

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:
K. DeGuzman
LAKEVILLE TOWN CLERK
ROUD 2023 MAR 21 PM 12:17
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, March 23, 2023 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 – 156 Rhode Island Road, continued - T. Sikorski Realty, LLC -applicant**
 - Accept request to continue
2. Discussion of alternative plan for 13 Main Street
3. **Certificate to extend the approval of the subdivision Pauline's Path**
4. Discuss Planning Board Goals
5. Approve the February 9, 2023 Meeting Minutes
6. Review correspondence
 - March 14, 2023-Re: Citizens' Petition Article
 - March 16, 2023-Re: 310 Kenneth Welch Parking
7. Next meeting. . . April 13, 2023 at the Lakeville Police Station
8. Any other business that may properly come before the Planning Board.
9. 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

1a

From: Bob Rego <brego@riverhawkllc.com>
Sent: Tuesday, March 14, 2023 4:32 PM
To: Marc Resnick <mresnick@lakevillema.org>; Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>; tyler sikorski <Tsikorskient@gmail.com>
Subject: 156 Rhode Island Road, Lakeville

Hi Cathy,

May we please continue the upcoming meeting for 156 Rhode Island Road for one month ? We still have to dig observation holes with the consultant present prior to completion of the plans and need more time to allow the consultant to review our plans once completed.

If you have any questions, please do not hesitate to contact me.

Thanks,
Bob

May 11th

Bob Rego, PE, LSP | Manager/Senior Engineer

River Hawk Environmental, LLC

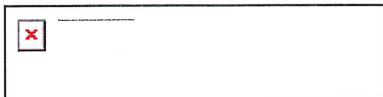
2183 Ocean Street, Marshfield, MA 02050

office phone [781.536.4639](tel:781.536.4639)

cell phone [508.523.1007](tel:508.523.1007)

email brego@riverhawkllc.com

website www.riverhawkllc.com



Cathy Murray, Appeals Board Clerk

From: Bob Rego <brego@riverhawkllc.com>
Sent: Monday, March 20, 2023 4:38 PM
To: Cathy Murray, Appeals Board Clerk; tyler sikorski
Subject: Re: 156 Rhode Island Road, Lakeville

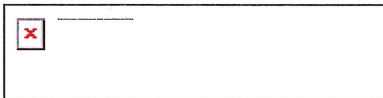
Hi Cathy,

May we please move the meeting to May 11th.

Also, we need to arrange for a date when the review engineer can oversee the test pits in the proposed infiltration areas. The sooner the better so we can finalize the plans for review.

Thanks,
Bob

Bob Rego, PE, LSP | Manager/Senior Engineer
River Hawk Environmental, LLC
2183 Ocean Street, Marshfield, MA 02050
office phone [781.536.4639](tel:781.536.4639)
cell phone [508.523.1007](tel:508.523.1007)
email brego@riverhawkllc.com
website www.riverhawkllc.com



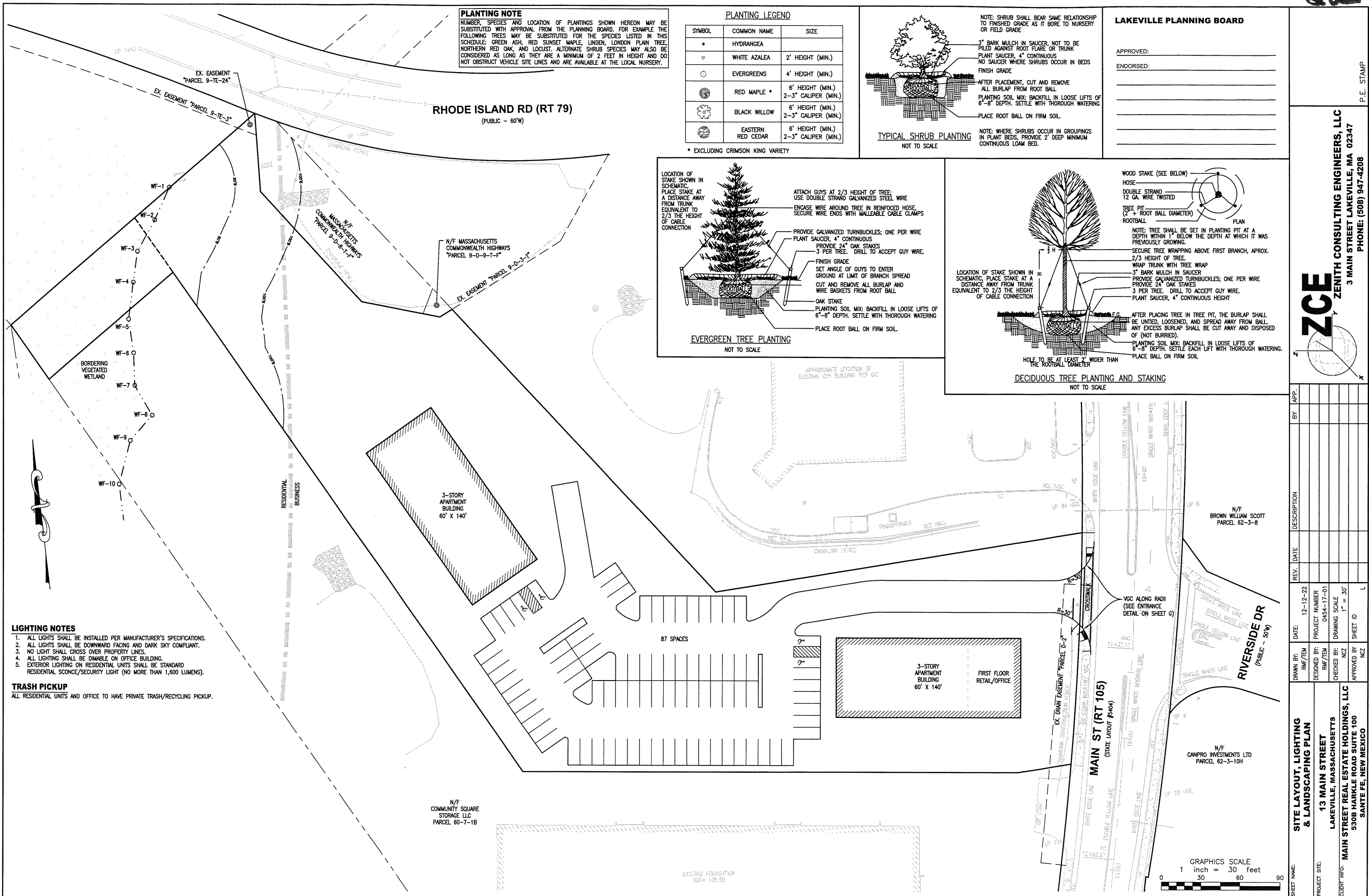
On Mon, Mar 20, 2023 at 12:47 PM Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org> wrote:

Hi Bob,

What date were you thinking?

April 27th is their second meeting in April and May 11th is the first in May.

Cathy

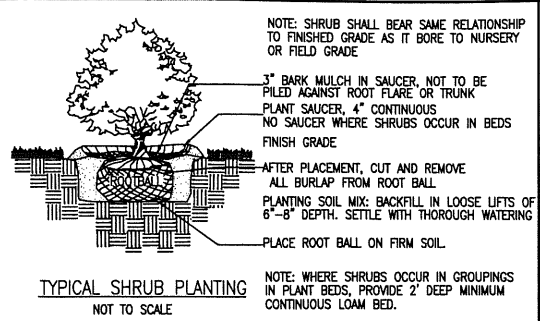


PLANTING NOTE
 NUMBER, SPECIES AND LOCATION OF PLANTINGS SHOWN HEREON MAY BE SUBSTITUTED WITH APPROVAL FROM THE PLANNING BOARD. FOR EXAMPLE THE FOLLOWING TREES MAY BE SUBSTITUTED FOR THE SPECIES LISTED IN THIS SCHEDULE: GREEN ASH, RED SUNSET MAPLE, LINDEN, LONDON PLAIN TREE, NORTHERN RED OAK, AND LOCUST. ALTERNATE SHRUB SPECIES MAY ALSO BE CONSIDERED AS LONG AS THEY ARE A MINIMUM OF 2 FEET IN HEIGHT AND DO NOT OBSTRUCT VEHICLE SITE LINES AND ARE AVAILABLE AT THE LOCAL NURSERY.

PLANTING LEGEND

SYMBOL	COMMON NAME	SIZE
*	HYDRANGEA	
o	WHITE AZALEA	2' HEIGHT (MIN.)
○	EVERGREENS	4' HEIGHT (MIN.)
⊙	RED MAPLE *	6' HEIGHT (MIN.) 2-3" CALIPER (MIN.)
⊙	BLACK WILLOW	6' HEIGHT (MIN.) 2-3" CALIPER (MIN.)
⊙	EASTERN RED CEDAR	6' HEIGHT (MIN.) 2-3" CALIPER (MIN.)

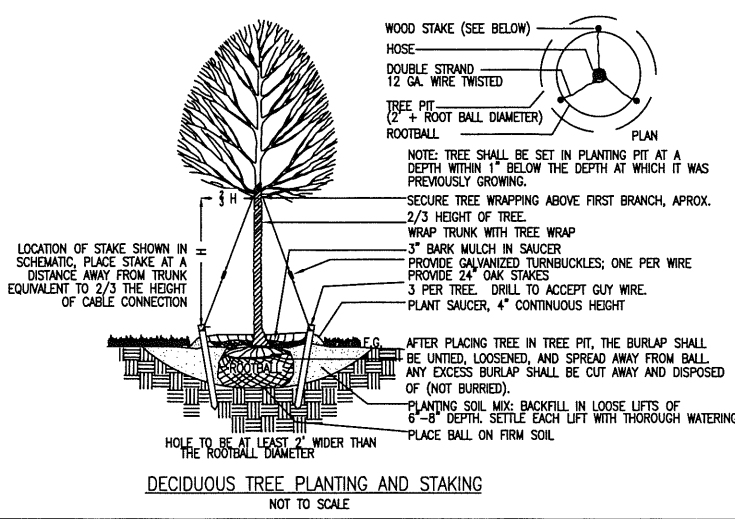
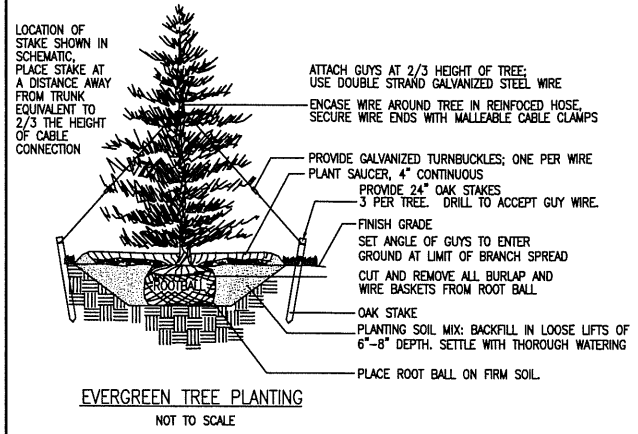
* EXCLUDING CRIMSON KING VARIETY



LAKEVILLE PLANNING BOARD

APPROVED: _____

ENDORSED: _____



- LIGHTING NOTES**
- ALL LIGHTS SHALL BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS.
 - ALL LIGHTS SHALL BE DOWNWARD FACING AND DARK SKY COMPLIANT.
 - NO LIGHTS SHALL CROSS OVER PROPERTY LINES.
 - ALL LIGHTING SHALL BE DIMMABLE ON OFFICE BUILDING.
 - EXTERIOR LIGHTING ON RESIDENTIAL UNITS SHALL BE STANDARD RESIDENTIAL SCENCE/SECURITY LIGHT (NO MORE THAN 1,600 LUMENS).
- TRASH PICKUP**
 ALL RESIDENTIAL UNITS AND OFFICE TO HAVE PRIVATE TRASH/RECYCLING PICKUP.

ZCE ZENITH CONSULTING ENGINEERS, LLC
 3 MAIN STREET LAKEVILLE, MA 02347
 PHONE: (508) 947-4208

PROJECT INFO:
 PROJECT SITE: 13 MAIN STREET
 CLIENT INFO: MAIN STREET REAL ESTATE HOLDINGS, LLC
 530B HARKLE ROAD SUITE 100
 SANTE FE, NEW MEXICO

REV.	DATE	DESCRIPTION	BY	APP.
12-12-22	12-12-22			

GRAPHICS SCALE
 1 inch = 30 feet

0 30 60 90

DATE: 12-12-22
PROJECT NUMBER: 0454-17-01
DRAWING SCALE: 1" = 30'
SHEET ID: L

DRAWN BY: RMK/TEM
DESIGNED BY: RMK/TEM
CHECKED BY: NCZ
APPROVED BY: NCZ

SHEET NAME: SITE LAYOUT, LIGHTING & LANDSCAPING PLAN

PROJECT SITE: 13 MAIN STREET

CLIENT INFO: MAIN STREET REAL ESTATE HOLDINGS, LLC
 530B HARKLE ROAD SUITE 100
 SANTE FE, NEW MEXICO

S:\Civil Engineering\Projects\Lakeville\Main Street\Site Plan - 13 Main St. - Lakeville_apartment_concept.dwg



**CERTIFICATE
OF PLANNING BOARD**

This Certificate of the Planning Board of the Town of Lakeville, Massachusetts, is made this ____ day of March, 2023, by the PLANNING BOARD of the TOWN of LAKEVILLE, hereinafter called the "Board".

WITNESSETH:

WHEREAS, the Board approved a subdivision plan for a property located at 73 Howland Road, Lakeville, Massachusetts, which Plan is entitled "Pauline's Path Definitive Plan for a Residential Subdivision Off Howland Road Lakeville, Massachusetts, drawn by Zenith Consulting Engineers, LLC, Project Site: 73 Howland Rd, Lakeville, Massachusetts, Applicant: L&B Realty Trust, Owners: Pauline A. Ashley, dated 1/27/2020, Approved October 8, 2020" (the "Plan"), which Plan is to be recorded herewith.

WHEREAS, the Board approved the Plan on October 8, 2020, but such Plan has not been recorded;

WHEREAS, M.G.L. Chapter 41 Section 81X, requires that approved subdivision plans be recorded within six months of the endorsement by the Planning Board or certification of the city or town clerk, unless there is also endorsed thereon or recorded therewith and referred to thereon a certificate of the planning board or city or town clerk, dated within thirty days of the recording, that the approval has not been modified, amended or rescinded, nor the plan changed;

NOT THEREFORE, pursuant to the provisions of M.G.L. Chapter 41 Section 81X, the Board hereby certifies that the above-referenced subdivision approval and Plan has not been modified, amended or rescinded, nor the Plan changed.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in their behalf as of the day and year first above written.

LAKEVILLE PLANNING BOARD

Commonwealth of Massachusetts

Plymouth, ss

On this ____ day of March, 2023, before me, the undersigned notary public, personally appeared _____, of the Town of Lakeville Planning Board, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is signed on the preceding or attached document and acknowledged to me that (s)he signed it voluntarily for its stated purpose as their free act and deed in such capacity.

_____, Notary Public
My Commission Expires:

	A	B	C	D	E	F	G	H
1			Shared goals	Master Plan goals				
2			Planning Board goals	3/9/23 Submitted goals				
3	Priority	Master Plan Goal	Goal	Description	Status	Submitted 3/9/23 Goal #	Goal	General Status
4	1		Revise the Housing Production Plan	The current HPP is due to expire in March of 2023	Draft is currently under review by the Planning Board	2	Housing Production Plan	Currently working with SRPEDD
5	2		Complete preliminary analysis to comply with Section 3A multi-family housing requirement	Analyze existing 40R District for compliance with Chapter 3A and conduct suitability analysis	Currently under way by SRPEDD	5 & 6	Complete review of 40R, 40B and 3A for identification of applicable property/Identify possible properties for zoning reclassification to any of goals in #5 and/or industrial development	Currently working with SRPEDD 40B is allowable in all districts and cannot be regulated/Industrial development zoning could be an additional goal
6	3		Receive approval from DHCD for Chapter 3A	Rezone location and adjust zoning as complies with Section 3A	To be completed prior to December 31, 2025	5 & 6	Complete review of 40R, 40B and 3A for identification of applicable property/Identify possible properties for zoning reclassification to any of goals in #5 and/or industrial development	Currently working with SRPEDD 40B is allowable in all districts and cannot be regulated/Industrial development zoning could be an additional goal
7	4	2-2-4	Adopt an Open Space Residential Design Bylaw (OSRD)	OSRD Bylaw allows for the deveopment of houses on smaller lots than zoning currently allows provided the remaining land is preserved for open space or recreation	The Board will work on a revised Bylaw to be presented at the fall 2023 Town Meeting	13	Implementation of applicable Master Plan goals	
8	5	8-2-3	Update the Town's Subdivison Rules and Regulations	A date when all the regulations were updated is not known	To be revised in 2024	4 & 13	Establish key rules and regs to review each year to ensure consistency and updates. Target complete review within five years/Implementation of applicable Master Plan goals	
9	7	3-1-2	Work in Partnership with local developpers to build Senior Housing with a variety of housing units	Reach out to known local developers to survey interest in building senior housing in Town. Bring a model Bylaw to Town Meeting enabling age-friendly, age-restriced housing developments in appropriate districts.		11 & 13	Work with developers to bring housing identified through survey to Town (age-restricted, affordable, assisted, etc./Implementation of Master Plan Goals	

	A	B	C	D	E	F	G	H
3	Priority	Master Plan Goal	Goal	Description	Status	Submitted 3/9/23 Goal #	Goal	General Status
10	8	5-1	Update Lakeville's Priority Development areas and Priority Protection areas	Priority Development and Priority Protection areas were identified in a plan completed in 2008 as part of the planning efforts surrounding the extension of the MBTA commuter rail	In 2023 and 2024 SRPEDD will work with communities in the region to update ther PDA and PPA	8 & 13	Update Priorty Protection areas/Implementation of applicable Master Plan goals	
11	12	2-1-1	Focus future, large scale business growth to key locations along Route 18, 44, & 105.	Adopt Chapter 43D on at least one eligible site in partnership w/land onwer, "Listening session with local business owners to improve zoning/permitting. Pursue water and waste water sites along Rts 18, 44, & 105		13	Implementation of applicable Master Plan goals	
12	13	2-2-1	Create zoning districts that encourage mixed-use/village type development in specific locations	Bring zoning amendments with desired dimensional, use and optional design guidelines to Town Meeting		13	Implementation of applicable Master Plan goals	
13	14	3-1-1	Modify the existing Zoning bylaw to allow moderate densities and multi-family housing in appropriate locations	Bring zoning amendments with desired dimensional, use and optional design guidelines to Town Meeting		13	Implementation of applicable Master Plan goals	
14	16	2-2-3	Investiage a Transer of Development Rights Bylaw	1st goal-Ceate a simple user guide that explains Transfer of Development Rights (TDR) process to present to Town Meeting 2nd goal-Work with public to map "sending and receiving" areas based on GIS, 2013 Priority Development and Protection areas 3rd goal-Pass TDR bylaw at Town Meeting		13	Implementation of applicable Master Plan goals	
15	6		Adopt Stormwater Management Bylaw	A Stormwater Management Bylaw was drafted in 2022 for the Town's review. The Planning Board should review the proposed bylaw	To be submitted for adoption at the fall 2023 Town Meeting			
16	9	2-2-2	Monitor the implementation of the Town's revised Site Plan Review Bylaw	A revised Site Plan Bylaw was approved by the 2022 Spring Town Meeting	Planning Board will continue to monitor the implementation of the new bylaw and recommend adjustments in 2024 or 2025			

	A	B	C	D	E	F	G	H
3	Priority	Master Plan Goal	Goal	Description	Status	Submitted 3/9/23 Goal #	Goal	General Status
17	10	2-1-2	Monitor the implementation of the Town's revised sign Bylaw	A revised sign Bylaw was approved by the 2022 Spring Town Meeting	Planning Board will continue to monitor the implementation of the new bylaw and recommend adjustments in 2024 or 2025			
18	11		Remove the Large-Scale "BIG BOX" Design Standards	Incorporate the Design Standards into the Site Plan Review Design Standards. Revise the density bonus section to incorporate this change	To be completed in coordination with other changes identified in goal 10. In 2024 or 2025			
19	12	2-1-1	Focus future, large scale business growth to key locations along Route 18, 44, & 105.	Adopt Chapter 43D on at least one eligible site in partnership w/land owner, "Listening session with local business owners to improve zoning/permitting. Pursue water and waste water sites along Rts 18, 44, & 105				
20	15		Adopt an Adult Entertainment Overly District	Write and submit new zoning bylaw to Town Meeting				
21						1	Yearly review of Planning Board goals	This is a policy
22						3	Review current Zoning Map	Currently working with SRPEDD
23						9	Hold one combined meeting with CPA and Concomm	This is a policy. PB could reach out to Boards to arrange
24						10	Electronic agendas to be delivered weekly by noon on Friday preceding the meeting	This is a policy
25						12	Establish tracking and MAP of buildable land area (use SRPEDD) corrdinate with SRPEDD reps from Town	This is under the purview of the ZBA

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, February 9, 2023**

On February 9, 2023, 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. He asked if anyone present was recording in addition to LakeCam who was making a video recording of the meeting. There was no response.

Members present:

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

Members absent:

Jack Lynch

Others present:

Marc Resnick, Town Planner

Discuss Zoning Overlay of existing Smart Growth Overlay on the former Lakeville Hospital site

Mr. Knox advised the first item on the agenda is to discuss with the Planning Board the possible application of the Smart Growth Overlay District over the former Lakeville Hospital site. He advised that throughout the permitting process that property went through, one of the threats was that it could be a 40B development. That would be detrimental to the Town and financially crippling. He feels if the Planning Board doesn't do something, they would be remiss in their duties. The Smart Growth Overlay would promote a 40R. Mr. Knox explained that in a 40B there is a profit cap and 25% of the units have to be affordable. With the 40R, there is no profit cap making it more appealing to a developer and the Town receives money. Initially, it is a \$3,000 per unit stipend from the State. For every student from the 40R that enters into the school system, there is a calculation the Town would file for additional funds to supplement that student. He asked for comments from the Board.

Ms. Cline noted that Kensington is already under the Smart Growth Overlay because it shows that they have 207 units now. Mr. Knox said it also includes Commercial and Riverside Drive. Mr. Knox distributed a printout from the Department of Revenue that showed the Town will receive approximately \$800,000 in funding. Mr. Resnick then briefly explained the process for 40R. You have to apply to the Department of Housing and Community Development in order to get your 40R district approved before you even go to Town Meeting. Ms. MacEachern said she did not know what kind of caps they have per project for the 40R. She noted that in regards to the handout

they had received, something to keep in mind is the listed communities may or may not resemble the rural feel that a majority of Lakeville residents want to hold on to. Her hesitation comes from the 20% cap. If a 40B development profits more than 20%, that overage is supposed to go back to the Town so there is some sort of compensation. She would hate to see them do a change like a 40R, if they don't know how long that funding would be in place.

Mr. John Gregory of 8 Bartelli Road asked who had put this item on the agenda. Mr. Knox replied he had put it on the agenda. Mr. Gregory asked if there has been any reach out to Rhino at this point. Mr. Resnick said that he has spoken to them, and they are following through with the appeal process. Depending on the decision, if they are successful they will build a warehouse. If not, they will possibly be looking to do housing there and would be open to this. Mr. Knox said that if the housing option is their last resort, and they don't have 40R in place, a 40B will bankrupt the Town. They are trying to be proactive.

Mr. Dick Scott of 9 Rush Pond Road said he understood a 40B goes to the Zoning Board of Appeals but what is the 40R process? Mr. Knox replied it goes through the Site Plan Review process with the Planning Board. Mr. Resnick added that they have an extensive 40R bylaw which they would have to follow. They could amend or adjust that specific to the State Hospital site. Mr. Scott asked if their proposal would include both the property owned by Rhino and the White House Superintendent house property. Mr. Knox said that was all up for discussion. His thoughts were much like the existing zoning for business only goes back so many hundred feet, he would like to keep the business opportunity on Main Street, and then past a certain point it would become eligible for housing. Mr. Scott asked if either option speak to the number of units per acre.

Mr. Resnick replied there are minimum requirements that you have to have for density under 40R depending on the type of unit being constructed, but he hadn't seen anything about a cap. If Rhino was interested in putting together a plan for the property, that is where you could negotiate the total number of units before anything is submitted to DHCD. They knew there were extensive clean-up costs, and they might want to have a mixed-use development. There are many examples of these types of developments where revenue can be received from commercial development as well as residential development. When the zoning is written for the 40R district, it would lock Rhino into a specific plan if they were willing to do that.

Mr. Scott said if this included having businesses along Route 105, it makes sense. It maintains the commercial goal within the Master Plan in an area that already has businesses. His concern would be that it includes all the property that remains, not just the Rhino property. The two lots to the right on Main Street were then discussed. Mr. Knox said it would not be his intention to put 40R on them, if they don't need to. He wants those to stay business. This would be up for discussion. Mr. Scott noted that there is a significant amount of wetlands on the property. There had been talk of having as much a buffer zone as possible to protect those wetlands. Mr. Resnick said that could be discussed and incorporated into the zoning. It would depend on how extensive a planning effort that Rhino is open to.

Mr. Scott asked if there was any difference between the 40B and the 40R in terms of what the density might be going vertically. Mr. Knox replied they presently had a 35-foot height

requirement in the bylaw. He believed if that went to ZBA, it could be waived, but that would be up to them. Mr. Scott said his last comment would be in regards to the Master Plan and the concept of village. He thought it was still a good fit for Lakeville, but didn't know how to get that village concept in the zoning. Mr. Knox said he thought their best opportunity if housing is coming is to try to work with the developer and steer it towards an attractive development that will hopefully give something back to the Town.

Ms. Heather Bodwell of 13 Rush Pond Road asked if Rhino sells it to a developer for a 40B, who is responsible for the clean up? Mr. Knox was not sure. Ms. Bodwell asked who would pay \$11 million to clean that site up and then put up a 40B? She said they were threatened with that but who would buy it? Mr. Knox replied with the density they could achieve between 15 and 25 units per acre, and it would be approximately \$13,000 per unit. Ms. Bodwell also asked about the landfill. Mr. Resnick then explained the process that the Town of Foxborough had gone through as they had a similar State Hospital site.

Ms. Bodwell next asked where they were getting the water. Would it be an issue? Mr. Knox replied there is public water supplies on both sides; Middleborough on one, and Taunton on the other. She also asked about height as Kensington Court was very high. Ms. MacEachern said in the bylaw the height for 40R is three stories or 55 feet maximum. Ms. Bodwell asked if Rhino loses the appeal and they sell the property, would the Town be interested? Mr. Knox said she would have to talk to the Board of Selectmen, but after speaking with their State reps, they were confident that they wouldn't get enough Brownfield money to be able to clean up the site.

Ms. Brynna Donahue of 87 Crooked Lane asked how this would bankrupt the Town. Mr. Knox explained that if 700 units were built there with approximately 100+ affordable units, that could put a thousand kids in the school system. They might get \$3,000 in tax dollars from each unit, but it costs \$12,000 to educate a child. Financially, it is just not sustainable. Ms. Donahue asked about MBTA and if 40R went with that. Mr. Knox said they have an existing 40R district that includes Kensington Court, Riverside, and Commercial, which is their Smart Growth Overlay area. Now the State wants them to rezone for approximately 250 units with the same type of criteria.

Mr. Resnick added because they moved the train station, they are now an adjacent small town and they only have to zone for 231 units instead of the original 750. Ms. MacEachern noted that they do share a school with a commuter rail town that is required to do 750 units plus their own 230. Ms. Donahue asked if the State could deny the amount of money the Town would get back. Mr. Knox said he thought that money would be available for at least another ten years as the State has this concerted effort to have Towns recreate their zoning. Mr. Resnick said he also thought that a lot of communities would look to have at least a portion of their MBTA designated site to be under 40R. Ms. Donahue then said financially for the Town, it makes sense to do this as opposed to a 40B. Mr. Knox said between those two options, it is the better option.

Ms. Susan Spieler of 10 Valley Road asked, hypothetically, if they did create this zone with the front part business, couldn't a developer still put 40B in there? Mr. Resnick said he supposed, but during the planning process they may want to consider the entire property as well as seeing if the other abutting businesses would be interested in being part of the overall plan. That gives you

more flexibility in the design and layout, as well as, how much you reserve for solely business, mixed use, etc. There are many possibilities if you know what you're working with. Mr. Scott asked if inclusionary zoning could be part of that concept. Ms. MacEachern replied she did not think so as inclusionary zoning is not high-density housing, it's more like if there is a subdivision, you have to allow for a certain number of affordable units based on how many units you are building. Mr. Knox said that you might allow a developer to build additional homes on smaller lots but in return there would be some affordable units.

Mr. Scott asked as they should soon know what is going to happen with the appeal, do they want to have that 40R in place before, so there is an alternative to 40B. Mr. Knox said that is why this is on the agenda tonight. Mr. Scott asked regarding a certain amount for business, how is that drawn up. Mr. Knox replied there is currently a strip of business along there, so it is probably going to take work with the developer because you need access. In theory the preliminary plan provides access, so if they could have this Smart Growth Overlay start 600 to 800 feet back to allow suitable business development on Main Street and cover the remainder of the property with the Smart Growth. As this is the most likely spot for 40B, this would give the option of 40R and maintain the business on Main Street.

Mr. Gregory suggested compiling a comparison of 40B and 40R characteristics to be discussed. Mr. Knox said that is something that could be done and placed on an upcoming agenda. Mr. Knox then explained to Mr. Scott that Town Meeting was coming up fast. He did not want to be in a position where they rush this along, and then get it wrong or be remiss in acting. He also did not want to be in the position he felt he was in six months or a year ago. Mr. Scott replied that he has said publicly and privately the best outcome for this property is in negotiation and discussion. Mr. Knox responded that the Planning Board's goal is what is this going to look like, what the Town's input is, and what Rhino can do to make it work. That is going to take some discussion. After continued conversation with Mr. Scott, Mr. Knox said that this will be placed on the agenda at a later date.

Review the following Zoning Board of Appeals petition:

- a. K & J Doggy Palace – 330 Bedford Street

Mr. Resnick advised this was the former flower shop at the Lakeville Market Plaza. It is only for a few dogs to be boarded. It is mostly a grooming and some daycare for the dogs. Mr. Knox said that his only concern would be congestion during the drop off and pick up times. Members agreed that could possibly be a challenge. Mr. Resnick said the Board could send a memo to the Zoning Board expressing their concerns so it could be discussed during the hearing. Ms. MacEachern said she would like to see an extra trash barrel as well as doggie bags available for any accidents.

Mr. Knox made a motion, seconded by Ms. MacEachern, to send those comments to ZBA regarding 330 Bedford Street, K & J Doggy Palace. The **vote** was **unanimous for**.

Discussion regarding parking regulations for marijuana facilities

Mr. Knox said this has been discussed from time to time. He thought they should look at the highest shift count, and then add a percentage on for additional parking. This is also for maintenance vehicles, deliveries, etc. Mr. Resnick said they had been asked to look at what other communities do. They looked at a majority of southeastern communities and found three communities that have marijuana regulations. This includes Dartmouth, Kingston, and Middleborough. Dartmouth has what they have, but they also have one space plus one for each 200 square feet of building that is devoted to customer service. Mr. Knox read the next one which was one parking space per 1,000 square feet of gross floor area plus one space for each employee on the largest shift. Ms. MacEachern added it was similar to Middleborough's which was one per 600 square feet of gross floor area. Members discussed that Kingston's might be excessive as that was a huge facility.

Ms. Cline noted that when going by the facility in Lakeville on a Sunday morning, there were 24 cars on the side and two cars in the parking lot. It is also the responsibility of management to enforce where employees should be parking. Ms. Cline thought the placement of signs should be brought up to the Select Board again. After continued discussion, Ms. MacEachern said she liked that idea, but they would have to trust that the employee count is accurate. She thought the square footage is a much more static figure.

Mr. Resnick noted that the plan has changed again. Northeast Alternatives is going to take less space. SeaTrade is going to take a little bit more. This will mean fewer overall employees. SeaTrade will still have to maintain a couple of truck bays, so they are in the process of reconfiguring. Ms. MacEachern asked if they change it, what number would work. Mr. Knox added when they are doing parking, it needs to say parking for marijuana and have the uses for the disciplines they perform there be labeled. Mr. Resnick said it would also be helpful to know the breakdown of employees, and where they work. How many work in the offices? How many are in the manufacturing end? They need to be more precise about figuring out why there are so many employees. Ms. Cline also asked how are they handling their shift changes?

Ms. MacEachern said she felt that they need something more static, rather than an employee count from the applicant. They need to have something they can calculate and verify. Mr. Knox said if they say they need 250 spaces and they overflow that constantly, is that not a zoning violation? Mr. Resnick replied it would be up to the Zoning Enforcement Officer to make that determination. Signs and handing out tickets were also mentioned as options. Mr. Knox said maybe this requires some communication with the Building Commissioner to ask what language would be enforceable. Mr. Knox said they would place this on a future agenda.

Next meeting

The next meeting is scheduled for February 23, 2023, at 7:00 p.m. at the Lakeville Police Station.

Correspondence

There was no correspondence of significant impact to review.

Adjourn

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

Meeting adjourned at 8:16.



TOWN OF LAKEVILLE

SELECT BOARD OFFICE

346 Bedford Street
Lakeville, Massachusetts 02347
Telephone 508-946-8803

6a

TO: Mark Knox, Chairman
Planning Board

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

RE: Annual Town Meeting Petition Article
Amendment of Section 4.1
Table of Uses Regulations
Sub-Section 4.1.2

DATE: March 14, 2023

On March 10, 2023, the Select Board received a citizens' petition to amend the Zoning By-Law Section 4.1, "Table of Uses Regulations" Sub-section 4.1.2. (see attached petition). At their meeting on April 10, 2023, I anticipate that the Select Board will vote to place the petition article on the Warrant for the Annual Town Meeting on May 8, 2023.

Please accept this correspondence as a request to refer the petition article to the Planning Board to schedule the necessary hearing required for the article to be placed on the May 8, 2023 Annual Town Meeting Warrant.

**PETITION FOR INSERTION OF THE
FOLLOWING ARTICLE IN THE WARRANT
FOR THE TOWN MEETING OF**

May 8, 2023

DATE and TIME received
RECEIVED
MAR 10 2023
SELECTMEN'S OFFICE

TOWN: Lakeville

We, the undersigned Registered Voters of the Town, hereby petition your honorable board to insert the following Article in the Warrant for the Town Meeting of MAY 8, 2023

To see if the town will vote to amend the Zoning By-law relative to Business Uses as follows:

Amend Section 4.1 "Table of Uses Regulations" Sub-Section 4.1.2 "Business Uses," to add new language as follows:
Retail, office, or service business (minimum 1500 sq ft) with up to 7000 sq ft of associated storage and wholesale distribution. Per special permit by Zoning Board of Appeals.

R B I I-B
N SP N N

LAKEVILLE TOWN CLERK
RFD 2023 MAR 10 AM 11:18
Oc [Signature] (12)

INSTRUCTIONS TO SIGNERS

For your signature to be valid, you must be a registered voter in the town named above and your signature should be written substantially as registered.

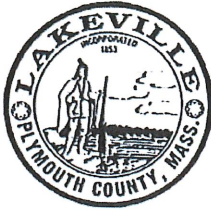
If you are prevented by physical disability from writing you may authorize some person to write your name and residence in your presence.

SIGNER'S STATEMENT

We, the undersigned, are qualified voters of the Town of Lakeville, an in accordance with the provisions of law request the above article be inserted in the warrant for the Town Meeting of MAY 8, 2023

SIGNER INFORMATION

	CHECK	I SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	II NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
1	✓	Daniel Cooney <i>[Signature]</i>	59 Main St.	3
2	✓	Christine Cooney <i>[Signature]</i>	59 Main St	3
3	N	Samantha Durand <i>[Signature]</i>	36 main st	3
4	✓	Brynnar Doname <i>[Signature]</i>	87 Crooked Lane	3
5	✓	Elizabeth Cooney <i>[Signature]</i>	28 Bedford Street	
6	✓	<i>[Signature]</i> Richard Smith	75 Smith Cir	
7	✓	<i>[Signature]</i> DA Drummelly	136 So Parker St	
8	✓	Liff Quill <i>[Signature]</i>	97 County St	
9	✓	Michele MacEachern <i>[Signature]</i>	99 County St.	



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

TO: Lakeville Select Board
FROM: Marc Resnick, Town Planner
DATE: March 16, 2023
SUBJECT: 310 Kenneth Welch Parking

These are my comments regarding the parking across the street from 310 Kenneth Welch Drive.

- Although the parking area is not an officially designated parking lot the area meets the excess parking needs of the businesses located at the building.
- Although unsightly I don't believe this parking constitutes a safety hazard as you have adults crossing a low volume road to come and go to work.
- Parking on the shoulder adjacent to the wetlands on the town property without provisions for the collection and treatment of the drainage is not an environmentally sound practice and should not continue for a significantly longer period of time.
- The Zoning Board approved a Variance on September 15, 2022, for increased lot coverage in order for the west side parking lot to be expanded. The Board required the following two conditions.
 - The applicant will submit to the Lakeville Select Board a request to install a wooden guardrail on the opposite side of 310 Kenneth W. Welch Drive. The applicant will install this guardrail within 30 days after the completion of the parking lot construction, weather permitting.
 - If the guardrail is not approved by the Select Board, the applicant will return to the Zoning Board of Appeals for additional discussion on alternative parking controls on Kenneth W. Welch Drive.

- After Zoning Board Approval, the engineers for this property presented plans to expand the west end parking lot to the Planning Board. However, before the Planning Board could act on the application final drainage calculations needed to be submitted and a Notice of Intent filed with the Conservation Commission. However, this has not occurred, and the effort has stalled partially due to changing plans of the building occupancy and property management companies.

If the Select Board chooses to place no parking signs at this location, prior to the expansion of the west side parking lot, the businesses should be given the opportunity to submit a parking management plan addressing where the employee vehicles would be relocated. This Plan should be submitted for review by the Zoning Board who issues permits for the Marijuana Use.