

REMOTE MEETING NOTICE/ AGENDA

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

Name of Board, Committee or Commission:	Planning Board
Date & Time of Meeting:	Thursday, April 8, 2021 at 7:00 p.m.
Location of Meeting:	REMOTE MEETING
Clerk/Board Member posting notice	Cathy Murray

AGENDA

1. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the April 8, 2021, public meeting of the **Planning Board** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to [facebook.com/LakeCAM/](https://www.facebook.com/LakeCAM/) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>**
2. **Site Plan Review, continued – 15 Main Street – Presented by Nyles Zager, Zenith Consulting Engineers**
3. **Zoning Bylaw amendments – Schedule public hearings**
 - **Floodplain bylaw**
 - **Site Plan Review**
 - **Right to Farm**
 - **Development Opportunities District**
4. **Appointments to be made**
 - **SRPEDD**
 - **CPC**
5. **Julia's Way-Release of Covenant**
6. **Ledgewood Estates-Release of Municipal Interest in Subdivision Security**
7. **Review the following Zoning Board of Appeals petitions:**
 - a. **Twisted Growers-415 Millennium Circle**
 - b. **Tetrault-7 Deneise Street**
 - c. **Moore-6 Sandy Point Road**
 - d. **Lech-Goulart-11 Charbonneau Avenue**
8. **Approve Meeting Minutes for December 10, 2020, January 14, 2021, February 11, 2021, and February 25, 2021.**
9. **Old Business**
10. **New Business**
 - a. **Affordable Housing and Chapter 40B handout**
11. **Next meeting. . . April 22, 2021**
12. **Any other business that may properly come before the Planning Board.**
13. **Adjourn**

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

#1

Read the following into the record:

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the April 8, 2021, public meeting of the **Planning Board** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>**

#3



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

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

TO: Mark Knox, Chairman
Planning Board

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

RE: Right to Farm Bylaw
Development Opportunities District By-Law

DATE: March 31, 2021

At their meeting on March 22, 2021, the Board of Selectmen discussed the Right to Farm By-Law as submitted by the Agricultural Commission and the Development Opportunities District By-Law as submitted by petition. The Board voted to include both articles on the Annual Town Meeting Warrant for May 10, 2021.

The Selectmen would like to respectfully request that the Planning Board schedule the necessary hearings for the attached By-Law Warrant Articles.

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

RECEIVED
LAKEVILLE TOWN CLERK

2021 FEB 26 AM 9:47

DATE and TIME received 10:00 AM
RECEIVED
FEB 26 2021
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 Lakeville, MA

1 the Town of Lakeville consider removing the Development Opportunities District Bylaw from the Town of Lakeville Zoning Bylaws. Section 1 - 7.9.6 Adopted June 4, 2012 at ATM; approved by Attorney General July 18, 2012. Excerpts here:

1 Purpose The purpose of the Development Opportunities (DO) District is to authorize the innovative use of certain portions of a defined overlay district for activities appropriate to large land areas by the issuance of a special permit with safeguards and conditions to prevent detrimental effects impact upon neighboring properties, natural resources and upon the Town of Lakeville as a whole. The intent of the DO District is to provide opportunities for economic development expansion in a planned multi-use district while protecting the natural resources of the Town. The Development Opportunities District is an overlay district superimposed over those underlying districts as shown on the zoning map of the Town of Lakeville.

2.1 The following uses shall be permitted by special permit in the DO District: a) Manufacturing and industrial uses including processing, fabrication and assembly; b) High technology activities; c) Warehouses, wholesale distribution centers; d) Municipal and public service facilities; e) Transportation terminal; f) Hotel or motel; g) Research and development; h) Office building; i) Medical center; j) Trade or professional school; k) Country Club; 90 l) Retail sales facilities; m) Service businesses; n) Theaters; o) Restaurants; p) Other places of public assembly, as may be exempt from zoning by M.G.L. Uses accessory to special permit uses: Uses deemed by the SPGA to be accessory to uses allowed by special permit may be authorized under the special permit for the primary use. Accessory uses may include retail sales facilities, which are directly related but subordinate to one of the above listed uses, allowed by special permit. The accessory uses must be subordinate in use and importance to the primary use. Any retail sales facility may only sell the same product line that is authorized by the special permit for the primary use.

3.2 No special permit shall be granted unless the total land area, including streets, of the subject property consists of twenty-five or more acres.

The below signed registered voters of Lakeville believe the Development Opportunities District is in sharp contrast to the interests of the Town's residents' desire to preserve the Natural beauty and rural charm of the Town of Lakeville for the following reasons:

- 1) Projects of such magnitude should not be decided by only a few elected officials of the Town Planning Board
- 2) Projects of this magnitude should not be permitted by Special Permit despite the underlying Zoning Districts
- 3) Projects of this magnitude may pose a threat to the rural nature of the Town of Lakeville

The below signed registered voters of Lakeville ask that the Board of Selectmen remove Development Overlay District from the Town Zoning Bylaws or act on anything related thereto.

INSTRUCTIONS TO SIGNERS

SIGNER'S STATEMENT

SIGNER INFORMATION

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.

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 Lakeville.

CHECK	SIGNATURE to be made in person with name substantially as registered (except in case of physical disability as stated above)	IF NOW REGISTERED AT (street, number and apartment number, if any) (city or town will be the same as stated above)	PRECINCT
✓	<i>Russell J. Spieker (Spieler)</i>	10 Valley Rd	
✓	<i>Kathleen D. Cahoon</i>	8 Valley Rd	
✓	<i>Robert M. Stroughton</i>	10 Valley Rd	
✓	<i>Donna L. Healden</i>	17 W. Vaughan St	
✓	<i>B. Kemmison</i>	17 W. Vaughan St	

ATTENTION VOTERS: Before signing, read signer information on other side.

ATTENTION REGISTRARS: Before certifying signatures, see instructions to registrars below

Lakeville

TOWN

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
6	✓ <u>Paul Morn</u>	<u>3 Crest Dr.</u>	
7	✓ <u>Janet Scott</u>	<u>9 Rush Pond Road</u>	
8	✓ <u>Richard Scott</u>	<u>9 Rush Pond Road</u>	
9	✓ <u>Maury Bodwell</u>	<u>13 Rush Pond Road</u>	
10	✓ <u>Heath Bodwell</u>	<u>13 Rush Pond Road</u>	
11	✓ <u>Ann McCallough</u>	<u>19 W Vaughan St.</u>	
12	✓ <u>Debra Burt</u>	<u>5 Tres Way</u>	
13	✓ <u>Lisa Elbert</u>	<u>21 West Vaughan St</u>	
14	✓ <u>Ken Cotton</u>	<u>21 West Vaughan St</u>	
15	✓ <u>Ann M</u>	<u>21 West Vaughan St</u>	
16	✓ <u>Ann M</u>	<u>20 W Vaughan St</u>	
17	✓ <u>Judie Zur</u>	<u>16 W. Vaughan St</u>	
18	✓ <u>Ann M</u>	<u>16 W Vaughan St.</u>	
19	✓ <u>Bob Sumner</u>	<u>3 Valley Rd</u>	
20	✓ <u>William J. Craig</u>	<u>3 Valley Rd</u>	
21	✓ <u>William J. Craig</u>	<u>1 Blueberry Dr #1</u>	
22			
23			
24			
25			
26			
27			
28			

WARNING - criminal penalty for unlawfully signing, altering, defacing, mutilating, destroying or suppressing this petition: fine of up to \$1,000 or imprisonment for up to 1 year.

REGISTRAR INFORMATION

INSTRUCTIONS TO REGISTRARS

- You must time stamp or write in date and time these papers are received
 - Check this against the name of each qualified voter to be certified. For names not certified use the code at the right.
 - Draw a line through any blank spaces not containing signatures.
 - Each sheet must be certified by at least three registrars. A facsimile stamp is acceptable.
 - For names not certified use the code to the right.
- N - No such registered voter at that address
 S - unable to identify signature or address as that of voter because form of signature or address
 T - already signed this petition

CERTIFICATION OF NAMES

At least three registrars names must be signed or stamped below.

Lakeville
town

February 26, 2001
month and day

Barbara E. Stone
William J. Craig
Ann M

We certify that (21) twenty one
number of names use numbers and words

Registrars of voters or
Election commissioners of Lakeville
town

above signatures checked this are the names of qualified voters from this town.

MODEL RIGHT TO FARM BY-LAW

Lakeville, Massachusetts

Section 1 Legislative Purpose and Intent

The purpose and intent of this By-law is to state with emphasis the Right to Farm accorded to all citizens of the Commonwealth under Article 97 of the Constitution, and all state statutes and regulations thereunder including but not limited to Massachusetts General Laws Chapter 40A, Section 3, Paragraph 1; Chapter 90, Section 9, Chapter 111, Section 125A and Chapter 128 Section 1A.

We, the citizens of Lakeville, restate and republish these rights pursuant to the Town's authority conferred by Article 89 of the Articles of Amendment of the Massachusetts Constitution, ("Home Rule Amendment").

This General By-law encourages the pursuit of agriculture, promotes agriculture based economic opportunities, and protects farmlands within the Town of Lakeville by allowing agricultural uses and related activities to function with minimal conflict with abutters and Town agencies. This By-law shall apply to all jurisdictional areas within the Town.

Section 2 Definitions

The word "farm" shall include any parcel or contiguous parcels of land, or water bodies used for the primary purpose of commercial agriculture, or accessory thereto.

The words "farming" or "agriculture" or their derivatives shall include, but not be limited to the following:

- farming in all its branches and the cultivation and tillage of the soil;
- dairying;
- production, cultivation, growing, and harvesting of any agricultural, aquacultural, floricultural, viticultural, or horticultural commodities;
- growing and harvesting of forest products upon forest land, and any other forestry or lumbering operations;
- raising of livestock including horses;
- keeping of horses as a commercial enterprise; and
- keeping and raising of poultry, swine, cattle, ratites (such as emus, ostriches and rheas) and camelids (such as llamas and camels), and other domesticated animals for food and other agricultural purposes, including bees and fur-bearing animals.

“Farming” shall encompass activities including, but not limited to, the following:

- operation and transportation of slow-moving farm equipment over roads within the Town;
- control of pests, including, but not limited to, insects, weeds, predators and disease organism of plants and animals;
- application of manure, fertilizers and pesticides;
- conducting agriculture-related educational and farm-based recreational activities, including agri-tourism, provided that the activities are related to marketing the agricultural output or services of the farm;
- processing and packaging of the agricultural output of the farm and the operation of a farmer's market or farm stand including signage thereto;
- maintenance, repair, or storage of seasonal equipment, or apparatus owned or leased by the farm owner or manager used expressly for the purpose of propagation, processing, management, or sale of the agricultural products; and
- on-farm relocation of earth and the clearing of ground for farming operations.

Section 3 Right To Farm Declaration

The Right to Farm is hereby recognized to exist within the Town of Lakeville. The above-described agricultural activities may occur on holidays, weekdays, and weekends by night or day and shall include the attendant incidental noise, odors, dust, and fumes associated with normally accepted agricultural practices. It is hereby determined that whatever impact may be caused to others through the normal practice of agriculture is more than offset by the benefits of farming to the neighborhood, community, and society in general. The benefits and protections of this By-law are intended to apply exclusively to those commercial agricultural and farming operations and activities conducted in accordance with generally accepted agricultural practices. Moreover, nothing in this Right To Farm By-law shall be deemed as acquiring any interest in land, or as imposing any land use regulation, which is properly the subject of state statute, regulation, or local zoning law.

Section 4 Disclosure Notification

Prior to the sale or exchange of real property, or prior to the acquisition of a leasehold interest or other possessor interest in real property, located in the Town of Lakeville, the landowner shall present the buyer or occupant with a disclosure notification which states the following:

“It is the policy of the Town of Lakeville to conserve, protect and encourage the maintenance and improvement of agricultural land for the production of food, and other agricultural products, and also for its natural and ecological value. This disclosure notification is to inform buyers or occupants that the property they are about to acquire or occupy lies within a town where farming activities occur. Such farming activities may include, but are not limited to, activities that cause noise, dust and odors. Buyers or occupants are also informed that the location of property within the Town may be impacted by commercial agricultural operations, including the ability to access water services for such property under certain circumstances. Purchasing, and henceforth

occupying land within Lakeville means that one should expect and accept such conditions as a normal and necessary aspect of living in Lakeville.”

Written notification may occur in one of several ways, including but not limited to, a disclosure form, addendum to a Purchase and Sale Agreement, or otherwise and must include an acknowledgement by the buyer that they have received and understood the notification. A copy of the disclosure notification shall be filed with the Board of Selectmen or its designee within thirty (30) days of the sale, purchase, exchange or occupancy of such real property.

Within 30 days after this by-law becomes effective, the Board of Selectmen will make a written example of a notification available for use by landowners or their agents (and assigns) and shall place a copy of the above disclosure in a prominent place in Town Hall.

Within 60 days after this by-law becomes effective, the Tax Collector shall begin including a copy of the above disclosure and notification requirements with all responses to requests for Municipal Lien Certificates.

In addition to the above, a copy of this disclosure notification shall be provided by the Town to landowners each fiscal year by mail.

A violation of Section 4 shall be subject to a fine of \$300 and shall be enforced by the Board of Selectmen or its designee. The Town is authorized to enforce Section 4 under the non-criminal disposition provisions of M.G.L. c. 40, §21D.

Section 5 Resolution of Disputes

Any person who seeks to complain about the operation of a farm may, notwithstanding pursuing any other available remedy, file a grievance with the Select Board, the Zoning Enforcement Officer, or the Board of Health, depending upon the nature of the grievance. The filing of the grievance does not suspend the time within which to pursue any other available remedies that the aggrieved may have. The Zoning Enforcement Officer or Select Board may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the referring Town authority within an agreed upon time frame.

The Board of Health, except in cases of imminent danger or public health risk, may forward a copy of the grievance to the Agricultural Commission or its agent, which shall review and facilitate the resolution of the grievance, and report its recommendations to the Board of Health within an agreed upon time frame.

Section 6 Severability Clause

If any part of this By-law is for any reason held to be unconstitutional or invalid, such decision shall not affect the remainder of this By-law. The Town of Lakeville hereby declares the provisions of this By-law to be severable.



SRPEDD
Southeastern Regional Planning
& Economic Development District

#4

CALL for AT-LARGE COMMISSIONERS (2021-22)

TO: Mayors; Community Groups in the SRPEDD Region;
At-Large SRPEDD Delegates; SRPEDD Commissioners
FROM: Alan Slavin, SRPEDD Chair
DATE: March 11, 2021
RE: NOMINATIONS FOR SRPEDD AT-LARGE COMMISSIONER(S)

We are seeking representatives of minority and low-income community groups to serve on the Commission of the Southeastern Regional Planning and Economic Development District (SRPEDD). These appointments will take effect on May 21, 2021 at SRPEDD's Annual Meeting and continue through May 20, 2022. SRPEDD (pronounced sir-ped) is a regional planning agency established by the Legislature to provide regional planning and related planning technical assistance in transportation, land use, economic development, housing, and environmental concerns to the 27 municipalities (4 cities and 23 towns) that SRPEDD serves.

The Commission is SRPEDD's governing body and consists of municipal and community representatives who oversee the activities of the agency and address regional issues. The Commission meets approximately eight to ten times per year on the fourth Wednesday of the month. Meetings are held at SRPEDD's office in Taunton and begin at 6:30 pm.

The position of At-Large Commissioner, per the agency's bylaws, is a unique opportunity for individuals who represent and speak for traditionally disenfranchised minority and/or low-income populations in housing and economic development planning processes, as well as area transportation investments, among other important areas. The opportunity is all the more significant because At-Large Commissioners are also official voting members of the Joint Transportation Planning Group (JTPG), the advisory group to the Southeastern Massachusetts Metropolitan Planning Organization (SMMPO) for all transportation related issues. The JTPG is the forum for citizen involvement in transportation planning, and usually meets the second Wednesday of each month, likewise at SRPEDD, beginning at 2:00 pm.

Commission bylaws provide for up to six At-Large delegates representing low income and minority group interests: **2 for the New Bedford area; 2 for the Fall River area; 1 for the Taunton area; and 1 for the Attleboro area.**

The attached sheet outlines the eligibility criteria for At-Large Commissioner Appointees and the communities included in each subarea.

You or your organization may propose a person to sit on the Commission, who will be nominated by a member of the Commission and confirmed by the body as a whole.

If interested, kindly fill out the attached Qualification Statement, and forward your completed form to: Stacy Royer at ssousa@srpedd.org or 88 Broadway, Taunton, MA 02780. Questions? Please call Stacy at (508) 824-1367

We hope to see a full complement of six At-Large Commissioners serving for the 2021-22 term so that low-income and minority community groups are well represented on the board. If you are aware of other qualified or interested community groups who may not have received this mailing, please notify us so we may contact them or pass along a copy on to the appropriate party.

The **NOMINEE** must be a resident within one of the following subareas, as appropriate:

<p><u>Attleboro Subarea</u> Attleboro Mansfield North Attleborough Norton Plainville Rehoboth</p>	<p><u>Fall River Subarea (2)</u> Fall River Freetown Seekonk Somerset Swansea Westport</p>	<p><u>New Bedford Subarea (2)</u> New Bedford Acushnet Dartmouth Fairhaven Marion Mattapoisett Rochester Wareham</p>	<p><u>Taunton Subarea</u> Taunton Berkley Carver Dighton Lakeville Middleborough Raynham</p>
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CURRENTLY SERVING AT-LARGE COMMISSIONERS (2020-2021)

Attleboro Subarea: No appointment
 Fall River Subarea: Ricky Tith, CARO
 New Bedford Subarea: Patrick Sullivan, Community Development Director
 Taunton Subarea: Janine Peccini, (OECD) Off of Econ & Community Development

The **NOMINEE** must be certified as a representative of a qualified low-income or minority community group in writing.

COMMUNITY GROUPS are defined as one of the following:

- a legal non-profit corporation or association whose members are minority and/or low income; or
- the governing body or advisory board of a public agency whose goals are reflective of the needs of minority and low-income people.

MINORITIES are those defined by the Economic Development Administration as:

- Black or African American – American Indian and Alaska Native
- Hispanic - Mexican, Puerto Rican, Other Hispanic or Latino
- Native American - persons known by virtue of tribal associations
- Asian - Japanese, Chinese, Korean, Filipino, Indian, Thai, Cambodian, Vietnamese
- Other Races including Native Hawaiian & Other Pacific Islanders

LOW-INCOME is defined according to the Bureau of Labor Statistics' minimum standard of living.

QUALIFIED COMMUNITY GROUPS are those organizations, associations, or bodies which were formally established on or before July 1, 2013.



SRPEDD
 Southeastern Regional Planning
 & Economic Development District

QUALIFICATION STATEMENT

TITLE OF ORGANIZATION (Community Group): _____

_____ Address: _____

City/Town: _____ Telephone: _____

Fax: _____ Agency email: _____

Date Organized or Incorporated: _____ Approx. # of Members: _____

Purpose (Brief Description): _____

Minority or Low-Income Groups Represented: _____

Our organization would like to nominate the following individual(s) to sit on the SRPEDD Commission:

Name: _____ Name: _____

Address: _____ Address: _____

E-mail: _____ E-mail: _____

Telephone: _____ Telephone: _____

Submitted by:
 Name: _____ Title _____

E-mail: _____ Signed: _____

Date: _____

*Mass. General Laws: "The Commission may increase its membership by not more than six in order to provide representation to low income and minority groups."

PLEASE RETURN BY MAY 13, 2021 Email or fax the completed form to <mailto:ssousa@srpedd.org> or 508-823-1803 fax Or forward via U.S. Mail to SRPEDD, 88 Broadway, Taunton, 02780



2021-2022 SRPEDD Commission Member Appointment Form

The **Southeastern Regional Planning and Economic Development District (SRPEDD)** was created by the Massachusetts Legislature, along with 12 other regional planning agencies across the state to undertake regional planning and deliver cost-effective planning-related technical assistance to the municipalities that they serve (in SRPEDD's case: four cities and 23 towns). The key to all such agencies' success and effectiveness in achieving those missions, is the **Regional Commission**, or body of **appointed representatives** from each member municipality. As one would expect, there is call and opportunity for such Commissioners to exercise leadership, share of their expertise, and help to advance their respective regions— be it through land use, transportation, economic development, environmental, or multiple other types of planning. Indeed, it is the Commissioners that define the agency, who through their commitment, dedication and engagement in the following, help to ensure that the region is most effectively served:

1. **Policy Setting** - Through your participation in Committee and at Commission meetings, you will be asked to vote on important policy matters affecting the region:
 - Regional development policies – adoption of plans and goals.
 - Regional priorities –assessment and establishment of priorities that help to determine and apportion federal and state funding for transportation and economic development projects.
 - Work program direction – deliberation on whether to apply for particular funding, and/or pursue identified projects in conjunction with the annual work program.
2. **Partnering with Member Municipalities** - As a liaison and key point of contact between your municipality and SRPEDD:
 - Provide timely information and updates to your municipality in regards to ongoing planning initiatives, upcoming funding and other opportunities; also, to fellow Commissioners about key planning issues in your community.
 - Help to represent your city/town's perspective in discussion of regional issues.
 - Help to educate and promote awareness of regional planning in your community.
3. **Agenda Setting** – Based on your understanding and familiarity with local and regional needs, help to set the organization's agenda by encouraging focus on prioritized planning issues important and beneficial to the region.

SRPEDD, 88 Broadway, Taunton, MA 02780

TEL: (508)824-1367 – FAX (508)823-1803 – Email: info@srpedd.org

4. **Commission Governance** – Finally, in conjunction with fellow Commissioners and possible service as a SRPEDD officer or committee member, help to provide key oversight on personnel, budget and other areas related to day-to-day operations.

**2021-2022 SRPEDD COMMISSION MEMBER
Appointment Form**

Please be advised that has been appointed to

represent the (*check one*) Mayor [], Bd. of Selectmen [] Planning Bd. [] for the

City/Town of

on the SRPEDD Commission for the period:

May 21, 2021 through May 20, 2022.

Signature: _____
Mayor or Chair, Board of Selectmen/Planning Board

Date: _____

Please provide SRPEDD Commissioner Appointee contact information

Name: _____

Street: _____

City/Town: _____

Telephone: _____

Email Address: _____

Please return this form by: MAY 13, 2021

Via Email: ssousa@srpedd.org, Fax: (508) 823-1803 or U.S. Mail

SRPEDD, 88 Broadway, Taunton, MA 02780

TEL: (508)824-1367 – FAX (508)823-1803 – Email: info@srpedd.org



SRPEDD
Southeastern Regional Planning
& Economic Development District

2021 SRPEDD ANNUAL SPECIAL RECOGNITION AND COMMISSION AWARDS *REQUEST FOR NOMINATIONS*

As has long been the tradition, for presentation at the SRPEDD Annual Meeting the fourth Wednesday of May—although anticipated to be held again remotely this year, with ultimate scheduling dependent upon the status of the COVID-19 health situation—the Southeastern Regional Planning and Economic Development District (SRPEDD) Commission has recognized individuals and organizations from across Southeastern Massachusetts that have made a difference in advancing the agency and region, and once again, solicits your assistance in identifying this year’s awardees. Awards are given in two categories: **Special Recognition and Commission Awards** (of which there are two types of the latter).

SPECIAL RECOGNITION AWARDS

Special Recognition - honors a person, area business or community organization for specific contribution(s) to SRPEDD, the region, or field of planning or economic development;

COMMISSION AWARDS

Commissioner of the Year - given to a present SRPEDD Commission member for specific and recent contribution(s) to SRPEDD, and/or to the advancement of regionalism over the past year;

Distinguished Service - given to a former or present SRPEDD Commissioner for leadership and outstanding service to SRPEDD, in honor and acknowledgment of a range/extended body of contributions.

All three awards represent a unique opportunity to recognize someone in your community for their noteworthy contribution(s) to the region, in the case of the Special Recognition Awards, be they elected officials, citizen volunteers, advocates, educators, non-profit or business leaders; and in the case of the Commission of the Year or Distinguished Service Awards, be they present or former and present Commissioners, respectively.

Nominations must be received at SRPEDD by May 6, 2021 in order for the Awards Committee to review and decide on this year’s awardees, for presentation at the upcoming Annual Meeting tentatively slated for May 26, 2021.

Please email, fax or post your completed form to:

SRPEDD
Attn: Stacy Royer
88 Broadway
Taunton, MA 02780
info@srpedd.org or (508) 823-1803 fax

Questions? Please contact Jeffrey Walker or Stacy Royer.
Tel: 508-824-1367/Email: info@srpedd.org

SPECIAL RECOGNITION AWARDS

This award will be given to a person, area business or community organization for specific contribution(s) to SRPEDD, the region, or field of planning or economic development

Criteria

- The contribution may be the initiation, development or administration of a plan, policy or program; it may be a specific product; or it may be ideas, concepts, actions or any other achievements.
- The nominee's contribution to SRPEDD, the region, or the field of planning and economic development must be easily documented and evaluated.
- The nominee's contribution may be past, recent, or ongoing.

Eligibility

- Candidates may be: an individual, business or community organization; from in or outside of SRPEDD region.
- Candidates may not be: SRPEDD Commission members; SRPEDD staff; or members of the nominating committee.

PAST RECIPIENTS

1987	Representative Stephen Karol, Attleboro Robert Dillman, Bridgewater State College	2003	Michael Rodrigues, State Representative, Westport Nancy Yeatts, Lakeville, Assawompsett Ponds
1988	Edwin H.B. Pratt, Marion Representative Philip Travis, Rehoboth Lawrence J. Harman, EOTC SEMmass, Rochester The Robbins Company, Attleboro The City of New Bedford/PACE Carver-Plymouth, Wareham Task Force	2004	Jon Witten, Esq., Duxbury, Chapter 40B Reform Kara Pennini, Katie MacAulay, Kellie Savery and David White, Middleb. Distrib. Ed. Clubs Rae Mercer, Plainville; Thomas Davis, NBIF
1989	Representative Joan Menard, Somerset	2005	Anthi Frangiadis, Wareham Pln. Board Ljiljana Vasiljevic, SouthCoast Insider Tony & Elsie Souza, New Bedford
1990	Representative Marc Pacheco, Taunton Frederick Rubin, Lakeville	2006	50 th Anniversary – Not Awarded
1991	Representative John Bradford, Rochester Peter Kortright, BayBank	2007	Marijoan Bull, Staff Member & College Professor Marge Ghilarducci, Berkley Village Heritage Park
1992	John George, Union Street Bus Co. Stewart Washburn, SEED Corporation Robert DelRosso, Seekonk	2008	The Sheehan Family Foundation Chief Robert Crosby and Reinald Ledoux for Southeast Regional Advisory Council Marie Clarner, Conservation Commissioner, No. Attle. William "Buzz" Constable, MARPA
1993	The Standard-Times, New Bedford Anita Flanagan, Boston Edison	2009	Taunton River Stewardship Council, Jim Ross, Bill Napolitano and Jamie Fosburgh
1994	Southeastern Massachusetts Leg. Caucus Dr. John Mullin, UMass.	2010	Kristina Egan, South Coast Rail Project Manager Maryann Nowak, Citizen Volunteer; GATRA & Francis Gay; Irene Winkler, Coordinator of the Pilgrim RC&D
1995	Manual Goulart, Acushnet Golf & Rec. Comm. Dennis Kelly, Pres., BCSB, Taunton	2011	State Representative Stephen Canessa; Susan Jennings, UMass Sustainability Initiative; Officer Lance Lawson, Mansfield
1996	Kathleen Simpson, Chair, GATRA's CAC David Webster, Public Works Director, Swansea The Berkley Strategic Planning Committee	2012	Ron Labelle, Commissioner DPI, New Bedford David Wojnar, Selectman, Acushnet Alex Houtzager, Berkley
1997	Richard Shafer, City of Taun. Econ. Dev. Corp. Ray Pickles, Executive Sec., Arthur Marchand, Town Adm., Somerset	2013	Keven Desmarais, Freetown Planning Bd. & Conservation Commission
1998	John Corrigan, Reg. Adm., EDA, Phil. Mark Primack, Wildlands Trust of S.E. Mass	2014	Rachel Calabro, Save The Bay Representative William Straus, Mattapoisett
1999	Alfred Raphael, Dir. Public Works, Fairhaven Norene Hartley, Rochester Lands Trust Freetown Youth Athletic Association	2015	Beth Lambert, Mill River Restoration Partnership Elain Ostrof, Westport; Wareham Celebration
2000	David Westgate, President, and Maria Gooch-Smith Executive Dir., SEED Corp. Representative William Straus, Marion Land Bank; Christopher Richard, Fairhaven's Dir. Of Tourism	2016	Alfred J. Lima, Fall River Norman Hills, Marion Michael O'Reilly, Dartmouth; Julianne Kelly, Fall River
2001	Chawner Hurd, Town of Lakeville Bd. Of Sel. Leonard Gonsalves, Buzzards Bay Action Comm. Laurell Farinon, Land Preservation Trust	2017	David Cole, Westport; Larry Cameron, MassDevelopment
2002	Deborah Hogan, Mass. Envirothon Coordinator Michael Gagne, Executive Adm., Dartmouth	2018	Jennifer Francis, Marion; Resilient Taunton Watershed
		2019	Jennifer Carlino, Norton; Sandy Conaty; Community Economic Development Center (CEDC)
		2020	Steve Silva, Taunton River Watershed Alliance (TRWA)

SRPEDD COMMISSION AWARDS

COMMISSIONER OF THE YEAR (For SRPEDD Commission Members Only)

This award will be given to a SRPEDD Commission member for specific and recent contribution(s) to SRPEDD, and/or to the advancement of regionalism over the past year.

DISTINGUISHED SERVICE (For SRPEDD Commission Members Only)

This award will be bestowed on a former or present SRPEDD Commission member for leadership and outstanding service to SRPEDD, in honor and acknowledgment of a range/extended body of contributions.

Criteria

- The contribution may be the initiation, development or implementation of a plan, policy or program; it may be a specific product; or it may be ideas, concepts, actions or related achievements.
- The nominee's accomplishments, leadership, and contributions to SRPEDD, and/or to the advancement of regionalism must be clearly documented; known to the membership of SRPEDD; and acknowledged by his/her own community.
- Although recognized and documented service to the benefit of a nominee's own community will be considered, the contribution to SRPEDD and Southeastern MA region at large will be accorded the most weight.

Eligibility

- Candidates must be currently serving SRPEDD Commission members in the case of Commissioner of the Year Award, or former or currently serving Commission members in the case of the Distinguished Service Award.
- Candidates may not be SRPEDD staff, or members of the Awards Committee.

COMMISSIONER OF THE YEAR AWARDEES

1977 Luke Leonard, Jr., Lakeville
1979 Melville Moody, Attleboro
1980 David Knight, Carver
1982 Emeline MacDonald, Raynham
1984 Richard T. Curley, Mansfield
1985 Denise Poyant, New Bedford
1986 Julia Enroth, Westport
1987 Robert Arabian, Rehoboth
1988 Donald Hussey, Somerset
1989 Gus Yankopoulos, Wareham
1990 Jayme Dias, New Bedford
1991 Loretta Schaefer, Marion
1992 Karl Eklund, PHD, Berkley
1993 Daniel DeCarlo, Fall River
1994 Ann M. Miller, Carver
1995 Gus Yankopoulos, Wareham
1996 Lou Martin, Taunton
1997 Peter Kortright, Mattapoisett
1998 Basil Castaldi, Dartmouth
1999 Joseph Andrade, New Bedford
2000 Susan Peterson, Rochester
2001 Henry Young, Acushnet
2002 Robert Rogers, Mattapoisett
2003 Lori Schaefer, Marion
2004 Martin Newfield, Raynham
2005 Lorri-Ann Miller, Dartmouth
2006 50th Anniversary
2007 Wayne Sunderland, Westport
2008 Chuck Gricus, Wareham
2009 Susan Peterson, Rochester
2010 No Award
2011 Jean Fox, Freetown
2012 William Roth, Fairhaven
2013 Rita Garbitt, Lakeville
2014 Joseph Callahan, Berkley
2015 Jonathan Henry, Marion
2016 Joan Marchitto, N. Attleboro
2017 Alan Slavin, Wareham
2018 George Hovorka, Swansea
2019 Jim Whitin, Westport
2020 Deborah Melino-Wender, Dartmouth

DISTINGUISHED SERVICE AWARDEES

1976 John Waterman, Rehoboth
1977 Albert Larsen, No. Attle.; William Jordan, Norton
1978 Raymond Fleurent, Fairhaven
1979 George Hall, Westport
1980 Luke Leonard, Jr., Lakeville
1981 Kenneth Vining, Fairhaven
1982 David Knight, Carver
1983 Julia Enroth, Westport
1984 Emeline MacDonald, Raynham
1986 George Bare, Rochester
1989 Allan Campbell, Dighton
1990 Donald Hussey, Somerset
1991 Basil Castaldi, Dartmouth
1992 Patricia Redding, No. Attleborough
1995 Karl Eklund, Berkley
1996 Gus Yankopoulos, Wareham
1997 Raymond Payson, No. Attleborough
1998 Albert Caron, Marion
1999 Mark Rasmussen, Fairhaven
2000 Louis Martin, Mattapoisett
2001 Loretta Schaefer, Marion
2002 Emeline MacDonald (posthumously)
2003 Robert Mawney, Attleboro
2004 Gary Ayrassian, Attleboro
2005 Leonard Flynn, Mansfield; Robert Rogers, Mattapoisett
2006 50th Anniversary
2007 George Hovorka, Fall River A/L; Jack Healey, Middleboro
2008 Albert Borges, Fairhaven
2009 Robert Carney, Dartmouth
2010 No Award
2011 Raymond Fleurent, Fairhaven
2012 Joan Marchitto, No. Attleborough
2013 Randall Kunz, Mattapoisett
2014 Lorri-Ann Miller, Dartmouth
2015 Donna Kulpa, Dighton
2016 Executive Director Search Committee
2017 Robert Rogers, Mattapoisett
2018 No Award
2019 Rita Garbitt, Lakeville
2020 Deborah Melino-Wender, Dartmouth

2021 SRPEDD ANNUAL AWARDS
NOMINATION FORM

Instructions (choose one): (1) Print, fill out and mail or fax the form to SRPEDD;
(2) go to www.srpedd.org to download the form, fill out and email to ssousa@srpedd.org

Nominations must be received at SRPEDD by May 6, 2021 in order for the Awards Committee to review and decide on this year's awardees, for presentation at the upcoming Annual Meeting anticipated to be held remotely again this year due to the pandemic.

PLEASE USE ONE FORM FOR EACH NOMINATION

AWARD CATEGORIES FOR NOMINEE

- Special Recognition (Individual, Business or Community Organization)
- Commissioner of the Year (SRPEDD Commission Only)
- Distinguished Service (SRPEDD Commission Only)

Name: _____ Community: _____

Name of Nominator: _____ Date: _____

E-Mail Address: _____ Tel: _____

Please attach copy of candidate's resume, if available, and any other supporting documentation as needed.

#5



2016 00029458

BK: 46802 Pg: 202 Page: 1 of 2
Recorded: 04/13/2016 02:58 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

Pl #
100-153

Performance Covenant

Date: March 24, 2016

We, the undersigned, Malloch Construction Company, Inc., mailing address 113 Padelford Street, Berkley, MA 02779, hereinafter called "Covenantors," having submitted to the Lakeville Planning Board a Form C Application for Approval of Definitive Plan entitled: "Julia's Way Definitive Plan for a Residential Subdivision County Street, Lakeville, Massachusetts" dated December 24, 2015 do hereby covenant and agree with said Board and the successors in office of said Board, that:

1. The covenantors are the OWNERS in fee simple absolute of all the land included in the subdivision and as shown on said Definitive Plans.
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to land included in the subdivision and shown on said Definitive Plans.
3. Improvements to the way including the construction of the roadway and drainage (not including asphalt) shall be provided prior to the issuance of building permits. Once the fourteen foot (14') wide gravel driveway and drainage has been constructed in accordance with the approved Definitive plans referenced above, building permits for lots 3A, 3B and 3C shall then be issued. Prior to the issuance of the certificate of occupancy on the final buildable lot, the proposed fourteen foot (14') driveway must be paved while retaining the three foot (3') wide stone shoulders on both sides of the driveway.
4. Nothing herein shall be deemed to prohibit a conveyance by a single deed subject to this covenant, of either the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board.
5. The covenantor agrees to record this covenant with the Plymouth County Registry of Deeds at the same time as the Definitive Plans are recorded. Reference to this covenant shall be entered upon the Definitive Plans.
6. This covenant shall be executed at the same time as the endorsement of the Definitive Plans and shall take effect upon the date of endorsement and any statutory appeal periods.

For title in the property, see foreclosure deed by Corporation of CitiMortgage, Inc. dated March 6, 2015 recorded in the Plymouth County Registry of Deeds Book 45368, Page 325.

[Handwritten signature]

IN WITNESS WHEREOF we have hereunto set our hands and seals below:

SIGNATURE OF COVENANTORS (OWNER[s])

Joseph M. Malloch
Joseph M. Malloch, Treasurer of Malloch Construction Company, Inc.

Date: 3/24/16

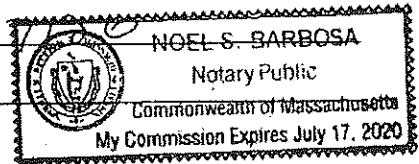
Then personally appeared before me the above named covenantor(s) and acknowledged the forgoing instrument to be (his/her) free act and deed.

Commonwealth of Massachusetts, Notary Public *Noel S. Barbosa*

Date: 3/24/16

My Commission Expires: 7/17/20

Accepted by the Lakeville Planning Board on _____



LAKEVILLE PLANNING BOARD

Brian J. Haeg
[Signature]
Jessica M. Stewart

7-17-20

03 APR 2016 10:00 AM
LAKEVILLE PLANNING BOARD
6553 RIVER STREET

Property Address: County Street and Julia's Way, Lakeville, MA

**TOWN OF LAKEVILLE
PLANNING BOARD
RELEASE OF COVENANT**

The undersigned, being a majority of the Planning Board of the Town of Lakeville, Massachusetts, hereby certifies that the construction of ways and subdivision improvements called for by Performance Covenant dated March 24, 2016 and recorded with Plymouth County Registry of Deeds in Book 46802, Page 202 have been completed to the satisfaction of the Lakeville Planning Board as shown on a Subdivision Plan entitled

“Julia’s Way Definitive Plan for Residential Subdivision County Street, Lakeville, Massachusetts” Owner/Applicant: Malloch Construction Company, Inc, 113 Padelford Street Berkley Massachusetts”, Scale: 1=100’, Dated: December 24, 2015, Prepared by: Foresight Engineering, Inc., 518 County Road (Wishbone Way) West Wareham, MA 02576

and recorded with Plymouth County Registry of Deeds in Plan Book 60, Page 438 and said property is hereby released from the restrictions as to sale and building specified thereon.

Lakeville Planning Board

Mark Knox, Chair

Barbara Mancovsky, Vice Chair

Peter Conroy

Jack Lynch

Michele MacEachern

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

April __, 2021

On this day, before me, the undersigned notary public, personally appeared Mark Knox, Barbara Mancovsky, Peter Conroy, Lack Lynch and Michele MacEachern who proved to me through satisfactory evidence of identification, which was based on [] personal knowledge [] a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as members of the Town of Lakeville Planning Board.

Notary Public: _____

Printed Name: _____

My Commission Expires: _____

**TOWN OF LAKEVILLE
PLANNING BOARD
CERTIFICATE OF COMPLETION and
RELEASE of MUNICIPAL INTEREST in SUBDIVISION SECURITY**

Subdivision Name: LedgeWood Estates
Owner: Paul E. Tuner Corp.
Owner's Address: 1 LedgeWood Drive Lakeville, MA 02347

Date of Subdivision Plan: January 5, 2016 revised through March 3, 2016
Land Location: LedgeWood Drive
Plan Recorded: Plymouth County Registry of Deeds in Plan Book 60, Page 680.

Type of Performance Security: Deposit of Money

The undersigned, being a majority of the Planning Board of Lakeville, have determined that the construction of ways and installation of municipal services in the subdivision referred to above have been completed in accordance with the Board's rules and regulations to adequately serve the lots shown on the above referenced plan.

Pursuant to Massachusetts General Law Chapter 41, Section 81U, the Town of Lakeville, a Massachusetts corporation, acting through its Planning Board, hereby releases its interest in the Performance Security referred to above.

Executed as a sealed instrument this _____ day of April, 2021.

Lakeville Planning Board

Mark Knox, Chair

Barbara Mancovsky, Vice Chair

Peter Conroy

Jack Lynch

Michele MacEachern

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

April __, 2021

On this day, before me, the undersigned notary public, personally appeared Mark Knox, Barbara Mancovsky, Peter Conroy, Lack Lynch and Michele MacEachern who proved to me through satisfactory evidence of identification, which was based on [] personal knowledge [] a Massachusetts driver's license, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose as members of the Town of Lakeville Planning Board.

Notary Public: _____

Printed Name: _____

My Commission Expires: _____

#7



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

OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

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

FROM: Board of Appeals

DATE: March 24, 2021

RE: Attached Petitions for Hearing
Twisted Growers – 415 Millennium Circle
Tetrault - 7 Deneise Street
Moore – 6 Sandy Point Road
Lech-Goulart – 11 Charbonneau Avenue

Attached please find copies of four (4) Petitions for Hearing, which have been submitted to the Board of Appeals. The hearings for these petitions will be held on April 15, 2021.

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 12, 2021.

Thank you.

#70



EXHIBIT "A",

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

Special Permit Application
Petition for hearing
Marijuana Uses only

Name of Petitioner: TWISTED GROWERS LLC

Mailing Address: 415 Millennium Circle, Lakeville, MA 02347

Name of Property Owner: D.F.C of Lakeville 415 LLC

Location of Property: 415 Millennium Circle, Lakeville, MA 02347

Registry of Deeds: Book No. 45540 Page No. 112

Map 022 Block 001 Lot 003-02

Petitioner is: _____ owner tenant licensee _____ prospective purchaser

Marijuana Use(s) applying for: AMENDMENT TO EXISTING PERMIT

- Marijuana Retailer
- Craft Marijuana Cooperative
- Microbusiness
- Marijuana Research Facility
- Marijuana Product Manufacturer
- Independent Testing Laboratory
- Craft Marijuana Cooperative
- Marijuana Cultivator
- Marijuana Transporter
- *(Must also complete Tiers of Marijuana Cultivator)
- Registered Marijuana Dispensary (RMD)

Tiers of Marijuana Cultivator

Each licensee (except a Craft Marijuana Cooperative) may have three licenses, but the total canopy authorized by the licenses added together may not exceed 100,000 square feet.

Please indicate all Tiers that are licensed (L) or are in process (✓) from the Cannabis Control Commission.

- Tier 1-up to 5,000 square feet
- Tier 5-30,001 to 40,000 sq. ft.
- Tier 9-70,001 to 80,000 sq. ft.
- Tier 2-5,001 to 10,000 sq. ft.
- Tier 6-40,001 to 50,000 sq. ft.
- Tier 10-80,001 to 90,000 sq. ft.
- Tier 3-10,001 to 20,000 sq. ft.
- Tier 7-50,001 to 60,000 sq. ft.
- Tier 11-90,001 to 100,000 sq. ft.
- Tier 4-20,001 to 30,000 sq. ft.
- Tier 8-60,001 to 70,000 sq. ft.

Please include a brief to the Board along with all documents required from the attached Special Permit Checklist with your application. Use additional paper if necessary.

Please see the enclosed letter and exhibits.

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH REFERENCE TO THE ABOVE PETITION. ALL OF THE INFORMATION ON THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE AND CONFORMS TO THE REQUIREMENTS OF THE MARIJUANA USES SUBMITTAL CHECKLIST AND THE TOWN OF LAKEVILLE ZONING BY-LAW.

Petitioner: Dominick DeMartino as Manager of Twisted Growers LLC

Date: March 17, 2021

Signed: *Dominick DeMartino*

Telephone: 203-410-7649

Email: dominick@twistedgrowers.com

Owner Signature: *Dominick DeMartino*
(If not petitioner) Dominick DeMartino as Manager of D F C of Lakeville 415 LLC

Owner Telephone: 203-410-7649

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes **No**

Attorney Phil Silverman, Counsel, Vicente Sederberg LLP
Name and Title

617-752-7878
Telephone

philsilverman@vicentesederberg.com
Email

March 25, 2021

Chair John Olivieri, Jr.
Zoning Board of Appeals
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347

RE: Twisted Growers LLC -

Dear Chair Olivieri:

Please accept this correspondence on behalf of Twisted Growers LLC (“**Twisted Growers**”) in response to feedback received from the Lakeville Zoning Board of Appeals (the “**Board**”) relative to its application to modify its existing Special Permit to operate a Marijuana Establishment at 415 Millennium Circle in Lakeville (the “**Site**”).

1. **Board Feedback:** Please indicate what equipment is proposed as a result of the Product Manufacturing addition.

Twisted Growers Response: Twisted Growers anticipates incorporating the following additional equipment within the manufacturing and packaging rooms of the facility:

- Luna Tech IO Extractor
- Modular C1D1 Room
- Chemical Reactor
- Deep Freeze Standard Chillers
- High Pressure Liquid Chromatography and Gas Chromatography Analyzers
- Vacuum Ovens
- Laboratory Hot Plates / Magnetic Stirrers
- Hydraulic Press
- Hot Water Baths / Hot Bead Baths
- Walk-in Freezer
- Vacuum Pumps
- Fractional Distillation Still
- Roto Evaporator
- Three-Bay Sink
- Closed Vent Lab Hood
- Sanitizing Dishwasher
- Hand Washing Station

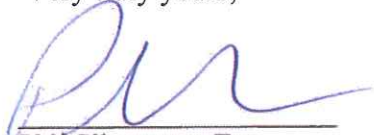
- Eye Washing Station
- Joint Rolling Machine
- Large Chemical Filters

2. **Board Feedback:** Please also indicate if this will affect the hours of operation or the number of employees.

Twisted Growers Response: This will not affect the hours of operation or the number of employees.

Should you seek additional information, please do not hesitate to contact me directly via email at philsilverman@vicentesederberg.com.

Very truly yours,



Phil Silverman, Esq.

PCS/rjr

February 17, 2021

Chairman John Olivieri, Jr.
Lakeville Zoning Board of Appeals
347 Bedford Street
Lakeville, MA 02347

RE: Twisted Growers LLC – Amendment to Zoning Board of Appeals (“ZBA”) Special Permit 20-01

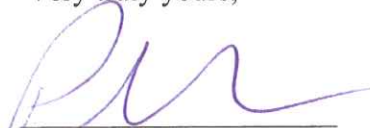
Dear Chairman Olivieri:

Please accept this correspondence on behalf of Twisted Growers LLC (“Twisted Growers”), which obtained a Special Permit from the ZBA on February 7, 2020 to operate an Adult Use Marijuana Cultivator at 415 Millennium Circle in Lakeville (the “Original Permit”). A copy of the Original Permit is attached hereto as **Exhibit A**.

Twisted Growers seeks to amend the Original Permit to incorporate Adult Use Marijuana Product Manufacturing operations on the premises along with the existing permitted Adult Use Marijuana Cultivation operations. Such a modification would be completely contained within the existing scope of the project, including anticipated number of employees, exterior site layout, traffic impact, and odor mitigation. The only proposed modification would be to incorporate a designated manufacturing area within the second floor footprint, demonstrated through the enclosed floor plan attached hereto as **Exhibit B**.

Should you seek additional information, please do not hesitate to contact me directly via email at philsilverman@vicentesederberg.com.

Very truly yours,



Phil Silverman, Esq.

PCS/rjr



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

OFFICE OF
ZONING BOARD OF APPEALS
Secretary: Cathy Murray

February 7, 2020

Twisted Growers, LLC
415 Millennium Circle
Lakeville, MA 02347

To Whom it May Concern:

The By-Law requires you to file our decision with the recorder of the Land Court where registered land is involved. Enclosed are the decision packet and a copy of the filing procedure.

Sincerely,

The Board of Appeals
Donald A. Foster, Chairman

Enclosures:

Decision Packet
Decision Filing Procedure

THE COMMONWEALTH OF MASSACHUSETTS
LAKEVILLE
CITY OR TOWN

ZONING BOARD OF APPEALS

Date Feb. 7, 2020

NOTICE OF SPECIAL PERMIT

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

Notice is hereby given that a Special Permit has been granted

To Twisted Growers, LLC
Owner or Petitioner
Address 415 Millennium Circle
City or Town Lakeville, MA 02347
Identify Land Affected

by the town of Lakeville Board of Appeals affecting the
rights of the owner with respect to the use of the premises on
415 Millennium Circle Lakeville
Street City or Town
the record title standing in the name of
DFC of Lakeville 415, LLC

whose address is 920 South Colony Road Wallingford MA
Street City or Town State

by a deed duly recorded in the Plymouth County Registry of Deeds in
Book 45540, Page 112, Registry District of the Land Court
Certificate No. _____ Book _____ Page _____

The decision of said Board is on file with the papers in Decision or Case No. 20-01 .
in the office of the Town Clerk Lillian M. Drane
Certified February 7, 2020 .

THE APPEALS BOARD

Donald R. [Signature] Chairman
[Signature] Clerk

_____ 20 _____ at _____ o'clock and _____ minutes _____ M.

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

Attest

Register of Deeds

Notice to be recorded by Land Owner.

F

Place as First page for Register of Deeds copy

20-01

TOWN OF LAKEVILLE
MASSACHUSETTS

Received

ZONING BOARD OF APPEALS

FEB 07 2020

NOTICE OF DECISION

Lakeville Town Clerk

ON A SPECIAL PERMIT

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

Applicant Date: February 7, 2020

Twisted Growers, LLC Case No: 20-01

Owner Address: 920 South Colony Road

DFC of Lakeville 415, LLC Wallingford, CT 06492

Premises Affected
415 Millennium Circle

Special Permit Application to permit:
An Adult Use Marijuana Cultivator pursuant to Section 7.4.6 of the Zoning Bylaw.

A required public hearing on this application was properly advertised, abutters were properly noticed and a public hearing was opened on November 21, 2019, continued to January 16, 2020 and closed on January 16, 2020.

The Zoning Board of Appeals at its meeting on January 16, 2020 VOTED TO GRANT a Special Permit under Article 7.0 – Special Regulations, Section 7.4.6 – Marijuana Uses of the Zoning Bylaw, subject to the conditions set forth in the Board’s Record of Proceedings.

Decision filed with Town Clerk on February 7, 2020.

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

THE APPEALS BOARD

Clerk

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS

RECORD OF PROCEEDINGS

ON APPLICATION FOR A SPECIAL PERMIT

PETITION No. 19-23 DATE FILED October 9, 2019

I, Janice M. Swanson Clerk of the Appeals Board hereby certify that the following is a detailed record of all its proceedings relative to the application of:

Twisted Growers, LLC of 415 Millennium Circle, Lakeville, MA 02347
(Name and address of Applicant)

for a Special Permit under Section 7.4.6 of the Zoning Bylaw for the siting of an Adult Use Marijuana Cultivator to be located at 415 Millennium Circle, Lakeville, MA within the Industrial District, in which use requires a Special Permit from the Appeals Board.

1. On October 2, 2019 an application of which a true copy marked "A" is made a part of this record was presented to the Appeals Board.
2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Middleboro Gazette a newspaper published in Middleboro, MA on 11/07/19 and on 11/14/19.
3. Notice of the hearing, a copy of which is marked "C" is made a part of this record, were mailed postpaid to the petitioner, abutter, and owners of the land within 300 feet of the property line, being the same persons named in the Assessors certificate which was a part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, and the planning boards of every abutting municipality.
4. On November 21, 2019 and January 16, 2020, hearings were held at the Lakeville Public Library, 4 Precinct Street, at which opportunity was given to all those interested, those to be heard in favor or opposition to said petition, at which hearing the following individuals were present:

On behalf of the Applicant: Atty. Brian Salisbury, Mr. Jamie Bissonnette, Mr. Scott Baker, Mr. Mitch Suzan, Mr. Derek Stucki, Mr. Dominick Demartino, and Mr. Dennis Karjanis were present.

ZBA Members present: D. Foster - CH , D. Curtis - VCH ,
J. Olivieri, - CLK , J. Swanson - VCLK ,
J. Gouveia , G. Noble ,
J. Urbanski .

5. Materials submitted as part of this application included the following:
 - a. Zoning Board of Appeals Petition for Hearing, submitted by Twisted Growers, LLC, dated October 2, 2019;
 - b. Legal advertisement as published in the Middleboro Gazette on 11/07/19 and on 11/14/19;
 - c. Tax Collector Form, dated October 2, 2019;
 - d. Certified Abutters List, dated October 8, 2019;
 - e. Site Plans:
 - i. "Site Plan Layout – Sheet 1 of 3", prepared by Zenith Consulting Engineers, LLC, dated February 26, 2019, endorsed by the Planning Board on March 28, 2019;
 - ii. "Landscaping Plan – Sheet 2 of 3", prepared by Zenith Consulting Engineers, LLC, dated February 26, 2019, endorsed by the Planning Board on March 28, 2019;
 - iii. "Detail Plan – Sheet 3 of 3", prepared by Zenith Consulting Engineers, LLC, dated February 26, 2019, endorsed by the Planning Board on March 28, 2019;
 - iv. "Office/Warehouse Building, Sheet A-1", prepared by David Elias, dated March 8, 2019;
 - v. "Office/Warehouse Building, Sheet A-2", prepared by David Elias, dated March 7, 2019
 - f. Twisted Growers, LLC's Application to the Cannabis Control Commission;
 - g. Employee Security Policy
 - h. Under 21 Policy and Procedure
 - i. Host Community Agreement executed with the Town, dated April 2, 2019
 - j. Board of Health correspondence of November 21, 2019
 - k. Conservation Commission correspondence of November 13, 2019
 - l. Planning Board correspondence of November 18, 2019

6. Following the hearings the Board found the proposed use as an Adult Use Marijuana Cultivator is in harmony with the general purpose and intent of the Bylaw based on the following findings, pursuant to Section 7.4.1:
 - a. Twisted Growers, LLC seeks to renovate an existing 24,000 s.f. industrial warehouse located at 415 Millennium Circle, Lakeville, Massachusetts (the "Property") and operate an Adult Use Marijuana Cultivation Facility (the "Facility") within the entirety of the warehouse.
 - b. The Property is located within the Industrial Zoning District and currently contains an approximately 24,000 s.f. warehouse occupied by New England Shelving and American Building Systems, Inc.
 - c. Twisted Growers, LLC has applied to the Cannabis Control Commission for a license to operate an adult use marijuana cultivation facility at the property and is seeking a Tier 11 designation, with the intent of expanding its operations in the future.
 - d. Pursuant to Section 4.1.3 and 7.4.6 of the Zoning Bylaw, the use of the Property for an Adult Use Marijuana Cultivator is allowed by Special Permit within the Industrial Zoning District.

- e. The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.
 - i. The Facility proposes a double wall fiberglass 10,000 gallon wastewater holding tank for the industrial wastewater generated by the Facility. The Facility will buy 2,000 gallons of water per day from the City of Taunton for the Facility's usage.
 - ii. The Facility will not use harmful pesticides on the marijuana products.
 - iii. Water usage will be controlled through micro-irrigation to avoid the production of water run-off and reduce the amount of the Facility's water consumption.
 - iv. The Facility will dispose of liquid waste in accordance with all applicable federal, state and local laws, regulations, rules and other requirements.
 - v. The Facility will dispose of product waste with an industrial chipper machine in accordance with the requirements of the Cannabis Control Commission.
 - vi. Twisted Growers, LLC has proposed industry best management practices to minimize odor emissions by modifying the Facility to be as airtight as possible, placing carbon filtration systems in all building exhaust vents to reduce odor emitted from the facility; placing carbon filtration units at all entrance and exit doors; and replacing all carbon filters regularly to ensure adequate performance. Grow rooms are independent labs that are self-contained, air flow is continuous but contained within the grow-pod to control airborne microorganisms. The grow rooms will include carbon filter and machine called Photox to eliminate all pathogens and assist as back-up for odor control. To control the odor outside the grow rooms, within the Facility's hallways, an oxidative odor elimination process will be utilized.
 - vii. The Facility will operate discretely and will not contain signage identifying its operations as a marijuana cultivator, thereby avoiding undesirable social impacts on the Town.
 - viii. The Facility is not anticipated to produce much noise or traffic within the neighborhood.
 - ix. The Facility will have positive economic and community impacts on the Town by hiring 25 full time, ideally local, employees; giving priority to local business/suppliers/contractors/builders/vendors for its renovation, maintenance and operations; and a part of the Host Community Agreement, Twisted Growers, LLC will provide charitable donations, impact fees and benefit payments to the Town.
 - x. The use will be highly secured with a security system designed and implemented in accordance with the Cannabis Control Commission regulations, subject to the review and approved by the local Police Department. Twisted Growers, LLC will also provide on-site security personnel to monitor operations with two security guards minimum 24 hours per day/ 7 days a week.
 - xi. The Facility has purchased a natural gas generator, which will supply the electricity for one-third of the Facility's operations. Its main purpose will be for the Facility's security cameras and general lighting.
- f. The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development, which could occur if the special permit were denied.

- i. The Board finds that the Facility will not present new impacts to the character of the neighborhood and existing natural resources because the Facility will be contained within an existing structure, subject to interior renovations, and the cultivation operations will occur within said structure.
 - ii. The proposed use of the Facility is keeping in kind with the character of the neighborhood, which is currently all industrial uses. The proposed use will be less impactful on the neighborhood because it will produce less noise and less traffic than the existing industrial use of the Property.
 - iii. Twisted Growers, LLC does not intend to expand the footprint of the existing warehouse during renovations.
 - iv. The Board finds that the social, economic and community impacts proposed by the Facility are advantages that outweigh any detrimental effects to the neighborhood an environment.
 - v. Twisted Growers, LLC is proposing beneficial impacts to the neighborhood to mitigate any potential detriments including security measures, back-up generation, energy efficient technologies and odor mitigation measures.
- g. Twisted Growers, LLC has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.
- i. The Board finds that the Facility, an adult use marijuana cultivator, is allowed in the Industrial District by special permit and therefore, the Board has determined that the use is most compatible with the character of the Industrial District and no reasonable alternative is available to accomplish this purpose.
- h. The Special Permit Granting Authority shall determine that the proposal generally conforms to the principals of good engineering, sound planning, and correct land use, and that Twisted Growers, LLC has the means to implement the proposal if a Special Permit is granted.
- i. The Board finds that Twisted Growers, LLC is required to meet rigorous state regulations and therefore, the proposed use generally conforms to the principal of good engineering, sound planning, and correct land use, and that Twisted Growers, LLC has the means to implement the proposal if the Special Permit is granted.
- i. The Special Permit Granting Authority shall have the power to impose reasonable conditions and modifications, including limitations of time and use, as a condition of a Special Permit, and may secure compliance or performance by requiring the posting of a bond or other safeguards.
- i. The Board approves this Special Permit subject to the following conditions set forth below.
 - ii. The findings and conditions of the Site Plan Approval received from the Planning Board on March 28, 2019 shall be incorporated into this Special Permit by reference.

The Board reviewed the Site Plan submitted pursuant to Section 7.4.6 of the Zoning Bylaw and made the following findings with respect to the Facility:

- a. Consistent with Section 7.4.6.B, the Board finds that the proposed Facility is not located within 500 feet of a public or private school providing education in kindergarten or grades 1-12.
- b. Consistent with Section 7.4.6.C, the Board finds that the proposed Facility is separated from adjacent uses by at least a 50-foot buffer strip.
- c. Consistent with Section 7.4.6.D, the Board finds that the proposed Facility will be located within a fully enclosed structure.
- d. The floor plans identify the square footage available and describes the functional areas of the Facility.
- e. The site plans demonstrate compliance with the requirements for parking and loading spaces. Since the use is proposed to be located within an existing industrial building for which there will be no new exterior building construction, the Board was not required to address lot size, frontage, yards and heights and coverage of buildings.
- f. The site plans address the convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress to and from the site and will provide for an adequate arrangement and number of parking and loading spaces in relation to the proposed use of the premises.
- g. The parking configuration, number of parking spaces and loading spaces are adequate in relation to the Facility.
- h. The site design is such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.
- i. The location of this use within a pre-existing building does not raise concerns with respect to the design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping.
- j. There is adequate water supply, surface and subsurface drainage and light for the proposed use.
- k. Subject to the conditions below, Twisted Growers, LLC has provided written operating procedures, in accordance with the requirements of the Cannabis Control Commission and Section 7.4.6.E.3 of the Zoning Bylaw.

7. The Board voted at its meeting on January 16, 2020, as detailed below, to

 DENY the application based on findings as recorded herein for the following reasons:

 X GRANT the application subject to the following conditions:

1. The Application is approved in accordance with the Site Plans identified in Paragraph 5 above, which plans shall be incorporated herein by reference.
2. Given the use of the Facility as a marijuana cultivator, the limited hours of operation as proscribed in Section 7.4.6.F, shall not apply to the Facility. The Facility may operate 24 hours per day, 7 days a week for adult use marijuana cultivation.
3. This Special Permit is limited to the operation of the Facility as an adult use marijuana cultivator and for activities inherent in those authorized uses. This permit does not authorize operation of an adult use marijuana retailer establishment or, the sale of adult recreational marijuana and marijuana products directly to consumers.
4. The Facility shall not generate any outside odors from the cultivation of marijuana at the Facility and if for some reason the proposed HVAC systems are not capable of managing this, the permit holder must address ambient odors. Twisted Growers, LLC shall install and maintain at all times effective odor control technology to prevent the generation of outside odors from the cultivation of marijuana. Twisted Growers, LLC shall ensure proper operation and maintenance of all odor mitigation equipment to ensure maximum efficiency and effectiveness and shall repair and upgrade the air filtration systems, as necessary, to ensure the effectiveness of the odor control technology in meeting the Zoning Bylaw standard for odor mitigation.
5. The Zoning Enforcement Officer, in enforcing the conditions herein, may require additional odor investigation and/or odor mitigation measures or sound investigations and/or sound mitigation measures should concerns and complaints develop about plant odor or sound generation from the facility which are, in the opinion of the Building Commissioner his/her designee, legitimate in nature. Twisted Growers, LLC shall be required to address such issues with Building Commissioner and the Board to its satisfaction.
6. The Security Plan and Emergency Procedures shall be approved by the Police Chief and Fire Chief prior to commencing operations. The permit holder shall be required to certify to Police Chief and Fire Chief on an annual basis, that there are no changes to the Security Plan and Emergency Procedures for the Facility. Any certification shall be copied to the Zoning Enforcement Officer to ensure compliance with this condition.
7. The permit holder shall provide to the Zoning Enforcement Officer and Chief of the Police Department, the name, telephone number and electronic mail address of a contact person in the event that such person needs to be contacted after regular business hours to address an urgent issue. Such contact information shall be kept updated by the permit holder.
8. The Facility may not operate, and this Special Permit shall not take effect, until the permit holder has obtained all final license approvals from the Cannabis Control Commission. Prior to commencing operations on the Property to cultivate, process and manufacture marijuana for adult recreational use, Twisted Growers, LLC shall provide the Building Commissioner, Health Agent, Fire Chief, Police Chief and the Board with a copy of the applicable Final License from the Cannabis Control Commission for an adult use Marijuana Cultivator.

9. The permit holder shall be required, at all times, to have a Host Community Agreement with the Town relative to this Facility.
10. The term of this Special Permit shall be limited to the duration of the permit holder's ownership and use of the Property for marijuana cultivation. This Special Permit may only be transferred with the approval of the Zoning Board of Appeals in the form of an amendment to the Special Permit.
11. This Special Permit shall lapse upon the expiration or termination of the permit holder's license by the Cannabis Control Commission.
12. The permit holder shall notify the Zoning Enforcement Officer and Zoning Board of Appeals in writing within 48 hours of the cessation of operation, expiration or termination of the permit holder's license or certificate of registration with the Cannabis Control Commission for any Marijuana Use.
13. The permit holder shall undertake best efforts to employ energy efficient technologies to curb the Facility's energy consumption and provide for more energy efficient practices.
14. Twisted Growers, LLC shall provide an annual report of its operations to the Board and other Town officials no later than January 31st of each year, including a copy of all current state licenses and demonstrating continued compliance with the conditions of this special permit. Any change in ownership of Twisted Growers, LLC or change in management staff and individuals with key access to the Facility shall also be reported within 30 days of such change.
15. Smoking, burning and consumption of marijuana or marijuana infused products on the premises for personal or consumer use is prohibited.

Members voting: D. Foster – AYE , D. Curtis – AYE , J. Olivieri – AYE ,
 J. Gouveia – AYE , J. Urbanski- AYE .

Signature Janice M. Swanson
Clerk

TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

SCHEMATIC DESIGN

02/01/2020

2WR # D20-280



7430 E. Caley Ave
Suite 280E
Centennial, CO 80111
P. (720) 258-4780
F. (720) 258-4782

TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

INDEX TO DRAWINGS

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SCHEMATIC DESIGN

Project Number: D20-280
Date: 02/01/2020
Drawn By: GM
Checked By: SA
Revisions:

No.	Date	Description

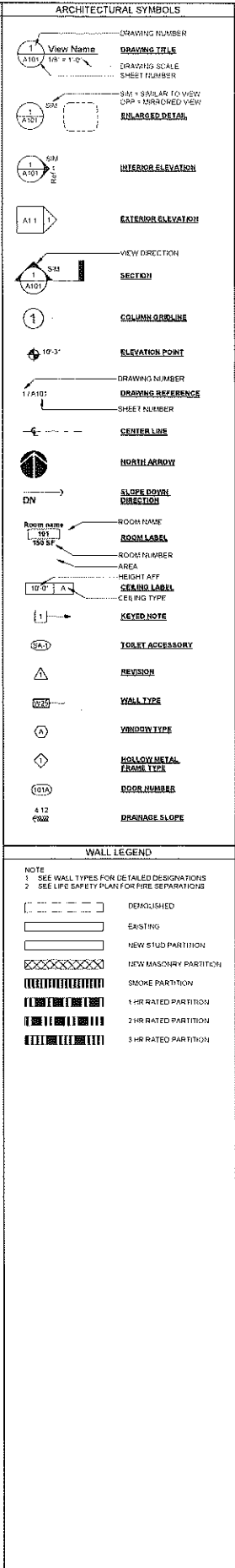
Sheet Description

COVER SHEET

Sheet Number

T1.1

ABBREVIATIONS	ARCHITECTURAL SYMBOLS	GENERAL NOTES
ABV Above	View Name	1 DRAWINGS AND SPECIFICATIONS OF ALL DISCIPLINES INCLUDED HEREIN CONSTITUTE THE FULL SCOPE OF THE PROJECT. THESE DOCUMENTS ARE INTENDED TO ESTABLISH THE CONCEPTUAL DESIGN OF THE GENERAL CONTRACTOR TO COMPLETE THE WORK SHOWN AND SPECIFIED. IT SHALL BE THE GENERAL CONTRACTOR'S ULTIMATE RESPONSIBILITY TO COORDINATE THE PROPOSALS AND WORK OF ALL TRADES.
ACCT Acoustic Ceiling Tile	DRAWING TITLE	2 ARCHITECTURAL AND ENGINEERING DRAWINGS ARE COMPLEMENTARY ITEMS INDICATED ON ARCHITECTURAL DRAWINGS SHALL BE PROVIDED WHETHER OR NOT THEY ARE INDICATED AND/OR COORDINATED WITH CONSULTANT DRAWINGS. ANY CONFLICTS BETWEEN ARCHITECTURAL AND ENGINEERING WORK SHALL BE IMMEDIATELY BROUGHT TO THE ARCHITECT PRIOR TO PROCEEDING WITH THE WORK.
ADJ Adjoint	DRAWING SCALE	3 CONTRACTOR SHALL COORDINATE THE SCOPE OF THIS WORK WITH THE CONTRACT DOCUMENTS, PLANS AND SPECIFICATIONS. THIS SHALL BE SEPARATE FROM EXTRAS WILL BE CONSIDERED OBLIGATORY FOR THE CONTRACTOR TO PROVIDE WORK TO CONTRACT DOCUMENTS.
AFD Architect Finished Floor	SHEET NUMBER	4 ALL WORK IS TO BE STRICTLY CONFINED WITH ALL STATE LAWS AND CODES WHICH APPLY TO THIS WORK AND TO GENERALLY ACCEPTED CONSTRUCTION TRADE PRACTICES.
ALM Aluminum	ENLARGED DETAIL	5 THE ARCHITECT MAKES ANY AND ALL RESPONSIBILITY AND LIABILITY FOR PROBLEMS WHICH ARISE FROM FAILURE TO FOLLOW THESE PLANS, SPECIFICATIONS AND THE DESIGN THEY CONVEY, OR FOR PROBLEMS WHICH ARISE FROM OTHERS FAILURE TO OBTAIN AND/OR FOLLOW THE DESIGN PROFESSIONAL'S GUIDANCE WITH RESPECT TO ANY ERRORS, OMISSIONS, INCONSISTENCIES, AMBIGUITIES OR CONFLICTS WHICH ARE ALLEGED.
ARCH Architect/Architectural	INDOOR ELEVATION	6 SECTIONS AND DETAILS CONTAINED IN THE CONTRACT DOCUMENTS ARE TYPICAL. CONTRACTOR IS RESPONSIBLE FOR PROVIDING COMPONENTS AND/OR CONSTRUCTION NOTED OR INDICATED IN OTHER SIMILAR AREAS OF THE PROJECT IF THEY CAN BE REASONABLY INFERRED TO BE A PART OF THE ASSEMBLY BASED ON OTHER SIMILAR SECTIONS AND DETAILS CONTAINED IN THE CONTRACT DOCUMENTS.
ASB Asphalt	VIEW DIRECTION	7 NOT ALL COMPONENTS IN EACH DETAIL MAY BE SPECIFICALLY CALLED OUT ON THAT PARTICULAR ARCHITECTURAL DETAIL. CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING THESE ITEMS IF THEY CAN BE REASONABLY INFERRED TO BE A PART OF THE ASSEMBLY BASED ON OTHER SIMILAR DETAILS CONTAINED WITHIN THE CONTRACT DOCUMENTS.
BD Board	SECTION	8 DO NOT SCALE ANY DRAWINGS TO DETERMINE DIMENSIONS. RELY ONLY ON FIELD MEASUREMENT AND WRITTEN DIMENSIONS FOR NEW WORK.
BDR Board	VIEW DIRECTION	9 ALL DIMENSIONS ARE FROM FACE OF STUD OR FACE OF MASSURY (MUD).
BO Bottom	SECTION	10 ALL DIMENSIONS AND CONDITIONS SHALL BE FIELD VERIFIED PRIOR TO PROCEEDING WITH THE WORK OF THIS CONTRACT. ANY DISCREPANCIES BETWEEN FIELD CONDITIONS AND CONTRACT DOCUMENTS SHALL IMMEDIATELY BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.
BOF Bottom	SECTION	11 SCALE IS INDICATED ON THE ELEVATIONS IF NOT REPRESENTATIVE OF A SCALED DRAWING. THE CONTRACTOR SHALL MAKE FIELD MEASUREMENTS AS REQUIRED TO ASCERTAIN THE EXTENT AND QUANTITY OF WORK TO BE PERFORMED.
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BOF Bottom	SECTION	WALL TYPES
BOF Bottom	SECTION	WALL TYPE GENERAL NOTES
BOF Bottom	SECTION	WALL TAG LEGEND
BOF Bottom	SECTION	WALL TYPE NOMINAL SIZING
BOF Bottom	SECTION	WALL LEGEND
BOF Bottom	SECTION	NOTE



USE OF CONTRACT DOCUMENTS

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WALL TYPES

WALL TYPE GENERAL NOTES

1 WALL TYPES ARE GENERIC IN NATURE AND DO NOT SHOW EVERY POSSIBLE CONFIGURATION OR CONDITION. REFER TO PLANS, ELEVATIONS, SECTIONS AND DETAILS FOR SPECIFIC DESIGN INFORMATION AND ELEMENTS WHICH MAY ALTER INFORMATION CONTAINED IN WALL TYPES.

2 NEW EXTERIOR WALLS ARE DETAIL AS SHOWN AND WALL SECTIONS.

3 SEE STRUCTURAL PLANS FOR ADDITIONAL FRAMING INFORMATION AND REINFORCING.

4 COORDINATE SEALING OF PENETRATIONS AT RATED WALLS WITH REPT DRAWINGS AND SPECIFICATIONS.

5 REFER TO NOTED UL ASSEMBLY FOR ADDITIONAL CONSTRUCTION INFORMATION.

6 ALL FIRE WALLS, SMOKE WALLS AND WALLS REQUIRED TO HAVE PROTECTED OPENINGS OR PENETRATIONS ARE TO BE PERMANENTLY YENKEL LABELED ACCORDING TO FIRE CODE REQUIREMENTS IN ACCESSIBLE CONCEALED FLOOR, CEILING OR ATTIC SPACES.

7 REFER TO LIFE SAFETY PLANS FOR CONTINUITY OF ALL RATED PARTITIONS.

WALL TAG LEGEND

WALL TYPE NOMINAL SIZING

W	CORE COMPOSITION				
	METAL STUD	WOOD STUD	CMU	BRICK	CONCRETE
1	1/2" CHANSEL	1 1/2" FURRING STRIPS			
2	1 1/2"	2 1/2"			
3	2 1/2"	2 1/2"			
4	3 1/2"	2 1/2"	4"	1 WYTHE	4"
6	6"	2 1/2"	6"		6"
8	8"	2 1/2"	8"	2 WYTHE	8"
10	10"	2 1/2"	10"		10"
12	12"	2 1/2"	12"	3 WYTHE	12"

WALL LEGEND

1 SEE WALL TYPES FOR DETAILED DESIGNATIONS

2 SEE LIFE SAFETY PLANS FOR FIRE SEPARATIONS

DEMOLISHED

EXISTING

NEW STUD PARTITION

NEW MASONRY PARTITION

SMOKE PARTITION

1 HR RATED PARTITION

2 HR RATED PARTITION

3 HR RATED PARTITION

NOTE

1 SEE WALL TYPES FOR DETAILED DESIGNATIONS

2 SEE LIFE SAFETY PLANS FOR FIRE SEPARATIONS

FIRE RATED CONSTRUCTION

1 ALL OUT PENETRATIONS THROUGH PARTITIONS AND CEILING SHALL BE PROVIDED WITH NECESSARY FRAMES AND BRACKETS ABOVE THE OPENING.

2 ALL PENETRATIONS THROUGH FIRE RATED PARTITIONS SHALL BE PROVIDED WITH AUTOMATIC FIRE DAMPERS AS REQUIRED BY CURRENT FIRE CODE AND THE LOCAL AUTHORITY HAVING JURISDICTION.

3 THE CONTRACTOR SHALL PROVIDE A COMPLETE FIRE SAFE BARRIER SEALING ALL AIR SPACES AND OPENINGS IN FIRE PROTECTED WALLS.

4 ALL FIRE AND/OR SMOKE BARRIERS OR WALLS SHALL BE EFFECTIVELY AND PERMANENTLY IDENTIFIED WITH SIGNS OR STRIPS AND ABOVE A DECORATIVE CEILING ANCHOR IN CONCEALED SPACES WITH LETTERS A MINIMUM OF 10 HIGHS IN ON A CONTRASTING BACKGROUND SPACED A MAXIMUM OF 12 FEET ON CENTER WITH A MINIMUM OF 11 PER WALL OR BARRIER IN ACCORDANCE WITH MODIFICATIONS OF THE 2006 INTERNATIONAL FIRE PREVENTION CODE, 103.5 CHAPTER 5 OF THE RULES AND REGULATIONS OF THE FIRE SAFETY COMMISSION. THE HOUSING PARTIAL SHALL BE INCLUDED ON ALL RATED BARRIERS OR WALLS IN FORMAT - HOUR FIRE AND SMOKE BARRIER PROTECT ALL OPENINGS.

5 ALL PENETRATIONS THROUGH FIRE RATED WALLS, FLOORS, CEILING, ETC. SHALL BE SEALED WITH 1/4" BRANDED FIRE BARRIER CALK (CP-250) NO SOAP OR OILS. ALL SELF-LEVELING OR EQUAL DEPTH OF CALK SHALL BE AS REQUIRED TO MEET THE REQUIRED FIRE RATING FOR THAT SYSTEM. PROVIDE BACKER ROD AS NECESSARY FOR BACK UP MATERIAL. NOTE BOTH SIDES OF RATED SYSTEMS SHALL BE CALKED.

6 FIRE STOPPING REQUIREMENT PENETRATIONS THROUGH RATED WALLS AND FLOORS SHALL BE SEALED WITH A MATERIAL CAPABLE OF PREVENTING THE PASSAGE OF FLAMES AND HOT GASES WHEN SUBJECTED TO THE REQUIREMENTS OF TEST STANDARD SPECIFICATIONS FOR FIRE TOPS ASTM E814.

NEW CONSTRUCTION

1 ALL WOOD IN CONTACT WITH MASONRY OR CONCRETE SHALL BE PRESSURE TREATED WITH AN APPROVED PRESERVATIVE.

2 ALL INSULATIONS NOTED ON PLANS SHALL BE NONCOMBUSTIBLE AND MAINTAIN THERMAL AND MOISTURE PROTECTION AS NOTED IN THE SPECIFICATIONS.

3 CONTRACTOR SHALL COORDINATE THE INSTALLATION OF THE VARIOUS TRADE ITEMS WITHIN THE SPACE ABOVE ALL CEILING INCLUDING, BUT NOT LIMITED TO, STRUCTURAL MEMBERS, MECHANICAL DUCTS AND INSULATION. CONTRACTOR SHALL PROVIDE A COMPLETE FIRE SAFE BARRIER SEALING ALL AIR SPACES AND OPENINGS IN FIRE PROTECTED WALLS.

4 ACCESS PANELS SHALL BE PROVIDED AND INSTALLED WHERE REQUIRED BY BUILDING CODE OR FOR THE PROPER OPERATION OR MAINTENANCE OF MECHANICAL OR ELECTRICAL EQUIPMENT. WHETHER OR NOT INDICATED ON THE DRAWINGS, CONTRACTOR SHALL COORDINATE THE LOCATION AND TYPE OF ACCESS PANEL WITH OTHER CONTRACTORS WORK AND RECEIVE APPROVAL OF THE ARCHITECT.

5 ALL DUCT PENETRATIONS THROUGH PARTITIONS AND CEILING SHALL BE PROVIDED WITH NECESSARY FRAMES AND BRACKETS ABOVE THE OPENING AND SHALL BE IDENTIFIED WITH AUTOMATIC FIRE DAMPERS AS REQUIRED BY THE BUILDING DEPARTMENT FOR FIRE RATED PENETRATIONS.

6 HORIZONTAL JOINT REINFORCEMENT IS GENERALLY NOT SHOWN FOR REASONS OF CLARITY. JEN AND ANCHORS SPECIFICALLY NOTED ON DETAILS ARE IN ADDITION TO HORIZONTAL JOINT REINFORCEMENT UNLESS SPECIFICALLY NOTED OTHERWISE.

7 SIZE OF MECHANICAL AND ELECTRICAL EQUIPMENT PADS AND BASES ARE APPROXIMATE ONLY. CONTRACTOR SHALL VERIFY DIMENSIONS WITH RESPECTIVE EQUIPMENT MANUFACTURER.

8 CONTRACTOR SHALL PROVIDE AND INSTALL ALL STIFFENERS, BRACKETS, BACKUP PLATES, BLOCKING AND SUPPORTING BRACKETS REQUIRED FOR THE INSTALLATION OF ALL CASEWORK, TOILET ACCESSORIES AND ALL FLOOR MOUNTED OR SUSPENDED MECHANICAL AND ELECTRICAL EQUIPMENT.

9 ALL DISSIMILAR METALLIC MATERIALS SHALL BE EFFECTIVELY ISOLATED FROM EACH OTHER TO PREVENT GALVANIC ACTION.

10 FISHED CMU SHALL BE ARCHITECTURAL DRAWINGS ARE IN ADDITION TO THOSE SHOWN ON STRUCTURAL DRAWINGS AND SHALL BE REINFORCED AS INDICATED THEREIN.

DEMOLITION AND DECONSTRUCTION

1 ALL DEMOLITION WORK SHALL COMPLY WITH THE REQUIREMENTS OF NFPA 241 STANDARD FOR SAFEGUARDING CONSTRUCTION AT TERRITORY AND DEMOLITION OPERATIONS.

2 THE CONTRACTOR SHALL PROVIDE ERECT AND MAINTAIN TEMPORARY BARRIERS AND GUARDS AND ALL TEMPORARY SHOWING AND BRACING AS REQUIRED BY ALL APPLICABLE CODES.

3 CONTRACTOR SHALL PERFORM ALL OPERATIONS OF DEMOLITION AND RENOVATION INDICATED ON THE DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND AGREED TO WITH OWNER AND ARCHITECT. COORDINATE ALL DEMOLITION WITH NEW CONSTRUCTION DRAWINGS.

4 CONTRACTOR SHALL COORDINATE SEQUENCE OF DEMOLITION WITH PHASES OF CONSTRUCTION.

5 CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD PRIOR TO PROCEEDING WITH WORK.

6 THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD PRIOR TO PROCEEDING WITH WORK.

7 IF DURING THE COURSE OF CONSTRUCTION THE CONTRACTOR ENCOUNTERS MATERIALS THAT ARE SUSPICIOUS AS TO BE REMAIN WHICH HAVE NOT YET BEEN IDENTIFIED OR OTHER MODERN PROPERTIES WHICH REQUIRE ATTENTION THE ARCHITECT SHALL IMMEDIATELY BE NOTIFIED PRIOR TO PROCEEDING WITH THE WORK IN THE AREA OF DISCOVERY.

8 ALL ADJACENT PROPERTY AFFECTED BY ANY OPERATIONS OF DEMOLITION SHALL BE PROTECTED PER ALL APPLICABLE CODES.

9 CONTRACT ARCHITECT IMMEDIATELY IF DURING THE COURSE OF DEMOLITION CIRCUMSTANCES ARE ENCOUNTERED IN WHICH THE EXTENT OR INTENT OF DEMOLITION INDICATED IN THE CONTRACT DOCUMENTS IS IN JEOPARDY. DO NOT PROCEED WITH DEMOLITION IN THESE AREAS IN QUESTION UNTIL CLARIFICATION IS GIVEN BY ARCHITECT.

10 ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.

11 NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS. THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF THE DEMOLITION.

12 REFER TO MECHANICAL, PLUMBING, ELECTRICAL, CIVIL AND STRUCTURAL SHEETS FOR DEMOLITION OF ITEMS RELATED TO EACH DISCIPLINE. ALL EXISTING PENETRATIONS FOR BUILDING SYSTEMS NOT BROOM REUSED SHALL BE DEMOLISHED AND HOLES IMPLED TO MATCH ADJACENT CONSTRUCTION.

13 WHERE EXISTING WALLS ARE PARTIALLY DEMOLISHED, FINISH ENDS OF REMAINING WALLS TO MATCH ADJACENT CONSTRUCTION AND PROVIDE SMOOTH EVEN SURFACES AT JUNCTIONS OF NEW WALLS TO THE INTENT OF THESE DRAWINGS IS NOT TO DISTURB ANY EXISTING STRUCTURAL FRAMING OR SUPPORT IN OR ON EXISTING STRUCTURE TO REMAIN UNLESS SPECIFICALLY NOTED OTHERWISE.

14 WHERE EXISTING MATERIALS ARE OBTAINED BY WORK OF THIS PROJECT, CUT PATCH AND REPAIR THOSE AREAS AS REQUIRED TO MATCH THE ADJACENT EXISTING MATERIALS FINISHES IN CONFIGURATION, TEXTURE, COLOR, ETC. WITH SMOOTH AND LEVEL TRANSITION UNLESS OTHERWISE NOTED.

15 WHERE NEW MATERIALS FINISHES ARE INSTALLED WITHIN EXISTING DOOR, WINDOW OR OTHER OPENINGS, WITH NEW OPENINGS IN EXISTING CONSTRUCTION OR SUCH THAT THEY ABUT EXISTING CONSTRUCTION TO REMAIN, THOSE NEW MATERIALS FINISHES SHALL MATCH THE ADJACENT EXISTING MATERIALS FINISHES IN CONFIGURATION, TEXTURE, COLOR, ETC. WITH SMOOTH AND LEVEL TRANSITION.

16 CUTTING AND PATCHING WILL BE REQUIRED AS NECESSARY FOR BOTH THE INSTALLATION OF NEW ITEMS AND DUE TO THE REMOVAL OF EXISTING ITEMS. CONTRACTOR SHALL COORDINATE THIS WORK WITH EXISTING FLOORS TO RECEIVE NEW FLOOR COVERINGS SHALL HAVE ALL HOLES FILLED, RIDGES MOVED AND FLOORS LEVELLED AS NECESSARY FOR BOTH THE INSTALLATION OF NEW ITEMS AND DUE TO THE REMOVAL OF EXISTING ITEMS. CONTRACTOR SHALL COORDINATE THIS WORK WITH EXISTING FLOORS TO RECEIVE NEW FLOOR COVERINGS SHALL HAVE ALL HOLES FILLED, RIDGES MOVED AND FLOORS LEVELLED AS NECESSARY FOR BOTH THE INSTALLATION OF NEW ITEMS AND DUE TO THE REMOVAL OF EXISTING ITEMS.

17 INVESTIGATE LOCATION OF NEW OPENINGS FOR CONFLICTS WITH EXISTING PLUMBING, ELECTRICAL, MECHANICAL, AND OTHER EXISTING CONSTRUCTION AND REPORT CONFLICTS TO ARCHITECT PRIOR TO CUTTING FOR NEW OPENINGS.

18 EXISTING STRUCTURAL ITEMS - DO NOT CUT, DRILL, NOTCH OR MODIFY WITHOUT SPECIFIC PRIOR APPROVAL OF ARCHITECT/STRUCTURAL ENGINEER.

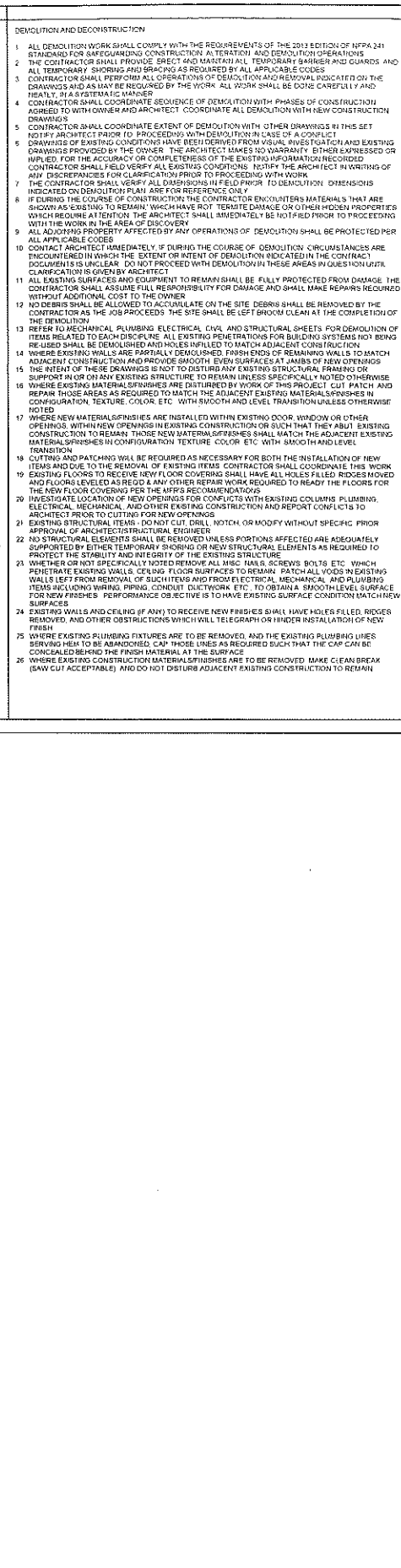
19 NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS PORTIONS AFFECTED ARE ADEQUATELY SUPPORTED BY OTHER TEMPORARILY SHORING OR NEW STRUCTURAL ELEMENTS AS REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE.

20 WHETHER OR NOT SPECIFICALLY NOTED REMOVE ALL MISC. NAILS, SCREENS, BOLTS, ETC. WHICH PENETRATE EXISTING WALLS, CEILING FLOOR SURFACES TO REMAIN. PATCH ALL Voids IN EXISTING WALLS LEFT FROM REMOVAL OF SUCH ITEMS AND FROM ELECTRICAL, MECHANICAL, AND PLUMBING ITEMS INCLUDING WIRING, PIPING, CONDUIT, DUCTWORK, ETC. TO OBTAIN A SMOOTH LEVEL SURFACE FOR NEW FINISHES. PERFORMANCE OBJECTIVE IS TO HAVE EXISTING SURFACE CONDITION MATCH NEW SURFACES.

21 EXISTING WALLS AND CEILING IF ANY TO RECEIVE NEW FINISHES SHALL HAVE HOLES FILLED, RIDGES REMOVED, AND OTHER OBSTRUCTIONS WHICH WILL TELEGRAPH OR IMPAIR INSTALLATION OF NEW FINISH.

22 WHERE EXISTING PLUMBING FEATURES ARE TO BE REMOVED, AND THE EXISTING PLUMBING LINES SERVING THEM TO BE ABANDONED, CAP THOSE LINES AS REQUIRED SUCH THAT THE CAP CAN BE CONCEALED BEHIND THE FINISH MATERIAL AT THE SURFACE.

23 WHERE EXISTING CONSTRUCTION MATERIALS FINISHES ARE TO BE REMOVED, MAKE CLEAN BREAK (RAW CUT ACCEPTABLE) AND DO NOT DISTURB ADJACENT EXISTING CONSTRUCTION TO REMAIN.



AREA CALCULATIONS

SITE	XX.XX ACRES (XXXX SF)		
	EXISTING	PROPOSED TOTAL	LOT COVERAGE
BLDG FOOTPRINT	XXXX SF	XXXX SF	XXX %
LEVELS	X	X	
EXISTING	XXXX SF	XXXX SF	XXXX SF
RENOVATION	XXXX SF	XXXX SF	XXXX SF
ADDITION	XXXX SF	XXXX SF	XXXX SF
TOTAL	XXXX SF	XXXX SF	XXXX SF

2AR

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TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

SCHEMATIC DESIGN

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Project Number: D20-280
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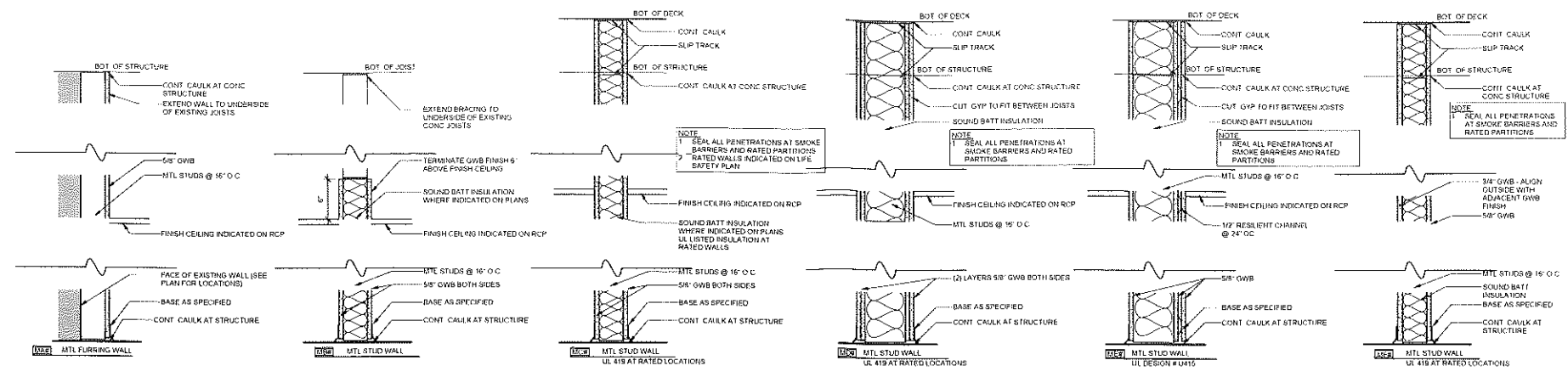
GENERAL NOTES & LEGENDS

Sheet Number


T1.3

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1 METAL WALL TYPES
T1.4 SCALE: 1/2" = 1'-0"



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TWISTED GROWERS

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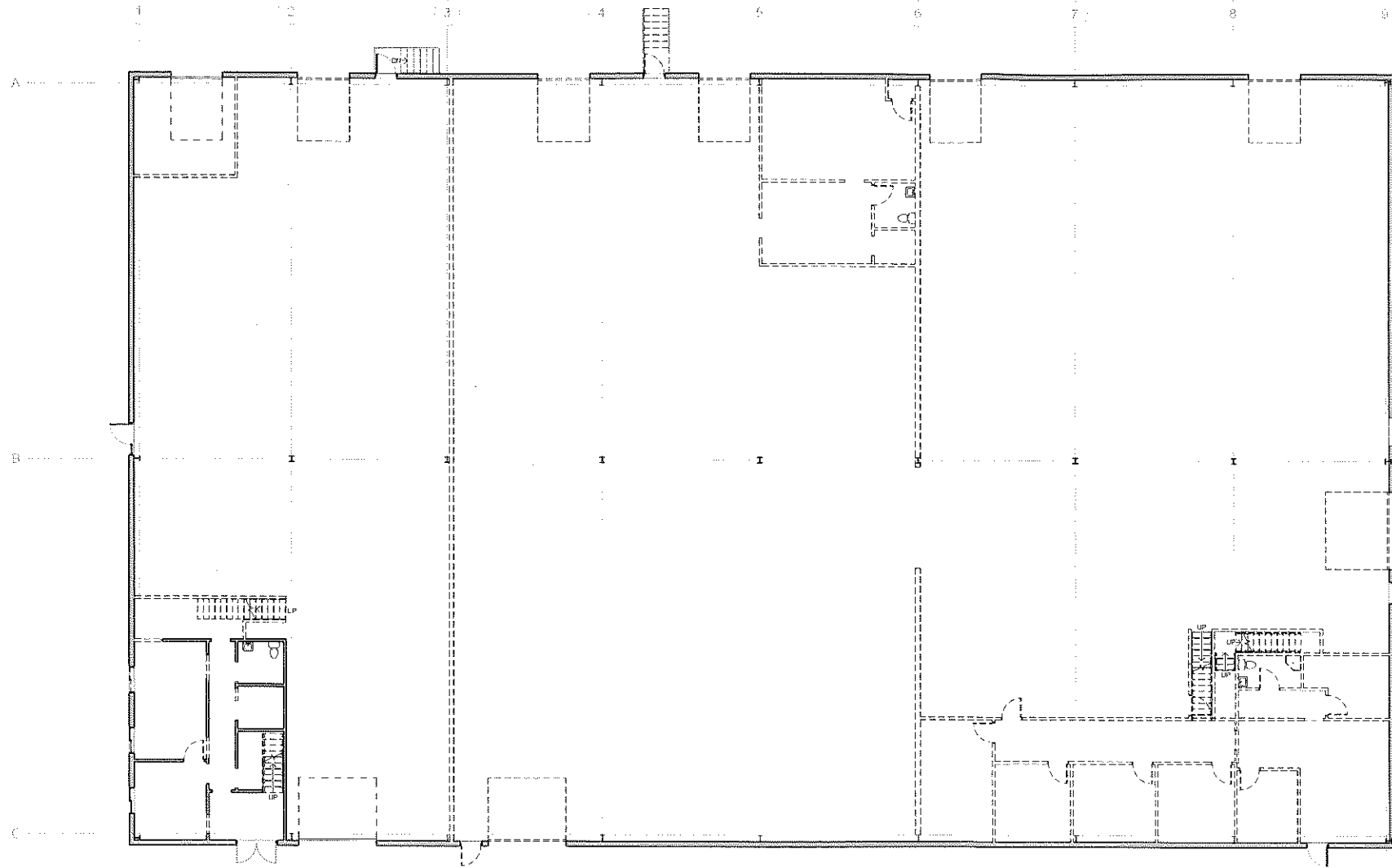
WALL TYPES

Sheet Number

T1.4

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1 DEMO FIRST FLOOR PLAN
 D1.1 SCALE: 1/8" = 1'-0"

DEMO LEGEND

--- DEMOLISHED ——— EXISTING TO REMAIN

GENERAL DEMOLITION NOTES

1. ALL DEMOLITION WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE 2013 EDITION OF NETA 241 STANDARD FOR SAFETY AND CONSTRUCTION ALTERATION AND DEMOLITION OPERATIONS
2. CONTRACTOR SHALL COORDINATE SEQUENCE OF DEMOLITION WITH PHASES OF CONSTRUCTION AGREED TO WITH OWNER AND ARCHITECT. COORDINATE ALL DEMOLITION WITH NEW CONSTRUCTION DRAWINGS
3. THE CONTRACTOR SHALL FILE ALL NECESSARY CERTIFICATES OF INSURANCE. PAY ALL FEES, OBTAIN ALL PERMITS AND PROVIDE ANY AND ALL BONDS REQUIRED BY ANY AGENCY IN ORDER TO DO THE WORK HEREIN DESCRIBED
4. NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS PORTIONS AFFECTED ARE ADEQUATELY SUPPORTED BY EITHER TEMPORARY SHORING OR NEW STRUCTURAL ELEMENTS AS REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE
5. THE CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING THE COURSE OF THE WORK. ALL OPENINGS IN ANY WALL OR ROOF SHALL BE PROTECTED FROM ALL FORMS OF WEATHER OR WATER
6. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD PRIOR TO DEMOLITION. DIMENSIONS INDICATED ON DEMOLITION PLAN ARE FOR REFERENCE ONLY
7. CONTRACTOR SHALL COORDINATE EXTENT OF DEMOLITION WITH OTHER DRAWINGS IN THIS SET. NOTIFY ARCHITECT PRIOR TO PROCEEDING WITH DEMOLITION IN CASE OF A CONFLICT
8. CONTRACTOR SHALL PERFORM ALL OPERATIONS OF DEMOLITION AND REMOVAL INDICATED ON THE DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND NEATLY IN A SYSTEMATIC MANNER
9. DEMOLITION DRAWINGS AND NOTATIONS ARE GENERAL IN NATURE. PRIOR TO BIDDING THE WORK CONTRACTORS SHOULD PERFORM FIELD VISUAL INSPECTION AND MAKE FIELD MEASUREMENTS TO ASCERTAIN THE EXTENT AND QUANTITY OF WORK TO BE PERFORMED
10. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIER AND GUARDS, AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY ALL APPLICABLE CODES
11. ALL ADJOINING PROPERTY AFFECTED BY ANY OPERATIONS OF DEMOLITION SHALL BE PROTECTED PER ALL APPLICABLE CODES
12. CONTACT ARCHITECT IMMEDIATELY IF DURING THE COURSE OF DEMOLITION CIRCUMSTANCES ARE ENCOUNTERED IN WHICH THE EXTENT OR METHOD OF DEMOLITION INDICATED IN THE CONTRACT DOCUMENTS IS UNCLEAR. DO NOT PROCEED WITH DEMOLITION IN THESE AREAS IN QUESTION UNTIL CLARIFICATION IS GIVEN BY ARCHITECT
13. ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER
14. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS. THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF THE DEMOLITION
15. REFER TO MECHANICAL, PLUMBING, ELECTRICAL, CIVIL, AND STRUCTURAL SHEETS FOR DEMOLITION OF ITEMS RELATED TO EACH DISCIPLINE. **ALL EXISTING PENETRATIONS FOR BUILDING SYSTEMS NOT DEMO BE-USED SHALL BE DEMOLISHED AND HOLES REPILED TO MATCH ADJACENT CONSTRUCTION.**
16. WHERE EXISTING WALLS ARE PARTIALLY DEMOLISHED, FINISH ENDS OF REMAINING WALLS TO MATCH ADJACENT CONSTRUCTION AND PROVIDE SMOOTH, EVEN SURFACES AT JAMBS OF NEW OPENINGS

KEYED DEMOLITION NOTES

- A TYPE YOUR NOTE HERE
- B TYPE YOUR NOTE HERE



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TWISTED GROWERS

415 MILLENNIUM CIRCLE
 LAKEVILLE, MA

SCHEMATIC DESIGN

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 Date: 02/01/2020
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 Checked By: XXX
 Revisions:

No.	Date	Description

Sheet Description

FIRST FLOOR DEMOLITION PLAN

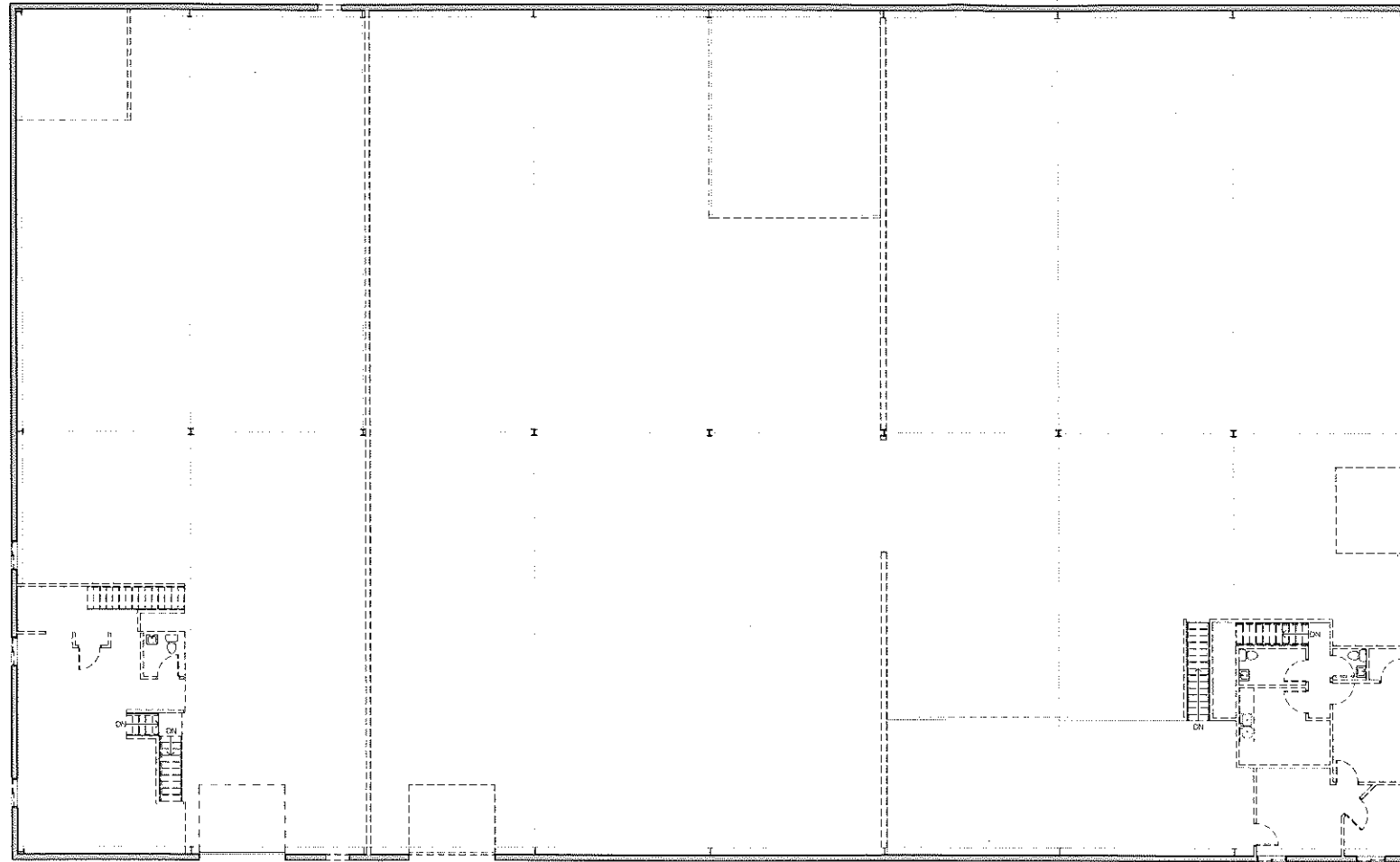
Sheet Number

D1.1

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FILE PATH: C:\Users\Joshua.VanDerVelden\Documents\020-260 Twisted Growers R20_2.dwg

1 DEMO SECOND FLOOR PLAN
SCALE: 1/8" = 1'-0"



DEMO LEGEND

GENERAL DEMOLITION NOTES

1. ALL DEMOLITION WORK SHALL COMPLY WITH THE REQUIREMENTS OF THE 2013 EDITION OF IBC AND 241 STANDARD FOR SAFEGUARDING CONSTRUCTION ALTERATION AND DEMOLITION OPERATIONS.
2. CONTRACTOR SHALL COORDINATE SEQUENCE OF DEMOLITION WITH PHASES OF CONSTRUCTION AGREED TO WITH OWNER AND ARCHITECT. COORDINATE ALL DEMOLITION WITH NEW CONSTRUCTION DRAWINGS.
3. THE CONTRACTOR SHALL FILE ALL NECESSARY CERTIFICATES OF INSURANCE. PAY ALL FEES, OBTAIN ALL PERMITS AND PROVIDE ANY AND ALL BONDS REQUIRED BY ANY AGENCY IN ORDER TO DO THE WORK HEREIN DESCRIBED.
4. NO STRUCTURAL ELEMENTS SHALL BE REMOVED UNLESS PORTIONS AFFECTED ARE ADEQUATELY SUPPORTED BY EITHER TEMPORARY SHORING OR NEW STRUCTURAL ELEMENTS AS REQUIRED TO PROTECT THE STABILITY AND INTEGRITY OF THE EXISTING STRUCTURE.
5. THE CONTRACTOR SHALL PROVIDE ADEQUATE WEATHER PROTECTION FOR THE BUILDING AND ITS CONTENTS DURING THE COURSE OF THE WORK. ALL OPENINGS IN ANY WALL OR ROOF SHALL BE PROTECTED FROM ALL FORMS OF WEATHER OR WATER.
6. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN FIELD PRIOR TO DEMOLITION. DIMENSIONS INDICATED ON DEMOLITION PLAN ARE FOR REFERENCE ONLY.
7. CONTRACTOR SHALL COORDINATE EXTENT OF DEMOLITION WITH OTHER DRAWINGS IN THIS SET. NOTIFY ARCHITECT PRIOR TO PROCEEDING WITH DEMOLITION IN CASE OF A CONFLICT.
8. CONTRACTOR SHALL PERFORM ALL OPERATIONS OF DEMOLITION AND REMOVAL INDICATED ON THE DRAWINGS AND AS MAY BE REQUIRED BY THE WORK. ALL WORK SHALL BE DONE CAREFULLY AND NEATLY IN A SYSTEMATIC MANNER.
9. DEMOLITION DRAWINGS AND NOTATIONS ARE GENERAL IN NATURE. PRIOR TO BEGING THE WORK CONTRACTORS SHOULD PERFORM IN FIELD VISUAL INSPECTION AND MAKE FIELD MEASUREMENTS TO ASCERTAIN THE EXTENT AND QUANTITY OF WORK TO BE PERFORMED.
10. THE CONTRACTOR SHALL PROVIDE, ERECT AND MAINTAIN ALL TEMPORARY BARRIER AND GUARDS, AND ALL TEMPORARY SHORING AND BRACING AS REQUIRED BY ALL APPLICABLE CODES.
11. ALL ADJOINING PROPERTY AFFECTED BY ANY OPERATIONS OF DEMOLITION SHALL BE PROTECTED PER ALL APPLICABLE CODES.
12. CONTACT ARCHITECT IMMEDIATELY IF DURING THE COURSE OF DEMOLITION CIRCUMSTANCES ARE ENCOUNTERED IN WHICH THE EXTENT OR QUANTITY OF DEMOLITION INDICATED IN THE CONTRACT DOCUMENTS IS UNCLEAR. DO NOT PROCEED WITH DEMOLITION IN THESE AREAS IN QUESTION UNTIL CLARIFICATION IS GIVEN BY ARCHITECT.
13. ALL EXISTING SURFACES AND EQUIPMENT TO REMAIN SHALL BE FULLY PROTECTED FROM DAMAGE. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR DAMAGE AND SHALL MAKE REPAIRS REQUIRED WITHOUT ADDITIONAL COST TO THE OWNER.
14. NO DEBRIS SHALL BE ALLOWED TO ACCUMULATE ON THE SITE. DEBRIS SHALL BE REMOVED BY THE CONTRACTOR AS THE JOB PROCEEDS. THE SITE SHALL BE LEFT BROOM CLEAN AT THE COMPLETION OF THE DEMOLITION.
15. REFER TO MECHANICAL, PLUMBING, ELECTRICAL, CIVIL AND STRUCTURAL SHEETS FOR DEMOLITION OF ITEMS RELATED TO EACH DISCIPLINE. ALL EXISTING DEMOLITION FOR BUILDING SYSTEMS NOT BEING REUSED SHALL BE DEMOLISHED AND HOLES INFILLED TO MATCH ADJACENT CONSTRUCTION.
16. WHERE EXISTING WALLS ARE PARTIALLY DEMOLISHED, FINISH ENDS OF REMAINING WALLS TO MATCH ADJACENT CONSTRUCTION AND PROVIDE SMOOTH EVEN SURFACES AT JAMBS OF NEW OPENINGS.

KEYED DEMOLITION NOTES

- A) TYPE YOUR NOTE HERE
- B) TYPE YOUR NOTE HERE



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TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

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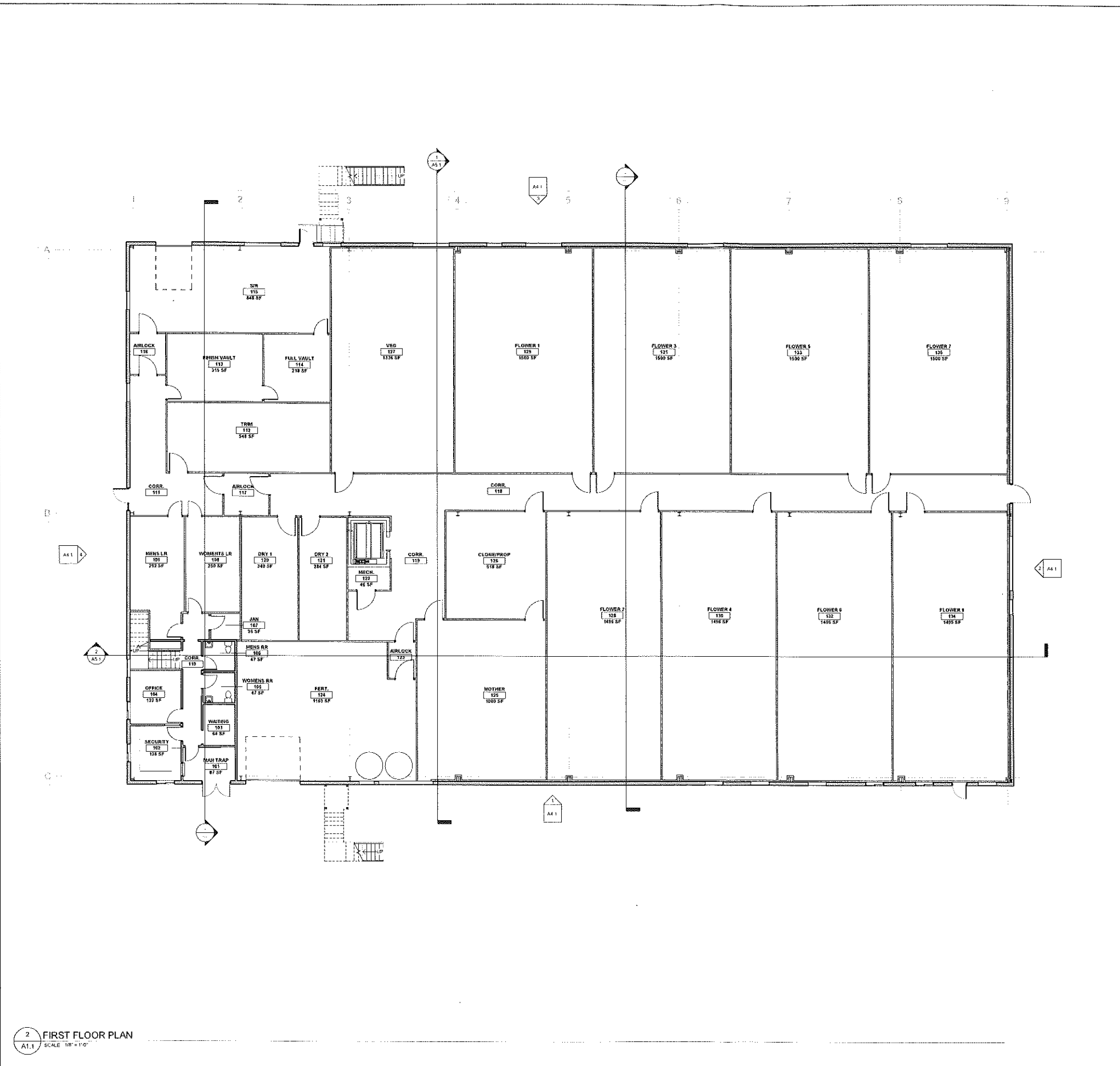
SECOND FLOOR DEMOLITION PLAN

Sheet Number

D1.2

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2 FIRST FLOOR PLAN
A1.1 SCALE 1/8"=1'-0"

GENERAL CONSTRUCTION NOTES

- A. DIMENSIONS TO NEW CONSTRUCTION ARE MEASURED FROM FACE OF STUD OR FACE OF MASONRY, TYP. (UNCL) DIMENSIONS TO EXISTING ELEMENTS ARE MEASURED FROM FINISH FACE TYP. (UNCL)
- B. REFER TO FINISH PLAN FOR FREE STANDING FURNISHINGS (FDC)
- C. REFER TO REFLECTED CEILING PLANS FOR ADDITIONAL FRAMING INFORMATION
- D. REFER TO SHEET 11.7 FOR TYPICAL WALL TYPES
- E. REFER TO WALL SECTIONS FOR EXTERIOR AND SPECIALTY WALL ASSEMBLIES
- F. REFER TO LIFE SAFETY PLANS FOR LOCATIONS OF FIRE AND SMOKE WALLS AND COMPARTMENTATION DESIGNATIONS AND FOR CONSTRUCTION INFORMATION RELATED TO SMOKE WALLS
- G. REFER TO DEMOLITION PLANS FOR ADDITIONAL FRAMING INFORMATION
- H. UNTAGGED EXTERIOR WALLS ARE TYPE _____ UNLESS NOTED OTHERWISE

KEYED CONSTRUCTION NOTES

- 1 TYPE YOUR NOTE HERE
- 2 TYPE YOUR NOTE HERE, EVEN IF IT IS WORDY. THIS SYMBOL SHOULD BE SET TO THE PROPER WIDTH TO AUTOMATICALLY CREATE MULTIPLE LINES AS NEEDED



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TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

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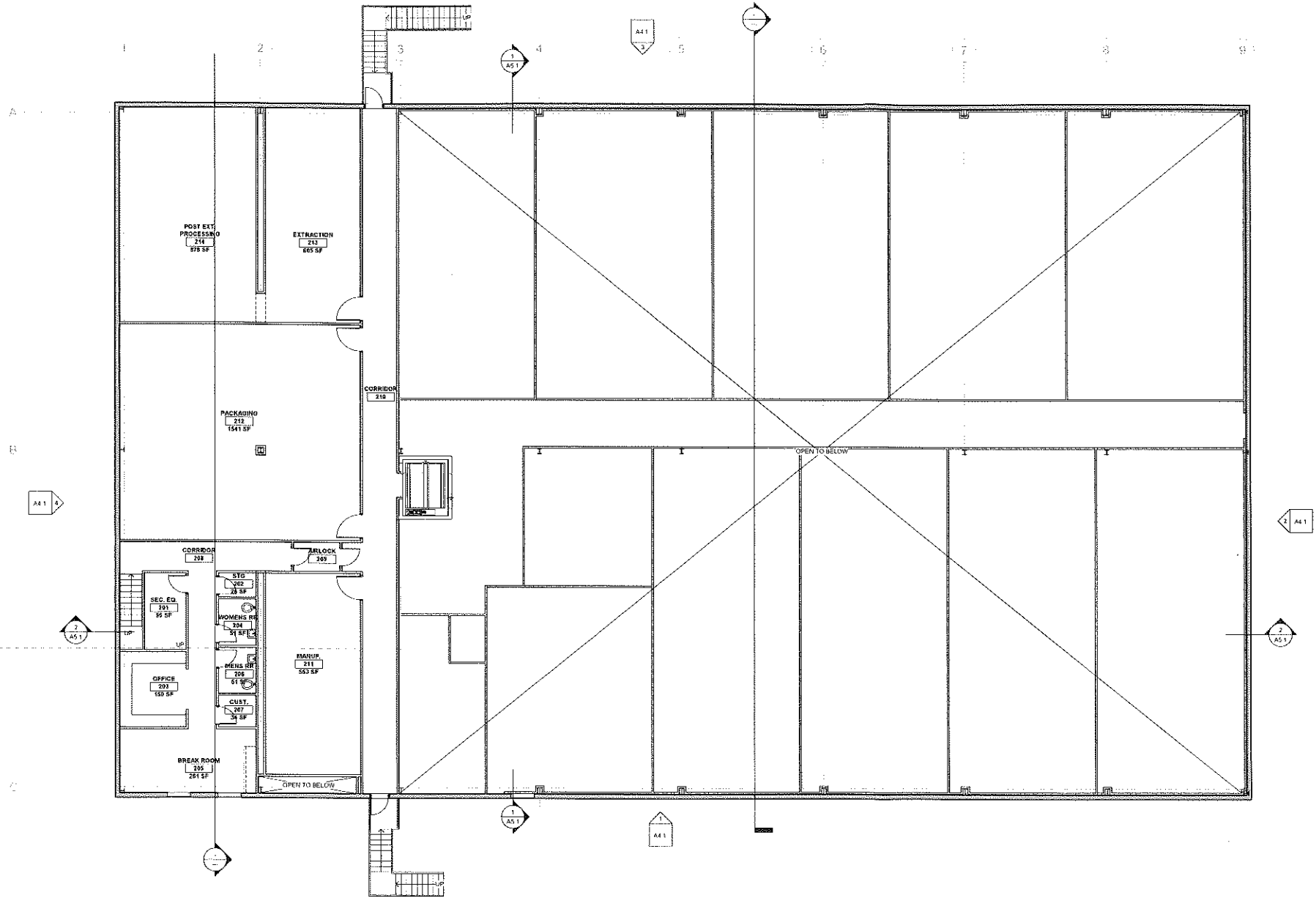
FIRST FLOOR PLAN

Sheet Number

A1.1

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GENERAL CONSTRUCTION NOTES

- A. DIMENSIONS TO NEET CONSTRUCTION ARE MEASURED FROM FACE OF STUD OR FACE OF MASONRY, TYP (UP). DIMENSIONS TO EXISTING ELEVATIONS ARE MEASURED FROM FINISH FACE, TYP (UP).
- B. REFER TO FINISH PLAN FOR FREE STANDING FURNISHINGS (N/C).
- C. REFER TO REFLECTED CEILING PLANS FOR ADDITIONAL FRAMING INFORMATION.
- D. REFER TO SHEET T1.2 FOR TYPICAL WALL TYPES.
- E. REFER TO WALL SECTIONS FOR EXTERIOR AND SPECIALTY WALL ASSEMBLIES.
- F. REFER TO LIFE SAFETY PLANS FOR LOCATIONS OF FIRE AND SMOKE WALLS AND COMPARTMENTATION DESIGNATIONS AND FOR CONSTRUCTION INFORMATION RELATED TO SMOKE WALLS.
- G. REFER TO DEMOLITION PLANS FOR ADDITIONAL FRAMING INFORMATION.
- H. UNTAGGED INTERIOR WALLS ARE TYPE _____ UNLESS NOTED OTHERWISE.

KEYED CONSTRUCTION NOTES

- 1 TYPE YOUR NOTE HERE
- 2 TYPE YOUR NOTE HERE. EVEN IF IT IS WORDY, THIS SYMBOL SHOULD BE SET TO THE PROPER WIDTH TO AUTOMATICALLY CREATE MULTIPLE LINES AS NEEDED.



7430 E. Caley Ave
 Suite 265C
 Denver, CO 80111
 P. (720) 258-4780
 F. (720) 258-4752

NOT FOR CONSTRUCTION

TWISTED GROWERS

415 MILLENNIUM CIRCLE
 LAKEVILLE, MA

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SCHEMATIC DESIGN

NOT FOR BID

Project Number: D20-280
 Date: 02/01/2020
 Drawn By: GM
 Checked By: SA
 Revisions:

No.	Date	Description
-----	------	-------------

Sheet Description

SECOND FLOOR PLAN

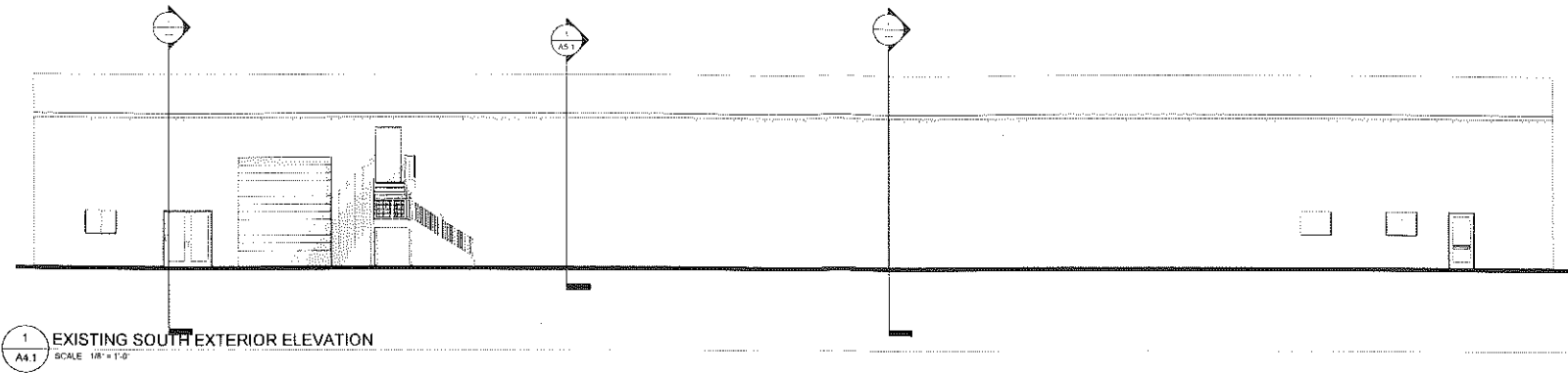
Sheet Number

A1.2

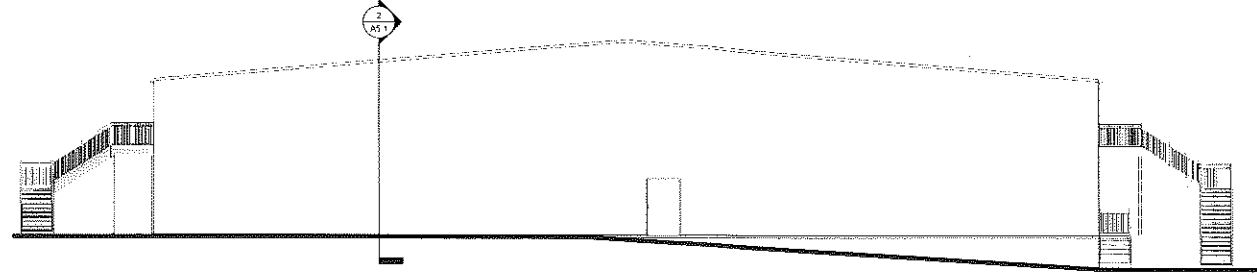
2 SECOND FLOOR PLAN
 A1.2 SCALE: 1/8" = 1'-0"

PRINTED: 2/6/2020 3:57:48 PM

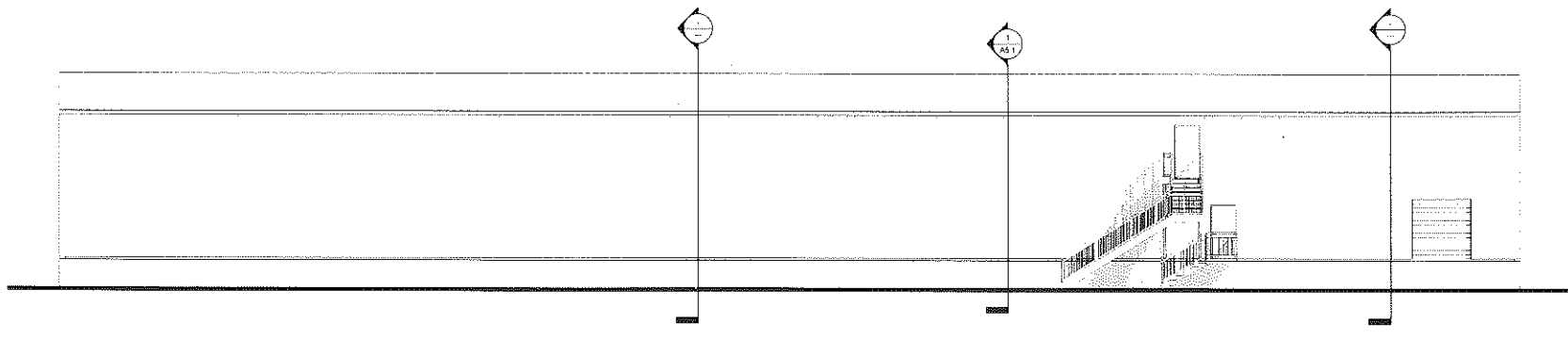
FILE PATH: C:\Users\jarkus.Vincent\Documents\1220-280 Twisted Growers R20.dwg\4C345-14



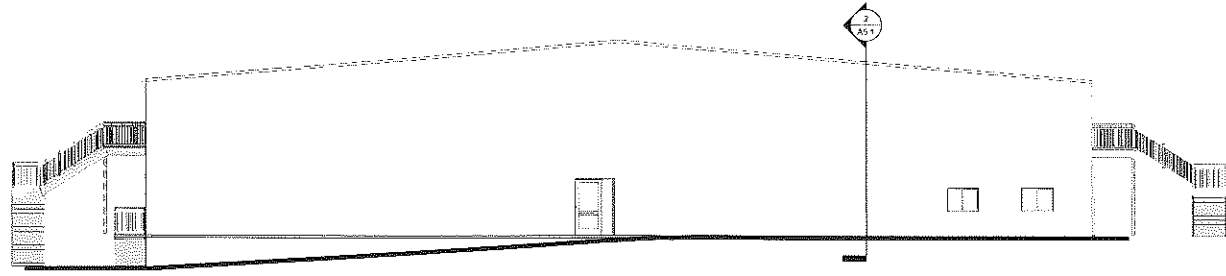
1 EXISTING SOUTH EXTERIOR ELEVATION
A4.1 SCALE 1/8" = 1'-0"



2 EXISTING EAST EXTERIOR ELEVATION
A4.1 SCALE 1/8" = 1'-0"



3 EXISTING NORTH EXTERIOR ELEVATION
A4.1 SCALE 1/8" = 1'-0"



4 EXISTING WEST EXTERIOR ELEVATION
A4.1 SCALE 1/8" = 1'-0"



7430 E. Caley Ave
Suite 280E
Centennial, CO 80111
P. (720) 258-4780
F. (720) 258-4762

NOT FOR CONSTRUCTION

TWISTED GROWERS

415 MILLENNIUM CIRCLE
LAKEVILLE, MA

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SCHEMATIC DESIGN

NOT FOR BID

Project Number: 020-280
Date: 02/01/2020
Drawn By: GM
Checked By: SA
Revisions:

No.	Date	Description

Sheet Description
EXTERIOR ELEVATIONS

Sheet Number

A4.1

#76

Petition to be filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE MASSACHUSETTS

ZONING BOARD OF APPEALS PETITION FOR HEARING

Name of Petitioner: Dennis R. Tetrault & Wendy J. Tetrault

Mailing Address: 7 Deneise Street, Lakeville, MA 02347

Name of Property Owner: Dennis R. Tetrault & Wendy J. Tetrault

Location of Property: 7 Deneise Street, Lakeville, MA 02347

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 14652 Page No. 152

Map 039 Block 002 Lot 004

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

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 a 30' X 40' garage within the required setback as allowed under 6.3.2 & 7.4.6 of the Town of Lakeville Zoning By-Law. We propose to be no closer than 33' to the front property line.

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: Dennis R. Tetrault & Wendy J. Tetrault Date: March 16, 2021

Signed: [Signatures] Telephone: 508-942-3398

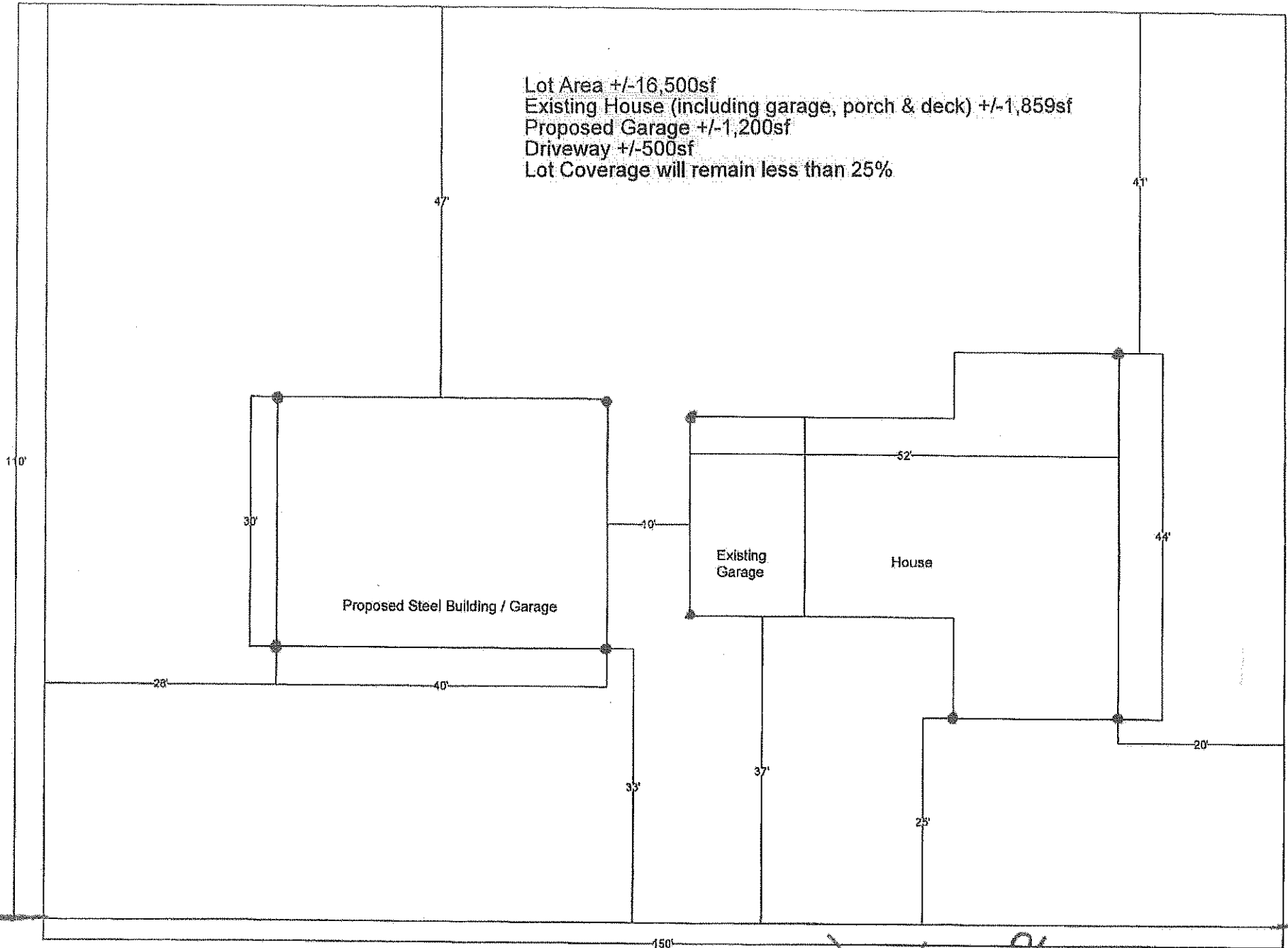
Owner Signature: N/A Owner Telephone: N/A (If not petitioner)

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

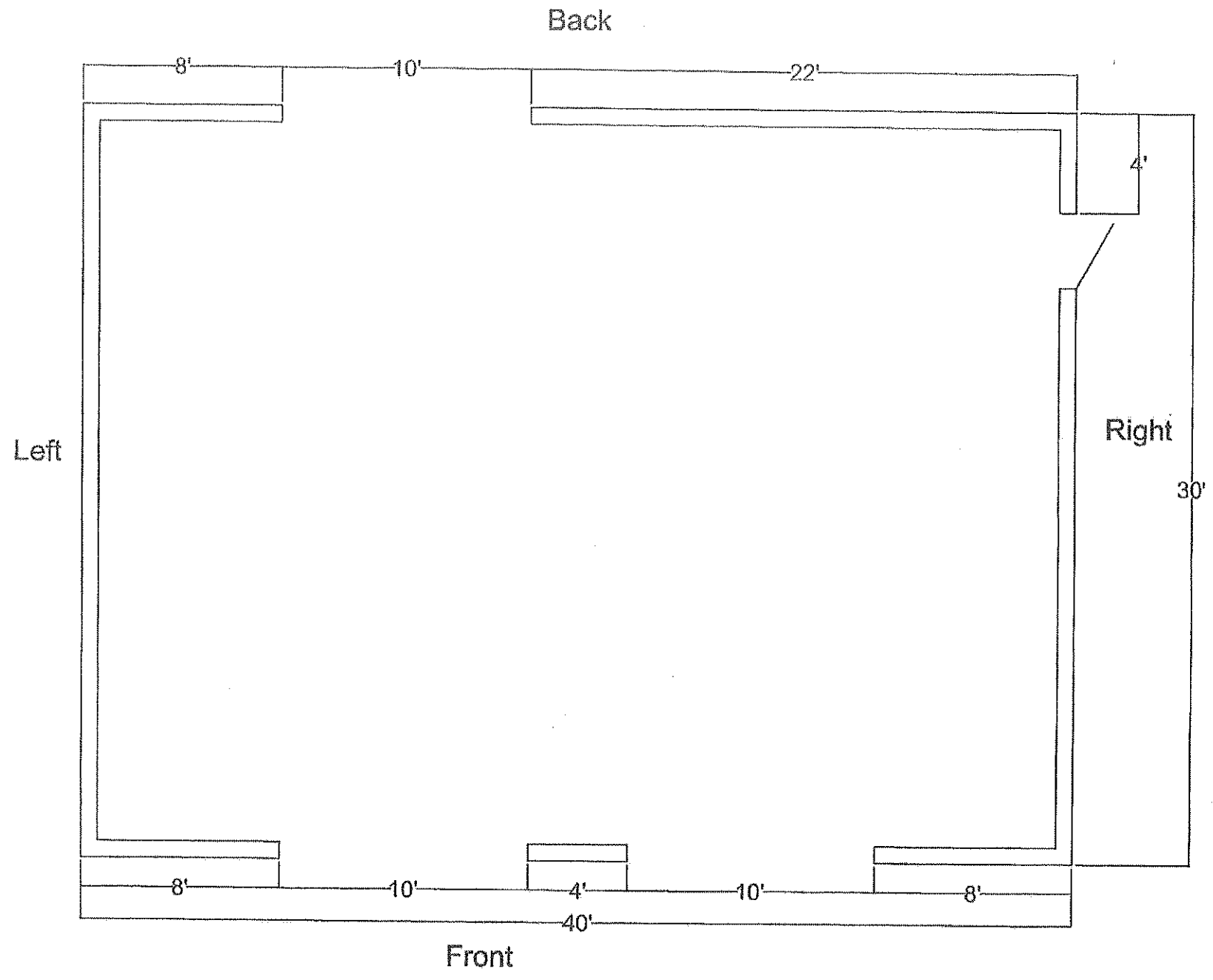
WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

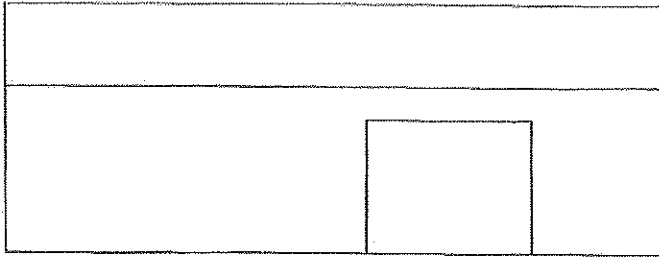
Yes No N/A (Name and Title)

Lot Area +/-16,500sf
Existing House (including garage, porch & deck) +/-1,859sf
Proposed Garage +/-1,200sf
Driveway +/-500sf
Lot Coverage will remain less than 25%

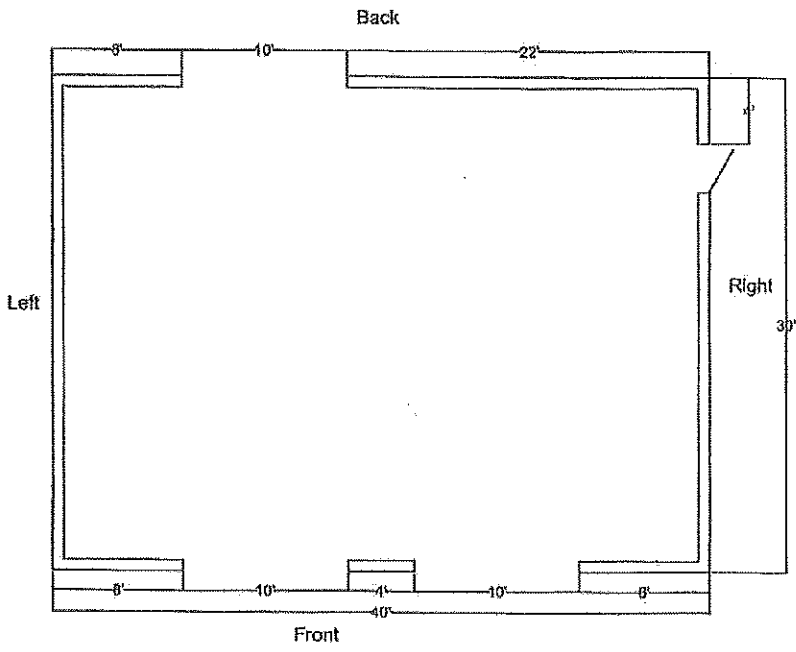


7 Deneise St.

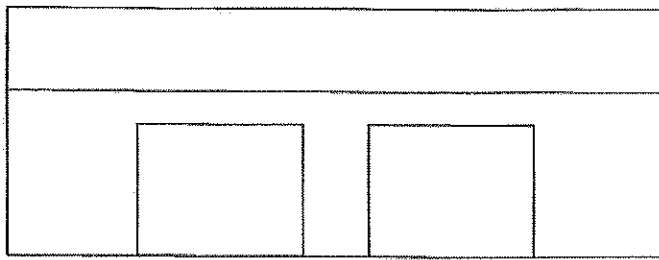




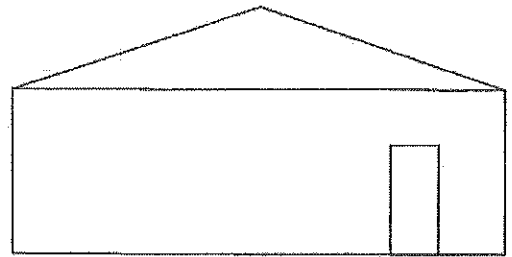
Back View



Front



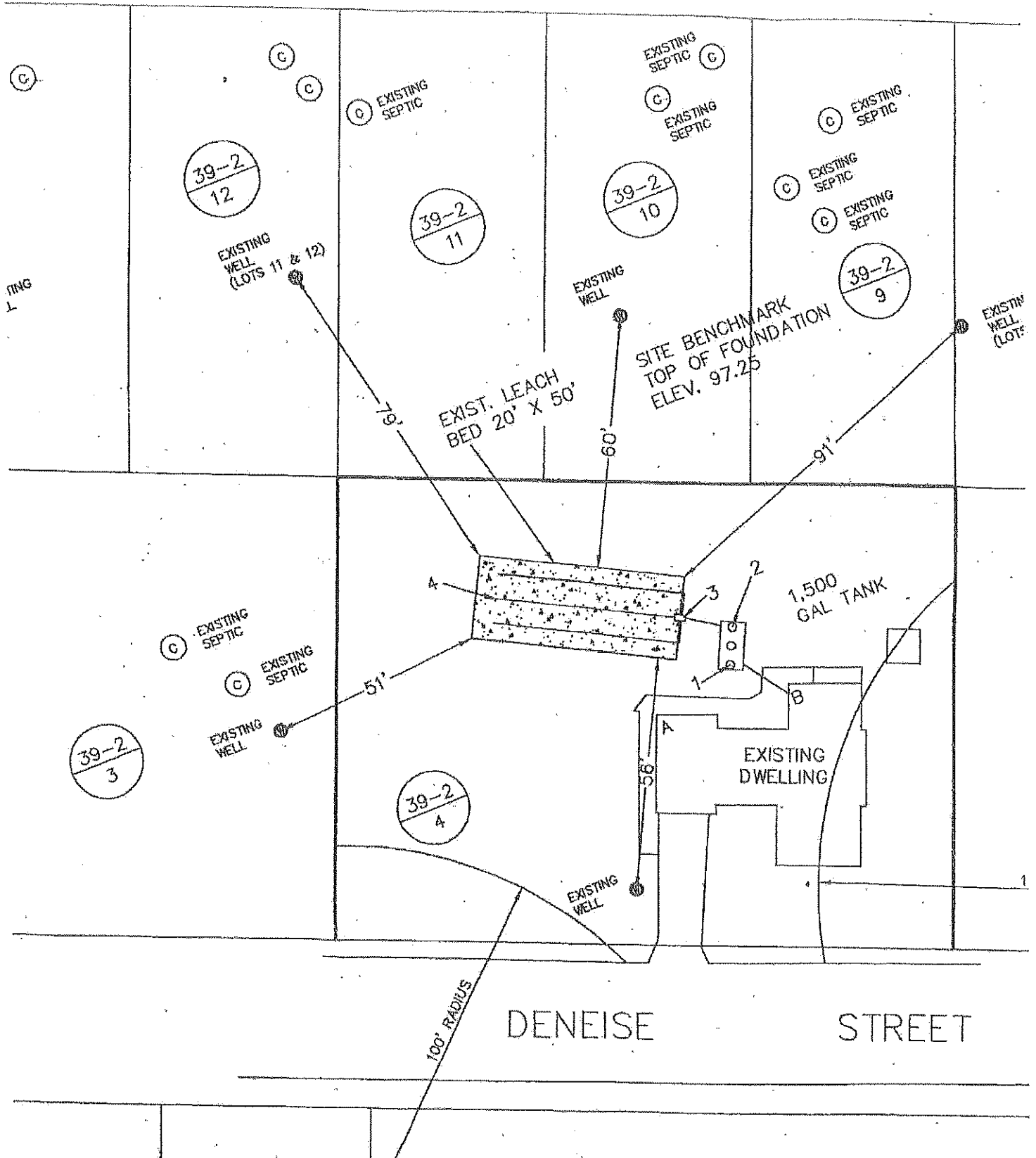
Front View



Right Side View

JEANINE STREET

STREET



DENEISE STREET

STREET

100' RADIUS

7 DENEISE ST

Location 7 DENEISE ST

Mblu 039/ 002/ 004/ 1

Acct# 2822

Owner TETRAULT DENNIS R &
WENDY J

Assessment \$288,500

Appraisal \$288,500

PID 2476

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$172,400	\$116,100	\$288,500
Assessment			
Valuation Year	Improvements	Land	Total
2021	\$172,400	\$116,100	\$288,500

Owner of Record

Owner TETRAULT DENNIS R & WENDY J
Co-Owner
Address 7 DENEISE ST
LAKEVILLE, MA 02347

Sale Price \$105,000
Certificate 1
Book & Page 14652/ 152
Sale Date 09/13/1996
Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TETRAULT DENNIS R & WENDY J	\$105,000	1	14652/ 152	00	09/13/1996
OSTLER EDWARD A (LFE EST)	\$0	0	8801/ 287	1F	11/01/1988

Building Information

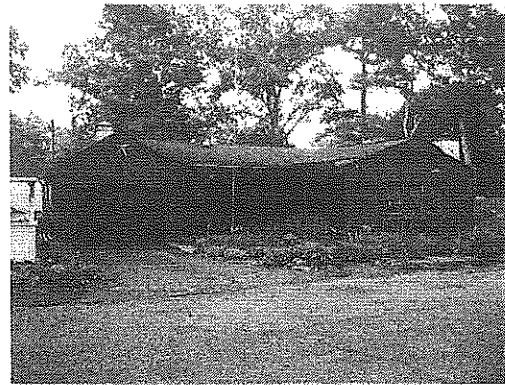
Building 1 : Section 1

Year Built: 1951
Living Area: 1,213
Replacement Cost: \$225,634
Building Percent Good: 75
Replacement Cost
Less Depreciation: \$169,200

Building Photo

Building Attributes

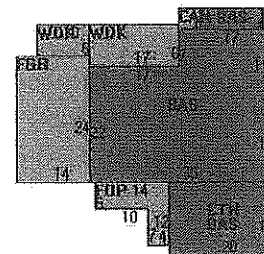
Field	Description
Style	Ranch
Model	Residential
Grade:	100
Stories:	1
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	Wood Shingle
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Carpet
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	Central
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	0
Total Rooms:	4
Bath Style:	Average
Kitchen Style:	Standard
Basement	3/4 Area



(http://images.vgsi.com/photos/LakevilleMAPphotos/I00100154/83.jpg)

Building Layout

UBM[844]



(http://images.vgsi.com/photos/LakevilleMAPphotos/Sketches/2476_2476.j)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,213	1,213	
CAN	Canopy	16	0	
CTH	Cathedral Ceiling	280	0	
FGR	Garage, Attached	336	0	
FOP	Porch, Open, Finished	98	0	
UBM	Basement, Unfinished	844	0	
WDK	Deck	196	0	
		2,983	1,213	

< http://gis.vgsi.com/lakevillema/Parcel.aspx?Pid=2476 >

Extra Features

Extra Features					Legend
Code	Description	Size	Value	Eldg #	
FPL1	FIREPLACE 1 ST	1 UNITS	\$1,800		1

Land

Land Use

Land Line Valuation

Use Code	1010	Size (Acres)	0.38
Description	Single Fam	Frontage	
Zone		Depth	
Neighborhood	160	Assessed Value	\$116,100
Alt Land Appr	No	Appraised Value	\$116,100
Category			

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			108 S.F.	\$600	1
PAT1	PATIO-AVG			400 S.F.	\$600	1
PAT1	PATIO-AVG			64 S.F.	\$200	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$172,400	\$116,100	\$288,500
2020	\$162,000	\$112,800	\$274,800
2019	\$150,300	\$108,500	\$258,800

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$172,400	\$116,100	\$288,500
2020	\$162,000	\$112,800	\$274,800
2019	\$150,300	\$108,500	\$258,800

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#76

Petition to be
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS
PETITION FOR HEARING

Name of Petitioner: Dustin C. Moore

Mailing Address: 6 Sandy Point Road, Lakeville, MA 02347

Name of Property Owner: Dustin C. Moore

Location of Property: 6 Sandy Point Road, Lakeville, MA 02347

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 45126 Page No. 272

Map 039 Block 005 Lot 002

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

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

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

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

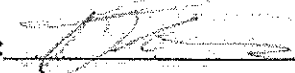
Date of Denial _____

Brief to the Board: (See instructions on reverse side -- use additional paper if necessary.)
I respectfully request a Special Permit to raze and rebuild a single family dwelling on a pre-existing non-conforming lot as provided under 6.1.3 and 7.4.6 of the Town of Lakeville 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: Dustin C. Moore

Date: March 17, 2021

Signed: 

Telephone: 508-525-9411

Owner Signature: N/A
(If not petitioner)

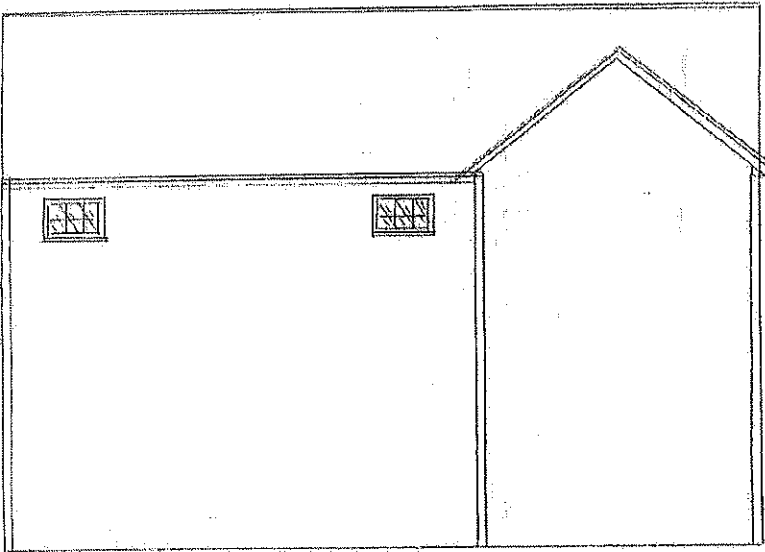
Owner Telephone: N/A

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

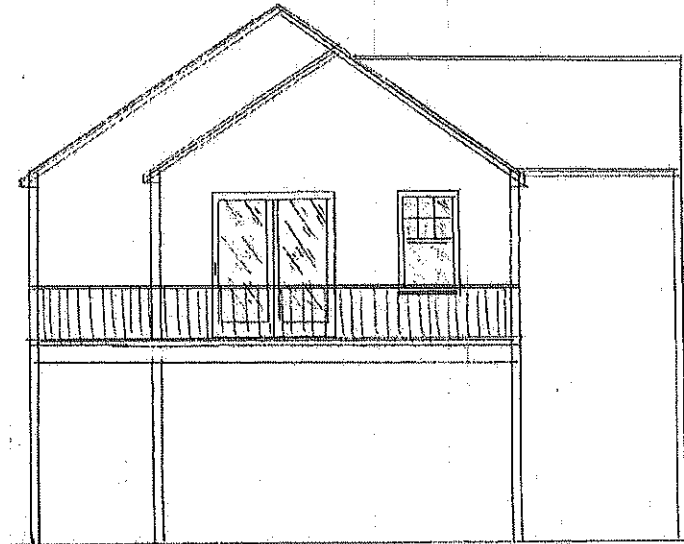
WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes No

N/A
(Name and Title)



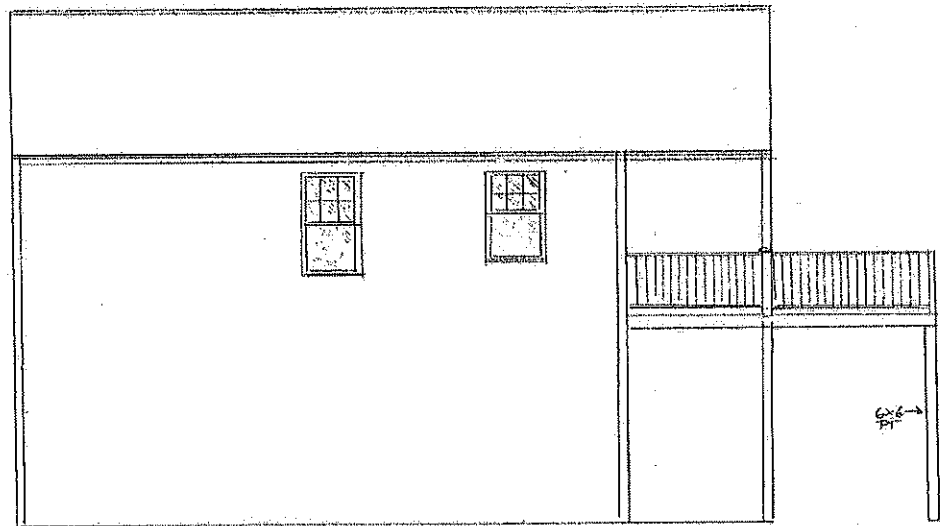
LEFT ELEVATION



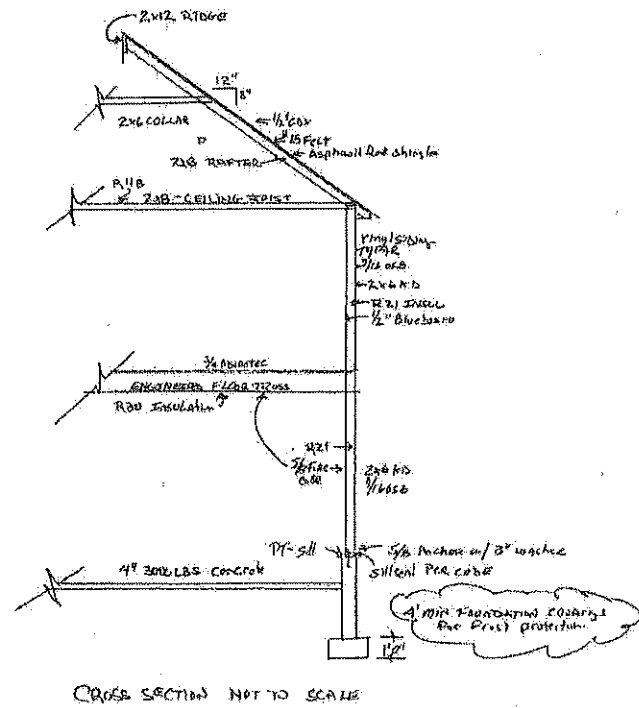
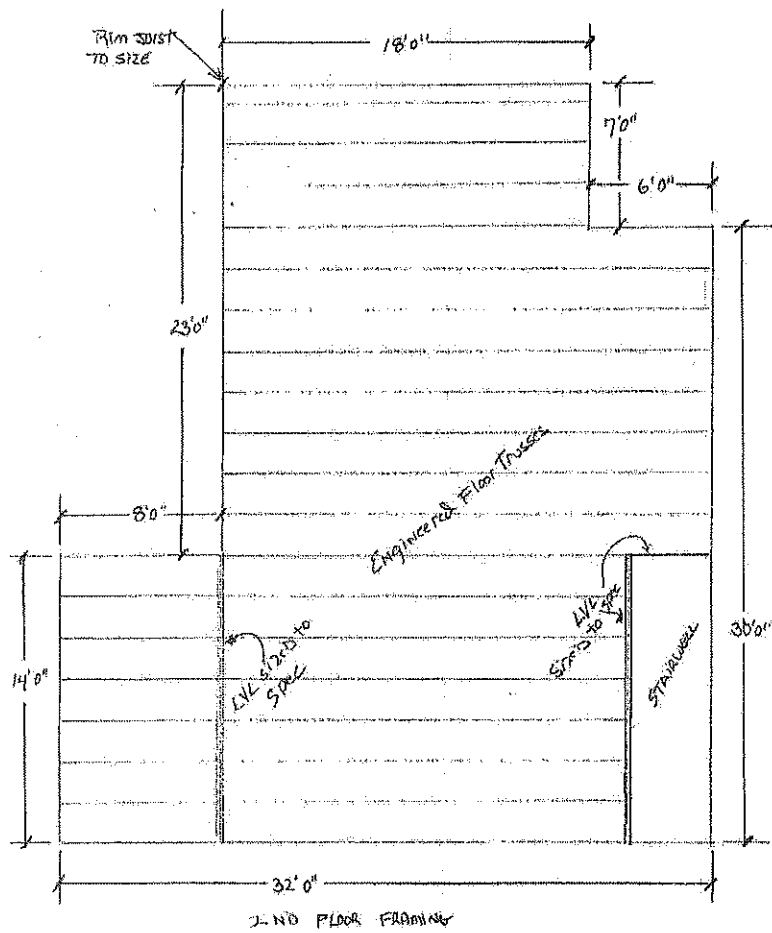
REAR ELEVATION



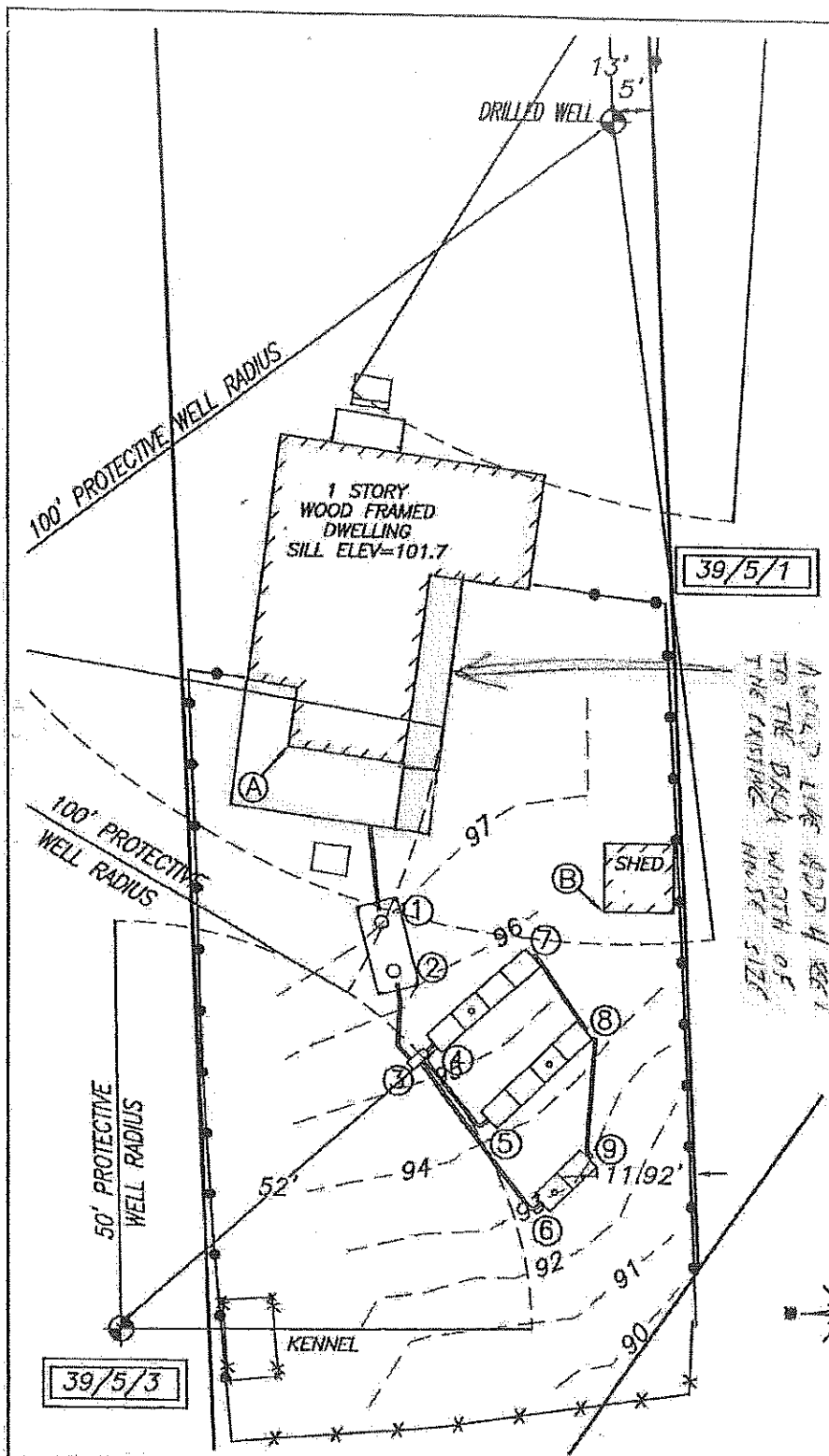
FRONT ELEVATION



RIGHT ELEVATION



PAGE 2.



DEED RESTRICTION:

IN ACCORDANCE WITH 310 CMR 1 DEVELOPED BY THE DEPARTMENT DWELLING TO TWO BEDROOMS AS

REQUEST FOR BOARD OF

1. A LOCAL UPGRADE APPROVAL NO CASE SHALL THE EFFECTIVE MEASURED BELOW THE OUTLET IN 1,500 GALLONS. PER SECTION AN EFFECTIVE LIQUID CAPACITY P HOURS OF RETENTION TIME OR GREATER, SHALL BE PROVIDED. A 1,060 GALLON TANK IS REQUE
2. A LOCAL UPGRADE APPROVAL REQUIRING A 100' SETBACK FROM WELL TO A SOIL ABSORPTION SY A REDUCTION FROM 100' TO 52 BLOCK 5 LOT 3 ON SANDY POINT
3. A VARIANCE FROM THE LAKEV REGULATION THAT REQUIRES 150 WELL TO A SOIL ABSORPTION SY 3 SANDY POINT RD. A REDUCTION REQUESTED.
4. A VARIANCE TO ALLOW THE P 13' FROM THE EXISTING PROPER REQUESTED.

I, RICHARD J. RHEAU HEREBY CERTIFY THAT HAS BEEN CONSTRU THE APPROVED DESIG AND THAT ANY CHAN REFLECTED ON THE SUBMITTED TO THE

Richard J. Rheau
RICHARD J. RHEAU



DRAWN BY: JLB

PROJECT :

DATE: 2/6/07

REV. DATE: 3/1/07 (FINAL TOPO & NOTES)

APPROVED: RJR

DRAWING : O:\PROJECT\LAKEVILLE\SANDY POINT ROAD\SEPTIC AS-BUILT.DWG

PRIME ENGINEERING.

CIVIL ENGINEERING-LAND SURVEYING-ENVIRONMENTAL
P.O. BOX 1088, 350 BEDFORD STREET, LAKEVILLE
TEL: (508) 947-0050 FAX: (508) 947-

6 SANDY POINT RD

Location 6 SANDY POINT RD

Mblu 039/ 005/ 002/ 1

Acct# 2770

Owner MOORE DUSTIN C

Assessment \$232,500

Appraisal \$232,500

PID 2495

Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$118,800	\$113,700	\$232,500

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$118,800	\$113,700	\$232,500

Owner of Record

Owner MOORE DUSTIN C

Sale Price \$155,000

Co-Owner

Certificate

Address 6 SANDY POINT RD
LAKEVILLE, MA 02347

Book & Page 45126/ 272

Sale Date 01/08/2015

Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
MOORE DUSTIN C	\$155,000		45126/ 272	00	01/08/2015
SCANLON DEBORAH L	\$91,000	1	12767/ 104	00	03/30/1994
RODGERS MICHAEL S & NATA	\$105,000	0	9676/ 53	00	03/30/1990
ALLAIN DAVID A & NANCY L	\$35,500	0	5702/ 325	00	07/12/1984

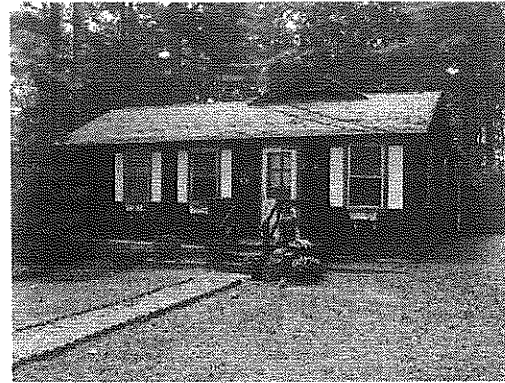
Building Information

Building 1 : Section 1

Year Built: 1940
 Living Area: 866
 Replacement Cost: \$181,901
 Building Percent Good: 73
 Replacement Cost
 Less Depreciation: \$118,200

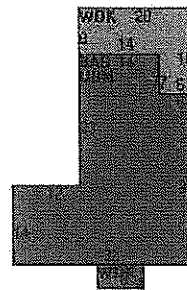
Building Photo

Building Attributes	
Field	Description
Style	Ranch
Model	Residential
Grade:	90
Stories:	1
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Carpet
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Forced Air-Duc
AC Type:	None
Total Bedrooms:	
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	0
Total Rooms:	
Bath Style:	
Kitchen Style:	
Basement	No Bsmt



(http://images.vgsi.com/photos/LakevilleMAPPhotos/A00100119/52.JPG)

Building Layout



(http://images.vgsi.com/photos/LakevilleMAPPhotos/Sketches/2495_2495.j)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	866	866
UBM	Basement, Unfinished	866	0
WDK	Deck	234	0
		1,966	866

< [Previous](#) [Next](#) [Home](#) [Search](#) [Print](#) [Close](#) >

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1010
 Description Single Fam
 Zone
 Neighborhood 160
 Alt Land Appr No
 Category

Land Line Valuation

Size (Acres) 0.27
 Frontage
 Depth
 Assessed Value \$113,700
 Appraised Value \$113,700

Outbuildings

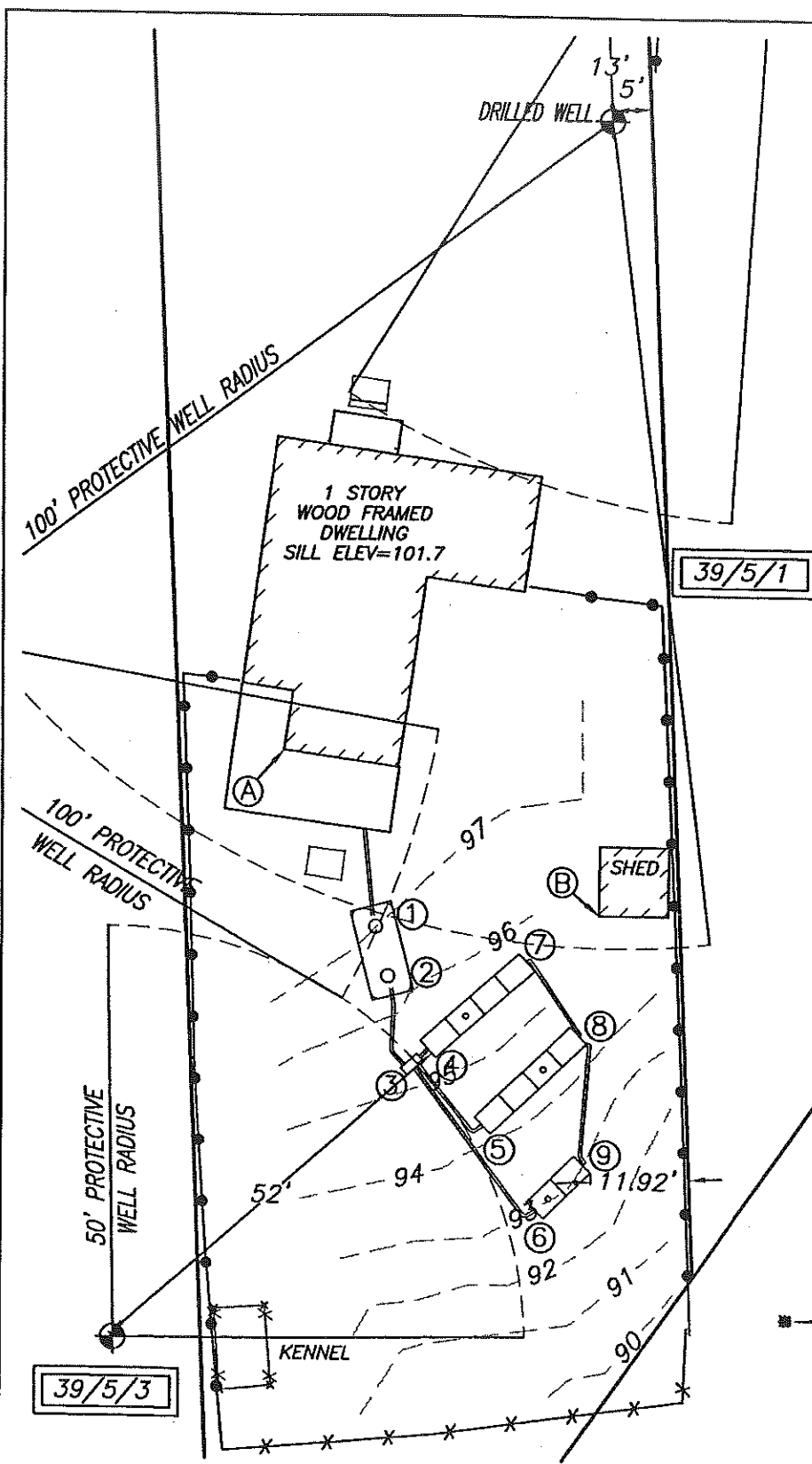
Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			64 S.F.	\$600	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$118,800	\$113,700	\$232,500
2020	\$111,500	\$110,400	\$221,900
2019	\$103,300	\$106,100	\$209,400

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$118,800	\$113,700	\$232,500
2020	\$111,500	\$110,400	\$221,900
2019	\$103,300	\$106,100	\$209,400

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DEED RESTRICTION:

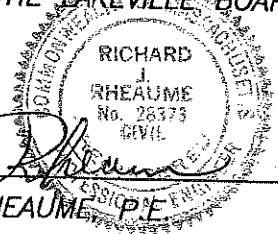
IN ACCORDANCE WITH 310 CMR 15.203, A DEED RESTRICTION DEVELOPED BY THE DEPARTMENT IS REQUIRED, LIMITING THE DWELLING TO TWO BEDROOMS AS DEFINED IN 310 CMR 15.002.

REQUEST FOR BOARD OF HEALTH UPGRADE APPROVAL:

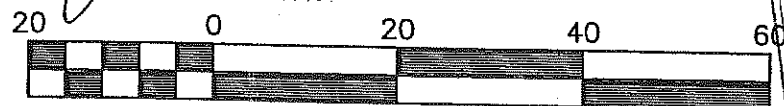
1. A LOCAL UPGRADE APPROVAL FROM SECTION 15.223(1)(A) IN NO CASE SHALL THE EFFECTIVE LIQUID CAPACITY OF THE TANK AS MEASURED BELOW THE OUTLET INVERT ELEVATION BE LESS THAN 1,500 GALLONS. PER SECTION 15.404(2)(A) A SEPTIC TANK WITH AN EFFECTIVE LIQUID CAPACITY PROVIDING NO LESS THAN 24 HOURS OF RETENTION TIME OR 1000 GALLONS, WHICHEVER IS GREATER, SHALL BE PROVIDED. A REQUEST FOR APPROVAL FOR A 1,060 GALLON TANK IS REQUESTED.
2. A LOCAL UPGRADE APPROVAL FROM SECTION 15.211(1) REQUIRING A 100' SETBACK FROM A PRIVATE WATER SUPPLY WELL TO A SOIL ABSORPTION SYSTEM. PER SECTION 15.405(1)(G) A REDUCTION FROM 100' TO 52' IS REQUESTED FOR MAP 39 BLOCK 5 LOT 3 ON SANDY POINT RD.
3. A VARIANCE FROM THE LAKEVILLE BOARD OF HEALTH REGULATION THAT REQUIRES 150' SEPARATION FROM A SHALLOW WELL TO A SOIL ABSORPTION SYSTEM FOR MAP 39 BLOCK 5 LOT 3 SANDY POINT RD. A REDUCTION FROM 150' TO 52' IS REQUESTED.
4. A VARIANCE TO ALLOW THE PROPOSED WELL TO BE 5' AND 13' FROM THE EXISTING PROPERTY LINES AS SHOWN IS REQUESTED.

DESCRIPTION	PROPOSED ELEVATION	AS-BUILT ELEVATION
4" INV. AT BUILDING	EXISTING	95.76'
4" INV. AT SEPTIC TANK (IN) (1)	93.51'	94.82'
4" INV. AT SEPTIC TANK (OUT) (2)	93.26'	94.55'
4" INV. AT D-BOX (IN) (3)	93.14'	93.04'
4" INV. AT D-BOX (OUT)	92.97'	92.90'
4" INV. AT INFILTRATOR (IN) (4)	92.92'	92.86'
4" INV. AT INFILTRATOR BOTTOM	92.00'	91.94'
4" INV. AT INFILTRATOR (IN) (5)	91.92'	92.09'
4" INV. AT INFILTRATOR BOTTOM	91.00'	91.17'
4" INV. AT INFILTRATOR (IN) (6)	90.92'	90.92'
4" INV. AT INFILTRATOR BOTTOM	90.00'	90.00'

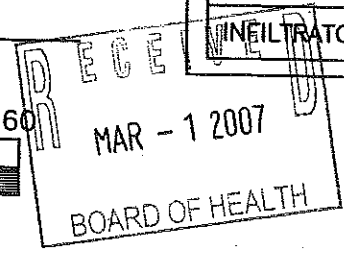
I, RICHARD J. RHEAUME, P.E. OF PRIME ENGINEERING, INC., HEREBY CERTIFY THAT THE SUBSURFACE DISPOSAL SYSTEM HAS BEEN CONSTRUCTED IN COMPLIANCE WITH 310 CMR 15.000, THE APPROVED DESIGN PLANS AND ALL LOCAL REQUIREMENTS AND THAT ANY CHANGES TO THE DESIGN PLANS HAVE BEEN REFLECTED ON THE AS-BUILT WHICH IS HEREBY BEING SUBMITTED TO THE LAKEVILLE BOARD OF HEALTH.



Richard J. Rheaume
 RICHARD J. RHEAUME, P.E.
 DATE: 3/1/07



Scale 1" = 20'



DESCRIPTION	I.D.	FROM (A)	FROM (B)
TANK COVER	1	24.0'	27.0'
TANK COVER	2	30.2'	26.5'
D-BOX	3	41.1'	29.1'
INFILTRATOR END	4	40.2'	26.4'
INFILTRATOR END	5	51.5'	29.2'
INFILTRATOR END	6	63.5'	36.7'
INFILTRATOR END	7	39.2'	10.3'
INFILTRATOR END	8	49.5'	14.6'
INFILTRATOR END	9	61.7'	30.3'

REVISED

39-52

DRAWN BY: JLB PROJECT:
 DATE: 2/6/07 REV. DATE: 3/1/07 (FINAL TOPO & NOTES)
 APPROVED: RJR
 DRAWING : O:\PROJECT\LAKEVILLE\SANDY POINT ROAD\SEPTIC AS-BUILT.DWG

PRIME ENGINEERING, INC.
 CIVIL ENGINEERING—LAND SURVEYING—ENVIRONMENTAL ASSESSMENT
 P.O. BOX 1088, 350 BEDFORD STREET, LAKEVILLE, MA 02347
 TEL: (508) 947-0050 FAX: (508) 947-2004

PROJECT:
 6 SANDY POINT ROAD
 LAKEVILLE, MA

SHT. NAME:
 SEPTIC AS-BUILT
 (1111 COPY)

#7d

Petition to be
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS
PETITION FOR HEARING

Name of Petitioner: Christine Lech-Goulart

Mailing Address: 11 Charbonneau Avenue, Lakeville, MA 02347

Name of Property Owner: Joseph W. Lech Jr. Trust

Location of Property: 11 Charbonneau Avenue, Lakeville, MA 02347

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 50620 Page No. 232

Map 036 Block 002 Lot 015

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

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

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

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial _____

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

I respectfully request a Special Permit to connect an existing single family home to an existing garage as shown on the plans submitted before you, on a pre-existing non-conforming lot, as provided under 6.1.3 and 7.4.6 of the Town of 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: Christine Lech-Goulart

Date: March 18, 2021

Signed: Christine Lech-Goulart

Telephone: 508-965-9682

Owner Signature: N/A

Owner Telephone: N/A

(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 No

N/A
(Name and Title)

NORTH

DATE: OCTOBER 03, 1990.

X 56.08 SPOT ELEVATIONS

SCALE 1" = 20'

LONG X 52.08' POND

SHOULDER LINE = 90'

RETAINING WALL

PARCEL "C" 6990 S.F.
COMBILIED AREA 8750 #1

SHOWN AS LOT #15 ASSESSORS
MAP. 36

SHED

APPROX. WELL SITE

WELL

WELL

LAKEVILLE
FREETOWN

N 29-15 E
90' ±

EXISTING GARAGE
24' x 30'

EXISTING HOME
28' x 30'

BENCHMARK
TOP STAIR

EL. 58.28' MEAN SEA LEVEL.

X 57.1

Parcel D
2140 #1 ±

EXISTING SEPTIC SYSTEM

TEST PIT

X 57.7
100' WELL RADIUS

X 56.8
100' WELL RADIUS

CHARBONNEAU AVENUE

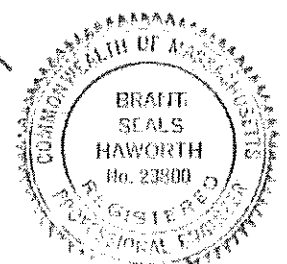
PERCOLATION TESTING

DATE: JAN 18, 1989

INSP: MERRILL NORTON

RESULTS:

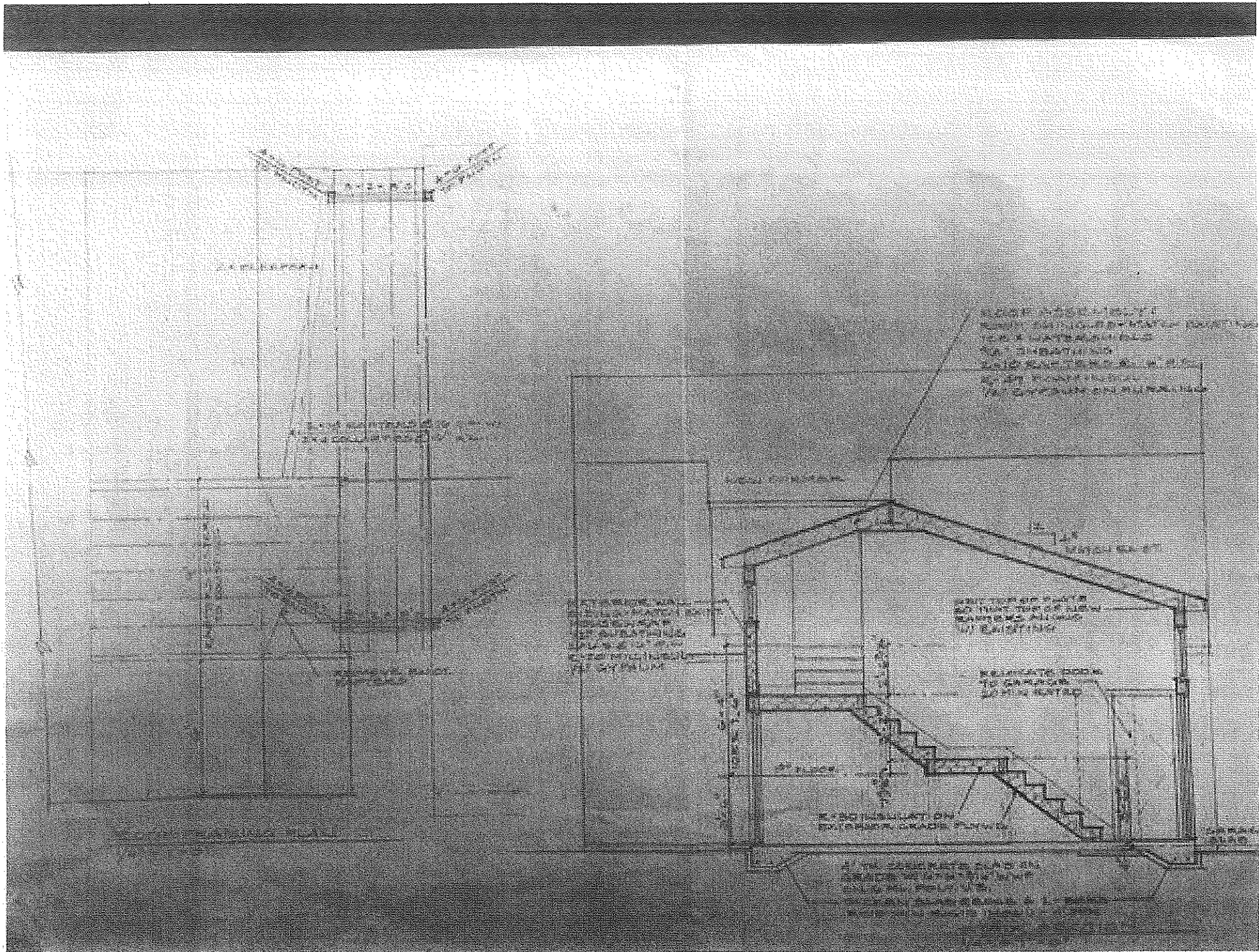
- 0-6" LOAM
- 6"-5' SUBSOIL
- 5-7' BONEY GRAVEL
- 7-10' SAND
- WATER AT 5'



Brant Haworth

BRANT S. HAWORTH ASSOC.
30X64, TAUNTON, MA. 02780 TEL #947-1090

WELL



11 CHARBONNEAU AV

Location 11 CHARBONNEAU AV Mblu 036/ 002/ 015/ /
 Acct# 3084 Owner LECH JOSEPH W JR
 Assessment \$440,200 Appraisal \$440,200
 PID 2380 Building Count 1

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$140,800	\$299,400	\$440,200

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$140,800	\$299,400	\$440,200

Owner of Record

Owner LECH JOSEPH W JR Sale Price \$1
 Co-Owner JOSEPH W LECH JR TRUST Certificate
 Address 11 CHARBONNEAU AV Book & Page 50620/ 232
 LAKEVILLE, MA 02347 Sale Date 12/12/2018
 Instrument 1F

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
LECH JOSEPH W JR	\$1		50620/ 232	1F	12/12/2018
LECH JOSEPH W JR & JEANN	\$0	1	13681/ 271	1F	07/07/1995
JOSEPH W (JR) & JEANNINE	\$0	0	13681/ 271	1F	07/06/1995
LECH JOSEPH W JR & JEANN	\$0	0	3376/ 285	1F	07/05/1967

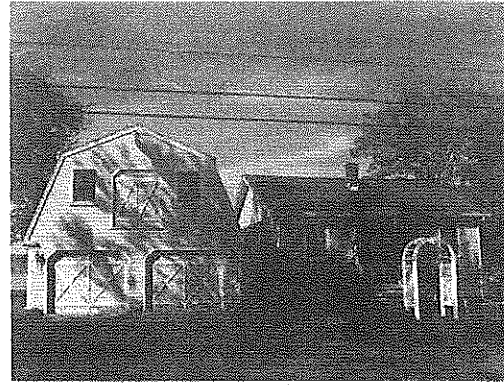
Building Information

Building 1 : Section 1

Year Built: 1945
 Living Area: 840
 Replacement Cost: \$162,133
 Building Percent Good: 75
 Replacement Cost
 Less Depreciation: \$121,600

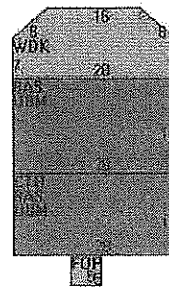
Building Photo

Building Attributes	
Field	Description
Style	Ranch
Model	Residential
Grade:	90
Stories:	1
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	0
Total Rooms:	4
Bath Style:	Average
Kitchen Style:	Standard
Basement	Area Full



(http://images.vgsi.com/photos/LakevilleMAPhotos/A0000018/44.JPG)

Building Layout



(http://images.vgsi.com/photos/LakevilleMAPhotos/Sketches/2380_2380.jj)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	840	840
CTH	Cathedral Ceiling	392	0
FOP	Porch, Open, Finished	25	0
UBM	Basement, Unfinished	840	0
WDK	Deck	306	0
		2,403	840

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Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code 1013
 Description Sfr Water
 Zone

Land Line Valuation

Size (Acres) 0.15
 Frontage
 Depth

Neighborhood 345
 All Land Appr No
 Category

Assessed Value \$299,400
 Appraised Value \$299,400

Outbuildings

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
FSG4	FGR/FUS			720 S.F.	\$18,900	1
SHD1	SHED FRAME			70 S.F.	\$300	1

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$140,800	\$299,400	\$440,200
2020	\$134,900	\$290,700	\$425,600
2019	\$126,400	\$249,600	\$376,000

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$140,800	\$299,400	\$440,200
2020	\$134,900	\$290,700	\$425,600
2019	\$126,400	\$249,600	\$376,000

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**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
December 10, 2020
Remote meeting**

On December 10, 2020, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

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

Others present:

Madelyn Maksy, applicant, Liam Conroy, Jamie Bissonnette, engineer, Zenith Consulting Engineers, David Quinn, Bob Messier, Skip and Michele Bird, abutters; Jim Larson, Prime Engineering

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Site Plan Review – 149 Bedford Street, continued – Meet with Jamie Bissonnette from Zenith Consulting Engineers, LLC (ZCE)

Mr. Knox advised that this plan has been revised since the last time they saw it so he would like to open the floor to Mr. Bissonnette to go over those changes. Mr. Bissonnette then shared his screen. He advised since they had met with the Planning Board, they subsequently met with the Zoning Board of Appeals. That hearing was continued as they look into a few items, including checking with the Fire Department and the Police Department regarding the sign. Mr. Bissonnette said the first thing they did to address the concerns brought up by the Planning Board and Zoning Board is to move the sign from approximately 58 feet away, that was in the old driveway, down to approximately 184 feet from the intersection.

Mr. Bissonnette advised the next change they made was to make some modifications to the building. The shape of the building has been reconfigured from a 1,480 square foot building which was long and thin to a 50' x 36' which is shorter and a little bit wider. In doing that, they were able to get from 15.1 feet to the property line to 19.3 feet. In the other direction, they got from 18.7 feet to 25.2 feet which was a significant increase in both directions especially considering that right now the existing building is 1.6 feet off the property line and 12.1 feet. Mr. Bissonnette

stated that in order to reconfigure the building, they had to go to a slab foundation. That will accommodate the setback to the septic system, will get the grading to work in this vicinity, and which also allowed them to slide the building back approximately 1.3 feet from the street. They are now closer to 41.6 feet off the back with a 40-foot setback. Mr. Bissonnette said those are the big changes that they made and the areas that needed to be addressed from the last meeting.

Mr. Conroy liked that the sign had been moved. He thought they are doing everything in their power to make this work, and he didn't have any issues with it. Ms. MacEachern said that she was hoping to see more of the plantings in that buffer zone, and she didn't see them going as far down as had been discussed. Mr. Bissonnette said he had forgotten to make the modification for when they are turning in with the lights in the backyard. He will add those to the plan. Mr. Bissonnette then displayed the planting detail sheet of the plan. He indicated where the arborvitaes would be extended which should prevent any lights from cars entering from Bedford Street from coming through and hitting the abutting dwelling.

Ms. MacEachern asked if it was a one level building now. Mr. Bissonnette replied it would probably be a two-story structure. The first story will be constructed and built with the upstairs being storage for now. It would be the same plan as before if the second story was ever constructed then the additional parking and the additional Site Plan Review would be triggered. In this case, it is over 1,800 square feet which would trigger that review.

Mr. Knox then read a document from Chief O'Brien into the record. It stated that the concerns that were raised have been addressed. The creation of the exit for emergency vehicles satisfies the needs of the Fire Department as long as the gate is secured with a department approved lock and is kept clear of snow and other obstructions. The Fire Department has no position or jurisdiction regarding the position of the proposed sign but recommends that care be taken to provide reasonable sight lines onto Bedford Street. Mr. Bissonnette said that he did not see a sight line issue that they were creating here with the sign or from their site. He thought both appeared to be fine.

Mr. Knox then asked Mr. & Mrs. Bird if they would like to comment. Mrs. Bird was glad that the trees had been added on the property line. Mr. Bird asked for clarification on the location of the trees. Mr. Bissonnette replied this is probably approximately 100 feet of trees, and they did plan on extending it a little bit. Mr. Bird's property goes all the way back to Tamarack so the plan was not to continue all the way down along the property line but more up towards the front, which would make sure there wouldn't be any type of a visual impact, and it would give them some good screening. Mr. Bird asked the height of the trees. Mr. Bissonnette said it would be giant arborvitaes staggered and they would be a minimum of six feet. They stagger them because when they're first put in, there is going to be some spacing, and they will grow into each other.

Mrs. Bird asked if some of the large trees already there would be coming out. Mr. Bissonnette replied yes in order to provide the screening of the evergreens, they will have to take down some of the existing trees that are in that vicinity. Mr. Bird asked regarding the drainage would it be altered in any way so that water goes further into his backyard. Mr. Bissonnette explained that now there is a head wall with a pipe system that flows underneath Bedford Street. There is a catch basin structure on the side, and there is a discharge with a ditch on Mr. Bird's property which is

part of the State's. What they are looking to do to help reduce peak rate of flow is creating an infiltration basin. That is going to take the storm water, and it's going to try to recharge into the groundwater so that instead of water flowing down to Mr. Bird's property, it will get back into the groundwater. There is going to always be flow coming through because the State discharges there. Right now, their entire site pitches down towards that drainage ditch, so at the point of that ditch, they must make sure that they are not sending a larger quantity of water at a specific time onto the Bird's site and that it will not over top the ditch or cause damage that isn't already modeled to happen now. This shouldn't be detrimental, and they are hoping it will make an improvement to the situation.

Mr. Bird asked if the size of the sign had been reduced. Mr. Knox replied he did not believe the sign had been reduced but just moved further down. Mrs. Bird asked if the sign would be shut down at night or made dimmer. Mr. Messier said the brightness of the sign automatically dims to the ambient light conditions, typically about 4% less than what it is during the day which is still not as bright as a streetlight or a parking lot light. Mr. Knox asked about hours of operation. Mr. Messier said the software can blank the sign, have it go to sleep, or have it set to the business hours or whatever the ordinance is. Mr. Knox suggested the Bird's attend the Zoning Board meeting next week for further information regarding the sign and hours of operation.

Mr. Knox asked if there were any other abutters present. No one spoke. He then said he did have a letter of comments from the Board of Selectmen. They had concerns about the setbacks which was also the purview of the Zoning Board, as well as concerns about the emergency access onto Route 79. They also had concerns about the gate being left open, but he thought that had been addressed with the lock. The Route 79 reconstruction project was also mentioned. Mr. Knox said that he had been told that none of the property that is part of 149 Bedford Street outside of the layout of the road would be taken or affect the setbacks that are proposed on the plan.

Mr. Knox asked if they had applied to the Conservation Commission yet. Mr. Bissonnette replied they had not. They were hoping to be able to present a whole package that they've gotten through ZBA to Conservation. Right now, their project is merely buffer zone work, and they believed it meets all the performance standards. Mr. Knox said that he would assume that Conservation would want the storm water management to have a peer review check of the calculations. He would like to initiate that through the Planning Board, if he felt they were going to go through Conservation. Ms. Maksy said she would like to wait until they got the approvals from the Planning Board and the Zoning Board and then they would submit to Conservation.

Mr. Knox then brought up the concern of signing off on something that could be changed again. He asked Board members how they felt about that. Ms. Mancovsky stated if certain conditions were met, she was in favor. It is an improvement to what they have there now, but she was concerned about the signage and the distance from the property. One condition was related to the trees. She would like to have the type clarified from what is on the plan. It was explained that there were three different types of trees on the detail set and some of those trees on that page are the landscape trees around the building. The privacy row is all green giant arborvitaes for the entire way. Ms. Mancovsky wanted to make sure that was written on the plan and that the trees were maintained and watered until they were well established. Another condition would be the

locking of the gate which they had talked about. Lastly, that there is a stormwater management program.

Mr. Bissonnette then shared his screen to display the drainage report. The Operation and Maintenance Plan was detailed within the report. He noted that Conservation will be looking at that thoroughly. Ms. Mancovsky asked if that should be peer reviewed, or if the review by Conservation would be sufficient. Mr. Knox said if it goes to Conservation it will be peer reviewed, but to the applicant's point, it may not go there if they don't get their approvals from ZBA. Mr. Conroy then stated that this project would be a huge improvement over what is there. The applicant has done what everyone has asked for. He was in favor of it. He also noted he didn't see any problems with the sight lines and thought the issue had been resolved. Mr. Knox agreed and said he was not sure where that was coming from although they had gotten a lot of feedback concerning it. The building as it was constructed right now is 1.6 feet from the property line and three to four feet from the pavement. Mr. Knox added that it is a stop light and not a stop sign. Especially in moving the building back 19 feet, there's no argument that could be had that sight lines would be an issue.

Ms. MacEachern asked if the lighting plan was available. Ms. Maksy responded that she had contacted Granite City Electric and emailed them the plan. They are working on it and understand what the Planning Board wants, but she did not yet have it. She will do whatever the code requires. Mr. Knox asked Mr. Bissonnette to make a note on the plan that all the lighting will comply with the Town of Lakeville's lighting bylaw including all wall mounted sconces and everything on the building.

Mr. Knox said he would entertain a motion to recommend approval pending the approval of the Zoning Board of Appeals and pending approval of the Conservation Commission with storm water management peer review. The following notes will be on the Site Plan: all exterior lighting including building lights and parking lights will comply with Lakeville's lighting bylaw; Stormwater management operations and maintenance will be in place; the emergency exit gate will be locked and meet the requirements of the Fire Chief with a Knox padlock; the row of green giant arborvitaes will be extended all the way to the existing State runoff drainage swale and would be maintained and watered for a one-year time period.

Mr. Conroy moved the motion. Mr. Lynch seconded the motion.

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

ANR Plan – 138 County Street/1 Julia's Way – Meet with Jim Larson from Prime Engineering, Inc.

Mr. Larson was present. He then shared his screen. Mr. Larson said the plan before them is for two abutting parcels; 1 Julia's Way owned by Christopher and Cassandra Hudson and 138 County Street, owned by Stephen and Erica Pereira. The Pereira's had constructed an extensive vegetable garden at the back of what they thought was their property. When a fence was to be erected, it

came to everyone's attention that the garden was over the line onto the Hudson's property. The parties then agreed to come up with some sort of a land swap so that the garden could remain. The land was surveyed, and parcels A and B were created. Parcel A would come out of the Hudson parcel and be conveyed to the Pereira's. Parcel B comes out of Pereira and goes to Hudson. There's no changes in lot areas, no net changes in frontages, and no net changes in setbacks to primary buildings. He also noted that every corner has been monumented, so there will be no mistaking in the future where the lines are.

Mr. Knox said he had spoken to the Zoning Enforcement Officer who said the Plan created no additional non-conformities. Mr. Knox said he would motion to recommend they endorse this ANR Plan. Ms. Mancovsky seconded the motion.

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

Master Plan Implementation- Update on Site Plan Review costs

Ms. Mancovsky advised that she and Ms. MacEachern had researched some surrounding communities and looked at their fee structure, and then tried to put that information into a format that they could compare and contrast. The median home sales price has been included at the top as it is relative to what kinds of houses are being constructed. Ms. MacEachern said she felt this was exactly where they should be aiming to. When you look at the median sale price of Lakeville homes compared to Raynham, Easton, and Plymouth, it's right in between those three. All the costs are higher so maybe they should be up at least in the same range with those Towns.

Site Plan Review costs were then discussed. Some of the eight towns had nothing listed as they had not been posted on their websites. Lakeville is \$250 for a minor review and \$1,000 for a major review. Ms. MacEachern asked that they look at Easton which had a tiered fee structure. Ms. Mancovsky suggested they go line by line and settle on a recommendation for each item. The following was then decided:

ANR Plan	currently	\$100 per lot	proposed	\$250 per lot
Form B	currently	\$100 per plan	proposed	\$500 + \$100 per lot
Form C	currently	\$700 + \$100 per lot	proposed	\$2,000 + \$100 per lot to be discounted if a Form B is submitted
Changes	currently	\$100	proposed/minor	\$200
			Proposed/major	under discussion

There were other items that were discussed, but the Board agreed to look over them before their next meeting in January. Mr. Knox also wanted to see a tier listing for Site Plan Review with at least three to four settings.

Development Opportunities District – Update

There was no discussion on this item.

Southeastern Regional Planning & Economic Development District (SRPEDD) – Update by Barbara Mancovsky

Ms. Mancovsky advised that one item discussed was the Cannabis Control Commission (CCC) had created a new business option for manufacturers who would now be allowed to sell and deliver directly to the public. That means that community impact fee would be bypassed. The other thing mentioned was that SRPEDD is setting up a resource for affordable housing management. She was not sure of all the aspects of it, but they would be sending them a presentation which she would then share with the Board. They have done deed research and have found units that weren't counted but should have counted. For example, in Mansfield, that was 23 units. However, that resource might be something that they as a community could take advantage of.

Approve meeting minutes

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to approve the meeting minutes from the November 12, 2020, meeting.

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

Mr. Knox made a motion, seconded by Ms. Mancovsky, to approve the meeting minutes from the February 27, 2020, meeting.

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

Old Business

There was no old business.

New Business – Drafting Zoning Amendments handouts from CPTC

This was informational for the Board members. Mr. Knox asked all members to review it.

New Business – Draft meeting schedule for 2021

It was noted that one of their meetings fell on November 11, 2021, but they would not be able to meet due to the Veteran's Day holiday. Mr. Knox said they would keep that open and revisit the

month before to see if or when they should hold a meeting. There was also a meeting scheduled for December 23, 2021. Mr. Knox said they would keep it on the schedule and see what they have for business at that point, and if they would be able to achieve a quorum.

Ms. Mancovsky made a motion to accept the Planning Board proposed meeting schedule for 2021. It was seconded by Mr. Knox.

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

Next meeting

Mr. Knox advised the next meeting is scheduled for January 14, 2021, at 7:00 p.m.

Adjourn

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

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

Meeting adjourned at 8:45.

DRAFT

Planning Board
Lakeville, Massachusetts
Minutes of Meeting
January 14, 2021
Remote meeting

On January 14, 2021, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

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

Also present:

Jamie Bissonnette, Zenith Consulting Engineers

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor’s Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Site Plan Review – 271 Bedford Street – Meet with Mr. Jamie Bissonnette from Zenith Consulting Engineers, LLC

Mr. Bissonnette was present. He then shared his screen. He advised this is the location for Southeast Fence, which he indicated on the Plan. The applicant is proposing to construct a 30’ x 50’ storage building behind the site. This Plan looks a bit more complicated because what they are doing is looking to remove existing pavement and construct this building so they can conform to the current local zoning regulations. They have approximately 8,000 or 9,000 square feet of asphalt area that’s being removed. The building itself is proposed over what is primarily an asphalt area.

Mr. Bissonnette said also included in part of this Plan is the removal of the existing septic tank and the installation of a new septic tank. They are currently working with the Board of Health regarding that. Mr. Bissonnette then displayed the architectural plans. He advised the intent for the building is to store fencing and gate materials for the Southeast Fence business. There are two floors proposed, with storage upstairs and downstairs, with a set of stairs that goes up and down. There is a side door entry and a lower garage door with a front door entry. There is an overhead area upstairs to allow for delivery vehicles to be able to put items up there.

Mr. Bissonnette said that they also submitted an architectural narrative. Rescom went through Lakeville's 7.6.3 design standards for the 10% density bonuses which they would also like to go over with them. One that was applicable was 7.6.3.3 detail features. The original had clapboard shingle siding along the full length of the sides. The architect added in some trim pieces to create a three-bay approach using 12-inch projection ribs. He also added trim to the bottom and the top to enhance the aesthetics of the plan.

Mr. Bissonnette advised the other applicable standard was 7.6.3.5. The colors are meant to match the existing building. The intention is to keep a similar roof color and siding color so it will fit in nicely with the existing building. In the narrative, they also discuss some of the building and trim materials. The siding will be natural wood manufactured, and it will not be vinyl sided. The trim colors will be cream.

Mr. Knox asked how long the main building was. Mr. Bissonnette estimated it to be close to 180 feet. Mr. Knox said he felt the Planning Board was looking at this as the entirety of the project, because they are being asked to grant a density bonus based on the architectural appearance of the project as a whole. His feeling was it is an attractive building. The gable, farmers porch, and cupolas do add architectural diversity that you could interpret as complying with the bylaw. His concern would be visually how much of this proposed structure you can see from the road beyond that. The existing building is probably about 20 feet high to the peak. Mr. Bissonnette said he believed it was somewhere in the vicinity of 200 inches, so they were figuring somewhere around 17 or 18 feet. Mr. Knox said the new building base on the roof peak is about 26 feet. Mr. Bissonnette said that was correct.

Mr. Knox asked if there was to be any lighting on the building. Mr. Bissonnette said presently in the back there are lights on the building. He thought there would be some dark sky compliant light components put in at the end of the year or in the spring. It would be put on the building itself in front of the doors, but he believed most of the lighting is already installed on site. Mr. Knox asked as far as stormwater, they were removing a lot of pavement to get down to the 70%. Were they trying to catch the roof water off this? Mr. Bissonnette replied around this building presently is asphalt and when they remove the amount of asphalt proposed, they are creating a net reduction of runoff. There will be more pervious surface to absorb water, so this will have a net benefit effect for drainage. Mr. Knox noted that to his knowledge there had been no complaints of runoff to any of the other properties caused by this property. Mr. Bissonnette said his understanding was the current stormwater is handling what is existing. He was unaware of any issues or complaints.

Mr. Knox asked if any other Board members had questions or concerns. Mr. Conroy liked the fact that they were reducing the impervious area, and that it was a nice-looking building. Ms. MacEachern said all her questions had been addressed. Mr. Lynch also thought the building looked nice and had no problems with it. Mr. Knox said that he had one other request. He would ask that the intermittent pile of free fence be removed from the very front of the property. He advised even if it was just placed behind the display fences if that was possible. Mr. Bissonnette said he would talk to the owner regarding that to see if he would be okay with it. Mr. Knox said that he did understand that it probably wouldn't be taken if it was not seen, but even if there was a way it could become more orderly.

Mr. Knox said that he would make a motion to recommend approval of the Site Plan with the changes and grant the 10% density for the architectural design and a 10% density bonus for the landscape as long as any lighting that goes onto the structure or the new renovations is dark sky compliant. Mr. Conroy seconded the motion.

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

Master Plan Implementation - Update

Ms. Mancovsky said she believed this consisted of two items. The first would be to appoint somebody to the Master Plan Implementation Committee to replace Mr. Zienkiewicz. Mr. Knox asked Mr. Lynch if he would be interested. Mr. Lynch said that he would be glad to.

Ms. Mancovsky then made a motion, seconded by Mr. Conroy, to recommend that Mr. Lynch be appointed to the Master Plan Implementation Committee.

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

Ms. Mancovsky advised before they moved forward, she wanted to make sure they have a methodology for communicating with others particularly the Master Plan Implementation Committee. Most of the things on that list are dependent upon Planning Board to implement. Where the Planning Board has that on their schedule, she would like to have an update sent once a month on their Master Plan Implementation progress to that Committee, as well as the Board of Selectmen.

Ms. Mancovsky then made that a motion. It was seconded by Ms. MacEachern.

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

Development Opportunities District – Update

Mr. Knox advised he would like to discuss this with Item #6

Review the following Zoning Board of Appeals petitions:

1. Bedford Holdings – 33 Bedford Street
This was for a sign for the gas station on Bedford Street. The sign had been damaged in an accident. Mr. Knox asked if anyone wanted to comment on the sign. Ms. Mancovsky said she would like to make a recommendation that the application does not get relief but stays in compliance with their existing bylaw. It's important that the community wants to

maintain their rural character which is diminished by signs like these. Ms. MacEachern agreed. Mr. Conroy said this is a business in a business district. There are two gas stations in Town, and he didn't want to set a precedent that people get bigger and bigger signs but at the same time, a company should be able to at least apply with the ZBA for what they want to do. Mr. Knox said they are asking for relief for two items. The first is the projection of five feet in one direction which is not permitted. They are also asking for relief from the overall square footage of the sign for 51 square feet where 32 square feet is allowed.

Ms. Mancovsky then motioned that the ZBA have the sign comply with their existing bylaw. It was seconded by Ms. MacEachern.

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

2. Vermette – 5 Ash Street

Mr. Knox made a motion, seconded by Mr. Lynch, to make no comment on the Board of Appeals petition for Vermette – 5 Ash Street

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

3. Chapin - 41 Clark Road

Mr. Knox made a motion, seconded by Mr. Lynch, to make no comment on the Board of Appeals petition for Chapin – 41 Clark Road

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

4. Chapin - 31 Pilgrim Road

Mr. Knox made a motion, seconded by Mr. Lynch, to make no comment on the Board of Appeals petition for Chapin – 31 Pilgrim Road

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

Discuss Possible Warrant Articles for a public hearing in February

Mr. Knox said this requires specific timing for advertising. He had some concerns because of the closed meetings right now and the requirements for drafting zoning amendments. He then read from a zoning amendment handout that they had received. "Notice of the time and place of such a public hearing of the subject matter sufficient for identification and of the place where text and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks."

Mr. Knox said that something would also need to be posted in the Town Hall, which is not accessible right now. They should clarify the posting process for a public hearing to amend a zoning bylaw and to make sure its Covid compliant. Ms. Murray said she would check with the Town Hall to make sure it is done correctly.

Mr. Knox said that he would make a recommendation that they should have a public hearing for some warrant articles as they need to clean up some things in the bylaw, and they need to adopt the FEMA flood maps. They should post the public hearing for February 11th. Ms. Murray advised a hearing for that date would need to have the legal ad ready for the newspaper by next Tuesday.

Mr. Knox then made a motion to have a public hearing for the Planning Board to adopt the new FEMA flood maps that have been presented by the State. Ms. Mancovsky seconded the motion and amended it to include it would be February 11th at 7:00 p.m.

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

Mr. Knox said tonight they discussed sign regulations. Ms. Mancovsky has expressed her displeasure with the sign bylaw, and that it should be cleaned up. He agreed with that and motioned they have a public hearing on that same night to discuss amending Lakeville's sign regulations. Ms. Mancovsky seconded the motion.

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

Mr. Knox said the next thing they should have for discussion and public hearing on February 11th is in Lakeville's Zoning Bylaw Section 6.7 Site Plan Review, specifically the language in 6.7.2 regarding the procedure for business or industrial to trigger a Site Plan Review. They need to amend that language.

Mr. Knox then made a motion to have a public hearing to amend the language in 6.7.2 of the Zoning Bylaw. Ms. MacEachern seconded the motion.

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

Mr. Knox also mentioned the Development Opportunities District bylaw update but noted that it still needed some work. They will need to work on that and all these items between now and then. He returned to the drafting Zoning amendments handout and said one item is to get input from your Town Counsel as early as possible and at a minimum, they need to review the draft before it is scheduled for public hearing. They will need to send something to Counsel prior to all these hearings. Mr. Knox asked that the entire FEMA document be sent to Atty. Kwesell for recommendation. Would they have to include language specific to the Town? Ms. Murray said in order to advertise this she would need the final language by January 19th. Mr. Knox asked that be sent out so it could be taken care of.

Ms. Mancovsky said there was not a mechanism by which people whose properties will be affected will be notified. If they don't take advantage of this, they will lose the ability to buy flood insurance through FEMA, so they must do this. However, she felt the people that are affected need to know.

Mr. Knox said he would retype and send them what he had regarding the Site Plan, and individually circulate it for review. Mr. Knox then asked Ms. Mancovsky to get him the changes for the sign bylaw. She noted that changes would also have to be sent to Counsel for review and asked that be done as soon as she sent Mr. Knox her revisions. She was unsure how long that legal review would take.

Mr. Knox advised something else he wanted to touch on was that they keep getting asked about giving a budget for the Selectmen on what the Planning Board needs, and he has had some discussion concerning this. Mr. Knox said in order to generate a budget, they would need to know what is coming in and what is going out. He would like to know what is collected in fees and what is spent for other administrative costs. Ms. Mancovsky asked if the question is related to wanting to have visibility about their particular cost center within the Town.

Mr. Knox replied they are trying to adjust their fees but how do they know what to factor in if they wanted to hire Environmental Partners to do oversight on a project that was more administrative help. Ms. Mancovsky said she believed the Board of Selectmen were adding a budget line item as there had been some discussion about this at their last meeting. The difference is for the expense that they're talking about would not be a pass through but would be a Town expense for having a Planner consultant. They were supportive of this. Mr. Knox asked if they would like to make a recommendation. Ms. Mancovsky suggested \$40,000. She thought it was a good idea to start with a consultant and see what is needed. They need more than what they have now, but something less than the maximum.

Mr. Knox thought \$40,000 was a good number. Mr. Lynch thought it was a good idea to know what their costs were from year to year. Mr. Knox said they have been requesting \$80,000 for a Town Planner for ten years, and it hasn't happened. To Ms. Mancovsky's point, they should request \$40,000, and then try to find a person from project to project. Ms. Mancovsky thought the Board of Selectmen would be in support of that.

Mr. Knox made a motion, seconded by Ms. Mancovsky, to recommend a \$40,000 budget line item for Consulting for the Planning Board.

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

New Business

Mr. Knox said he had something that was brought to his attention during the week. He had a letter which he said would be part of new business. The owner of the Dollar Tree is now the applicant for a building permit. He has a potential tenant to take up the vacant space that was originally

approved as a restaurant. Mr. Knox then read the letter into the record. It stated that it had recently come to the attention of the owner, a Planning Board regulation that requires Site Plan Review for any building permit that is applied for that involves work in excess of 1,500 square feet on a commercial property. Their goal was to take an existing 2,800 square foot tenant space and install a wall that will create two tenant spaces; one will be 1,500 square feet and the other will be 1,300 square feet. The outdoor parking will remain unchanged, as would the parking lot lighting. The work is specific to the interior with the exception of adding an entry door in a location that is presently a window. Any signage will meet the Town's requirements. The letter was to request a waiver of Site Plan Review for these tenant space improvements.

Mr. Knox said that he had been told that space had been approved as a restaurant space with a bar. Mr. Conroy hadn't heard a bar, but that was originally going to have a drive-through window on the far end on the left-hand side. They knew at the time that they would need a Special Permit for that, but they did say that was the eventual plan. Mr. Conroy said he would not be in favor of waiving a Site Plan Review, because now they were taking one building and turning it into three. Ms. Mancovsky agreed and would also not be in support of waiving the review. Mr. Knox noted that it was not a change of use. Ms. Mancovsky understood that but said it was still re-partitioning a space larger than 1,500 square feet. Members agreed that a Site Plan Review should be done.

Mr. Knox then asked would they consider this to be minor or major? Mr. Conroy felt that it would be a minor review. Members did not disagree. Mr. Knox noted that it had just been his understanding that it was approved for a restaurant but just never got built out. It looks like two or more years have passed since original construction. If this had all been done at once, they wouldn't have looked at it again. Mr. Conroy said the difference is it was only going to be two spots and now it's going to be three. He saw that as a little bit different. Ms. Mancovsky agreed and would like to see it come back for review. Mr. Knox said that he would advise the applicant that a review would be required, and that it would be considered a minor review.

Old Business

Ms. MacEachern advised the recodification process would be starting back up again. They will have a meeting next week, and she would then have some updates for them.

Ms. Mancovsky stated an update from SRPEDD was the Cannabis Control Commission is now caught up and processing applications in five to seven days. There should be no further delays on the government side.

Next meeting

Mr. Knox said their next regularly scheduled Planning Board meeting will be on January 28, 2021, at 7:00 p.m. Their 43 Main Street hearing is January 21, 2021, at 7:00 pm.

Mr. Knox also advised that Atty. O'Shaughnessy had reached out to him in regards to Riverside Drive and some of the changes they had voted on. The Selectmen won't approve the change so

they will need to revisit this. He would like this placed on a February agenda with Town Counsel also present.

Adjourn

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

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

Meeting adjourned at 8:20.

DRAFT

Planning Board
Lakeville, Massachusetts
Minutes of Meeting
February 11, 2021
Remote meeting

On February 11, 2021, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

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

Others present:

Edward Phipps, Boston Botanical; Phil Silverman, Attorney; Tony Capachietti, Hayes Engineering

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Site Plan Review – 475 Kenneth W. Welch Drive – Meet with Hayes Engineering regarding Site Plan Review

Attorney Phil Silverman was present for Boston Botanical. He advised they were here for Site Plan Review for a marijuana cultivation and product manufacturing facility. He noted this had previously been approved as a medical marijuana facility through another company but today they are discussing an adult use or recreational marijuana facility. Although there is not a great deal of change to it, technically there is a distinction with the license at the State level in front of the Cannabis Control Commission (CCC.) All those guidelines set forth by the CCC will be followed by the applicant in terms of operations and security. He then wanted to introduce Edward Phipps, CEO of Boston Botanical.

Mr. Phipps advised he was the CEO and president of Boston Botanical. Originally from Massachusetts, he has a background in financial accounting and property management. Eight years ago, he moved to Maine to operate within its medical marijuana program. In that time, they successfully built and operated a 5,000 square foot cultivation and manufacturing facility in Casco, Maine, a 10,000 square foot cultivation facility in Sanford, Maine, and a licensed bottling and canning plant in Portland, Maine. They focus on high quality, clean cannabis and are in over 100 stores in Maine. They have built a very scalable blueprint to bring back to their home State of

Massachusetts. They believe this location is the right opportunity for them, and they look forward to working with the Town.

Mr. Tony Capachietti from Hayes Engineering then shared his screen and displayed the Site Plan. He advised what they have is an existing concrete block and metal frame building, approximately 20,000 square feet across from another marijuana facility. The applicant is seeking to reuse the existing building and parking lot to the maximum extent practicable. The work consists of relining the parking lot, providing accessible spaces, and an accessible route to the entrance. Other site improvements include some clearing of vegetation to improve the sight line looking to the west.

Mr. Capachietti advised they had received some comments back from the Fire Department and Conservation. He spoke with the Fire Chief who asked for access on three sides of the building. They discussed a gravel fire access road, and he had sent the plan over to the Chief for his approval but had not yet heard back from him. Mr. Capachietti said there is a product called grass pave and it is a ring-on-grid structure that supports and protects grass roots to withstand pedestrian and heavy-weight vehicular traffic. They have used this before for fire access. That is represented by the shaded area around the back and side of the building. As the sanitary septic service to the leaching field is in that area, they want to stay off it which necessitates them to clear some of the tree line requiring them to go to Conservation which speaks to that memo. They will file at a minimum a Request for Determination (RDA) or a Notice of Intent (NOI.) They will be reaching out to Conservation, but typically all other approvals are sought before that step. Mr. Capachietti then stated some of the landscaping features they would be adding to offset the loss of the trees.

Mr. Capachietti said they are estimating at absolute max 25 employees on site. Realistically, more like 22, and that would be on the weekend shifts because they would be running multiple shifts during the day of 11 to 12. However, on the weekend you would have some overlap which could get up to the 22 people. They will be providing 26 spaces including 2 handicapped spaces. He then asked if there were any questions.

Mr. Knox said that the Conservation memo had referenced some fencing; was that accurate or are they reading the septic line as fencing. Mr. Capachietti thought it was the latter. There is an existing gate they would like to maintain for facility security for vehicular access, but there is no new fencing proposed. Mr. Knox said they would want to make sure that Conservation confirms and understands that. There were also questions about alteration and removal of the pavement. Mr. Capachietti said they were not removing any pavement.

Mr. Capachietti noted in regards to the Conservation fencing question, it might be that they are proposing an enclosed dumpster area which would be a solid chain-link or vinyl fence around two small dumpsters on the existing pavement, but they were not proposing any removal or additional pavement. Mr. Knox asked if that was within the buffer zone. Mr. Capachietti replied there was very little other than this interior of the building that is not within the buffer zone. It is within existing disturbed area. They will deal with all those items in front of the Commission through either an RDA or a full NOI.

Mr. Knox said that he had a concern that the geo grid or grass pave is going to look like the rest of the lawn. Mr. Capachietti said there would be some sort of demarcation, such as landscape stones

to outline the area of the lawn. The Chief had discussed an ongoing maintenance agreement where they would plow and maintain that area during the winter. Mr. Knox said in the Operations and Maintenance, they would want something to make sure it handles the storm water, and that they continue to maintain the pruning in the fire access path so that side stays open. Mr. Capachietti said they would be happy to have that as part of the Site Plan Review or a recommendation to the recorded Special Permit. Mr. Knox then asked if Board members had any questions.

Ms. Mancovsky said the guidelines for the Town indicate they are supposed to have 150 feet from the fire access roads to any location on the exterior wall of the first story of this building. She can't see that from the plans they're looking at. Will they have that, and can he show her that on the plan? Mr. Capachietti replied the width of this building is about 100 feet so there would be no part of the building that would be greater than 150 feet from the paved or grass paved area that the Fire Department would access. Ms. Mancovsky then stated for the record and for anyone watching that their Fire Department is very taxed on their resources and in the time that they have. She would like to see the first plans coming through be consistent with their existing bylaws. She did appreciate that this has been revised and any approval that they issue will be conditioned upon their subsequent review of the new plan to make sure it's in compliance.

Mr. Conroy said he would say 26 spaces for 22 employees is tight. It is full without considering visitors or anybody else. There can't be any extra, because they would obstruct traffic and the fire trucks. Therefore, could they briefly describe where deliveries will come and go, and how that will work. Mr. Capachietti replied deliveries are usually in and out, and they are required to use one-ton vans and not commercial vehicles. Monday through Friday the parking lot would be approximately half full. Saturday and Sunday would be less frequent delivery days because the deliveries are coordinated through CCC as far as shipping out of the site and going to facilities. They would have 22 people then because there would be some overlap with functions on the weekends. These wouldn't be full shifts, so they don't feel that having four extra spaces is limiting. Regarding FedEx deliveries they would have to use a space on the site. This would not be an issue during the week and one space could be designated as a FedEx delivery space. He noted that every person that goes into the facility is checked, carded, and logged. This is a secure facility and not a business that is open for regular visits.

Ms. MacEachern said she was not seeing any loading areas to get the product off site. Is that included in the parking lot? Mr. Capachietti said loading would occur at one of the doorways. Atty. Silverman added what they generally do is the product goes in small totes and then into vans. It is very well coordinated where the van pulls up and the totes go right out with their security personnel. He estimated it to take one minute, so you don't need a huge loading dock because it is not necessary for the way the deliveries work.

Mr. Knox said they would defer to the ZBA in regards to, that but he noted the building across the street has a fenced in area that a van can pull into for some added security. If they have extra parking spaces, he would recommend they do something like that. Ms. Mancovsky said it was her understanding that the CCC had changed the rules so that a facility like theirs could do home delivery. Will this be happening from this facility? Atty. Silverman said they could not do it. You are allowed to have a delivery emanate from a facility like this, but that would be a separate

company. Right now, this is limited to economic empowerment and social equity applicants. They can start up these businesses for a three-year period unless the local community prohibits it.

Mr. Knox noted there was not a signature block on the plan. Mr. Capachietti said this had been a draft, but they could prepare a mylar for endorsement. Mr. Conroy asked if there would be any changes to the parking lot lighting. He would also like to see what the sign is going to be at the entrance and how it is lit. Mr. Capachietti replied they haven't included any updating as it's fairly well-lit, so they were trying to reuse the existing materials. They didn't propose any changes to the sign. It would be refaced. He then pulled the street view up so they could see what was there. Atty. Silverman added that under the CCC requirements the sign can only have the name of the company. There can't be any symbols of marijuana on it. It's simply for way finding and nothing more.

Mr. Conroy then had him look at the loading doors. Did they plan to reconfigure these doors and lose two of them? Mr. Capachietti replied those two doors would most likely be infilled and then shipping and receiving would occur out of the door he indicated. If the Board wanted it fenced, they could put their fencing right around those two spaces. Mr. Lynch asked if there was any special security required for this type of facility. Atty. Silverman said the exterior has cameras 360 degrees, so they are able to see all around and everyone that is coming and going. On the interior, every window, door, and room where marijuana is handled and stored has a primary alarm system that connects to an off-site company and is monitored 24/7. If something was to be compromised with that, there is also a backup company. The whole facility is limited access. It's a key card system. Every bit of inventory is tracked by a seed to sale tracking system. The minute the plant starts to grow, a barcode is put on and it is entered into inventory. It is also constantly weighed and updated.

Mr. Knox said at this point he was inclined to ask them to provide a plan that has a signature block. On that plan he would like to have the written operations and maintenance for the stormwater. The operations and maintenance for the pruning of the fire lane should also be included to ensure it is maintained and recorded on the plan of record. If they were to motion to recommend approval it would also be pending Chief O'Brien's review of the fire lane and access to make sure that he is satisfied with what has been provided. He would also like him to add a note to the plan that any lighting, if needed, will comply with Lakeville's outdoor lighting bylaw. He did not want to sign a plan that could be changed. If they both got a positive response from Chief O'Brien, they will conditionally approve. They would not sign it until that is done.

Mr. Knox then made a motion to recommend approval of a plan that includes the following:

- Operation and maintenance of stormwater including the pruning of the fire lane
- A note that any lighting needed will comply with Lakeville's bylaw.
- Approval is pending Chief O'Brien's approval of the fire access lane.

Mr. Conroy seconded the motion.

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

Review related Zoning Board of Appeals petition for Boston Botanical, Inc.

Mr. Knox said that as part of their packet, they also will make a recommendation to the Zoning Board of Appeals. They would probably recommend some sort of either a fenced in area for vehicle loading or just that sufficient security measures be implemented for parking lot loading. He would like the cage, rather than a security guard walking out with a tote. Mr. Lynch said he was not opposed to the gating but what would the purpose be? Mr. Knox replied the facility across the street has a van loading area that has fencing on two sides and a gate against the building. They can pull into it, close the gate, and the vehicle that is to be loaded is inside a fenced area. Nobody outside could access that vehicle. Once the vehicle is loaded, the gate would open, and the vehicle drives off. This creates a secure space for that vehicle to be loaded.

Mr. Conroy agreed but wondered if that fenced in area would eat up a lot of that parking lot. He thought they did need it though. Mr. Knox asked if anyone had any other recommendations. There were no further comments.

Mr. Knox made a motion, seconded by Ms. MacEachern, to recommend the ZBA require either a fenced in vehicle loading cage or other sufficient security measures for loading.

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

Floodplain Bylaw – Review and discuss revisions for public hearing

Mr. Knox asked members if they had reviewed the Floodplain Bylaw. He noted that he had gone through it a couple of times and would like to discuss it. He asked Ms. Murray to post for a public hearing at the earliest regular Planning Board meeting for adopting the model Floodplain Bylaw. He noted that he had forwarded questions and requests to both the Conservation Commission and the Building Commissioner. The following items were discussed:

Page 3, Section 2, Item 2-Use of FEMA maps and supporting studies. There are two options.

- A. Bylaw text for communities with “Community-Based” FIRM’s, FBFM and FIS or
- B. Bylaw text for communities with “Countywide” FIRM’s and FIS

Mr. Knox advised this is one that he would like to defer to Conservation as they were more versed in this area. He advised he would like Atty. Kwesell to be present at the public hearing or at least have already sent this to her. She is probably working on this for a lot of other Towns so the question he would have would be how their flood maps are utilized. Ms. Mancovsky agreed. She thought the reason there was two different choices is that in the past, flood plans were derived by community and went community by community. Now the science is going region by region but that should be checked by Counsel.

Page 4, Section 2, Item 6-Designation of community Floodplain Administrator

Mr. Knox said that he has asked if that should be the Conservation Agent or the Building Commissioner. This is something he feels they will need a recommendation on.

Page 5, Section 2, Item 8-Variances to building code floodplain standards. There are two options.

Mr. Knox was not sure if their community had the authority to issue variances to the state building code. He was waiting to hear back from the Building Commissioner.

Page 6, Section 2, Item 10-Permits are required for all proposed development in the Floodplain Overlay District.

They will need to fill in the Town of Lakeville.

Page 7, Section 2, Item 11-Assure that all necessary permits are obtained.

They will need to fill in the Town of Lakeville. Ms. Mancovsky asked who would be responsible for developing the checklist that was cited.

Page 8, Section 2, Item 16-Watercourse alterations or relocations in riverine areas.

Mr. Knox said for the appropriate official it would fall to the Conservation Commission.

Mr. Knox said that he would do a follow up email to both Mr. Darling and Mr. Bouchard to get an answer to some of those options. Ms. MacEachern asked regarding Item 20 for local enforcement. She didn't know if there was something else to this as it did not seem clear. Ms. Mancovsky said that she would imagine in that scenario a building permit could not be issued if it wasn't in compliance. She also noted a loan origination on any property that isn't compliant with local building codes would not be financeable or insurable. That may be the gate to protect the community but that would fall back to the Building Commissioner. The definitions included in the document were also discussed. Mr. Knox said it was his understanding that when they adopt this 27-page document everything in it will be included and become the bylaw.

The hearing date was then discussed. Town Counsel will be contacted first to make sure the procedure is done correctly. Mr. Knox would also follow up with Mr. Darling and Mr. Bouchard on those two items. They can then fill in the blanks and it will be complete as they are not creating any language. This will need to be done by next Tuesday.

Site Plan Review Bylaw- Review and discuss revisions for public hearing

Mr. Knox said currently the bylaw reads "applicants for a building permit for new construction or for modification of or addition to a business or industrial structure resulting in a floor area of over 1,500 square feet in the aggregate shall submit six copies of a Site Plan." Mr. Knox said they want to make sure that a minor interior remodel doesn't trigger Site Plan Review. His suggestion is "applicants for a building permit for new construction or addition to a business or industrial structure that creates a disturbance in lot coverage of 1,500 square feet or more in the aggregate or if a change in occupancy which increases the previously approved occupant load by 10% or more shall submit six copies of a Site Plan."

Mr. Knox said they discussed the 1,500 square feet of floor space which would have meant that 149 Bedford Street wouldn't have needed Site Plan Review because the original submittal was for 1,498 square feet. That is why he wanted it to say creates a disturbance in lot coverage of 1,500

square feet factoring in over dig, storm water management, and parking and loading all as part of the permit process. Mr. Conroy asked if they were keeping that as a change of occupant and not including change of use. Mr. Knox said that he didn't add change of use as that could be a reach they never achieve. The only other suggestion he would say is if you wanted to increase the 1,500 square feet to a higher threshold. Ms. MacEachern noted that in their last discussion the concern had been raised if someone would do just under the 1,500 square feet, keep coming back, and then potentially make changes without having to do Site Plan Review. She thought included should be some other language that would capture a subsequent change that would create that situation. Mr. Knox was unsure how to do that, but you could define it as cumulative changes over a five-year period.

Ms. Mancovsky asked if they had a gate to protect them from a change of use that isn't dramatically different but still could have different environmental impacts. Mr. Knox read back "applicant for building permit for new construction or addition to a business or industrial structure that creates a disturbance in lot coverage of 1,500 square feet or more in the aggregate or if a change in occupancy which increases the previously approved occupant load by 10% or more, or a change in use." Mr. Knox then sent members a use group document which he thought would be helpful to them. He advised he would send the draft to Mr. Darling for comment, then they could send it to Atty. Kwesell for review.

Development Opportunities District – Update

Mr. Knox asked members how they felt about taking this off the agenda for now as they had so much going on. They could place it back on the agenda in April or May. Members all agreed.

Master Plan Implementation – Update

Mr. Knox said he would defer to Ms. MacEachern. She advised the meeting went well, and there was some good conversation about the things that have been completed over the past year. They want to design a way of reaching out to the different Boards getting that information available, as well as compiling something and making it available to the public. She noted they were going to start meeting more regularly and following up on how far along the Town is coming with the goals in the Master Plan. Their meetings will be on the second Wednesday of the month. Mr. Knox said based on their discussion tonight concerning the Development Opportunities District, would she mind bringing that information back to them and not table it, but halt any discussion on it until April or May. She said that would be fine as it would already be pretty tight to get anything done for this Town Meeting.

Recodification of the Zoning Bylaw – Review and discuss adding Planning Board Rules and Regulations

Ms. MacEachern explained the Planning Board Rules and Regulations first need to be updated before they can be rolled into this process. Mr. Knox said that is something they will have to work on doing in the future.

Review the following Zoning Board of Appeals petitions:

1. Cornell – 15 Morrison Way

Mr. Conroy made a motion, seconded by Ms. Mancovsky, to make no comment on the Zoning Board of Appeals petition for Cornell – 15 Morrison Way.

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

2. Hoffman – 5 Merigold Lane

Mr. Conroy made a motion, seconded by Ms. Mancovsky, to make no comment on the Zoning Board of Appeals petition for Hoffman – 5 Merigold Lane.

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

Old Business

There was no old business.

New Business

There was no new business.

Approve meeting minutes

Ms. MacEachern advised she had noted some spelling errors which she had jotted down. She would send those back to Colleen to make the corrections.

Mr. Knox said he would make the motion to approve the Minutes from the December 3, 2020, meeting with the amendments noted by Ms. MacEachern. Mr. Conroy seconded the motion.

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

Ms. MacEachern noted on the next set of Minutes it did not indicate that Conservation had continued their hearing, but that should be included. She also noted that regarding the wetlands delineation one portion was approved, and then one portion was continued. Mr. Knox said that he believed it was the vernal pool. He thought they had voted not only to continue but also to approve a portion of the wetland line which was not shown in these minutes. As this was a large change, he felt it should be sent back to double check the language.

Next meeting

Mr. Knox advised the next meeting is scheduled for February 25, 2021, at 7:00 p.m.

Ms. Mancovsky noted that they needed to be seeing the meeting minutes more frequently. She would want to see at least the ones from the prior meeting. She would follow up with an email. Ms. Murray replied that she had been out on quarantine for three weeks which had thrown her back quite a bit. She has been working first on items that have deadlines as well as the Zoning Board. She had just completed some before this meeting, and they would be available for their next meeting.

Adjourn

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

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

Meeting adjourned at 8:30.

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
February 25, 2021
Remote meeting**

On February 25, 2021, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

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

Others present:

Daniel and Christine Cooney, David Morrissey

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Concept presentation – 58 Main Street – Meet with Daniel Cooney regarding proposed project

Mr. & Mrs. Cooney were present. Mr. Cooney said that he had submitted a general written summary for the record. He advised that this empty lot has been sitting there and their business was growing. He had reached out to the current owner, Mr. Benoit, about building and leasing it from him. Mr. Benoit had asked if instead he would like to purchase the property. They are now exploring all the possibilities. He had reached out to Mr. Darling to find out if this was something they could do. Mr. Benoit has shown a willingness to work with them.

Mr. Cooney said one of his primary questions would be is it even possible to change a bylaw to limit the size of a building on a particular lot. Mr. Knox said his understanding was Mr. Cooney's business as designed would not be allowed by right at that location. Currently, there is no mechanism for a Special Permit for an industrial use in a business location. There is a provision in Mass General Law that allows small scale manufacturing with a certain percentage that has to be sold to the public. The Building Commissioner said this provision does not apply to this proposal because it's solely distribution. It has to be light manufacturing. He just wanted people watching to understand that. Mr. Knox said if Mr. Cooney wanted to try to change a bylaw and work with communicating with the Planning Board, it probably would be wise to understand what they would support or not want to support. He did not think it was a bad idea, but there would

have to be some sort of limitations. Mr. Knox said that if he wanted to try to amend the bylaw or to make a provision that would fit a small-scale business distribution of under a certain square footage and allow that by Special Permit, or some mechanism, he thought the Planning Board might support that to promote small business growth. They would not want to support something that would potentially open up large scale industrial businesses in an otherwise not allowed zone. Mr. Cooney agreed that it made sense to have limitations. Right now, there is no clarity and you could have a tiny little business that imports and has almost no impact on the community, but yet it is limited because of the broad definition of warehouse/office.

Ms. Mancovsky said her understanding of the intention for this property was to have some small retail, some office space, and the remaining storage. Was that correct or was he talking about distribution. Mr. Cooney replied there would be some distribution because they import, but last year they averaged one container delivering to their current warehouse in Wareham per month. There might be five pick-ups per week. He noted that the impact was considerably less than the Dollar Store. Ms. Mancovsky said in regards to changing the bylaw, that always seems to be a large task because it is required to go to Town Meeting. The earliest opportunity to do that would be in the fall if there is a Special Town Meeting. Mr. Knox then described the steps that would have to be gone through. He would recommend an approval by Special Permit with a limited size square footage of the business. He noted they were not offering to write a bylaw for Mr. Cooney but providing guidance, and to also protect the Town. Mr. Cooney said he did understand.

Ms. MacEachern did not know of the legality of possibly allowing this to be done by a Lakeville resident, as supporting a resident would be more appealing than just anybody coming into town. Ms. Mancovsky asked if there was any benefit of this applicant having a conversation with ZBA or is it strictly a bylaw issue at this point. Mr. Knox replied he wasn't sure if much would be gained. All amended bylaws go through the Planning Board. It would depend on how it is written and who would be the Special Permit Granting Authority. Right now there is no mechanism for a Special Permit. Mr. Cooney said even if they did all the work, they were estimating the earliest it could be ready would be fall or possibly next spring. Mr. Knox recommended Mr. Cooney go on other town's zoning bylaws and websites and see if they have anything similar. Mr. Cooney thanked the Board for its time.

Meet with Mr. David Morrissey regarding drainage on 39 Cross Street

Mr. Morrissey was present. He advised his property was 37 Cross Street. Currently, they are in the process of clearing out 39 Cross Street. Half way back in his property, the water is draining from that lot into his backyard. It has created a pool six inches deep and approximately 40' x 40' in one area. It is probably ten inches deep as you get into the woods. He has several concerns. He did send in some photos which had been shared with the Board.

Mr. Knox advised he had been contacted by their engineer, Zenith Consulting Engineers, and it was explained to him that they had started to build a drainage swale. Had Mr. Morrissey noticed that today? Mr. Morrissey said he had not, but it brought up another concern. In the previous meetings, he had asked Mr. Bissonnette about his leaching field, and he had been told the roadway would be ten feet from his property line, but it doesn't look like that's the case as you approach

this area. Thinking of winter storms in the future, it appears that snow is going to land on his property, and they would be salting that road. Mr. Knox asked if his property had been surveyed. Mr. Morrissey said he was going off the boundary that had been established, but he did have one scheduled for a few weeks out.

Mr. Knox said that he didn't want to get into a discussion about a property line until they knew the facts of the location of it. Mr. Morrissey said the water was on his property. Mr. Knox said that he understood that but didn't want to get into that discussion yet. He did see the pictures of the water on his property, and he also got some pictures from the engineer this afternoon. Redlon has started to construct the swale, which they should have done before the road was elevated the way that it is. The engineer has apologized for this, and has reprimanded the crew working there because clearly, they created a problem.

Mr. Knox said he would like him to look at that swale, and then communicate with them next week. He would like to know if what was done has worked. He would like to get out to the site as well. It appears that the silt fence is stopping the water from flowing off of his property. Mr. Morrissey said it is coming right through the silt fence, and that can be seen if you look close enough in the picture. It's created a stream of sediment that's separated, and you can actually see what would be a river if it kept going.

Mr. Knox said that he did see pictures of the swale built as of 4:00 p.m. today. He was told it was draining. He was sure there was still some water in the yard because it doesn't work instantaneously, but he would like an update on this as they progress to make sure that the problem is resolved. Mr. Morrissey said in the meantime, he still has a pond in his backyard, and if they got any more rain or snow, he will have more until it resolves. He needs something from the engineer in writing saying what they were going to do, and when they intend to fix it. Mr. Knox said it sounds like they started today. Mr. Morrissey said he would go out tomorrow and look. Mr. Knox then asked that he update them if it looks any better and if it doesn't, he would follow up.

Ms. Mancovsky wanted to add when they approved this plan, Mr. Morrissey knew the Board spent a lot of time on the drainage. They knew what happened with the other development up the street and how wet some of that area can get. They did want to hear back from him and know that this is being resolved. It was reasonable to have the engineer come back in, if that was needed. Mr. Knox agreed. He stated again to Mr. Morrissey to check back in with the Board with an update, and they would take it from there.

Floodplain Bylaw – Update

Mr. Knox advised that Atty. Kwesell was going to send Mr. Darling completed bylaws from other towns she has done, so he can use it to cross reference with the existing Floodplain bylaw and filter through it. He would then have a template from one that was already approved. Mr. Knox said it was his understanding that they were going to reverse engineer the timing to make sure they could still have a public hearing. As far as the Board of Selectmen know, this is going on the warrant,

but they may not have the public hearing before the March 8th deadline. Ms. Mancovsky said this should be their number one priority, and no matter what it has to happen.

Site Plan Review Bylaw – Review and discuss revisions for public hearing

Mr. Knox asked if anyone would like to change what they have at this point. He said it had been asked how do they know what triggered the increase in occupancy. There are metrics used currently to figure that out, and it is one space per occupant or one per employee. The Board of Health might have something based on the water usage because septic systems are all designed based on usage. That is probably the clearest way to say if they exceed the usage of septic, and they had to do a septic upgrade. That will change the occupancy by more than 10%. Mr. Knox said if everyone agreed on this, they will need to send it to Mr. Darling and Atty. Kwesell for final review. They can then post for a public hearing.

Ms. Mancovsky made a motion, seconded by Mr. Conroy, to send this draft to Atty. Kwesell and Mr. Darling for final review.

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

Recodification of the Zoning Bylaw – Review and approve the Table of Contents and Organization Analysis

Ms. MacEachern said the Board just needs to review and give approval for the reformatting from numbers to letters. She said there were some examples of duplication in the bylaw. This will streamline it and make it fit together better. Mr. Knox asked who else was reviewing this. Ms. MacEachern replied there is the Committee that consists of herself, the Town Clerk, Ms. Drane, Mr. Darling, and the two women from the company doing the recodification. He asked if this was based on their recommendation. Ms. MacEachern said this question has been posed to the Planning Board, so she was not sure what their opinion was.

Mr. Knox said he did not have a problem with this. He would assume that the other people involved in this recodification are doing it with experience. This does appear to eliminate some of the multiple spots in the bylaw that have redundant numberings. Mr. Conroy agreed. Ms. Mancovsky said she would leave it up to the people that have put the time and thought into it as well as those who will be using it. Mr. Knox said he was fine with it.

Mr. Knox then made the motion, seconded by Ms. Mancovsky, to approve the organizational changes.

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

Master Plan Implementation – Update Fee Review Project

Ms. Mancovsky did not know if members had a chance to look at this, but she had reviewed the fees and selected the ones that she thought were appropriate for the Town by highlighting them in yellow. This is open for discussion or questions. Ms. MacEachern recalled that they had gone through this line by line and the last thing they had left was the Site Plan Review fees. She noted that she had not saved the file, so she did not still have it. Ms. Mancovsky suggested they come up with a separate document that breaks out what they said at their last meeting, and then talk about the tiering for the Site Plan Review process.

Ms. Mancovsky asked what they could do to push this forward. They have a lot of development going on, and the Town has a lot of needs and expenses. She did not see any reason why they should not be looking to increase these fees, especially for the larger developers. Mr. Knox said if they were looking at using Carver, Raynham, and Plymouth, then they should be mirroring some of the costs they're charging. Ms. Mancovsky said it is her understanding that once they agree on how they are changing this fee structure, it's a simple vote and then it goes into effect. Mr. Knox was unsure if that was accurate. Ms. Murray said she would also have to check because if the fees are included in their Rules and Regulations, it might have to be advertised.

Members then went through the fees and agreed upon the following:

	Currently	New Fee Proposed
ANR Plan	\$100 per lot	\$250 per lot
Form B	\$100 per plan	\$500
Form C	\$700 + \$100 per lot	\$2,000 + \$100 per lot *\$1,500 if a Form B is submitted
Special Permit (DOD)	no fee established	\$500 per acre
Special Permit (Water Resource Protection District)	no fee established	need additional information tiered by hazard type Still under discussion
Changes made by developer	\$100	\$200 - minor \$1,500 + \$200 for advertising – major
Site Plan Review	\$250 - minor \$1,000 – Major	\$250 - minor \$1,000 – major – up to 3 acres +\$500 additional per acre over 3 acres
Copy of Rules & Regs	\$30	\$50
Public hearing fee	new fee	\$100
Street acceptance	new fee	\$250

Ms. Mancovsky said she would send the updated draft out to them for their review.

Approve meeting minutes

Mr. Conroy made a motion, seconded by Mr. Knox to approve the Minutes from the January 28, 2021, meeting.

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

New Business

Ms. Mancovsky said she would like to fill them in on a couple of things from SRPEDD. The first is that the Federal Government changed something within the Department of Interior. The end result and the consensus is that the casino that they've been looking forward to doing for some time will move forward, and it will be hard to stop at this point. The other item is the update on the Silver City Galleria site. That property is being proposed to be a large-scale warehouse distribution center. There is discussion on the back side of the property where the train tracks line up, there would be a rail transfer station.

Ms. Mancovsky advised there would also be some information regarding a new resilience plan. She had not received the handout, but when she did, she would distribute it. There is some funding available if they needed to get some people involved. They also talked about a site in Middleborough. They are going to have a 29-acre 40R development. It is going to be a mixed use of commercial and residential. There will probably be 150 to 200 units right around where the train station is in Middleborough. She then forwarded the document to members. Ms. Mancovsky said the only other comment is in regards to the Routes 140 and 24 interchange. That project will be starting up in the next few months, possibly two to four. That would be a large project that would last a couple of years.

Ms. MacEachern said the Board of Selectmen at their Monday night meeting brought up the CPA. It already exists in the General bylaws that a committee can be formed in regards to this. It is comprised of members from various boards and three at large members. If there was a chance, she would love to join this committee and see if they can come up with something the Town would vote for at Town Meeting that would preserve some of these open space lands.

Mr. Knox said regarding the position of a Town Planner, he has talked to Selectman LaCamera about it. They are trying to come up with a position for a Town Planner. They have increased the requirement from part time to full time and increased the salary to \$80,000. He said they would be writing a job description, and then sending it to the Board for changes or suggestions.

Mr. Knox also mentioned that on his 296 Bedford Street project, he found a glitch in the outdoor lighting plan. The company that did the plan did not account for farmers porches on the building, and they put the lights just above them so they would light up the copper roofs very well but not

the area below. He has asked the company to do a change. Would the Board like to see that change? Ms. Mancovsky said that as long as it is in compliance with the dark sky. Mr. Knox said they are just pulling a couple of lights off the building, and putting them on light poles on the parking lot side of the building not the street side. This will light the parking area better, rather than the rooftop. There will be no additional light. He will be uploading that document to attach to his building permit. He just didn't want to do something and not have updated the Board. He could share the plan at a later meeting.

Next meeting

Mr. Knox advised the next meeting is scheduled for March 11, 2021, at 7:00 p.m.

Adjourn

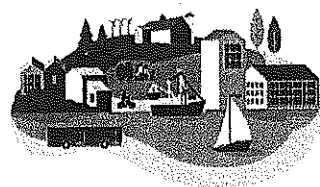
Mr. Knox made a motion, seconded by Ms. MacEachern, to adjourn the meeting.

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

Meeting adjourned at 8:50.

DRAFT

Affordable Housing & Chapter 40B

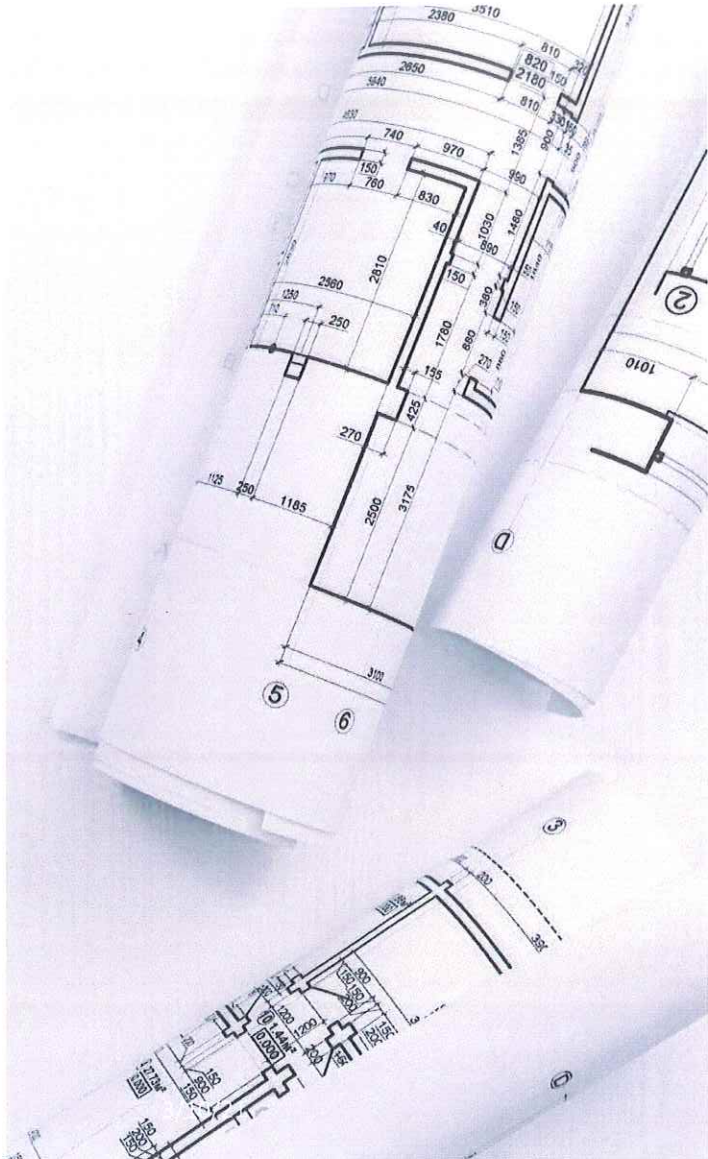


SRPEDD
Southeastern Regional Planning
& Economic Development District

March 10, 2021

Judi Barrett
Owner and Managing Director
Barrett Planning Group LLC





Overview

- What is affordable housing?
- What is Chapter 40B? How does it work?
- In addition to Chapter 40B, how can communities create affordable housing?

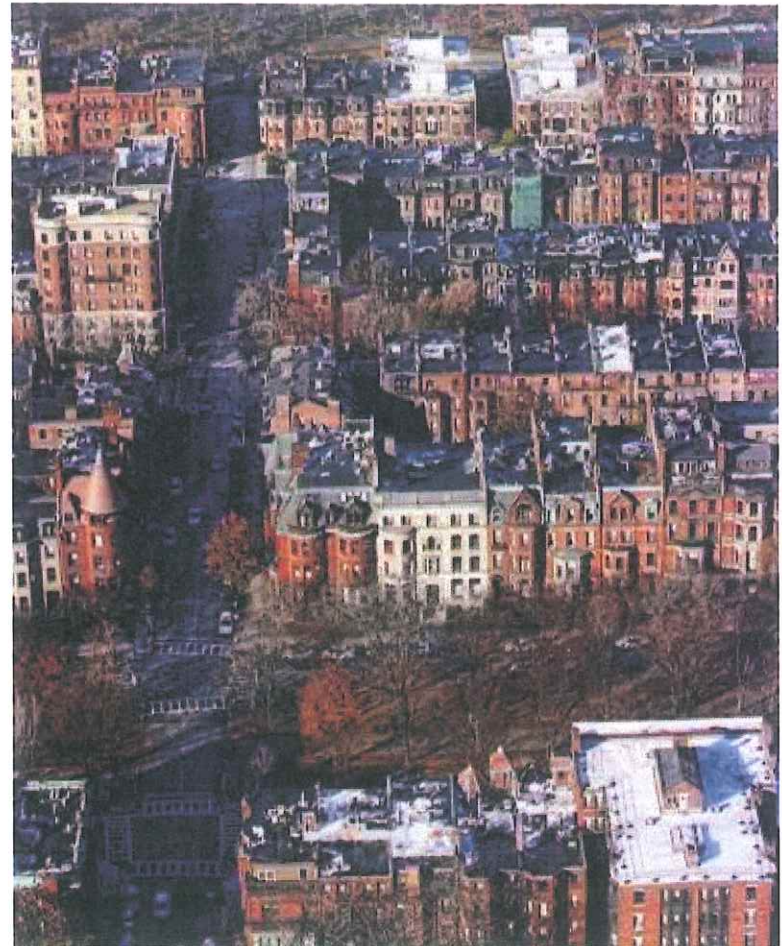
We don't see things as they are. We see them as we are.
-anais nin

What is Affordable Housing? The Basics

The Commonwealth's Housing Crisis

- “There are not enough homes to go around for everyone; homelessness is on the rise; and modern zoning practices continue to perpetuate racial and economic segregation ...”
- “It’s not just the very low-income or even the working class now; it’s the middle class that’s being affected by how expensive it is to live here.”
- “... home rule has hampered the development of much-needed multi-family and affordable housing units”

Boston Real Estate Times, July 2019, citing Greater Boston Housing Report Card





Affordable Housing

Housing that does not require low- or moderate-income households to spend more than 30 percent of their monthly gross income on housing costs:

- Rent and basic utilities, or
- Mortgage principal & interest, taxes, insurance

Example: \$60,000 household income

x 30% = 18,000/12 months = \$1,500 per month

(\$15/hour x 2,080 hours = \$31,200 pre-tax)

Average 2BR apartment in Greater Boston is about \$3,000/month, requiring \$120,000 income (+/-)

Over 30% = “rent-burdened”

Over 50% = “severely rent-burdened”

Affordable Housing

- Is protected from conversion to market-rate housing by an enforceable deed restriction that keeps units affordable upon resale or re-lease
- Is made available to income-eligible people on a fair and open basis (affirmative fair housing marketing plan)
- Is appropriately sized for the number of people living in the unit
- Is safe, decent, and sanitary
- Counts toward the community's 10% minimum under Chapter 40B (more about this shortly)



Affordable Housing

- Is usually created through the issuance of comprehensive permits under Chapter 40B
- May be (and often is) created through other means, such as:
 - Zoning with incentives for affordability
 - Community Preservation Act (CPA) funds
 - Disposition of surplus municipal property
 - Federal CDBG, HOME funds
- Is essential for:
 - Supporting the economic development and social equity needs of cities and towns
 - Providing for basic social fairness

Types of Affordable Housing

Public Housing—Federal and State programs

Rental Assistance—Federal (Section 8) and State (Massachusetts Rental Voucher Program)

Private and Nonprofit owned housing using federal and state subsidies

Low Income Housing Tax Credits

HOME, CDBG, Community Preservation Act

What Does Low or Moderate Income Mean?

(FY20 HUD Income Limits – Providence/Fall River HMFA)

Household Size	Very Low Income (50%)	Extremely Low Income (30%)	Low Income (80%)
1	\$30,450	\$18,300	\$48,750
2	\$34,800	\$20,900	\$55,700
3	\$39,150	\$23,500	\$62,650
4	\$43,500	\$26,200	\$69,600
5	\$47,000	\$30,680	\$75,200
6	\$50,500	\$35,160	\$80,750

Entry-Level Occupations

Restaurant Cook, Custodian, Security Guard

Fast-Food Worker, Coffee Shop Server

Painter, Machine Shop Operator, Payroll Clerk

Who Sets the Affordable Housing Income Limits?

Each year, the U.S. Department of Housing & Urban Development (HUD) computes the Area Median Family Income (AMFI or AMI) for every metro and non-metro area in the country

Three tiers:

- Extremely low: =<30% of area median family income (AMI)
- Very low income: 31-50% AMI
- Low income: 51-80% AMI*
 *("Moderate income" for Chapter 40B)
- Adjusted for household size

Purpose of Income Limits

- Determine eligibility to purchase or rent affordable housing
- Ensure that affordable units are actually available to people who need them
- Some housing programs have different requirements
- The Chapter 40B “standard” is HUD income limits

What is Affordable?

(FY20 HUD Income Limits – Providence/Fall River HMFA)

Household Size	Very Low Income (50%)	Extremely Low Income (30%)	Low Income (80%)
1	\$761	\$458	\$1,219
2	\$870	\$523	\$1,393
3	\$979	\$588	\$1,566
4	\$1,088	\$655	\$1,740
5	\$1,175	\$767	\$1,880
6	\$1,263	\$879	\$2,019

Restaurant Cook, Custodian, Security Guard	Fast-Food Worker, Coffee Shop Server	Painter, Machine Shop Operator, Payroll Clerk
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Affordability Gap



The difference between the market price of housing and what a low- or moderate-income person can afford to pay for housing.

Example: Median single-family home value in Mansfield, \$510,969, is **\$245,669** more than the price a low-income family of four can afford (\$256,300).

**WORST CASE
HOUSING NEEDS**
2017 REPORT TO CONGRESS



PD&R

U.S. Department of Housing and Urban Development | Office of Policy Development and Research

3/10/21

**1 IN 4 RENTERS
PAYS AT LEAST HALF OF THEIR
INCOME ON
RENT**

SOURCE: BUREAU OF ECONOMIC ANALYSIS



Looking at Chapter 40B



Chapter 40B: Regional planning, regional need

- Chapter 40B: regional planning law
- Sections 20-23: **comprehensive permits** for low- or moderate-income housing
- Statutory purpose: to ensure that low- or moderate-income housing is available in all market areas in every region by overriding regulatory barriers that make housing expensive to build
- The point of the law is that every community will provide a share of the region's needs for affordable housing

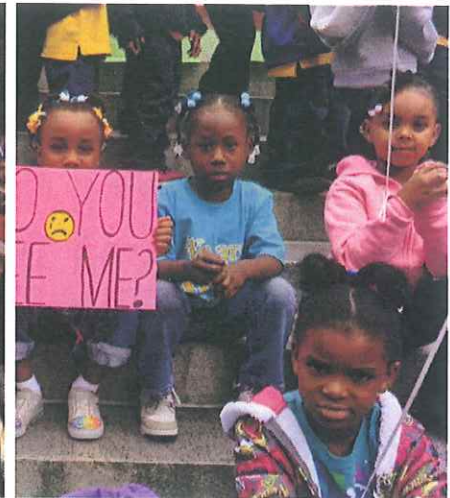


What is a Comprehensive Permit?

- A single “one-stop” permitting process for affordable housing that encompasses all local regulations, such as:
 - Zoning
 - Subdivision Control
 - Local wetlands, health, historic, other local bylaws and regulations
 - Does not include state-governed permits
- Administered by the Zoning Board of Appeals
- Gives aggrieved applicants access to an expedited appeal process if the town does not meet at least one Chapter 40B minimum threshold

Why Chapter 40B?

- Local, state, and federal policies affect the cost of housing
- Limitations on (and response to) Home Rule
- Overcome barriers to housing choices in suburbs and small towns
- Protect and strengthen the economic health of the Commonwealth's cities
- Recognition that housing supply, mix, and cost affect the structure and composition of the region's and town's economy
- Enacted in 1969 as "The Anti-Snob Zoning Act"
- Fair Housing Act of 1968



Why Fair Housing Matters

40B Accomplishments Statewide

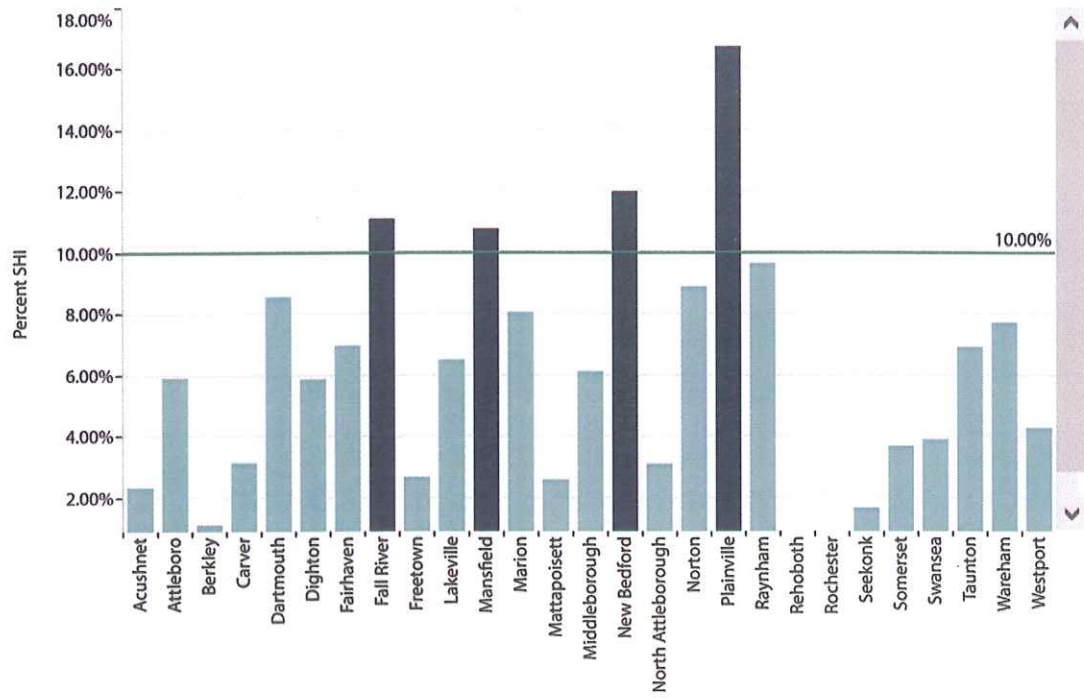
- 78 communities (out of 351 cities and towns) meet the 10% goal and 1 meets the 1.5% general land area goal under DHCD's current guidelines
- 38 communities are at 8-9%, and 48 at 6-7%
- 107 communities have DHCD-approved Housing Production Plans
- Chapter 40B is responsible for 78% of all new affordable housing units in suburban and rural communities between 1997-2010

From Citizens' Housing and Planning Association (CHAPA); updated 2021

Statutory Minima (Minimum Thresholds)

1. Does the number of low- to moderate-income (LMI) units exceed 10% of total year-round housing reported in the most recent census?
OR
2. Does LMI housing exist on sites equal to/greater than 1.5% or more of community's total land area zoned for residential, commercial or industrial use? OR
3. Would the comprehensive permit lead to construction of LMI housing on sites comprising more than 0.3 of 1% of the community's total land area zoned for residential, commercial or industrial use, or 10 acres, whichever is larger, in one calendar year?

Subsidized Housing Inventory, 2020



Source: Commonwealth of Massachusetts Department of Housing and Community Development, 2020

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Regulatory Safe Harbors



Chapter 40B Housing
Production Plan, *certified*;



Recent Progress threshold
(2%);



Large-scale project;



Related application.

What the applicant has to provide to the Zoning Board of Appeals (ZBA)

- Preliminary site development plans;
- Existing conditions report;
- Preliminary architectural drawings;
- Building tabulations;
- Preliminary subdivision plan (if applicable);
- Preliminary utilities plan;
- PE letter;
- Requested waivers

Internal Review Process

- Local boards and officials that typically review and have some authority to approve development plans, such as:
 - Conservation Commission
 - Planning Board
 - Board of Health
 - Design Review Board
 - Affordable Housing Committee
 - DPW, Police, Fire – i.e., professional staff
- Their job is to help the ZBA

Balance Regional Housing Needs with Local Concerns

Health

Safety

Environmental

Design

Open Space

Planning*

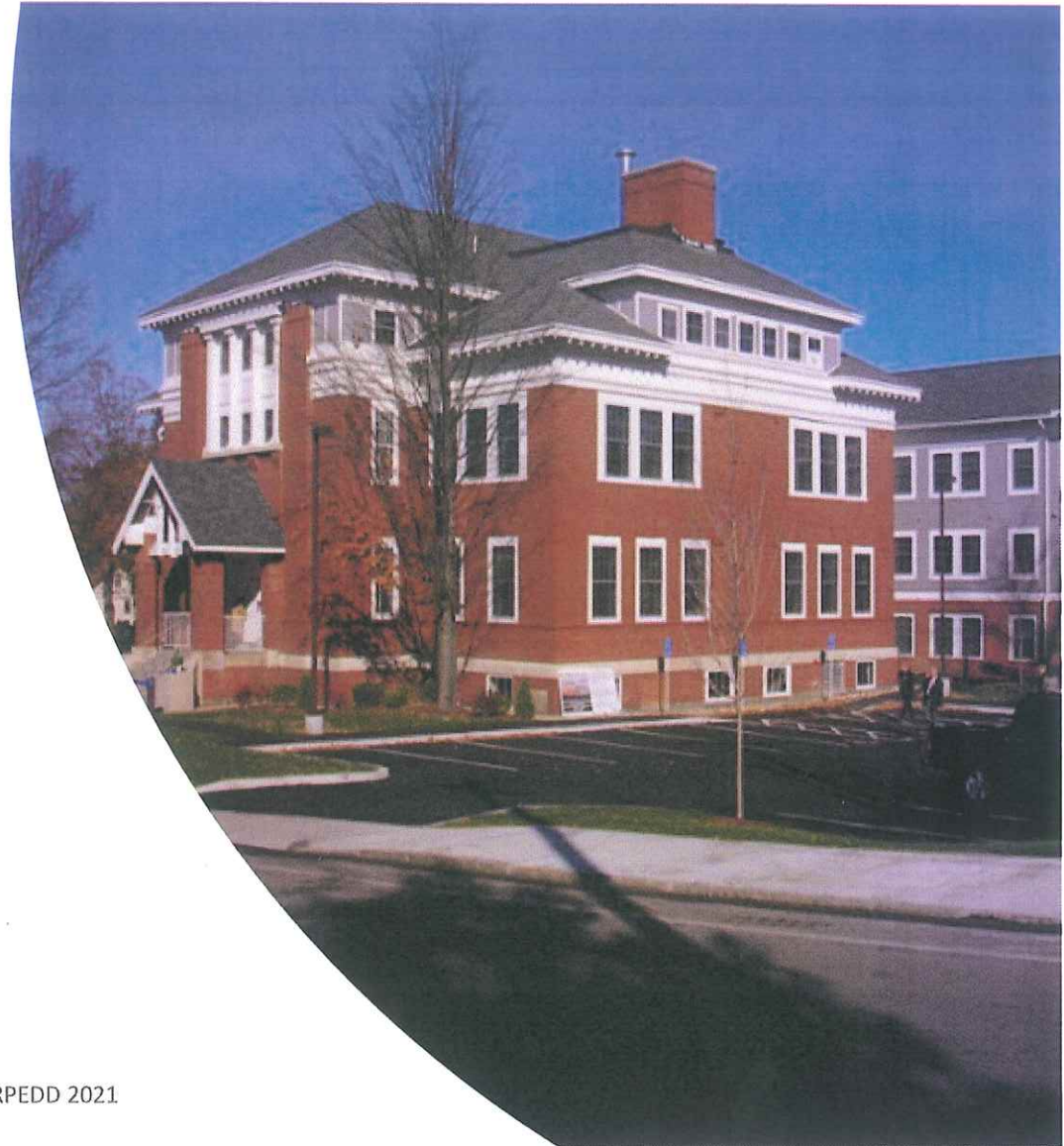
***Planning that includes facilitating affordable housing development in specific areas and the plan has been implemented.**

Approval with Conditions

- The conditions should not make the Project Uneconomic
- Conditions and/or requirements must be consistent with Local Needs
- The Board may not reduce the number of units for reasons other than evidence of Local Concerns within the Board's purview

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Appeal of Decision

- Appeals by the Applicant are made with the Housing Appeals Committee (HAC)
- Appeals for other aggrieved parties are made with Superior Court or the Land Court

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WHAT IS AFFORDABLE HOUSING?

Other Opportunities to Create Affordable Housing

Prevailing Techniques and Resources

Inclusionary zoning

“Missing middle” infill

Community land trust (shared equity)

Working with developers

Impact fees

Exactions

Municipal Affordable Housing Trust funds

Community Preservation Act funds

What are Local Action Units?

Built outside of a comprehensive permit

Built pursuant to a “Local Action”

DHCD is the Subsidizing Agency

Part of the Local Initiative Program

Eligible for Subsidized Housing Inventory

Affordable Housing Plan

A plan to create and preserve affordable housing for people with low incomes

Most housing plans aim to meet DHCD requirements for a **Chapter 40B Housing Production Plan** to access the benefits of Regulatory Safe Harbors (discussed earlier)

Zoning

What is zoning and why does it matter?

- “Invented” in the late 19th/early 20th century as a way to regulate growth and to segregate population by race and class
- Brookline case in 1920s was key in legalizing “single family” zoning districts (*Brett vs. Building Commissioner of Brookline*, SJC 1924)
- U.S. Supreme Court upheld zoning in *Village of Euclid [Ohio] v. Amber Realty Co.*, 1926

Directly affects housing supply and choices

Zoning

Ordinance or bylaw regulating the use of land

- Districts
 - Residences, Business, Industrial, Multi-Use, Many Types!
 - Overlay Districts
- Dimensional requirements (e.g., setbacks, minimum lot size, minimum lot size per unit, open space, floor area ratio (FAR), height, and more)
- Density
- Permitting procedures
- Appeals

Minimum parking, buffers, intentionally omitted uses

Can be made a vehicle for creating affordable housing, e.g., inclusionary zoning, Chapter 40R

Chapter 40R

- Special overlay district requiring pre-approval by Massachusetts Department of Housing and Community Development (DHCD)
- Adopted at town meeting the same way as other zoning bylaws or ordinances – but, will be easier under the new Housing Choice legislation
- Intended primarily for small areas in the community, e.g., near transit, downtowns, village centers
- Units “count” on the SHI the same as Chapter 40B units

Rental Assistance Vouchers

- Rent subsidy that fills the gap between what a low-income renter can afford and the cost of a reasonably priced, privately owned market-rate unit, e.g., HUD Fair Market Rent
- Mobile v. project-based
- Examples: HUD Section 8, HOME, CPA, state vouchers

Community Preservation Act (CPA)

- Important source of financial subsidy controlled by the community
- Requires adoption of G.L. c. 44, S. 44B
- Establishes local community preservation fund
- Local surcharge, state match
- Overseen by Community Preservation Committee (CPC)
- Requires community preservation plan
- At least 10% must be used to support “community housing”

Municipal Affordable Housing Trust Fund

- Source of subsidy for affordable housing
- Can operate like a community development bank
- Controlled locally
- Can be created by adopting a general law or filing a home rule petition with the legislature
- Today, most operate under G.L. c. 44, S. 55C

Employer- Assisted Housing

Common in extraordinarily high-cost markets, seasonal markets

Variety of forms, such as:

- Grants, loans, interest buydown
- Rental assistance
- Homebuyer education
- Temporary housing
- Matched savings
- Sometimes targeted in specific neighborhoods



Recent/Proposed Subsidy Ideas

- Seasonal rental, Airbnb tax
- Transfer fee on seasonal housing sales (home rule petition from Nantucket, Provincetown, Somerville, others)
- Property tax incentives (e.g., Amherst, Provincetown)
 - Development incentives
 - Rental incentives

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Thank you!

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