



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:
K. Murray
LAKEVILLE TOWN CLERK
RCUD 2022 MAR 22 AM 11:51

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 24, 2022 at 7:00 p.m.
Location of Meeting:	Lakeville Police Station 323 Bedford Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

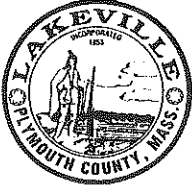
Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

1. Site Plan Review – 310 Kenneth W. Welch Drive– Jeffrey McQuiston-applicant
2. Site Plan Review – 2 Bedford Street – Thomas J. Parenteau of PBT Real Estate-applicant
 - Review request to continue
3. Master Plan Implementation - Fee Review Project
4. Review the following Zoning Board of Appeals petition:
 - a. Bache – 12 Bristol Street
 - b. Batista – 24 Pilgrim Road
5. Approve the January 13, 2022, and February 10, 2022, Meeting Minutes
6. Review correspondence
7. Old Business
8. New Business
9. Next meeting. . . April 14, 2022
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



Town of Lakeville
Board of Health
346 Bedford Street
Lakeville, MA 02347

Board of Health
(508) 946-3473
(508) 946-8805
(508) 946-3971 fax

March 22, 2022

Town of Lakeville
Planning Board
Attn: Mark Knox, Chairman
346 Bedford Street
Lakeville, MA 02347

Re: 310 Kenneth Welch Drive

Dear Chairman Knox:

We received a copy of the site plan for 310 Kenneth Welch Drive. The plan proposes to lower the existing grade over the existing leaching area. The proposed changes would reduce the amount of cover over the leaching pipes to less than the minimum required. Also the asphalt pavement section detail on the detail sheet shows 16.5 inches bituminous concrete and gravel subgrade. To install 16.5 inches of material and meet the proposed grades would require the removal of part of the leaching area. This change would damage the existing leaching pipes and the septic system would no longer be in compliance.

Please have the applicant confirm the elevation of the existing leaching pipes, and adjust the elevations over the leaching area to fulfill the minimum cover requirements. The applicant should refer to Zenith Consulting Engineers "Subsurface Sewage Disposal System Plan dated 8/12/19, revised 9/4/19, which shows the elevations of the leaching pipes.

Therefore, based on the information provided to the BOH, we would like the applicant to confirm the elevation of the existing leach are prior to making any changes to the grade in the area over the leaching area.

If you should have any further questions feel free to contact this office.

Sincerely yours,
For the Board of Health

Edward Cullen
Health Agent



Lakeville Fire Department

346 Bedford Street
Lakeville, Massachusetts 02347

TEL 508-947-4121 FAX 508-946-3436

MICHAEL O'BRIEN
FIRE CHIEF
mobrien@lakevillema.org

PAMELA GARANT
DEPUTY CHIEF
pgarant@lakevillema.org

To: Ari Sky, Town Administrator

From: Michael O'Brien 

RE: Planning board application – 310 Kenneth Welch

Date: February 16, 2022

This document has been written as comment on the Planning Board application submittal for 310 Kenneth Welch Drive, prepared February 3, 2022.

The Lakeville Fire Department has no comment on the plan submission as drawn. The applicant must be aware that fire department access shall be maintained at all times during the project. All plans and activities related to this construction will account for this access necessity.

Additionally, there are outstanding conditions from previous permit applications. They include required improvements to the existing "building-wide" fire alarm system coverage and the installation of a fire alarm radio box transmitter.

The Fire Department, through Northeast Alternatives and Jushi, has requested a meeting with the new building owners and existing tenants to address their failure to comply with the previously communicated requirements. There has been no response to this request.

#1



Town of Lakeville
Planning Board
346 Bedford Street
Lakeville, MA 02347
508-946-3473

APPLICATION FOR SITE PLAN REVIEW

Name of Applicant: Jeffrey McQuiston

Street: 600 West Fulton Street

City/Town: Chicago State: IL Zip: 60661

Telephone: 312-429-8123 Email: jmcquiston@epsteinglobal.com

Property Owner Name: TAC Vega MA Owners, LLC

Street: 3565 Piedmont Rd. NE, Building 1, STE 200

City/Town: Atlanta State: GA Zip: 30305

Telephone: (401) 270-0600 Email: lynch@peregrinepm.com

Contact Person's Name: Antonio Velasco

Telephone: 956-324-9167 Email: avelasco@jushico.com

SITE INFORMATION

Street and number: 310 Kenneth West Welch Drive

Zoning District: Industrial Map 061 Block 002 Lot 003

Lot size: 569,357 SF Frontage: 56,730 SF (40' setback)

Current use: Plant for manufacturing, processing, fabricating or assembly (Zoning By-Laws 4.1.3)

PLAN INFORMATION

Plan Title: 2C-100 Site Layout Plan


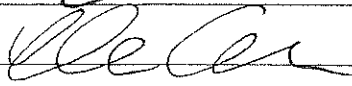
Prepared by: Epstein

Date prepared: 02/03/2022 Revision date (s):

Detailed Description of proposed work: Removal of existing asphalt parking area in front of building.
Installation of new asphalt parking area in front of building, including signage, parking lot lighting,
underground stormwater infiltration, and landscaping. Relocation of existing marquee signage for building.

TO THE LAKEVILLE PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for review of the above SITE PLAN by the Planning Board and certifies that, to the best of the APPLICANT'S knowledge and belief, the information contained herein is correct and complete and that said PLAN conforms with the requirements of the Rules and Regulations of the Lakeville Planning Board and the Zoning By-Law of the Town of Lakeville.

Applicant's Signature:  Date: 01/19/2022
Property Owner's Signature:  Date: 1/28/2022
(if not Applicant)

Will you have a representative other than yourself? Yes No

Name: Antonio Velasco

Telephone: 956-324-9167 Email: avelasco@jushico.com

To be completed by Planning Board staff:

Distributed to: Board of Health, Board of Selectmen, Building Department, Conservation Commission, Fire Chief, Highway Surveyor, Open Space Committee, Police Chief

Date/initials: _____



VIA EMAIL AND MAIL

January 28, 2022

TAC Vega MA Owners, LLC (the "Landlord")
3414 Peachtree Road, Suite 990
Atlanta, GA 30326
Attention: Charlie Kauss

Re: Request for Landlord's approval for the expansion/modification of parking lot at 310 Kenneth Welch Drive, Lakeville, MA (the "Facility")

Dear Mr. Kauss:

We are requesting Landlord's written approval for the modification and expansion of the parking lot at the Facility. Such expansion shall allow for safe accommodations, conditions and additional parking spaces for the citizens of Lakeville Township and the patrons to the Facility.

Please see the overall site plan indicating the modifications to the parking area attached hereto as **Exhibit A**, which include Sheets 2G-001, 2G-002, 2C-100, 2C-200, and 2C-300 of the 'Tenant Improvements - Phase 2' drawing set. Pursuant to the revised site plan, the net gain of new parking spaces shall be a total of 30 spots. The proposed location for the new parking spaces is at the southeast corner of the site: The current circular asphalt lot, together with 12 parking spaces to the east of the existing circular lot, shall be removed and replaced with a rectilinear lot containing 59 parking spaces and 4 ADA parking spaces (total 63). A temporary gravel parking lot at the front of the building will get us through the winter season until weather allows this plan for the permanent parking lot to be constructed. Weather permitting, we anticipate that the permanent expansion of the parking lot to be completed by or before the end of Spring of 2022.

By signing below, Landlord agrees and approves to the modifications and expansion to the parking area at the Facility as described herein.

Should you have any questions or require additional information, please do not hesitate to contact me.

Best regards,

JUSHI

DocuSigned by:

By: Nate Kahn
Director of Construction

1/29/2022 | 10:35 AM EST

APPROVED AND AGREED TO BY LANDLORD:
TAC Vega MA Owners, LLC

DocuSigned by:

By: Charlie Kauss
Name: Charlie Kauss
Title: Manager

1/30/2022 | 7:15 PM EST

Exhibit A

Revised Site Plan for Parking Area

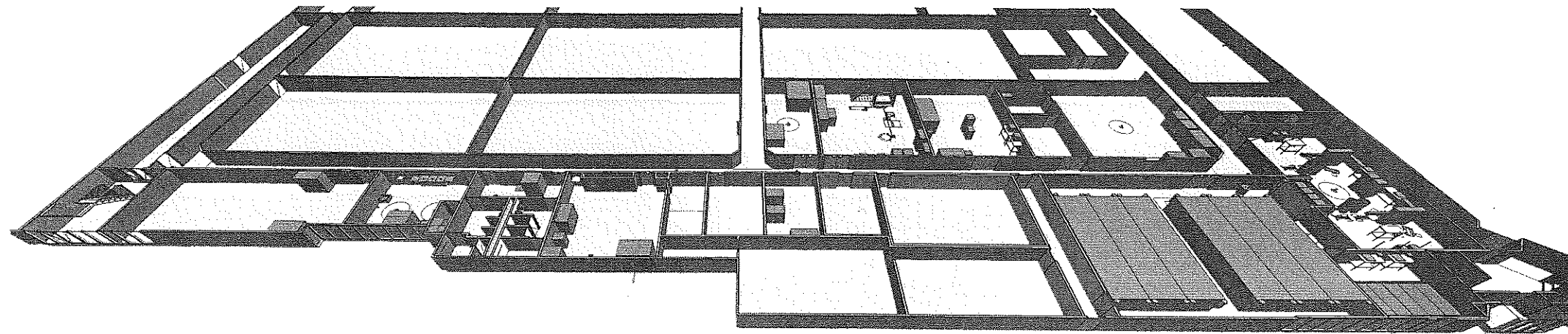
LAKEVILLE CULTIVATION, PROCESSING AND MANUFACTURING FACILITY

TENANT IMPROVEMENTS - PHASE 2

NATURE'S REMEDY

310 KENNETH WELCH DRIVE, LAKEVILLE, MA 02347

PHASE 2 SCOPE OF WORK: DEMOLITION OF INTERIOR NON-LOAD BEARING WALLS AND DOORS. INSTALLATION OF PARTITIONS, DOORS, CEILINGS AND FLOOR FINISH. INSTALLATION OF ASSOCIATED MECHANICAL, PLUMBING AND ELECTRICAL UTILITIES. RELOCATING EXISTING FIRE PROTECTION SPRINKLER HEADS. STRUCTURAL REINFORCEMENT FOR NEW ROOF TOP UNITS.



OWNER REVIEW

01/27/2022

NO.	DATE	REVISIONS/ISSUANCES
5	2022.01.27	OWNER REVIEW
4	2022.01.11	ADDENDUM 3 - PHASE 2
3	2021.12.29	ADDENDUM 2 - PHASE 2
2	2021.11.30	ADDENDUM 1 - PHASE 2
1	2021.09.21	BID / PERMIT - PHASE 2

EPSTEIN

Architects
Interiors
Engineering
Construction

Chicago, IL 60611-4278
T 312.454.9100
www.epsteinfp.com

PROJECT NUMBER: 21148
PROJECT MANAGER: H.HARTENSTEIN
PA 1 PE: P.RAO
DRAWN BY: P.RAO
CHECKED BY: L.CHANDLER

TITLE SHEET

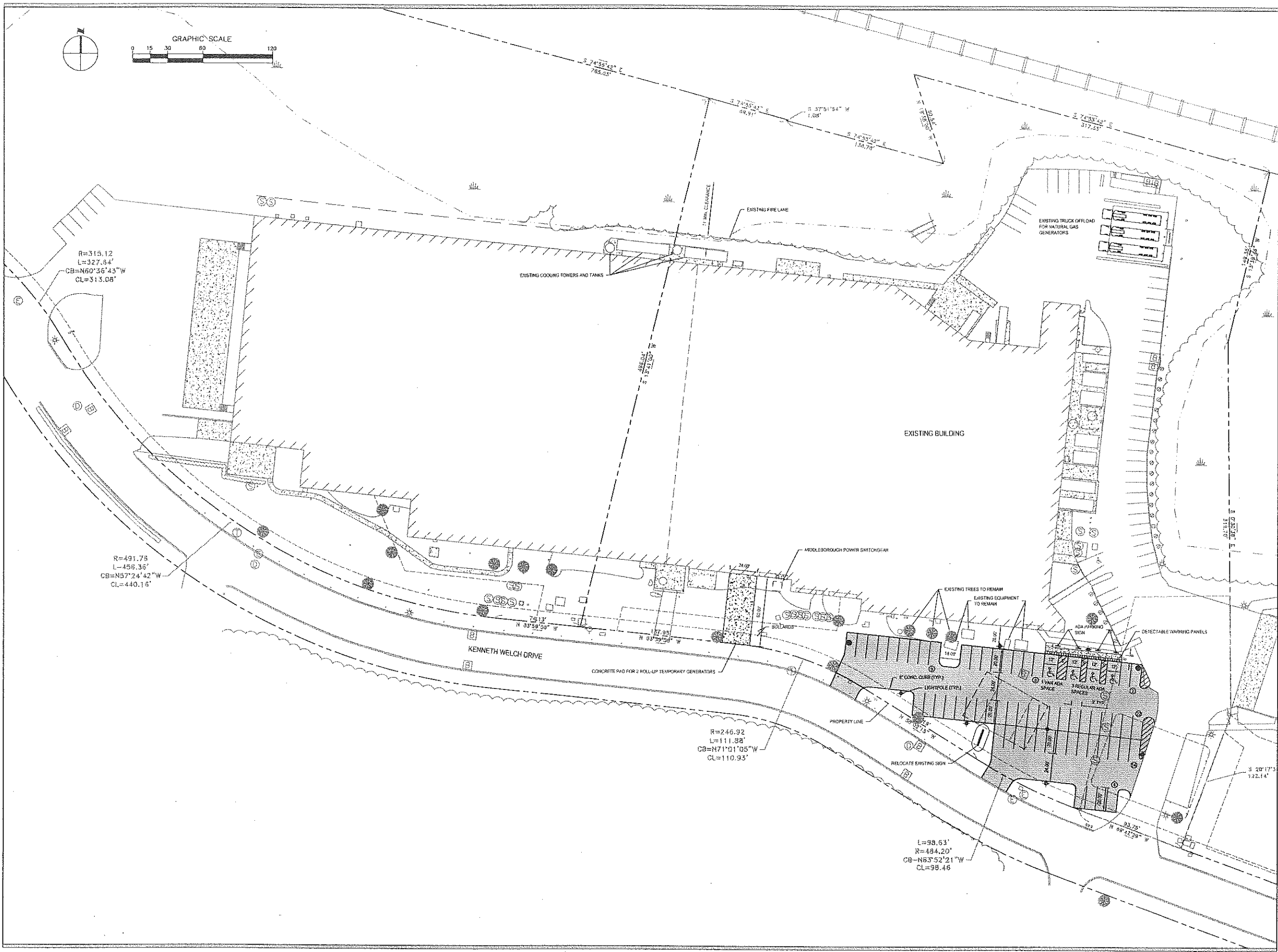
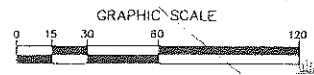
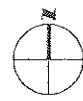
2G-001

<p>ARCHITECT CERTIFICATION STATEMENT</p> <p>I HEREBY CERTIFY THAT THESE PLANS, SPECIFICATIONS, CALCULATIONS, OR REPORTS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DUTY LICENSED PROFESSIONAL ARCHITECT UNDER THE LAWS OF STATE OF MASSACHUSETTS.</p> <p>PRINT NAME: <u>JASON CHANDLER</u></p> <p>JASON CHANDLER MA ARCHITECT LICENSE NO. 31819 EXPIRATION DATE: AUG 31, 2025</p>	<p>MECHANICAL ENGINEER CERTIFICATION STATEMENT</p> <p>I HEREBY CERTIFY THAT THESE PLANS, SPECIFICATIONS, CALCULATIONS, OR REPORTS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DUTY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF STATE OF MASSACHUSETTS.</p> <p>PRINT NAME: <u>DECLAN WALSH</u></p> <p>DECLAN WALSH MA PROFESSIONAL ENGINEER LICENSE NO: 56672 EXPIRATION DATE: JUN 30, 2022</p>	<p>ELECTRICAL ENGINEER CERTIFICATION STATEMENT</p> <p>I HEREBY CERTIFY THAT THESE PLANS, SPECIFICATIONS, CALCULATIONS, OR REPORTS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DUTY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF STATE OF MASSACHUSETTS.</p> <p>PRINT NAME: <u>JENNIFER KUETHER</u></p> <p>JENNIFER KUETHER MA PROFESSIONAL ENGINEER LICENSE NO: 56455 EXPIRATION DATE: JUN 30, 2022</p>	<p>PLUMBING / FIRE PROTECTION ENGINEER CERTIFICATION STATEMENT</p> <p>I HEREBY CERTIFY THAT THESE PLANS, SPECIFICATIONS, CALCULATIONS, OR REPORTS WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DUTY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF STATE OF MASSACHUSETTS.</p> <p>PRINT NAME: <u>DECLAN WALSH</u></p> <p>DECLAN WALSH MA PROFESSIONAL ENGINEER LICENSE NO: 56672 EXPIRATION DATE: JUN 30, 2022</p>
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MEP / FP Engineer	Structural Engineer	Architect of Record	Owner	Project
EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	NATURE'S REMEDY 310 KENNETH WELCH DRIVE LAKEVILLE, MA 02347	NATURE'S REMEDY FOR JUSH HOLDINGS 310 KENNETH WELCH DRIVE LAKEVILLE, MA 02347

**NATURE'S
REMEDY**

SEAL



NOTES:
 1. ALL DIMENSIONS ARE TO FACE OF CURB OR EDGE OF PAVEMENT UNLESS OTHERWISE NOTED.

- LEGEND:**
- ASPHALT PAVEMENT
 - HEAVY DUTY CONCRETE PAVEMENT
 - CONCRETE SIDEWALK
 - EXISTING CONCRETE PAVEMENT

NO.	DATE	REVISIONS/ISSUES
01	01.27.2022	OWNER REVIEW
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EPSTEIN

Architecture
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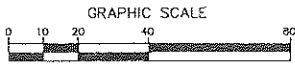
600 N. Fulton Street
 Chicago, IL 60661-1259
 T 312.454.9100
 www.epsteinarch.com

PROJECT NUMBER:	21148
PROJECT MANAGER:	T. RUSSELL
PA/PE:	T. SMILES
DRAWN BY:	G. CORTEZ
CHECKED BY:	D. HILTY

SITE LAYOUT AND PAVING PLAN

MEP / FP Engineer EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Structural Engineer EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Architect of Record EPSTEIN 600 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Owner NATURE'S REMEDY 305 KENNETH WELCH DRIVE LAKEVILLE, MA 02347	Project NATURE'S REMEDY FOR BUSH HOLDINGS 310 KENNETH WELCH DRIVE LAKEVILLE, MA 02347
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- NOTES
1. ALL GRADES ARE FINISHED GROUND.
 2. MATCH ELEVATION AT PROPERTY LINE UNLESS OTHERWISE NOTED.
 3. CONTRACTOR TO PROVIDE POSITIVE DRAINAGE IN ALL AREAS OF NEW PARKING LOT TO DRAINAGE STRUCTURES.
 4. ALL DISTURBED AREAS ON-SITE AND IN THE RIGHT-OF-WAY SHALL BE RESTORED TO EXISTING CONDITION. ALL ITEMS DISTURBED SHALL BE REPLACED INCLUDING ALL LANDSCAPING, CURBS, SIDEWALKS, PAVEMENT, ETC.
 5. CONTRACTOR TO PROTECT ALL EXISTING UTILITIES.

WETLANDS AS SHOWN ON PLAN #104 OF 2000

EXISTING BUILDING

MIDDLEBOROUGH POWER SWITCHGEAR

EXISTING TREES TO REMAIN
EXISTING EQUIPMENT TO REMAIN

ZONE A
ZONE X

KENNETH WELCH DRIVE

CONCRETE PAD FOR 2 ROLL-UP TEMPORARY GENERATORS

PROPERTY LINE

R=246.92
L=111.88'
CB=N71°01'05"W
CL=110.93'

RELOCATE EXISTING SIGN

L=98.63'
R=484.20'
CB=N63°52'21"W
CL=98.46

NO.	DATE	REVISIONS/DISCUSS

EPSTEIN

Architecture Chicago
Interior New York
Engineering Buffalo
Construction Wilmette

600 N. Fulton Street
Chicago, IL 60611-1288
1-312-454-8900

www.epsteindetroit.com

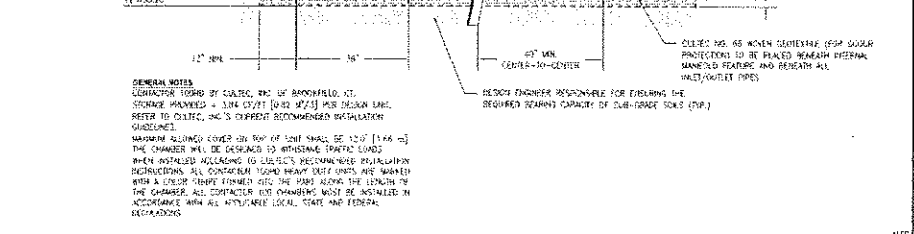
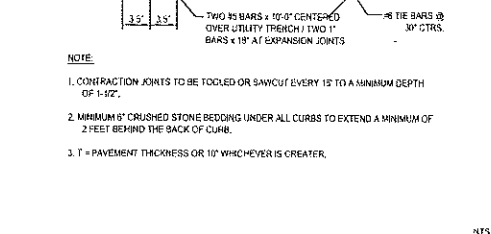
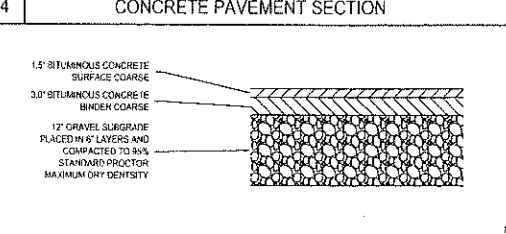
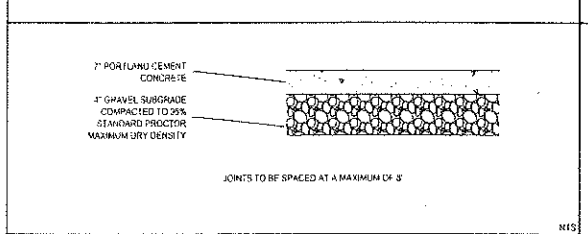
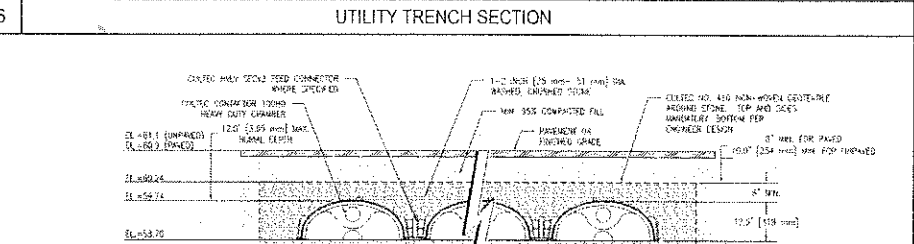
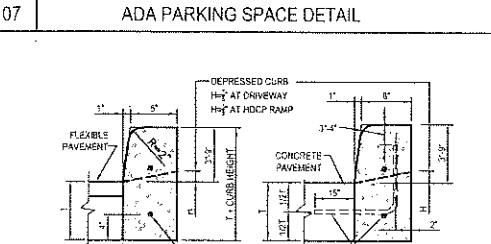
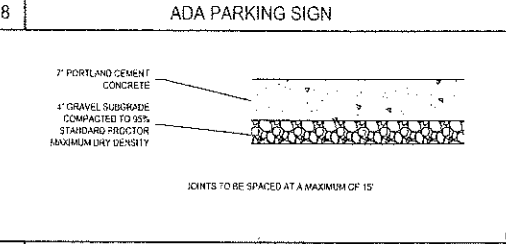
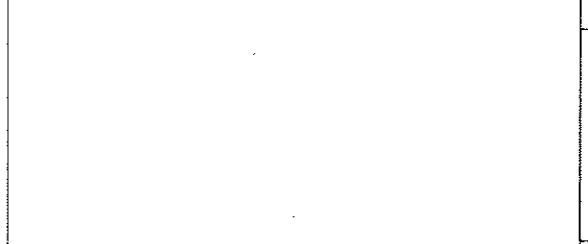
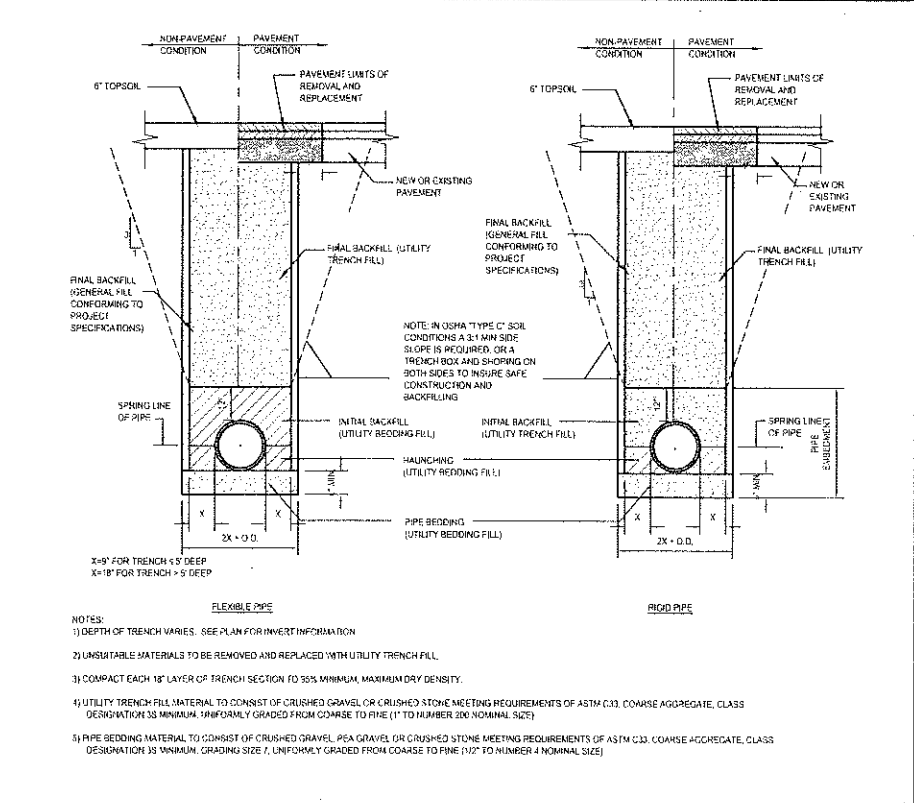
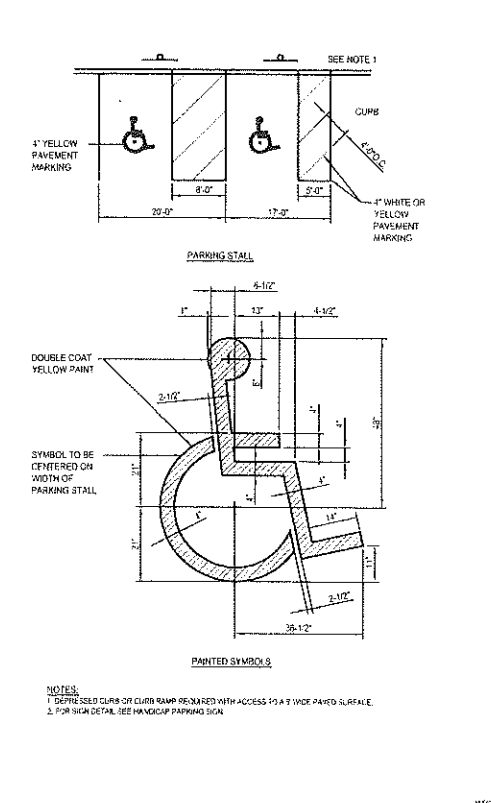
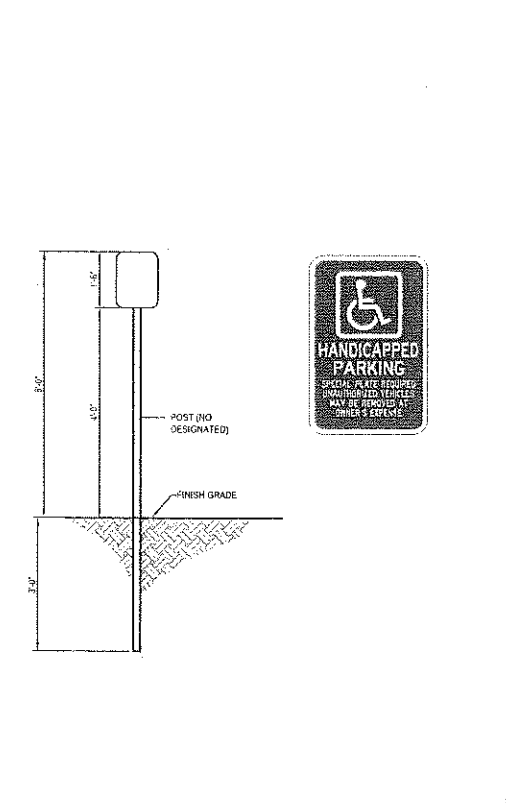
PROJECT NUMBER: 21148
PROJECT MANAGER: T. RUSSELL
PA I/P: T. SMILES
DRAWN BY: G. CORTEZ
CHECKED BY: D. HILTY

SITE GRADING AND UTILITY PLAN

MEP / FP Engineer EPSTEIN 800 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Structural Engineer EPSTEIN 800 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Architect of Record EPSTEIN 800 W. FULTON STREET CHICAGO, IL 60661 312.454.9100	Owner NATURE'S REMEDY 310 KENNETH WELCH DRIVE LAKEVILLE, MA 02447	Project NATURE'S REMEDY FOR JUSH HOLDINGS 310 KENNETH WELCH DRIVE LAKEVILLE, MA 02447
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2C-200



05 CONCRETE SIDEWALK SECTION

03 ASPHALT PAVEMENT SECTION

02 CONCRETE BARRIER CURB

01 CULTEC INFILTRATION BED

08

07

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02

01

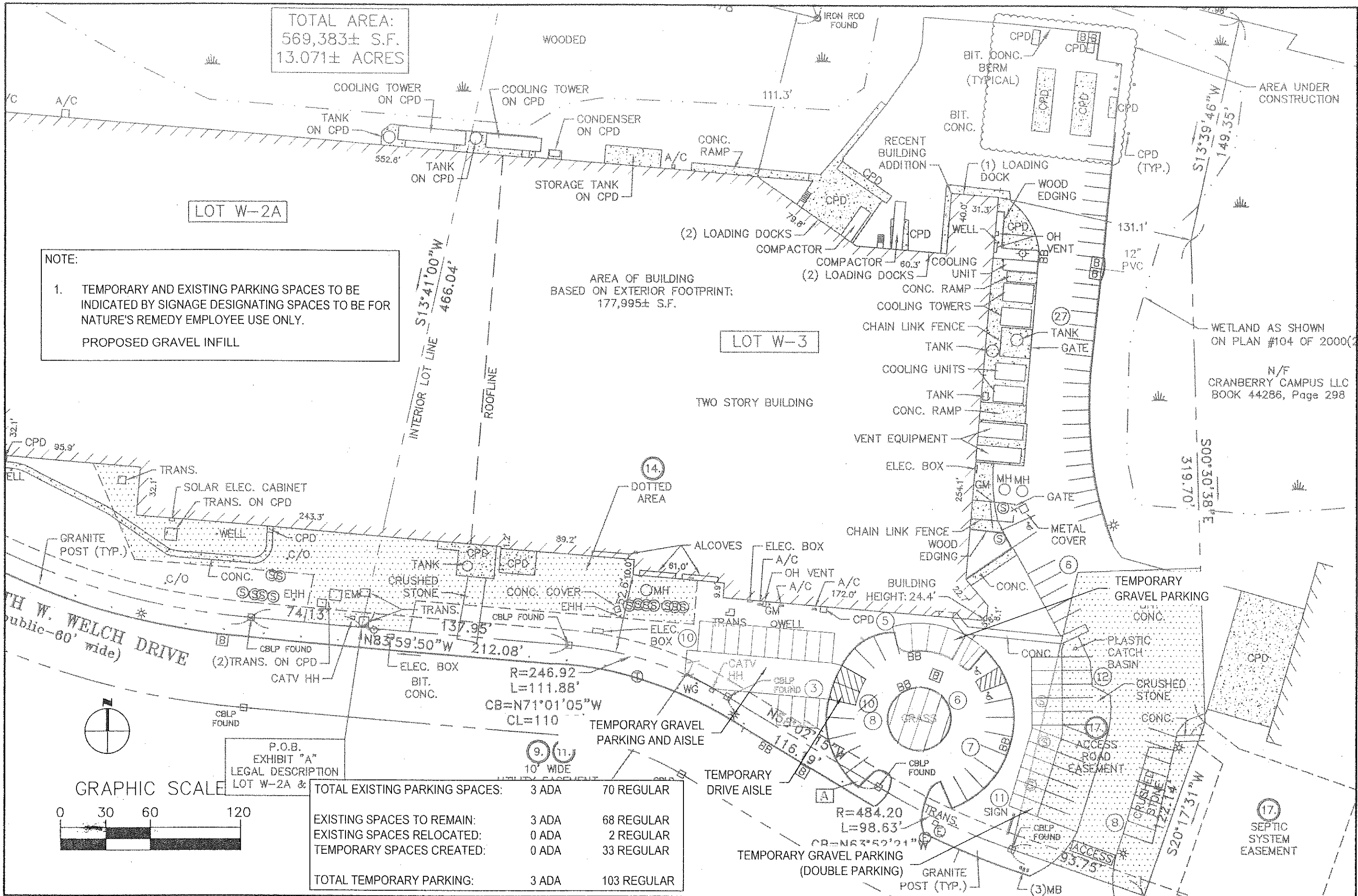
MEP / FP Engineer: EPSTEIN, 600 W. FULTON STREET, CHICAGO, IL 60661, 312.454.9100
 Structural Engineer: EPSTEIN, 600 W. FULTON STREET, CHICAGO, IL 60661, 312.454.9100
 Architect of Record: EPSTEIN, 600 W. FULTON STREET, CHICAGO, IL 60661, 312.454.9100
 Owner: NATURE'S REMEDY, 310 KENNETH WELCH DRIVE, LAKEVILLE, MA 02347
 Project: NATURE'S REMEDY FOR JOSH HOK DINGS, 310 KENNETH WELCH DRIVE, LAKEVILLE, MA 02347

EPSTEIN

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 Chicago, New York, Buffalo, Milwaukee

600 W. Fulton Street
 Chicago, IL 60661-1255
 312.454.9100
www.epsteinllc.com

PROJECT NUMBER: 21148
 PROJECT MANAGER: T. RUSSELL
 PA/PE: T. SMILES
 DRAWN BY: G. CORTEZ
 CHECKED BY: D. HILTY



From: Jilian Morton <jam@mortonlawllc.com>
Sent: Monday, March 21, 2022 11:33 AM
To: Cathy Murray, Appeals Board Clerk; Marc Resnick
Cc: Tom Parenteau
Subject: Re: 2 Bedford St Site Plan

Good Morning Cathy -

I have spoken to my client who would like to continue the meeting scheduled this week for Site Plan review in front of the Lakeville Planning Board. Please advise if you need a formal continuance request or this email will serve the same. We would like to continue to the next available Planning Board hearing date which I believe is April 14th. Please advise.

We would also like to request a meeting with Mr. Resnick.

Marc- can you let us know what would be a good time for you to meet with Mr. Parenteau and myself?

Thank you,
Jilian A. Morton, Esq.

The Law Offices of Bello & Morton, LLC
184 Main Street
Wareham, Massachusetts 02571
508-295-2522
jam@mortonlawllc.com

CONFIDENTIALITY NOTE

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On Thu, Mar 17, 2022 at 10:48 AM Jilian Morton <jam@mortonlawllc.com> wrote:

Thank you Cathy!
Jilian A. Morton, Esq.



Town of Lakeville

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

PLANNING BOARD FEE SCHEDULE

DESCRIPTION	FEE	PROPOSED	COMMENT
Form A – Approval Not Required	\$100.00 Per Lot	\$250 per modified lot (property line adjustment) \$500 per new lot	
Form B – Preliminary Plan	\$100.00 Per Plan	\$500 per plan + \$50 per lot	
Form C – Definitive Plan	\$700.00 + \$100.00 Per Lot **	\$2000 per plan + \$500 per lot **	
Form C – Definitive Plan... Following submission of Form B at least 30 days prior to that of Form C	\$500.00 + \$100.00 Per Lot **	\$1000 per plan + \$500 per lot **	
Repeat Petitions	\$100.00 Each - **	Delete line	
Changes	\$100.00 Each	\$ 500 + \$200 per lot modified	
Engineering Review Fee	As Billed by the Engineer	No Change	

Town of Lakeville

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

Inspection Fees	\$4.00 / Lineal Feet of Road	As billed by the Engineer	
Retainer Fee Surety	At the completion of road (Release of Covenant) a Retainer Fee of \$15.00 Per Lineal Foot of Road shall be held through bond or passbook with the Town Treasurer until such time as the Town accepts the Roadway.	\$15/per lineal foot via bond or surety *See Rules and Regulations for complete explanation	
Street Acceptance		\$250 * **	
Site Plan Review	(Minor) – No Traffic, Drainage, or Signage Issues \$250.00 (Major) – In Public View \$1,000.00	Minor (No Traffic, Drainage, or Signage Issues) \$500 Major- \$1,000 first acre plus \$500 per additional developed acre	
Special Permit DO District		\$1,000 first acre plus \$500 per additional developed acre	
Special Permit Water Development District		\$12,500 * **	?????
Chapter 43D - Expedited Local Permitting		\$1000 plus \$200 per unit	
Smart Growth Overlay District (SGOD)		\$1000 plus 200 per unit	

Town of Lakeville

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

Waiver ???		\$100	
Note:		At Planning Board discretion, fees may be reduced for a development which preserves open space	

- * All cost incurred by the Planning Board for the advertising and mailings for Public Notification, will be borne by the Applicant.



OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

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

#4

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

FROM: Board of Appeals

DATE: March 10, 2022

RE: Attached Petitions for Hearing
Bache – 12 Bristol Street
Batista – 24 Pilgrim Road

Attached please find copies of two (2) Petitions for Hearing, which have been submitted to the Board of Appeals. The hearings for these petitions will be held on April 21, 2022.

Please review and forward any concerns your Board may have regarding these petitions to the Board of Appeals, if possible, no later than Monday, April 18, 2022.

Thank you.

DATASIA Prosty @ yahoo . com

#4a

Petition to be filed with Town Clerk

TOWN OF LAKEVILLE MASSACHUSETTS

ZONING BOARD OF APPEALS PETITION FOR HEARING

EXHIBIT "A" RECEIVED MAR 7 2022 BOARD OF APPEALS

Name of Petitioner: William Bache

Mailing Address: 12 Bristol Street P.O. Box 1087

Name of Property Owner: William Bache

Location of Property: 12 Bristol St Lakeville Ma

Property is located in a X residential business industrial (zone)

Registry of Deeds: Book No. 50668 Page No. 131

Map 51 Block 2 Lot 1

Petitioner is: X owner tenant licensee prospective purchaser

Nature of Relief Sought:

X Special Permit under Section (s) 6.3.2 & 7.4.6 of the Zoning Bylaws

Variance from Section (s) of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial

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

We respectfully request a special permit to place an accessory structure (garage) within the required setbacks on a pre-existing non-conforming lot as allowed under sections 6.3.2. and 7.4.6. of the Lakeville Zoning By-Law.

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

Petitioner: William Bache

Date: 2/27/2022

Signed: William Bache

Telephone: 774-218-4182

Owner Signature:

Owner Telephone:

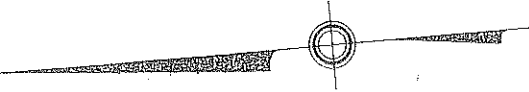
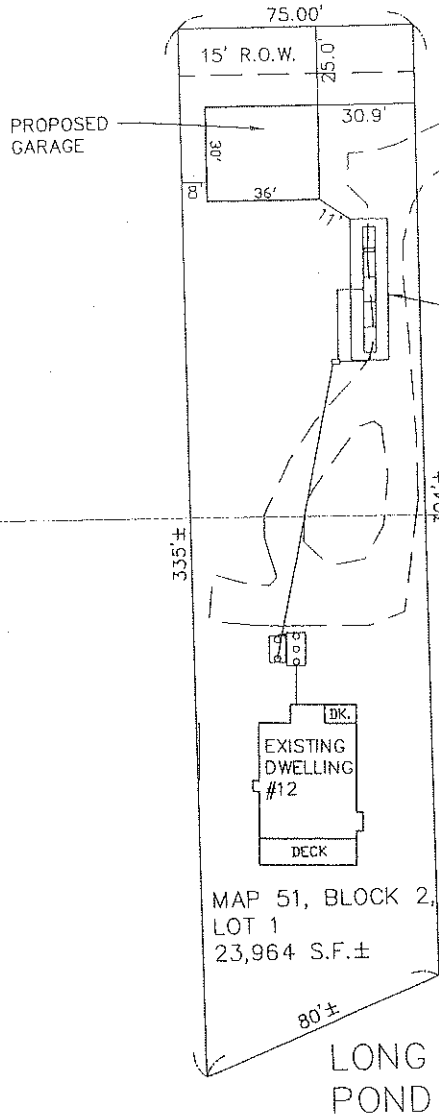
(If not petitioner)

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

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes X No

(Name and Title)



12 BRISTOL STREET, MAP 51, BLOCK 2, LOT 1

A PLAN OF LAND
 IN LAKEVILLE, MA
 FOR WILLIAM BACHE

SCALE: 1" = 40'

DATE: NOVEMBER 13, 2020

SENNA FITZGERALD GILBERT ASSOCIATES
 SFG ASSOCIATES, INC.
 28 MAIN STREET LAKEVILLE, MA 02347
 (508) 946-5258 (508) 947-1090

MAP 51, BLOCK 2,
 LOT 1
 23,964 S.F.±

ALL CONSTRUCTION SHALL CONFORM TO THE FOLLOWING:
 1. 200 C.M.A.A. PLAN MANUAL OF THE PROFESSION
 2. MASS BUILDING CODE FROM 1997 AND ALL AMENDMENTS
 3. 2000 INTERNATIONAL RESIDENTIAL CODE

GENERAL NOTES

- IF EXISTING CONDITIONS EXIST IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FURNISH ALL DIMENSIONS, SIZES OF EXISTING FRAMING MEMBERS AND BEAMS, EXISTING WINDOWS AND DOOR SIZES SHOULD BE VERIFIED. NEW AND EXISTING FLOOR RIDGE, GUTTER, FASCIA AND GRADING CONDITIONS SHOULD BE VERIFIED. ALL VERIFICATIONS MUST BE DONE BEFORE THE CONTRACTOR PROCEEDS WITH THE WORK OR ORDERING OF MATERIALS.
- ALL WORK SHALL CONFORM WITH BOTH STATE AND LOCAL GOVERNING CODES.
- ALL WORK SHALL BE COMPLETED TO THE OWNER'S SATISFACTION.
- IT IS NOT THE INTENT OF THESE PLANS TO SHOW ALL FASTENING DEVICES OR FRAMING TECHNIQUES NOR ALL EXISTING "CONCEALED" CONDITIONS.
- ALL CONSTRUCTION RELATED DEBRIS SHOULD BE PERIODICALLY AND COMPLETELY REMOVED FROM THE SITE.
- FLASHING AND COUNTER FLASHING IS REQUIRED AT ALL ROOM INTERSECTIONS AND WALLS, DOOR AND WINDOW OPENINGS AND ALL OTHER PENETRATIONS THROUGH THE ROOFS OR THE SIDE WALLS.
- CONTRACTOR SHOULD VISIT THE SITE PRIOR TO SUBMITTING A BID.
- CONTRACTOR SHALL PAY FOR ALL PERMITS AND RELATED FEES.
- CONTRACTOR IS RESPONSIBLE FOR STAKING OUT THE BUILDING IN ACCORDANCE WITH THE OWNER'S SURVEY AND THE SITE PLAN. ANY DEVIATION OR PROBLEM SHOULD BE REPORTED TO THE DESIGNER PRIOR TO EXCAVATION.
- THE CONTRACTOR SHALL COORDINATE THE WORK OF THE PLUMBING, ELECTRICAL AND HEATING SUBCONTRACTORS.
- ALL MATERIALS AND WORKMANSHIP SHALL BE GUARANTEED FOR THE PERIOD OF ONE YEAR AFTER THE FINAL ACCEPTANCE OF THE CONSTRUCTION.
- IF EXISTING CONDITIONS EXIST ALL CASINGS AND TRIM ON THE EXTERIOR SHALL MATCH IN DESIGN THE EXISTING DETAIL. PAINTING, GUTTERS, DOWNSPUTS, CLAMPBOLTS, AND SHIRKLESCHEIS PRIOR TO SCHEDULED COMPLETION.
- PLACEMENT OF CONCRETE POURS FOR FOUNDATION WALLS GRADE BEAMS SHOULD NOT EXCEED 60 FEET IN ANY STRAIGHT LENGTH AND SHOULD HAVE VERTICAL 2"x4" 120 AND CONTINUOUS REINFORCING BAR DIAMETER MINIMUM THROUGH THE CONSTRUCTION JOINT.
- ALL REINFORCING BARS SHALL BE COUL DENT IN ACCORDANCE TO THE PROPER RADI ESTABLISHED BY THE AMERICAN CONCRETE INSTITUTE. UNDER NO CONDITIONS SHALL HEAT BE APPLIED TO THE BARS TO OBTAIN BENDS.
- THE USE OF CONTROL JOINTS IN THE SLABS IS RECOMMENDED TO CONTROL CRACKING. SAW CUT TO A DEPTH OF ONE FIFTH OF THE DEPTH OF THE SLAB. MAXIMUM SQUARE FOOTAGE NOT TO EXCEED 300 SQUARE FEET.
- DAMPROOF ALL FOUNDATION WALLS BELOW GRADE.
- GROUT TO BE NON-SHRINK AND NON-METALLIC WITH A MINIMUM COMPRESSIVE STRENGTH OF 5,000 PSI AT 20 DAYS. USE FIVE-SIX GROUT OR EQUAL.
- ELECTRICAL CONTRACTOR TO COORDINATE WITH OWNER FOR LOCATIONS AND QUANTITIES OF ALL NEW AND RELOCATED ELECTRICAL ITEMS SUCH AS: DUPLEX OUTLETS INTERIOR AND EXTERIOR, GFI'S, TELEPHONE JACKS, COMPUTER STATIONS, TV CONNECTIONS, LIGHTING INTERIOR AND EXTERIOR, SWITCHING ETC.

FOUNDATION AND CONCRETE NOTES/FRAMING NOTES:

- SPREAD FOOTINGS SHALL BEAR LEVEL ON UNDISTURBED SOIL HAVING AN ALLOWABLE BEARING CAPACITY OF 2 TONS PER SQUARE FOOT.
- IF BEARING MATERIALS WITH A LOWER BEARING CAPACITY THAN TWO TONS PER SQUARE FOOT ARE ENCOUNTERED AT THE SPECIFIED ELEVATIONS, THE UNDERLYING UNDESIRABLE MATERIAL IS TO BE REMOVED. EXCAVATE DOWN TO SUITABLE SOIL - CAST ACCORDINGLY.
- NO FOUNDATION SHALL BE PLACED IN WATER OR ON FROZEN GROUND.
- FOOTINGS SHALL BE PROTECTED AGAINST FROST UNTIL PROJECT IS COMPLETE.
- BACKFILL AT ANY PORTION OF THE BUILDING SHALL BE COMPACTED IN 6" LIFTS OF 95% COMPACTED GRAVEL AS APPROVED BY AN ENGINEER.
- BACKFILL NO EXTERIOR WALLS UNLESS PERMANENT STRUCTURAL SUPPORTS (FRAMED FLOORS AND SLABS) ARE IN PLACE. BRACE ALL WALLS AND GRADE BEAMS DURING BACKFILLING.
- CONCRETE WORK SHALL CONFORM TO THE LATEST AMERICAN CONCRETE INSTITUTE CODE FOR BUILDING CODE REQUIREMENTS AND REINFORCED CONCRETE AND "SPECIFICATIONS FOR STRUCTURAL CONCRETE FOR BUILDINGS"
- CONCRETE SHALL HAVE MINIMUM COMPRESSIVE STRENGTH OF 3,000 PSI AT 28 DAYS WITH A SLUMP OF 100 MORE THAN 4" AND AN EXCRETAINMENT OF 4-6%. THE USE OF CALCIUM CHLORIDE IS NOT PERMITTED. PROVIDE PROPER CONCRETE PROTECTION IN HOT OR COLD WEATHER AND MAINTAIN PROPER CURING PROCEDURES IN ACCORDANCE WITH THE A.C.I.
- STEEL REINFORCEMENT SHALL CONFORM TO A.S.T.M. A615, GRADE 60.
- ALL CONCRETE SLABS PLACED ON GROUND SHALL BE REINFORCED WITH 6# - 12#10 BARS/WELDED WIRE FABRIC REINFORCEMENT AND SHALL CONFORM TO A.S.T.M. A615, AND SHALL LAP 6" MINIMUM OR ONE SPACE, WHICHEVER IS LARGER, AND SHALL BE WELDED TOGETHER.
- WHERE CONTINUOUS BARS ARE CALLED FOR THEY SHALL BE FULLY CONTINUOUSLY AROUND CORNERS AND LAPPED AT NECESSARY SPLICES OR HOOKED AT DISCONTINUOUS CHDS LAPS SHALL BE 40 BAR DIAMETERS, UNLESS OTHERWISE SHOWN.
- INSTALLATION OF REINFORCEMENT SHALL BE COMPLETED AT LEAST 24 HOURS PRIOR TO SCHEDULED CONCRETE PLACEMENT. NOTIFY DESIGNER OF COMPLETION AT LEAST 24 HOURS PRIOR TO SCHEDULED COMPLETION.
- PLACEMENT OF CONCRETE POURS FOR FOUNDATION WALLS GRADE BEAMS SHOULD NOT EXCEED 60 FEET IN ANY STRAIGHT LENGTH AND SHOULD HAVE VERTICAL 2"x4" 120 AND CONTINUOUS REINFORCING BAR DIAMETER MINIMUM THROUGH THE CONSTRUCTION JOINT.
- ALL REINFORCING BARS SHALL BE COUL DENT IN ACCORDANCE TO THE PROPER RADI ESTABLISHED BY THE AMERICAN CONCRETE INSTITUTE. UNDER NO CONDITIONS SHALL HEAT BE APPLIED TO THE BARS TO OBTAIN BENDS.
- THE USE OF CONTROL JOINTS IN THE SLABS IS RECOMMENDED TO CONTROL CRACKING. SAW CUT TO A DEPTH OF ONE FIFTH OF THE DEPTH OF THE SLAB. MAXIMUM SQUARE FOOTAGE NOT TO EXCEED 300 SQUARE FEET.
- DAMPROOF ALL FOUNDATION WALLS BELOW GRADE.
- GROUT TO BE NON-SHRINK AND NON-METALLIC WITH A MINIMUM COMPRESSIVE STRENGTH OF 5,000 PSI AT 20 DAYS. USE FIVE-SIX GROUT OR EQUAL.

FRAMING NOTES (CONT.)

- ALL FRAMING LUMBER SHALL BE NDA-FIR OR S.P.F. 15R/ULCE-FIR OR (SELECT STRUCTURAL GRADE NO. 2 SURFACED GREEN OR APPROVED) EQUAL UNLESS OTHERWISE SPECIFIED AND SHALL MEET THE REQUIREMENTS OF THE NATIONAL FOREST PRODUCTS ASSOCIATION. THE MINIMUM ALLOWABLE BENDING STRESS (FB) SHALL BE 1,130 P.S.I. THE MINIMUM ALLOWABLE COMPRESSION STRESS (FC) SHALL BE 403 PSI. THE MODULUS OF ELASTICITY (EI) SHALL BE 1,400,000 PSI. INTERIOR, HIGH LOAD-BEARING STUDS MAY BE SURFACED DRY NO. 2 STRUCT. OR UN-UPON APPROVAL OF ENGINEER.
- USE 3/4" TONGUE AND GROOVE STRUCTURAL GRADE FIR PLUMWOOD FLOOR SHEATHING, 1/2" EXTERIOR SHEATHING EDGES BLOCKED WITH LUMBER OR OTHER APPROVED TYPE OF EDGE SUPPORTS, 1/2" EXTERIOR STRUCTURAL GRADE FIR CDX WALL SHEATHING, FACE GRAIN PERPENDICULAR TO SUPPORTS AND CONTINUOUS OVER TOP OR FACE SPLICES. ALL IN ACCORDANCE WITH TABLES D24.31 AND 1.A AND SECTION 024 OF THE MASSACHUSETTS BUILDING CODE.
- ALL EXTERIOR WALLS SHALL BE 2X6 AND INTERIOR WALLS TO BE 2X4 @ 16" O.C. UNLESS OTHERWISE NOTED.
- PROVIDE ADEQUATE WALL RESISTANCE TO RACKING BY CORNER WIND BRACING OR MULTIFACE OF STRUCTURAL SHEATHING TO PLATES.
- PROVIDE SOUD IN CORNER BETWEEN JOISTS ABOVE EQUAL ALL JOISTS UNDER EACH PARTITION.
- USE FULLY WELDED METAL CONNECTORS (SMIPSON, OR EQUAL JOIST OR BEAM HANGERS) WHEN JOISTS OR BEAM FRAME INTO OTHER JOISTS OR BEAMS.
- FOR ROUGH WINDOW OPENINGS UP TO 3 FEET USE 2-2X6 HEADER BEAMS, FROM 3 TO 4 FEET USE 2-2X10 HEADER BEAMS AND FROM 4 TO 6 FEET USE 2X12 HEADER BEAMS, EXCEPT AS NOTED OTHERWISE ON THE PLAN OR ELEVATIONS.
- ALL FRAMING TO BE INSTALLED IN ACCORDANCE WITH THE MASSACHUSETTS BUILDING CODE REQUIREMENTS AND GENERAL FRAMING PRACTICES AS DETAILED IN "THE ARCHITECTURAL GRAPHIC STANDARDS" BY KAMSEY AND SLEEPER.
- ALL WALL STUDS TO ALIGN WITH FLOOR JOIST I ROOF RAFTERS.
- THE CROSS WALLS AND THE BEAMS ARE TO PROVIDE THE LATERAL RESTRAINT FOR THE BUILDING AND SHOULD BE SECURELY ATTACHED AT EACH END AND THE EXTERIOR WALLS. POSTS SUPPORTING THE STRUCTURE ABOVE THE FIRST FLOOR TO BE FULLY SECURED TO PROVIDE LATERAL RESTRAINT.

TEMPORARY SHORING:

- THE CONTRACTOR MUST PROVIDE TEMPORARY STRUCTURAL SUPPORT OR SHORING AS REQUESTED TO INSTALL STRUCTURAL FRAMING AS CALLED FOR ON THE DRAWINGS.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY FOR PROVIDING ADEQUATE TEMPORARY SHORING.
- THE CONTRACTOR MUST PROVIDE ADEQUATE LATERAL BRACING. ALL SHORES MUST BE CONTINUOUS THROUGH THE FLOOR LEVELS OF SOLIDLY BLOCKED BETWEEN FLOORS. ALL SHORES MUST BE CARDED DOWN TO FIRM BEARING MATERIAL AND THE LOAD MUST BE ACCURATELY SPREAD OUT IF SUPPORTED ON THE EXISTING BASEMENT SLAB.

STRUCTURAL STEEL NOTES:

- ALL PERMANENT CONNECTIONS SHALL BE MADE UP UNTIL THE STRUCTURE HAS BEEN PROPERLY ALIGNED.
- ALL STEEL COLLARS SHALL BE STANDARD WEIGHT SMC, 40 A501 OR A53 GRADE D.

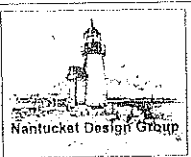
SIZE	UNBRACED HEIGHT	MAX. LOAD
3 1/2" DIA.	10 FEET	30,000 LBS.
4" DIA.	10 FEET	40,000 LBS.
5" DIA.	10 FEET	60,000 LBS.
6" DIA.	10 FEET	20,000 LBS.
- CONNECTION BOLTS TO BE 3/4" DIAMETER HIGH STRENGTH, A.S.T.M. A 325. PROVIDE A MINIMUM OF 2 BOLTS PER CONNECTION. USE 1/2" MINIMUM GAP PLATE OF BASE PLATES FULLY WELDED ALL AROUND AT COLLARS WITH A 3/16" FULLY WELD, OR AS OTHERWISE SPECIFIED IN THE DRAWINGS.
- ALL STEEL SHALL HAVE THREE COATS OF PAINT-RESISTIVE PRIMER PAINT. TOUCH UP ALL WELDS, SCRATCHES OR SCRAPES IN THE PAINT AFTER THE ERECTION.
- WELD ALL STEEL CONTACT SURFACES (OTHER THAN BOLTED CONNECTIONS) WITH A CONTINUOUS 3/16" MINIMUM WELD.

DESIGN LOADS:

- THE COMM. OF MASSACHUSETTS BUILDING CODE, 5TH EDITION (RESIDENTIAL), WAS THE BASIS OF THIS DESIGN.
- GROUND SNOW LOAD = 40 PSF. (30 PSF @ FLAT ROOF)
- 3 SECOND WIND DESIGN SPEED = 110 MPH
- FLOOR LIVE LOAD = 40 PSF; (30 PSF DUPPER FLOOR BEDROOMS.)
- ATTIC LIVE LOAD = 20 PSF; (10 PSF WHEN CLEAR HEIGHT IS LESS THAN 42')

LIFE SAFETY

- (S) SMOKE DETECTOR (PHOTOVOLTAIC)
- (C) CARBON MONOXIDE DETECTOR
- (SC) SMOKE / CARBON COMBO (PHOTOVOLTAIC)
- (H) HEAT DETECTOR



508-443-4432
 info@nantucketdesigngroup.com

Permit Plan

THIS PERMIT IS VALID FOR THE CONSTRUCTION OF THE WORK SHOWN ON THESE PLANS. ANY CHANGES TO THE WORK MUST BE APPROVED BY THE DESIGNER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL UTILITIES AND ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL MAINTAIN THE SITE IN A SAFE AND SOUND CONDITION AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING ALL DEBRIS AND RESTORING THE SITE TO ORIGINAL OR BETTER CONDITION AT THE END OF CONSTRUCTION.

DISTRICT 2010 RESIDENTIAL DESIGN GROUP

No.	Description	Date

William Baché

12 Bristol Street
 Lakeville, MA

General Notes
 Design number: 21026
 Date: 03/28/2021
 Drawn by: J.O.
 Checked by:

A2.0
 Scale: 1/4" = 1'-0"

ALL CONSTRUCTION SHALL CONFORM WITH THE FOLLOWING:
 1. 2021 CODE: Book Edition of 11/21/2020
 State Building Code for and in a 10/2/2017-19
 2. 2021 2021 Edition, 11/21/2020 Edition 0



508-443-4432
 info@nantucketdesigngroup.com

Permit Plan

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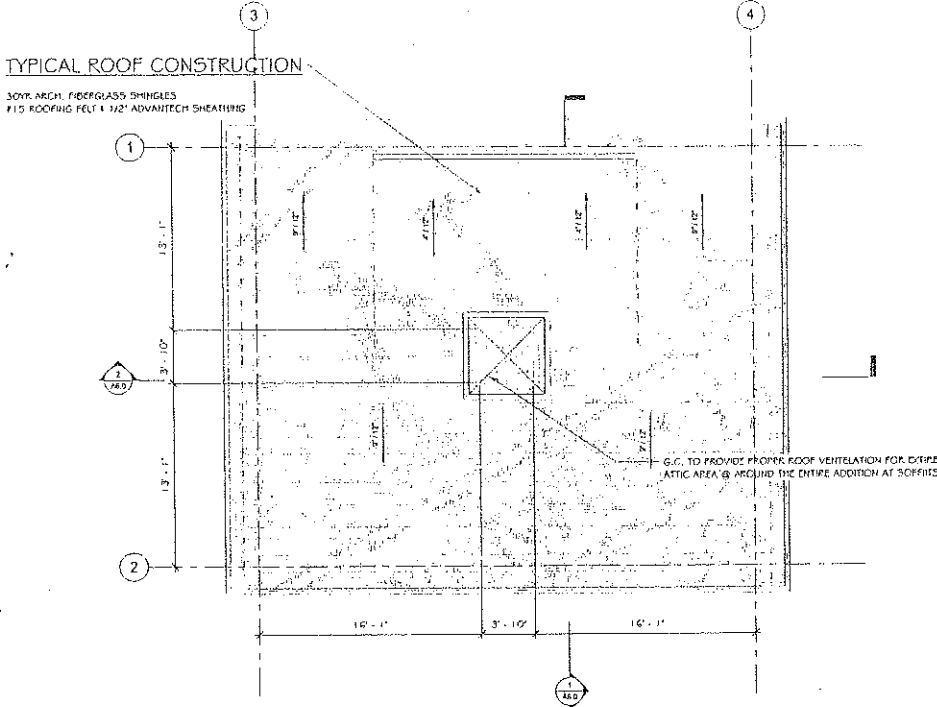
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No.	Description	Date

William Bache

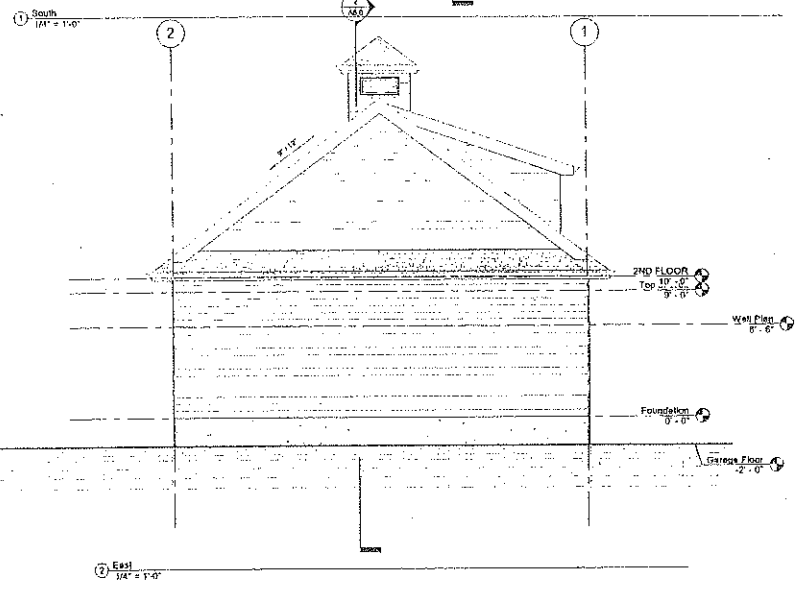
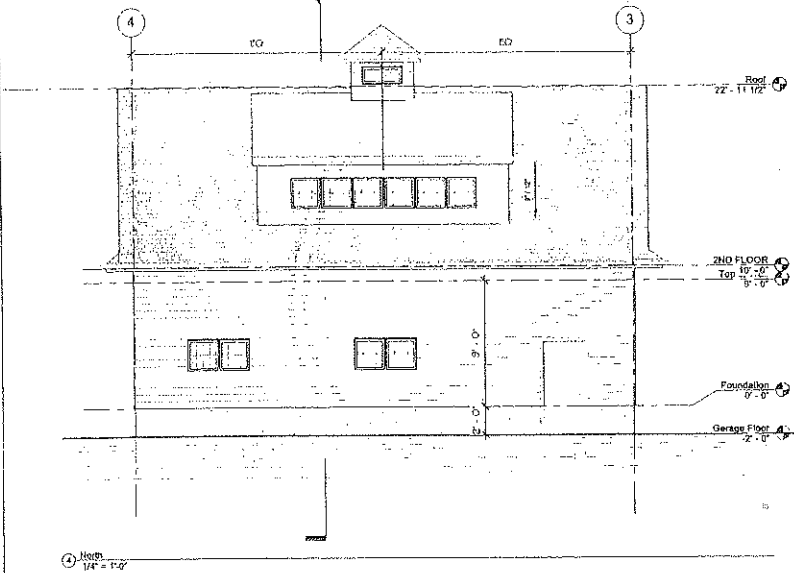
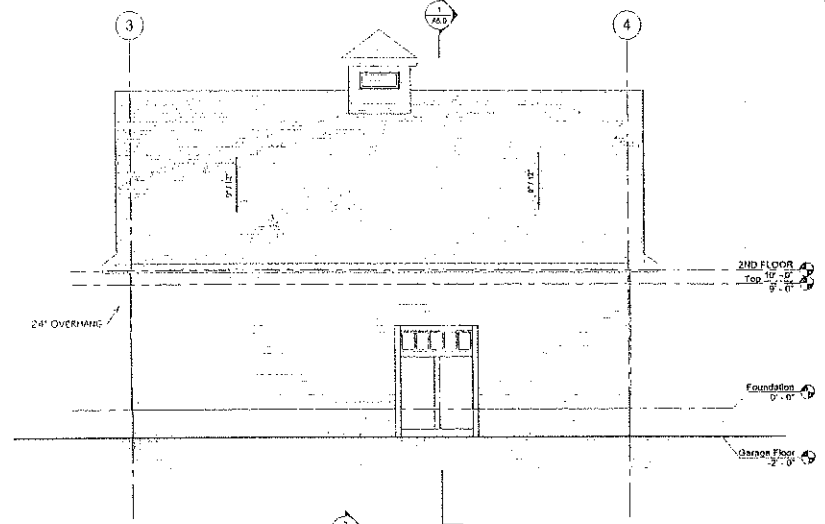
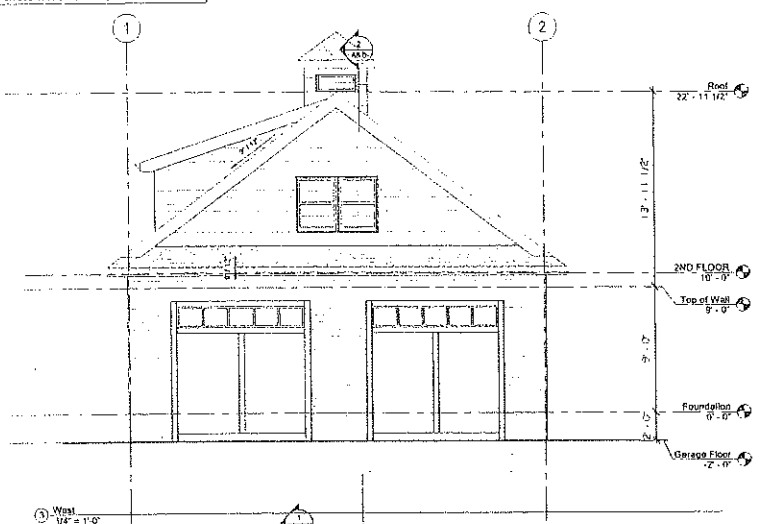
12 Bristol Street
 Lakeville, Ma

Roof Plan
 Project Number: 21328
 Date: 03/28/2021
 Drawn by: Author
 Checked by:
 Scale: 1/4" = 1'-0"



1 Roof Plan
 1/4" = 1'-0"

ALL CONSTRUCTION SHALL COMPLY WITH THE FOLLOWING:
 1. T&E CMC, WITH EASEL OF THE TOWN OF LAKEVILLE
 2. BUILDING CODE (FOR THE TOWN OF LAKEVILLE)
 3. ALL CITY ORDINANCES, T&E AND EASEL OF



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 info@nahtucketdesigngroup.com

Permit Plan

THESE PLANS ARE FOR THE CONSTRUCTION OF ONE BUILDING...
 THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS...
 THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS...
 THE PERMITTEE SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS...

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No.	Description	Date

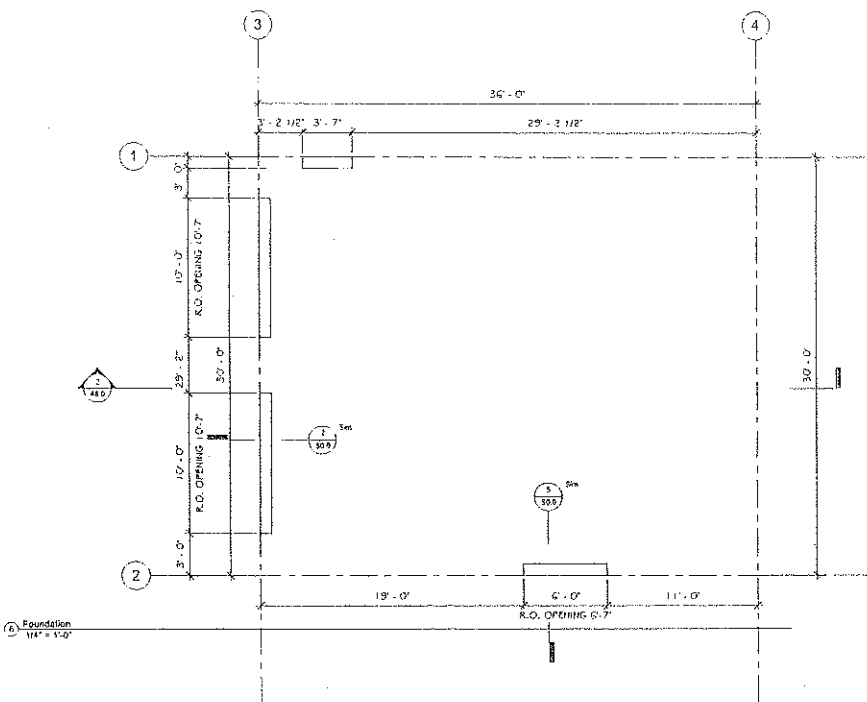
William Bache

12 Bristol Street
 Lakeville, Ma

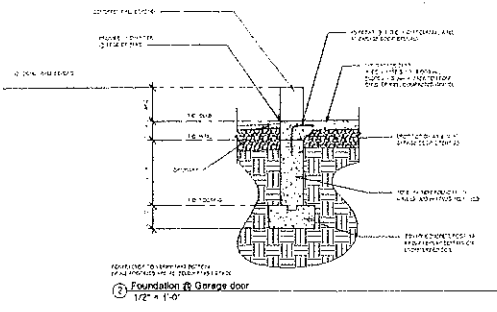
Elevations
 Project number: 21328
 Date: 03/28/2021
 Drawn by: AUTHOR
 Checked by:

A5.0
 Date: 1/4" = 1'-0"

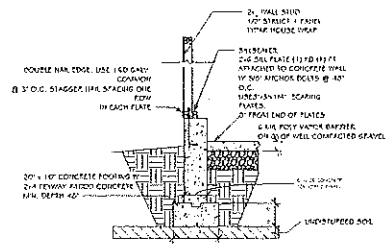
ALL CONSTRUCTION SHALL CONFORM WITH THE FOLLOWING:
 1. 2009 CODE, WITH EDITIONS AND AMENDMENTS
 2. 2009 BUILDING CODE BOOK, SECTION 1803.0
 3. ANY OTHER APPLICABLE CODES, ORDINANCES AND REGULATIONS



⑥ Foundation
 1/4" = 1'-0"



⑦ Foundation @ Garage door
 1/2" = 1'-0"



⑧ Garage Stem Wall
 1/2" = 1'-0"



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Permit Plan

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No.	Description	Date

William Bache

12 Bristol Street
 Lakeville, Ma

Foundation
 Project number: 21328
 Date: 03/28/2018
 Drawn by: Author
 Checked by:
 S.O.0
 Note: As Indicated

#4b

Petition to be filed with Town Clerk

TOWN OF LAKEVILLE MASSACHUSETTS

RECEIVED MAR 10 2022

ZONING BOARD OF APPEALS PETITION FOR HEARING

BOARD OF APPEALS

Name of Petitioner: Joao B. Batista (John)

Mailing Address: 81 North Main Street, Bellingham, MA 02019

Name of Property Owner: Edward G. Madden

Location of Property: 24 Pilgrim Road, Lakeville

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 49500 Page No. 151

Map 040 Block 003 Lot 007

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 7.4 of the Zoning Bylaws

Variance from Section (s) of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial

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

Proposing the construction of a 2 1/2 story dwelling on said property within the bi-law set backs.

Requesting a special permit to do so with regards to the existing lot does not meet the

40,000 sq. ft. requirement. SEE ATTACHED

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

Petitioner: Joao B. Batista

Date: 01/24/2022

Signed:

Joao B. Batista dotloop verified 01/21/22 4:39 PM EST VZQY-PPUO-JMT8-FZ5P

Telephone: 508-951-7133

Owner Signature:

Edward Madden dotloop verified 01/21/22 4:53 PM EST WZDB-COKM-3BE-RHPK

Owner Telephone: 617-438-5662

(If not petitioner)

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

EMAIL BATISTAJ@COMCAS

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes No

(Name and Title)

Also requesting to better the front set back compared to those of the existing structure. The front set back will go from 25.5' to 32.5' bettering by 7'. The 40' set back can not be met due to the neighbor structure on the back lot line that forces the proposed bottomless sand filter to be 10.0' from the back lot line rather than the 6.0', as the side set back. That 4' difference moves the structure forward plus the extra 3.9' over the 10' required for the distance between the bottomless sand filter and proposed building equals 7.9'. This 7.9' is greater than the 7.5' requested for the front set back adjustment.

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
January 13, 2022
Remote meeting**

On January 13, 2022, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00 p.m. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

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

Others present:

Marc Resnick, Town Planner; Gregory Drake, Landscape Architect, Outback Engineering, Inc.; Robert Lucey, PLS, Dean's Point Survey, Consultants; Stuart Burnham

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of how the provisions of Chapter 20 of the Acts of 2021 allowed the Board to continue to meet remotely.

Site Plan Review –Assawompsett Golf Company, continued, - 183 Rhode Island Road

Mr. Drake was present. He advised the Plan had been revised according to comments made by the Planning Board, Fire Department and Open Space Committee. He then shared the Plan. He advised they had moved three ADA spaces closer to the entrance so they did not have to have a crosswalk, which he indicated on the Plan. Regarding the Fire Department comments that the landscaping was too high at the hydrant and sprinkler connection, they will be modifying that with low growing vegetation for visibility.

Mr. Drake stated they had also added an extra entrance that wasn't on the Plan before, per the Route 79 improvement plan. They also did not diminish any of the curbing or radiuses coming in, but improved and widened the main entrance which had been an issue for both delivery trucks and fire trucks. He said that a note had been added to the Plan which indicated that any new plantings would be native plants. He also stated that Mr. Resnick had asked if the fence, not shown on the Plan, was part of the original approval. Atty. Mather had indicated to him that it was not. That was added after the fact because of a neighbor's request. Mr. Resnick added that because the Golf Course stated they did install the fence, even if it was after the fact to provide some screening and buffering for the neighbor, he would recommend they repair or replace the fence as needed, as a condition of the approval.

Ms. Mancovsky noted that when you are entering and exiting the main entrance, the visibility from that lot is horrendous. Will the new plantings allow for better visibility? Mr. Drake replied the shrubs there will be removed and the boulder will be moved up into the circle which will open that area up. Ms. Mancovsky asked the total amount of handicapped spots. Mr. Drake responded there are two existing, and they are adding one next to it.

Mr. Knox then made a motion, seconded by Mr. Conroy, to recommend approval of the Site Plan for 183 Rhode Island Road with the following conditions:

1. The existing, damaged fence along the north edge of the parking lot will either be repaired or replaced.
2. The present sight lines will be improved by having only low plantings within 15 feet off the road in both directions.

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

ANR Plan – 33-35 Myricks Street – submitted by Robert A. Lucey, PLS, Dean’s Point Survey Consultants

Mr. Lucey was in attendance to present the plan. Mr. Stuart Burnham, who was planning to purchase Lot 2 was also present. Mr. Lucey advised that both lots meet the ANR criteria and then asked if there were any questions. Mr. Resnick noted that the Plan did meet the ANR standards, and he had also discussed it with the Building Commissioner.

Mr. Knox then made a motion, seconded by Mr. Lynch, to endorse the Form A Plan for 33-35 Myricks Street.

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

Mr. Knox said he would like to have a brief discussion to voice any concerns regarding the following three items, the change of the sign by-law, the design standards, and the fee review project.

Sign By-law – update

Ms. MacEachern noted that what had been included in the packet was not the most up to date, and they had discussed removing the white and black coloring. Mr. Resnick said that he had read it over but had some questions about sign prohibitions. What was used to determine the standard of static images which refresh more than three times per minute. Ms. MacEachern said they had changed that from refresh to change. The reasoning was that was a good amount of time to not be distracted when driving by. Mr. Knox said they were also trying to eliminate flashing or animation. Ms. Mancovsky added that the community has been clear that they want to maintain the rural

character of the Town. Part of their thinking has been as increasing signage appears, how can they balance the business need with maintaining that character.

Mr. Resnick also asked how they had determined the 100 lumens? Do they know how bright that is compared to less or more? Ms. MacEachern said that she had done some research on it and said the document states that 100 lumens is considered bright enough for most walkways, including commercial properties. It is equivalent to about 20 watts. 1000 lumens could irritate visions and a typical led headlamp puts out approximately 50 to 100 lumens. Mr. Resnick said that 100 lumens would probably not be very bright for a sign that might be 20 feet up in the air, or on a building and set back. Standard lights for a home might be anywhere from 250 to 1200 lumens. They could look into that further.

Mr. Resnick advised he understood they don't want these very bright signs you can see along the highway, but they do want their businesses to be able to be seen. Ways of doing that could be by defining how many internally illuminated signs would be allowed, encouraging wood and painted signs lit with spotlights, and to try to have better and less offensive signage. He also noted at 6.6.3.2, the word feet should be added after the number 20. Mr. Resnick questioned 6.6.4.5 regarding the black and white lettering, as well as why in 6.6.6 the Zoning Board is the Special Permit Granting Authority for other types of signs.

Mr. Knox said maybe they should change all signs to the Planning Board. Mr. Resnick said that there should be consistency through the By-law. After further discussion, Mr. Conroy asked how may sign reviews the ZBA would typically handle. Ms. Murray replied that it does vary and they have done a few over the last year or so, with an average of one or two per year. She noted that this current ZBA has been pretty stringent and has either not granted relief or relief has been very limited. Mr. Resnick also asked about the section pertaining to turning off the signs. Are there businesses that stay open after 11:00? Ms. Mancovsky said there were none that did.

Design Standards – update

Mr. Knox advised that although they did have a density bonus that triggers architectural design if there is over 50% lot coverage, the design requirements are not clear. Ms. Mancovsky noted that many years ago when they worked on the Master Plan, these goals were discussed. Mr. Resnick replied that there could be a general paragraph on the goals trying to be achieved in reviewing commercial building design, like New England style buildings using traditional materials such as clapboard siding, cedar shakes, or brick where appropriate, etc. This will give a framework in order to review and some leverage. You could also go further and have extensive architectural design guidelines where every element is broken down and includes diagrams and pictures. Mr. Resnick said that he could start with a paragraph or two to provide a framework for commercial buildings. They would then have to discuss where it would be applicable.

Master Plan Implementation – Fee Review Project - update

Mr. Knox advised that this is something they have worked on for a couple of months as their fees were a bit antiquated. However, now that they have a Planner, there is justification the Town could take in some revenue to offset some of the costs. In addition, at their last Town Meeting there was a change to the gravel removal bylaw. A fee exemption had been added if it was an already permitted project. If they had a subdivision or a Site Plan Review go through the Board and work was permitted, the Town would receive nothing when gravel was removed if they did not have something in their fee schedule. Mr. Knox thought it was a fine bylaw but that there were a few holes in it they need to address before there is a problem. Mr. Resnick said that he could look into it and see how it could be applied. He would also look into how other Towns are handling this.

Review the following Zoning Board of Appeals petition:

a. **Veloze – 300 Pond Lane**

Mr. Conroy made a motion, seconded by Ms. MacEachern, to make no comment on the petition for Veloze at 300 Pond Lane.

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

Approve Meeting Minutes

Mr. Knox made a motion, seconded by Ms. MacEachern, to approve the Minutes from the November 18, 2021, meeting.

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

Mr. Knox made a motion, seconded by Mr. Conroy, to approve the Minutes from the December 9, 2021, meeting.

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

Old Business

There was no old business.

New Business – Decision for Bud’s Goods-informational

Ms. Murray explained that as the Board had commented on this petition, it was just an informational document for them to review.

New Business – Draft Guidelines for MBTA Communities

Mr. Resnick advised there are some new regulations that have been drafted by the State for MBTA communities. The guidelines indicate that in order to continue to be eligible for a variety of State grants, you need to comply with this new requirement to zone areas around the train or bus stations for multi-family housing by right. They will need to create the opportunity for this but it does not mean that you actually have to build it or facilitate its development.

Mr. Resnick said the following are the parameters for this zoning:

- It needs to be a minimum of 50 acres.
- The density needs to be a minimum of 15 units per acre.
- It needs to be a half a mile from either a train or bus station, or some other place where there is reasonable access to public transit, or in a downtown where there are businesses and shops.

Mr. Resnick explained if they do not go forward with this, they will become ineligible for a variety of State grants including MassWorks. He noted that this does not mean they will have to change the underlying zoning district, and that at this early stage he would recommend an overlay district so the underlying district can still be developed. He expected there would be some technical assistance grants, probably through the regional planning agency, available to assist communities in late spring.

Next meeting

Mr. Knox advised the next meeting is scheduled for January 27, 2022, at 7:00 p.m.

Adjourn

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

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

Meeting adjourned at 8:06.

Planning Board
Lakeville, Massachusetts
Minutes of Meeting
February 10, 2022
Remote meeting

On February 10, 2022, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00 p.m. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

Mark Knox, Chair; Barbara Mancovsky, Michele MacEachern

Others present:

Marc Resnick, Town Planner

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of how the provisions of Chapter 20 of the Acts of 2021 allowed the Board to continue to meet remotely.

Master Plan Implementation- Fee Review Project - update

Mr. Knox said he had spoken with Mr. Resnick regarding this and they will continue it for now. This will allow Mr. Resnick some additional time to review. This would include the gravel removal fee as well as their other fees. Mr. Knox asked Ms. Mancovsky and Ms. MacEachern what like-communities they had used for their comparisons. Ms. MacEachern said that she would look for the original spreadsheet which included that information.

Mr. Knox made a motion, seconded by Ms. Mancovsky, to continue discussion on the fee review project until their meeting on February 24, 2022, at 7:00 p.m.

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

Review the following Zoning Board of Appeals petition:

- a. Ferrari – 3 Sassamon Circle

Mr. Knox made a motion, seconded by Ms. Mancovsky, to make no comment on the petition for Ferrari at 3 Sassamon Circle.

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

Review of possible amendments to the Zoning Bylaw – Sign Bylaw

Mr. Resnick summarized the first part of the sign bylaw the new definitions. These will be added to the definition section of the entire Zoning Bylaw. He has left in the definition for electronic outdoor advertising, but included it in the prohibited section. He did leave the electronic message boards in because those are the kind they have quite a few of both on Main Street and Bedford Street. Most are no larger than 12 square feet, so that is the limitation that has been put on those. Anything larger is prohibited. The definition for a wall sign and window sign has also been added with some limitations placed on both of them.

Mr. Resnick stated that some other new sections to the bylaw include some specificity for specific types of signs, as well as the section where free-standing signs can have either a changeable copy sign or an electronic message board as part of its sign, but not both. A section for wall signs, window signs, and temporary subdivision sales signs was also included. Under exemptions, permanent subdivision or residential development identification signs, project contractors signs, and fuel pump information signs were all added. There were also additions to the Special Permit section. He noted that if a type of sign was prohibited, a Special Permit could not be issued for it. He then went through the additions to that section. Several line items had been added to the General Sign prohibitions, and a new section for the removal of signs and nonconforming signs had also been added. The last section added was related to administration, violations, and appeals.

Mr. Knox asked regarding 6.6.3.13 that internally illuminated signs shall not exceed 24 square feet. He would like clarification if there was a common directory sign they allow up to 64 square feet of signage with multiple tenants. Are they saying that an individual tenant can't have a sign that is bigger than 24 square feet, but there could be more than one? Mr. Resnick replied you could have an internally illuminated sign for say an office park at 24 square feet and then under it, the individual businesses in the park would have to have a painted, carved, or some other type of sign. There are many internally illuminated signs in Town, so he thought they should start limiting the size of them.

Mr. Knox asked if they had a stand-alone business, and are allowed up to 32 square feet of signage, then only 24 square feet could be illuminated? Mr. Resnick said that was correct, unless they went to the Zoning Board. Mr. Knox noted that there may be a couple of these presently in Town where more than 24 square feet are internally illuminated. Mr. Resnick said they could write certain requirements for multi-tenanted signs where there is a certain minimum size, and you can add so many square feet per tenant or for leasable space.

Ms. MacEachern said she liked the idea of keeping it minimal, even if it is a common directory sign and having only one illuminated instead of all of them. She would ask why the difference on 6.6.4.8 and 6.6.3.13 between the 12 feet and the 24 feet. Mr. Resnick replied that 12 square feet for the message boards is fairly small, and it is almost the exact size of all the electronic message boards and changeable copy signs in Town. He was referring to the bigger marquee signs or the top portion of a multi-tenanted place that would have the name of the plaza internally illuminated.

He thought for a plaza 12 square feet was a little small. If they were not going to prohibit them, they should set some sort of limitation on the size of them. A standard size for a free-standing sign is 32 square feet so he thought it should be a little smaller at 24 square feet.

Mr. Knox also wanted clarification on section 6.6.3.14 on the 15% of wall area or 150 square feet, whichever is less. Mr. Resnick replied it could be up to 150 square feet if it is a large building. 15% is to give it a proportion to the wall it is attached to. Mr. Knox said that his concern was 150 square feet is six times the allowable size of the sign at the street. Ms. Mancovsky said that was very large, and they may want to see that smaller. Mr. Resnick said that it also states earlier in the regulations unless permitted elsewhere in this bylaw, no sign shall exceed 32 square feet in area. They could leave that up to 32 square feet, but if it is a very large building, a small sign might not look right. Mr. Knox suggested leaving it at the 32 square feet, and if relief was needed the applicant could go to the Zoning Board.

Ms. Mancovsky had a question regarding 6.6.4.7 for temporary subdivision sale signs. These should be coming down sooner than they are, and there should be some criteria. What she is seeing is them deteriorating over time. There are a few of them on Route 44 that have been there for years. She would like to see something put in so these signs will be coming down. Mr. Resnick said that they could move it out of exempt and temporary and put it in the general section. They would then need a permit on an annual basis from the Building Commissioner. After further discussion, Mr. Knox noted that he would also want Mr. Conroy and Mr. Lynch to have the opportunity to add their input. He then made a motion to continue this until their next meeting on February 24, 2022, at 7:00 p.m. It was seconded by Ms. Mancovsky.

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

Review of possible amendments to the Zoning Bylaw – Open Space Residential Development (ORS)

Mr. Knox advised he had read through this and found it to be very comprehensive, but he did have a couple of small concerns. He liked the change where the Homeowners Association would not be allowed to keep ownership which would prevent the potential of redevelopment. He noted that with the reduced frontage and setbacks, it would only allow for a 20-foot wide building. He would like to see the frontage increased to 75 feet. Mr. Resnick stated that usually what happens with a 50-foot frontage is that it allows for the flexibility of a narrower entrance into the buildable area. He noted that the developer still has to prove that they can build the conventional subdivision with their required zoning requirements on a preliminary plan.

Mr. Resnick advised that he had not yet spoken to the Building Commissioner regarding this, but had spoken to the Health Agent discussing the potential lot sizes. He wanted to add something for their next meeting that refers to surface water protection districts as shown on the Mass GIS maps. There are different levels of protection, Zone A, B, and C. There are some State requirements on these zones as far as sewer flow, and how many square feet of upland is required. He noted that about half of the Town is in within some of these districts, and there is a limitation of 10,000 square feet per bedroom. In order to build in these zones, you would need 30,000 square feet. He was

going to add an additional requirement that if you are in a surface water protection district as shown on a plan, the minimum lot size will be 30,000 square feet. This is regardless if there is water or sewer or both.

Mr. Knox asked if a percentage of permeability would be a good item to add in. Mr. Resnick replied there is already something within the bylaw. Mr. Knox added that he didn't know with this cluster zoning if they wanted to adjust that to suit the smaller lot but still protect the recharge of permeable. Mr. Resnick said that he thought it would be reasonable to increase that. Mr. Knox suggested that a memo be sent to Conservation for comment. Mr. Resnick said the chart in their zoning has several other dimensions. He would copy the entire list and put it in the draft for the next meeting. In the meantime, he will talk to Conservation and the Health Agent to see if they would have any concerns if they increased the lot coverage because the lots are smaller.

Ms. MacEachern stated it had been said there are benefits to the Town by adopting this OSRD bylaw. What would those benefits be? Mr. Resnick replied it will preserve some of the land as open space; smaller lots can keep some of the houses more affordable in the community; and there is less drainage and road runoff, so there is less pollution going downstream to wetlands. Ms. Mancovsky said she believed this was referenced in the Housing Production Plan. Mr. Resnick said that it does allow for a variety of housing in the community. Mr. Knox said if there were no additional questions, he would like to continue this. He would like to hear from Conservation, the Building Commissioner, as well as Mr. Conroy and Mr. Lynch.

Mr. Knox then made a motion, seconded by Ms. Mancovsky to continue discussion on the OSRD proposed bylaw until their next meeting on February 24, 2022, at 7:00 p.m.

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

Review of possible amendments to the Zoning Bylaw – Site Plan Review

Mr. Resnick advised that he would summarize this as they had not yet gone through the entire bylaw. He advised the first part remains the same. The things that he would like them to consider were convenience of safety and vehicular, pedestrian safety, waste disposal, and just some general goals. There were two sections for procedures for business and industrial and then residential. The limitation on residential was the amount of land being disturbed or one acre. He did not change any of the requirements for submittals but removed one of them as it was redundant. There is now enough authority in this bylaw that if there is something the Board feels should be addressed that's reasonable, they can request it.

Mr. Resnick said some items that have been removed are the 21-day requirement for a hearing and he moved the submittal requirements to a section under review procedure. Under residential review, he added an item that stated Site Plan Review shall apply to new multi-family building construction of three or more units. He advised that in most communities, site plan review applies to multi-family construction of any size. The procedural section at the end of residential is the same as the one that was at the end of commercial so it has been moved to the procedural section and the remainder has been deleted. Regarding the procedure where the applicant distributes

copies of the plan to the various departments, he would like to change that to have the applicant submit them to the Planning Department to be distributed by the office. Members were okay with that change and believed that because of Covid and the office being closed to the public, it was currently being done like that. Mr. Knox questioned if Open Space and Board of Selectmen did not have a meeting within that 10-day period were they being denied an opportunity to comment. Mr. Resnick replied that Open Space is normally formed to rewrite the Open Space Plan and is then dissolved. It is not usually part of a Site Plan Review distribution. In his experience, the balance of the departments listed would get copies of the plan. He could change the verbiage so there will be enough time for review.

Mr. Resnick said the next section concerns giving notification of a hearing and notifying abutters at least seven days prior to the hearing. There is no State statute pertaining to Site Plan but this is what he has done in some other communities. Mr. Knox said that it would be nice to be able to have a reasonable amount of time to act on a plan. Ms. Mancovsky asked if there is another way of noticing people that would be a bit more progressive than the newspaper. Mr. Resnick replied that although today people get their information from so many different outlets, it would be hard to pinpoint one particular source. That is why notifying abutters is so important.

The next section discussed was Performance Standards. This is a new section the Board can use to evaluate and let the developer know what the Board is going to be looking at. Mr. Resnick then read through each section. He noted that also included is a basic statement regarding architectural requirements. Some communities then adopt additional architectural requirements as a subsection to this. You could also adopt a whole set of separate design guidelines. Over the next couple of weeks, he was going to try to draft a series of short sub-sections so that they will have something about roof lines, siding, windows, etc., and they will be able to require it. Ms. Mancovsky noted regarding 6.7.37 Conservation might have some additional input on this.

Mr. Resnick continued the review of the new sections under Performance Standards. In regards to underground utilities, Ms. Mancovsky stated that she would like to see this addressed in residential areas as well. Mr. Resnick replied that as they get through zoning over the next couple of months, they will begin to look at the Planning Board rules and regulations so they can begin to address them. A new section, 6.7.6 has also been added. It includes sub-sections on decisions, inspections, fees, and appeals. He noted for clarity that they should begin to inspect Site Plans under construction to ensure that they are constructed as per the plans. They could discuss if they wanted to hire an engineering firm or a retired engineer, but they should be setting an inspection fee and having projects reviewed and inspected during construction.

Mr. Knox then made a motion, seconded by Ms. MacEachern to continue discussion on the Site Plan Review bylaw until their next meeting on February 24, 2022, at 7:00 p.m.

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

Next meeting

Mr. Knox advised the next meeting is scheduled for February 24, 2022, at 7:00 p.m.

Approve Meeting Minutes

The minutes from the January 13, 2022, meeting had not been distributed so they will be placed on the next agenda.

Old Business

There was no old business.

New Business

Mr. Resnick advised there have been some inquiries from someone wanting to open a brew pub in Town. He was thinking for the next meeting of writing a definition for a brew pub/tap room and allowing it in the Business District and possibly the Industrial District. It would be clear that way as it may or may not be interpreted to be defined as a restaurant as many of them do not serve food. He could first define it, and then they could determine if it will be allowed by right, by Special Permit, etc.

Mr. Resnick stated he expected a Site Plan to be filed with the Board next week. It would be for 2 Bedford Street. This review would probably be on their March 10, 2022, agenda.

Mr. Resnick also advised that he had met with the Open Space Committee. They are moving forward and have almost completed rewriting and updating the plan. They are now at the section that evaluates the various inventory of properties and recreational properties. He has been in touch with the Parks Commission and will be coordinating that. He will help evaluate those properties and them into the plan.

Ms. Mancovsky asked if they could be updated in regards to the redevelopment of Route 79. Mr. Knox said that they could check with Mr. Moniz to see if he was aware of anything.

Adjourn

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

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

Meeting adjourned at 8:49.