mr. Conroy when that was developed, what were they looking at? Mr. Conroy responded a minor review would not have any traffic, drainage, or signage issues that would need to be reviewed. This was to help prevent cases where there was a modification or a change to a building having to pay that \$1,000 fee. They might have to look at Site Plan Review for entry ways but they didn't need to look at the drainage, lighting, or signage again. Mr. Knox said that did seem fair, but the one that piques his interest is the major where they have the hospital property coming in.

Mr. Knox continued maybe what they needed was a minor, a standard, and a major. The major might be based on square footage of disturbance. Ms. MacEachern suggested a tiered structure based on the size. Mr. Knox asked how they could tier that. Would it be square footage of building or square footage of disturbance when it goes over a two- or three-acre parcel? Ms. Mancovsky was in support of that and thought it was a good idea. The question is what would be the better way to monitor that? Would it be the square footage or is it the number of other factors that come into play i.e., the curb cut, environmental, or other concerns. She asked what kind of fee was he thinking of. Mr. Knox replied they could ask some engineers and they could also use the hospital project to see what the peer review costs are with that amount of disturbance. They could then extrapolate the square foot to dollars and see if that number works if it was put into a smaller project.

Mr. Conroy noted that when they set these prices, they are not incurring any costs. Those funds are just going into the Town Account, and they also are not paid. Mr. Knox said that he knew that but what if they get a Town Planner. He did think they needed the help, whether that was utilizing a peer review engineer or getting a part time Planner. However, that would then be a cost. After further discussion, Mr. Conroy said that he could not recall all that they talked about when they came up with this list but \$1,000 was just a baseline. If there was anything additional they needed to spend for engineering, it was all extra.

Ms. Mancovsky added that in her experience, fees assessed to developers can be whatever a community wants them to be. It doesn't really matter where the money goes. It is a way for the taxpayers to recoup some of the burdens that come to them by changes to the community, etc. She was not opposed at all to having another layer, and it was healthier for their community to begin looking at ways to insulate themselves from some of these burdens. Even if it was not a direct cost, they are spending time and money on some of these things.

Mr. Knox thought if it was going to be tiered then base all three; minor, major, and major-over on disturbance. In the bylaw already, if you disturb more than 1,500 square feet of aggregate of a building, it might trigger a Site Plan Review. That could be considered a minor if it was existing. A major might be something like the funeral home which is under a three-acre lot. Mr. Knox said

disturbance over that on anything over three acres would trigger a square foot cost over the \$1,000. They have the Development Opportunities District which promotes commercial development on 25+ acres so that is what it could be triggered by. He noted that just because a Site Plan Review is complete, there are still going to be ongoing costs associated with it. For example, 57 Long Point Road, the Review is over but they will still need to get people out there to inspect storm water drainage and make sure that everything was done to plan. That project will be part of their follow up for two years. These are things they need to think about. He asked them to take a look at that and at their next meeting, they can discuss if they have any suggestions or want to make any changes.

Ms. Mancovsky said they should look at some other Towns to see what they might be charging. She recommended some Towns that are similar, smaller, and larger. She mentioned Lexington, Carver, and Taunton. Mr. Knox also mentioned Plymouth as a community that addresses affordable housing by allowing a developer some smaller lots. Although this wasn't related to the current discussion, it was another item they could think about. Ms. Mancovsky said that she would do this research for their next meeting.

#### 43D Committee - update

Ms. Mancovsky asked for an explanation of the peer review document they had. Ms. MacEachern said she had come up with this after watching the last 43D Committee meeting and also after going through their own Site Plan Review items. Mr. Knox said that he did recall discussing this at their last meeting. He said that he had wanted the Planning Board to come up with a list of disciplines they wanted to be part of the peer review study for the hospital project. This was what this was.

Ms. Mancovsky said that they should have seen the sound study that had been circulated prior to their meeting. She thought it was something that was very valuable and something that should be added in. There also may be other things they will want to add on to this list that can be passed on to their Planning Consultant. Mr. Conroy asked when they might expect to see something on this development. Mr. Knox replied their next meeting was next Wednesday. No plan has been submitted yet but the purpose of the next meeting is to meet with the peer review engineer and the applicant to make sure the application is submitted properly and also to replace the Permit Coordinator.

Ms. Mancovsky said the only other thing that she had heard a lot from people was traffic flow is going to be incredibly important. Perhaps, it is something they should be talking to somebody about prior to the submittal of the application. What options will they have in terms of traffic control and conditioning for the plan. Do they have a resource right now that they can ask those questions to and is it something that would be within their jurisdiction? Mr. Knox said that it was. He stated the Board of Selectmen had signed a contract with Environmental Partners who will oversee all of that. Mr. Knox noted that many of those items were on the peer review list so if there was anything that she wanted to add to it, this would be the time.

Mr. Conroy thought that Mass DOT would have a lot of say on the traffic flow as well as the exiting and entrance. Ms. Mancovsky said she would like to see a condition of no trailer truck

traffic on Route 79. The only trailer truck traffic that they would allow is exiting the building and coming up to Route 105 or Route 495. She did not know if the State could lay down a condition like that but maybe the Town could. Will a consultant tell them they have those rights or maybe they don't? Mr. Knox noted that Route 105 is a State highway so a curb cut would have to comply with Mass Highway standards. The things they can condition are inside and on the property such as "do not enter", "exit only", etc.

Ms. MacEachern asked if they could condition the side streets nearby where they would be marked "No thru truck traffic" or something along those lines. Mr. Knox felt that a sign could be put up on Captain's Way to eliminate a cut thru there but again that is not a condition for the Site Plan but rather something to be discussed with the Highway Department and the Police Department. They might want to hold a security and have vehicle counts as part of that two year follow up plan.

Ms. Mancovsky asked if they had the right to voluntarily agree to something like that? At this juncture do they have the ability to email questions to the consultant that they have hired? Do they need to come up with a list? This is a conversation they should be starting before the submittal of the application. Mr. Knox suggested Ms. Mancovsky put those questions on the peer review list.

**Review the following Zoning Board of Appeals petitions:**

1. Poillucci – 39 Cross Street

Mr. Knox said his recommendation was a letter from the Planning Board stating they supported the change to residential use only.

Mr. Knox then made the motion, seconded by Mr. Conroy, to recommend approval by the Zoning Board of Appeals for the residential use of that business property as the subdivision has been approved by the Planning Board with that condition.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

**Development Opportunities District**

Ms. MacEachern said at their last meeting they had talked about a concern with cluster zoning. She tried to look into it, but did not find anything negative concerning it. She did see it was talked about in the Master Plan regarding residential cluster zoning to preserve open space. She did not see anything negative regarding designating certain areas with that Development Opportunities District. Mr. Knox replied that it was not that it was negative or adverse but it did have to go to Town Meeting where it's questioned why the change for a small amount. It's not Town wide. It seems like this has been something that has been shot down and not viewed favorably.

Ms. Mancovsky stated that she cares very deeply about the environment and when she first came onto the Planning Board, she recalled that she had many conversations with the late Mr. Zienkiewicz regarding this. He had said one of the disadvantages of doing cluster development is,

although you start off with the best intentions of protecting open space, the truth is under Massachusetts State law, there is no protection of land use in perpetuity. She did research this, and it is in fact true. If there is a cluster development and you concentrate the development on one parcel and leave the other parcel for open space, eventually that land will be developed. It would be hard to protect that asset unless it has some other underlying factor which interferes with its ability to be developed.

Mr. Knox said he did think it would be good to get some outside guidance. Maybe through Environmental Partners or someone like that they could ask what kind of avenues they could look at with that District and other things within their Zoning by-law. Ms. Mancovsky suggested Ms. Murray keep a list of questions for Environmental Partners and when it gets large enough, they could be invited in to a meeting. Mr. Knox said he had no problem if the Board members wanted to pick a subject and then email him questions. He could group them into an email and get it to the representative from Environmental Partners to get some guidance. However, because there would probably be some type of cost associated with that, he would want to check with the Board of Selectmen first.

#### Approve meeting minutes

Ms. Mancovsky noted that on the September 10, 2020, minutes on page 2, the word composed should be changed to reviewed.

Ms. Mancovsky then made the motion, seconded by Mr. Conroy, to approve the Minutes from the September 10, 2020, meeting as amended.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to approve the Minutes from the September 24, 2020, meeting.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

#### New Business – Review peer review procedure

Ms. Mancovsky said they have looked at this a few times. She was fine with it and felt they should accept the policy and move forward. Mr. Knox asked Ms. Murray if she would like to make any changes to the document. She replied she thought it was fine but suggested taking the flow chart off the website as it was more of an internal document. Mr. Knox said he could agree with that.



Mr. Knox then made a motion, seconded by Ms. Mancovsky, to accept the peer review flow chart as the standard practice for the Planning Board.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

**Next meeting**

Mr. Knox advised the next meeting is scheduled for October 22, 2020, at 7:00 p.m.

**Adjourn**

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to adjourn the meeting.

**Roll Call Vote:** Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Meeting adjourned at 8:30.

#80



## Town of Lakeville

Town Office Building

346 Bedford Street

Lakeville, Massachusetts 02347

OFFICE OF  
SELECTMEN  
TELEPHONE 508-946-8803  
FAX 508-946-0112

TO: All Department Heads  
Chairmen of Boards, Committees and Commissions

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

RE: Special Town Meeting

DATE: October 20, 2020

At their October 19, 2020 meeting, the Board of Selectmen voted to schedule a Special Town Meeting on November 30, 2020 at 6:30 PM at Apponequet High School. The exact location of the meeting on the School Property has not been determined yet, but we will notify you once it has been decided.

Please submit any articles for the Special Town Meeting Warrant to the Board of Selectmen by **Monday**, October 26, 2020 at 4:00 PM.