



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

48-hr notice effective
when time stamped

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

Name of Board or Committee:	Planning Board
Date & Time of Meeting:	Thursday, February 8, 2024 at 7:00 p.m.
Location of Meeting:	Lakeville Police Station 323 Bedford Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

Revised-A G E N D A

1. **Public Hearing (7:00) Site Plan Review -2 & 4 Bedford St., continued** – upon the application for a Site Plan Review and Approval submitted by Twin Boys, LLC for proposed contractor bays-presented by Zenith Consulting Engineers
 - Accept request to continue
2. Planning Board Goals
3. Discuss update of regulations
4. Approve the January 11, 2024 Meeting Minutes
5. SRPEDD contract extension – informational
6. Sign peer review invoice
7. **Old Business**
OSRD Update
8. **Next meetings.** . . Joint meeting with the Select Board Feb 12, 2024 at the Police Station
Regular Planning Board meeting Feb. 22, 2024 at the Police Station
9. **Any other business** that may properly come before the Planning Board.
10. **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*

Cathy Murray, Planning Department Clerk

From: Nyles Zager <nyles@zcellc.com>
Sent: Friday, February 2, 2024 10:02 AM
To: Cathy Murray, Planning Department Clerk
Cc: Jennifer Stadelmann
Subject: RE: 2 & 4 Bedford Street

Let's do 2/22 for now and we can always ask for another continuance as it gets closer.

Thanks and have a great day,

Nyles Zager, P.E.
Manager/Senior Project Engineer
Zenith Consulting Engineers, LLC.
3 Main Street
Lakeville, MA 02347
(508) 386-6333 (cell)
(508)947-4208 (office)



From: Cathy Murray, Planning Department Clerk <cmurray@lakevillema.org>
Sent: Friday, February 02, 2024 10:00 AM
To: Nyles Zager <nyles@zcellc.com>
Subject: RE: 2 & 4 Bedford Street

Thanks Nyles.

Do you want to continue to 2/22 or 3/14?

From: Nyles Zager <nyles@zcellc.com>
Sent: Friday, February 2, 2024 9:57 AM
To: Cathy Murray, Planning Department Clerk <cmurray@lakevillema.org>

Cc: Jennifer Stadelmann <jstadelmann@zcellc.com>

Subject: RE: 2 & 4 Bedford Street

Hi Cathy,

The applicant is still trying to contract with an attorney to get a legal opinion. We may still have a ways to go. I would continue this for at least another month and we will get back to you once we have more clarity as to how we are moving forward.

Thanks and have a great day,

Nyles Zager, P.E.
Manager/Senior Project Engineer
Zenith Consulting Engineers, LLC.
3 Main Street
Lakeville, MA 02347
(508) 386-6333 (cell)
(508)947-4208 (office)



From: Cathy Murray, Planning Department Clerk <cmurray@lakevillema.org>

Sent: Friday, February 02, 2024 9:44 AM

To: Nyles Zager <nyles@zcellc.com>

Cc: Jennifer Stadelmann <jstadelmann@zcellc.com>

Subject: 2 & 4 Bedford Street

Hi Nyles,

Hope you are doing well.

I heard that there might be a new Plan coming in for this Site. Do you know when it will be available?

Thanks

Cathy

PLANNING BOARD						
Goal #	S (specific)	Details	Timebound	PB	PB Support	Current Status
1	Housing Production Plan	Plan is good for 5 years from date approved by DHCD	Expired 2022	x	x	PB aproval Jun-23, SB approval July-23, determine whether to use remaining SRPEDD hours to complete feasibility of landfill parcel designation, to send plan to EOHLC (previously DHCD)
2	Yearly review of Planning Depot goals to ensure goals are being met		May	x		Set a timeline to complete
3	Establish Individual goals for Planner and support Staff		May			
4	Electronic Agendas to be delivered weekly by noon on Friday preceeding the meeting		At Once and On going		x	Hard cut off Date, seven days prior of submissions for next meeting
5	Establish tracking and MAP of Buildable Land area (use SRPEDD) - corrdinate with SRPEDD resrepresentatives from town	General Land Area Minimum is one of the triggers for 40B compliance (Safe harbor)	Jul-24		x	spreadsheet has been started, need it mapped, and then process for keeping updated going forward
6	Review Current Zoning Map to to ensure compatibility with existing uses	Along with this review, PB should identify properties for zoning reclassifications based on the useage. Look at Open Space Residential needs to determine if bylaw is needed. Is there a need for Adult Entertainment District, look at land to be further established as Industrial, and areas for future growth.	Jul-24	x	x	Current Zoning Districts not shown on Map: Floodplain District, Water Resource Protection District, & Marijuana Overlay
7	Complete review of 40R, 40B and 3A for identification of applicable property	Excerpt from Submittal: a. An existing zoning district or districts that might already comply with the Section 3A Guidelines c. A new 40R or other overlay zoning distric	Dec-24	x	x	MBTA Zoning Action Plan has been submitted and Approved, Next Steps need to be determined
8	Review Planning Board Rules & Regs to ensure consistency and up-to date. Target a complete review within 5 years		Jan-29	x		Review process Cathy & Marc came up with, update "upland circle" to "front yard circle", add building elevations as requirement for Site Plan Review, Tiered waivers allowable
9	Hold one combined meeting with CPA and Con Com		Dec Yearly			CPA Public Hearing Date 2/29/24
10	Implemenation of applicable Master Plan goals	Communicate this goal regularly with MPIC with any/all updated	Dec Yearly		x	
11	Adopt Stormwater Management By-law		Jul-24	x	x	Draft from EP needs review, chain of approval to be determined
12	Update Priority Protection & Priority Development Areas	additional SRPEDD hours have been designated towards this project				Town Department heads have met with SRPEDD, waiting on additional info from SRPEDD. Overlay the Chapter 61 porperties, wetland and Natural Heritage maps for PPA. Look closely into PPD - take into consideration work done on Goal 6 for future development areas.
13	Review Use Chart in Zoning Bylaws	Ensure compatibility with Residents goals				

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, January 11, 2024**

On January 11, 2024, 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 recording, and it was streaming on Facebook Live. It was noted that no one else present was recording.

Members present:

Mark Knox, Chair; Michele MacEachern, Vice-Chair, John Cabral, Jack Lynch

Public Hearing 156 County Street(7:00) Site Plan Review, continued

Mr. Garrett Piccirillo of Greenman, Pedersen, Inc. (GPI) was in attendance to present the Site Plan. He advised he had been in front of the Board in November. The comments that came out of that meeting have now been addressed. He also had provided a response letter. He would now like to review those comments and how they had been addressed. He noted that they had received approval from the Conservation Commission.

Mr. Piccirillo advised that in regards to the peer review of the drainage design, the Board should be aware that they had received a substantial review letter from the peer review consultant. He had spoken with Mr. Resnick who had agreed there were three items in the letter that needed to be addressed that were within the scope of the review. The first one was to add riprap at the flared end at the drainage outlet. They added that, and the pipe has also been upsized. Regarding an Operations and Maintenance Plan (OMP), Mr. Piccirillo advised that with what they are proposing there is not a lot to maintain. He stated they are not proposing to touch any of the existing drainage, where there should have been an OMP, which they were unable to locate. However, it was agreed that he would submit one, which he did. It covers all the general maintenance and housekeeping and includes the whole site.

Mr. Piccirillo stated the final comment was to look at the pipe size and calculations for the 25-year storm intensity. They looked at everything, and he provided calculations for those pipes. The counts were right on the edge of being at capacity, so they have been upsized to be conservative, as he previously mentioned. The following changes were made from feedback from their last meeting. There are some areas in the back that are meant to be pedestrian access. Bollards have been placed in that area to prevent vehicle access, as well as on the corners of the building for safety.

Mr. Piccirillo said the next comment was in regards to an existing fence that is along the southerly portion of the property, and the possibility it would be disturbed during construction. He has

shifted the fence back as far as possible before the tree line. The final comment was in regards to building elevations. They had not been provided with their original submittal. He displayed the three sheets that had been distributed with that information, and said he would take any questions in regards to it. He noted the proposed wall lighting is also now shown. Ms. MacEachern said she had no questions, but the sign was still too bright. Mr. Piccirillo said that he would mention that again. Other members had no additional comments.

Mr. Knox then said that they would draft a decision. They would add a condition that all additional lighting would be dark sky compliant. They would also need to submit an As-built to the Building Department showing catch basins elevations, and things he doesn't require to make sure everything meets what was said. They will vote on this now, but it will take one more meeting for them to vote on the final conditions and sign it.

Mr. Knox made a motion, seconded by Mr. Cabral, to approve the Site Plan as presented, and they will draft final conditions to include in the decision. The **vote** was **unanimous for**.

Meet with Paul Pederzani

Mr. Pederzani had not shown up, nor contacted the office, so the Board moved on to the next agenda item.

Pauline's Path update

Mr. Logan had submitted funds for a performance bond. This subdivision had been handled incorrectly and a covenant holding the lots had never been recorded. Before Mr. Resnick left, he had given the Building Commissioner authorization to release the permits for the lots. Mr. Knox said that he could follow up with Mr. Darling.

Discuss Priority Protection Areas (PPA) and Priority Development Areas (PDA)

Ms. MacEachern displayed a map and indicated PPA and PDA areas. As Lakeville was lacking compared to surrounding communities, she would like to see additional areas designated. Mr. Darling has suggested designating land that is currently in Chapter land as protected. Mr. Knox questioned why Betty's Neck had not been included as protected. She wondered if they could do some type of an overlay with the protected areas, the water resource, and the Lakeville habitats, it would pull out those areas. They should also look at where they want business development.

Ms. MacEachern would like to find out how much they have left for SRPEDD hours, and if they had a way to overlay those maps, so they could go through and pick what they wanted designated. Mr. Knox asked Ms. MacEachern if she was willing to do this work with SRPEDD. She replied

she was. Mr. Knox noted that Ms. Cline had resigned from the Board. They are now down a member, and she had been their SRPEDD representative member. Although it was not on the agenda, and they could not appoint her tonight, if the Board agreed, and there was a SRPEDD meeting between now and their next meeting, that they would allow Ms. MacEachern to attend as the SRPEDD representative. Members were okay with that, and the reappointment of a SRPEDD representative would be put on their next agenda.

Ms. MacEachern said she would also like to reach out and see what they have for hours left and get whatever information that had been shared with Mr. Resnick before he left. Mr. Knox asked if there were any notes from those discussions. Ms. Murray replied as far as she knew there were no notes, there was a discussion, and SRPEDD would probably be contacting the Town this month.

Review existing zoning areas compared to current uses

Ms. MacEachern said regarding the next item was this something SRPEDD could do and provide a zoning outline on the map, and they could then make the zoning more conforming with the actual current use. That is something that would require more work. Mr. Knox said they have talked about this several times. It would make sense while they were looking at the development portion of that to update the zoning. The biggest discrepancy is their business zoning compared to actual use. Ms. MacEachern said that SRPEDD would be a big help in getting these maps done.

Approve Meeting Minutes

Ms. MacEachern made a motion, seconded by Mr. Lynch. to approve the minutes from the November 9, 2023. The **vote** was **unanimous for**.

Correspondence

There was no correspondence.

Next meeting

The next meeting is scheduled for January 25, 2024, at 7:00 p.m. at the Lakeville Police Station.

Discuss recommendation for the Select Board regarding Town Planner position

Mr. Knox said that he had been asked to attend the Select Board meeting in regards to the exit of Mr. Resnick, the Town Planner, and what would happen next. He made the recommendation to not fill the position for at least three months, and to see how things go. He felt that they could do this based on what was in front of them. They need to take a vote on this position and whether or

not it stays vacant, gets filled, or gets altered. Ms. MacEachern has sent around job descriptions of Planners from other Towns, and the problem he has with two of them is that it is under the purview of the Town Administrator. He would, at the least, like that changed. After discussion, Mr. Lynch said that he would defer to Mr. Knox regarding the needs of the Board.

Ms. MacEachern said with the anticipated budget shortfalls, she would rather see the needs of Public Safety addressed. If it comes down to there is a need, she would like to see some sort of combined position with a reevaluation of the structure and job description. She has already reached out to the Select Board to be included in budget discussion, and they could also get a consultant budgeted. Mr. Knox said there are a few things they are looking at, but they need to make one recommendation. He would like that to be; the Planning Board would like to see the position not be filled for at least three months, and then report back at the end of that time. The second task would be to take some of the information they had regarding Planner positions and make a recommendation to alter the position so it worked better. He thought the biggest problem they had was the lack of communication. That would need to be called out in the job description as paramount.

Mr. Knox made a motion, seconded by Mr. Cabral, to make a recommendation to the Board of Selectmen to not fill the Planner position for at least three months, and they will report back at the end of that time with further recommendation of what the Board's needs are. The **vote** was **unanimous for**.

Ms. MacEachern said there would be a CPA Public hearing on February 29, 2024. That is an opportunity for input from the public about how they want their CPA funds spent. She was unsure of the time, but it could potentially be at 6:30.

Adjourn

Mr. Knox made a motion, seconded by Mr. Lynch, to adjourn the meeting. Mr. Knox noted before they voted to adjourn that he had discussed adding to an upcoming agenda looking at the rules and regs of the Planning Board. They were looking at doing either Site Plan Review only or Subdivision Control only. There are a number of things in both that need to be updated. A check list was also discussed. These items will be placed on the next agenda.

The **vote** to adjourn was then **unanimous for**.

Meeting adjourned at 7:36.

TOWN OF LAKEVILLE
LOCAL CONTRACT **NO-COST EXTENSION**
TIER 1 HOUSING PRODUCTION PLAN

This Cooperative Agreement made as of this ____ day of _____ 2024 by and between the Town of Lakeville and the Southeastern Regional Planning & Economic Development District (SRPEDD);

WITNESS TO:

WHEREAS the Town of Lakeville requests SRPEDD's assistance to create a Housing Production Plan (HPP) to meet the Town's housing goals in a manner consistent with M.G.L. c 40 B 760 CMR 56.00.

WHEREAS the Town of Lakeville agrees to pay SRPEDD for services performed per this contract; and

WHEREAS the Town of Lakeville has pledged to act in good faith to adopt and to implement the products that are deemed by both parties as satisfactory.

NOW, THEREFORE, the parties hereto do mutually covenant and agree as follows:

1. **SCOPE OF SERVICES:** The services to be performed by SRPEDD and the Town of Lakeville under this Cooperative Agreement are detailed in Attachment A.
2. **TIME OF PERFORMANCE:** The services to be performed under the Cooperative Agreement shall commence no earlier than April 1st, 2022 and all services required hereunder shall be performed on or before **June 30th, 2024**.
3. **PAYMENT:** The total cost of services to be performed by SRPEDD shall not exceed \$20,000. These funds will be provided by the Town of Lakeville and will be invoiced quarterly through the project time period.
4. **TERMINATION:** SRPEDD or the Town of Lakeville may terminate this Agreement upon immediate written notice should the other party fail to perform substantially in accordance with the terms of the Agreement with no fault attributable to the other.

Representing Town of Lakeville:

Representing SRPEDD:

Robert Nunes, Interim Town Administrator

Jeffrey Walker, Executive Director

ATTACHMENT A
Town of Lakeville
Statement of Work

Start Date: April 1st, 2022

Completion Date: **June 30th, 2024**

Technical Assistance: [Maximum of] \$20,000

SUMMARY OF REQUEST:

The Town of Lakeville requests SRPEDD's assistance to update its Housing Production Plan (HPP). A HPP is a municipal planning document that (a) identifies a town's housing needs by conducting a thorough data survey and recognizing potential barriers to housing production; (b) creates goals for housing based on those needs; and (c) presents a town's plan to meet those goals in a manner consistent with M.G.L. c 40 B and 760 CMR 56.00 regulations

WORK PROGRAM:

SRPEDD shall complete the following tasks:

1. Create the Housing Production Plan

- a. SRPEDD will conduct a literature review of previous planning documents, including any prior Housing Production Plans.
- b. SRPEDD will compile, analyze, and present data from the 2020 U.S. Census, the most current American Community Survey 5-Year Estimates, and other sources. This data will inform the HPP and the housing needs assessment.
- c. SRPEDD will identify potential development constraints and barriers to housing production.
- d. SRPEDD will conduct a survey of community preferences to garner public feedback regarding affordable housing needs and visual preferences.
- e. SRPEDD, in coordination with the Town, will compile a set of affordable housing goals and implementation strategies based on the results of the housing needs assessment and community survey of preferences.
- f. SRPEDD will deliver a draft update of the HPP to the Board of Selectmen and Planning Board, or their representative(s) for their review and edits.

2. Prepare and present a final draft of the HPP

- a. SRPEDD will revise the draft update of the HPP based on the meetings with local officials.
- b. SRPEDD will provide a final proof to the Board of Selectmen and Planning Board, or their representative(s).
- c. SRPEDD will make any final edits (as needed) and submit a final draft to DHCD for their review and comment. SRPEDD will further revise the plan based on any comments received from DHCD.
- d. SRPEDD will provide printed and electronic copies of the graphically designed and fully documented Housing Production Plan to the Board of Selectmen, Planning Board, or their representative(s).
- e. SRPEDD will present the final plan to the Town Boards, as requested.

The Town of Lakeville Planning Board or their designee, shall complete the following tasks:

1. Identify a contact person who will act as a liaison to town departments and boards/commissions. In this case, the

SRPEDD

Southeastern **Regional Planning**
& **Economic Development** District

town liaison will assist with presentations and interactions with the Planning Board and Board of Selectmen, as both of these Boards must adopt the plan in order for it to be eligible for approval and certification by DHCD.

2. Assist with the compilation of town documents relevant to this project - especially GIS data, goals/policies and mission statement documents, previous planning documents, and any other town-owned data.
3. Arrange meeting times with the town boards or staff and provide meeting locations, post any public notices, if necessary, with the town clerk, as required.
 - a. Please note that SRPEDD will create all necessary meeting materials and advertisements; it is the town's responsibility to distribute these materials as needed or required.
4. Secure any signatures, authorizations, and votes/actions needed for the Board of Selectmen and Planning Board to adopt the Housing Production Plan, per state requirements.
5. As drafts of the projects progress, the town will provide a combined master hard copy of required edits to SRPEDD.

DELIVERABLES

1. Facilitation of and/or attendance at up to (7) meetings and working sessions.
2. A completed Housing Production Plan.

Additional copies of maps and documents are available for the following fees:

- 11" x 17" color maps: \$10 each
- 'D' size (22" x 34") maps: \$30 each
- 'E' size (34" x 44") maps: \$40 each
- Documents: 10 cents per page

Invoice

Environmental Partners Group, LLC
P.O. Box 69142, Baltimore, MD 21264-9142
Payment by EFT: M&T Bank, Buffalo, NY
ABA/Routing #022000046, Acct: #259000073
Swift Code: MANTUS33 Tel: (617)-657-0200

January 09, 2024

Lakeville Conservation Commission
346 Bedford Street
Lakeville, MA 02347

Project No: LAK023-0633071-23011904
Invoice No: 000000005345

Project LAK023-0633071- Lakeville - 156 County Road
23011904

Professional Services from November 25, 2023 to December 29, 2023

Phase 01 Review

Professional Personnel

	Hours	Rate	Amount	
Turner, Scott	3.00	250.00	750.00	
Totals	3.00		750.00	
Total Labor				750.00
		Total this Phase		\$750.00

Billing Limits	Current	Prior	To-Date	
Total Billings	750.00	0.00	750.00	
Limit			1,800.00	
Remaining			1,050.00	
		Total this Invoice		\$750.00

	Current	Prior	Total
Billings to Date	750.00	0.00	750.00