

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

K. Murray
LAKEVILLE TOWN CLERK
RCUD 2023 MAY 28 PM 1:49

48-hr notice effective
when time stamped

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

Name of Board or Committee:	Planning Board
Date & Time of Meeting:	Thursday, May 25, 2023 at 7:00 p.m.
Location of Meeting:	Lakeville Police Station 323 Bedford Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

Revised A G E N D A

1. **Public Hearing (7:00) 44 Clear Pond Road, continued** – upon the application for Approval of a Definitive Plan submitted by Derek & Madelyn Maksy and Webster Realty Trust for a two (2) lot subdivision.
2. **Public Hearing (7:00) Stowe Estates – 35 Myricks St, continued** upon the application for Approval of a Definitive Plan submitted by JIJ Properties, Inc., for a three (3) lot subdivision, Assessors Map 017, Block 004, Lot 003-01 - **Accept request to continue.**
3. **Discuss and vote on final edits of the Housing Production Plan – Taylor Perez**
4. **Discussion regarding a change to 5 Harding Street – Bob Poillucci**
5. Discussion regarding Sign By-Law.
6. Approve the February 23, 2023 Meeting Minutes
7. Review correspondence
8. Next meeting. . . June 8, 2023 at the Lakeville Police Station
9. Any other business that may properly come before the Planning Board.
10. Adjourn

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

April 22, 2023

Mr. Marc Resnick, Town Planner
Lakeville Planning Board
346 Bedford Street
Lakeville, MA 02347

**RE: Engineering Peer Review
Golfers Way, Lakeville, Massachusetts**

Dear Marc,

This letter is to advise that we have reviewed the materials submitted for the proposed Golfers Way Subdivision located off Clear Pond Road in Lakeville, Massachusetts. The project includes the subdivision of approximately 139 acres into 4 lots consisting of two residential lots, one lot containing an existing solar power generation facility, and the existing Lakeville Country Club. The project includes the construction of an approximately 660 foot long road and associated stormwater management facilities. The materials were prepared by Hancock Associates, on behalf of the applicant, Derek A. Maksy. The submission includes the following documents:

- Plans entitled "Definitive Subdivision Plan – Golfers Way, A Subdivision in Lakeville, MA, 44 Clear Pond Road, Lakeville, MA" prepared by Hancock Associates, revised through May 2, 2023.
- Stormwater Report entitled "Stormwater Report in Support of Permit Filing for Golfers Way – Subdivision (Parcel ID# 059-001-050), Lakeville, MA" prepared by Hancock Associates, revised through May 4, 2023.

These documents have been reviewed for conformance with the following documents:

- Town of Lakeville Rules and Regulations of the Planning Board Governing the Subdivision of Land
- Zoning Bylaw, Town of Lakeville, 1994 Revision (with Amendments through November 14, 2022.)
- Massachusetts Stormwater Management Standards.

BACKGROUND

The subject property, located at 44 Clear Pond Road, is partially developed as the Lakeville Country Club and a solar power generation facility. The proposed project consists of the subdivision of the property into four lots and construction of an approximately 660 linear foot subdivision road. The layout of the proposed road is currently developed as a site driveway to the Lakeville Country Club.

COMMENTS

Our comments note missing items and noncompliance with various standards as outlined below.

Town of Lakeville Rules and Regulations of the Planning Board Governing the Subdivision of Land

1. Section III.C.2.b requires benchmarks to be included on the plans. There is a reference to a benchmark on sheet C-1 but we were unable to find the benchmark on the plans.
2. Section III.C.2.h requires locations of all monuments. It does not appear the proposed project is proposing any monuments.
3. Section III.C.2.k requires building setbacks be shown on the plans. We did not see building setback lines on the plans.
4. Section III.C.2.p requires two benchmarks be shown on the plan and profile sheets. The plan and profile sheet includes a reference to a benchmark but no actual benchmarks.
5. Section III.C.2.u requires the locations and species of any proposed trees be shown on the plans. It does not appear the applicant is proposing any trees.
6. Section IV.A.1 requires proposed streets be constructed with the Standard Cross Section.
7. The edge of pavement of the northeastern corner of the intersection of the proposed road with Clear Pond Road is located at the corner of the property line. There is virtually no right of way between the curb radius and the corner property line. The applicant does not control the abutting property in this area.
8. Section IV.B.4.a requires the centerline grade of proposed roads to be no less than .5%. The stretch of road between stations 5+12 to 5+62 is .42%.
9. Section IV.B.4.c requires vertical curves where the change in grade exceeds 1%. There is a low point on the road with a change of grade of 1.5% that does not include a vertical curve.
10. Section IV.B.5.b requires a landscaped island in the center of cul-de-sacs with a minimum radius of 40'. It appears the proposed landscaped island exceeds this size, but we recommend it be labelled for clarity.
11. Section IV.B.7.a (Curbs and Berms) requires concrete berms and curbs be provided along each side of the road. The proposed project includes a berm on one side of the proposed street and flush pavement on the other side of the road.
12. Section IV.B.7.c (Curb Cuts) requires driveways to slope toward the road at a grade not more than 8%. The proposed plan shows the driveway on lot 4 sloping to the road at 10%.
13. Section IV.B.8.c includes requirements for bituminous concrete sidewalk construction. There is no detail provided for bituminous concrete sidewalks.
14. Section IV.C.s is regarding installation of utilities. It does not appear there are proposed utilities to be installed in the proposed road.

15. Section IV.D.2.c is regarding the installation of drainage systems. This section states that subdivisions can incorporate natural waterways and detention basins for management of stormwater. The proposed project includes drainage swales, infiltration basins, and rain gardens. We feel the proposed approach is consistent with this section. There are no closed drainage systems proposed. Therefore, the sections of the Regulations pertaining to closed drainage systems do not apply.
16. Section IV.D.2.f requires removal of 80% of sediments. See comments in the drainage section regarding removal of sediments.
17. Section IV.F.4 states easements shall not be included in the lot area. Lots 3 and 4 include drainage easements. The applicant should confirm the easement areas are not included in the lot areas.
18. Section IV.G requires monuments be installed. The proposed project does not appear to have proposed monuments.
19. Section IV.H requires street signs to be installed. The proposed plans do not show street signs.
20. Section IV.I requires streetlights to be installed. It does not appear streetlights are proposed.
21. Section IV.K is regarding street trees. It does not appear that street trees are proposed as part of this project.

Massachusetts Stormwater Management Standards

The project is a four lot subdivision. However, it provides access to two commercial facilities, the Lakeville Country Club and a solar field. It also includes an increase in impervious surface of approximately 4,500 sf. Therefore, we feel the proposed project is required to meet the Stormwater Management Standards for new construction.

1. Standard 1: No new untreated discharges

The proposed design complies with Standard 1. All stormwater generated by the project is collected by swales and treated by an infiltration basin or rain garden.

2. Standard 2: Peak rate attenuation

The proposed design complies with Standard 2. There is a reduction in peak stormwater flows from the project.

3. Standard 3: Recharge

The project complies with Standard 3. The recharge calculations were performed using an infiltration rate of 2.41 inches per hour, which is likely conservative based on the test hole observations.

4. Standard 4: Water quality

In our opinion, the project does not meet this Standard for the following reasons.

- a. The southern portion of the road and the parking lot from the Lakeville Country Club drains directly into the rain garden via a paved swale. There is no pretreatment prior to discharge to the rain garden. Per the Standards, rain gardens provide 90% TSS removal with adequate pretreatment. The proposed design does not provide any pretreatment. We recommend pre-treatment be provided.
- b. The TSS removal rate sheet describes a stormceptor water quality unit is to be used to treat stormwater discharging to the infiltration basin. The plans show a sediment forebay is to be used for pretreatment and not a stormceptor.

5. Standard 5: Land use with higher potential pollutant loads (LUHPPL)

We do not believe the project is a LUHPPL. A LUHPPL is defined by specific land uses as well as parking facilities that generate over 1,000 vehicle trips per day. It is unclear whether the Lakeville Country Club generates over 1,000 vehicle trips per day. If so, the project would be required to meet this Standard to the maximum extent practicable.

6. Standard 6: Critical areas

The project does not lie within a critical area as defined within the Massachusetts Stormwater Handbook.

7. Standard 7: Redevelopment

This project is a mix of new development and redevelopment. The project is currently developed and results in an increase of impervious surface of approximately 4500 sf. Therefore, the project should meet the Standards for new development.

8. Standard 8: Construction period pollution prevention and erosion and sedimentation control

Because the project disturbs more than one acre of land, it is required to obtain coverage under the NPDES Construction General Permit and prepare a Stormwater Pollution Prevention Plan (SWPPP). A draft SWPPP was not submitted. We recommend the Planning Board require the final SWPPP be submitted for review and approval prior to the commencement of construction.

9. Standard 9: Operation and Maintenance plan (O&M plan)

Appendix VII of the Stormwater Management Report includes an Operation and Maintenance Plan consistent with the requirements outlined by Standard 9.

10. Standard 10: Prohibition of illicit discharges

A signed illicit discharge statement was not provided. An illicit discharge statement signed by the owner should be provided prior to any approval.

General Comments

1. We recommend a detail be provided for the proposed rain garden showing the appropriate planting soil consistent with the Stormwater Management Guidelines. It is unclear if there are plantings proposed as part of the rain garden design.

2. We recommend the applicant provide forebay sizing calculations for the rain garden which comply with the Massachusetts Stormwater Management Standards.
3. The applicant used an exfiltration rate of 2.41 inches per hour which is likely conservative. Therefore, we believe the stormwater management system will perform better than modelled.
4. We recommend a Construction Detail for the standpipe in the rain garden be provided on the plans.
5. The northern portion of the road does not discharge to the sediment forebay. Stormwater generated by the northern portion of the road flows to a pipe and into the infiltration basin, bypassing the sediment forebay. Pretreatment is provided by the proposed swale.
6. The proposed project conveys stormwater to a water quality swale located on the western side of the proposed road. During snow events, if snow is cleared to this side of the road, it will prevent water from being conveyed to the grassed swales, the sediment forebay, and the inlet to the rain garden. If these structures are not cleared properly, it will likely result in ponding, and possibly icing, in these areas. The entity responsible for maintenance will need to be diligent about clearing snow so stormwater can flow to these facilities.
7. We recommend that Stone for Pipe Ends, consistent with MassDOT specifications, be installed at the flared end sections.

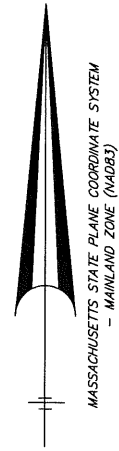
Our review is based on the information that has been provided. As noted above, additional review will be required to verify comments have been incorporated into the revised submission.

We appreciate the opportunity to be able to assist you with this important project. Please feel free to contact me at (617) 595-5180 or sdt@envpartners.com with any questions or comments.

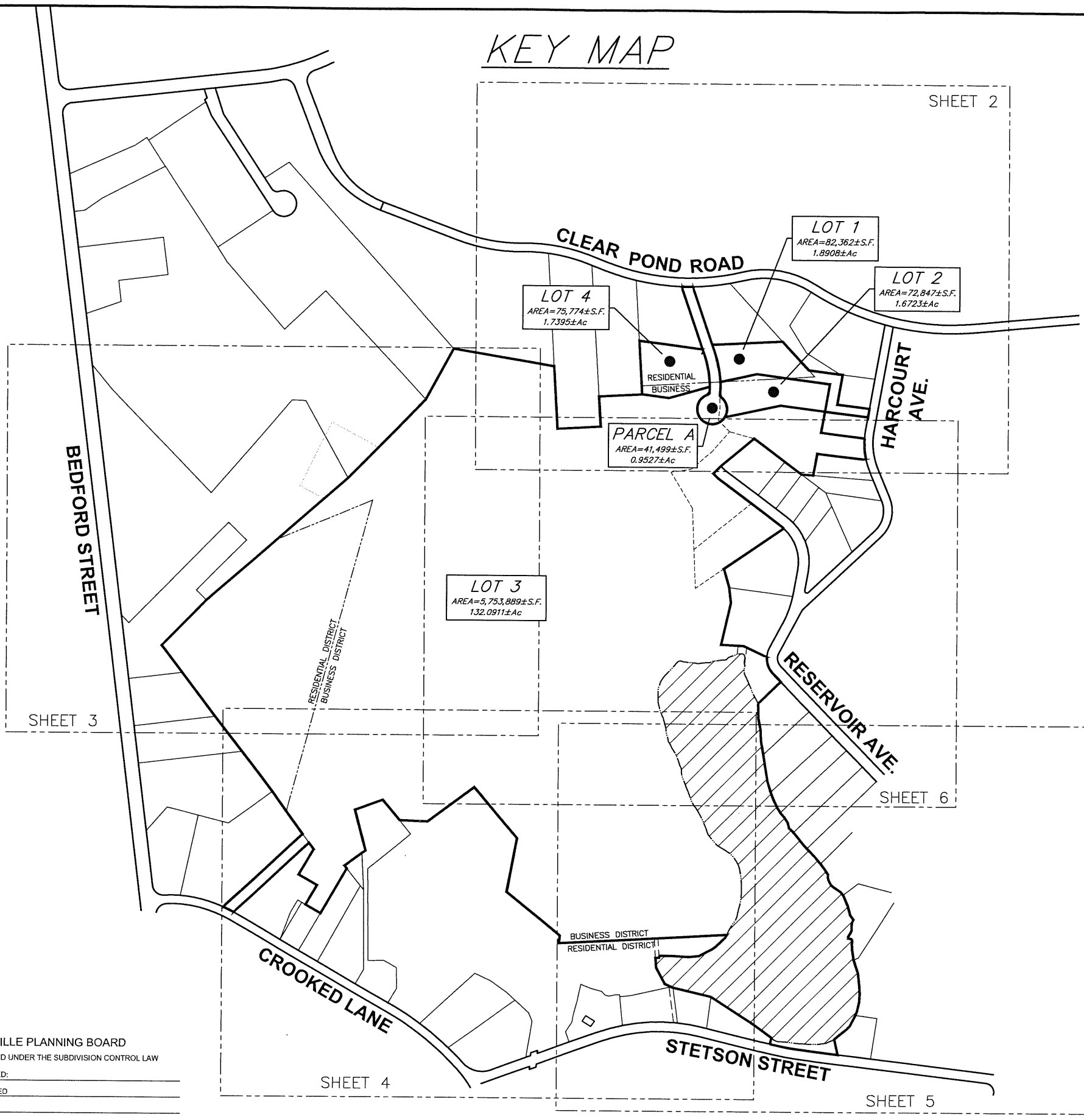
Very Truly Yours,



Scott D. Turner, PE, AICP, LEED AP ND
Director of Planning
P: 617.595.5180
E: sdt@envpartners.com



KEY MAP



- NOTES:**
- 1) THE PURPOSE OF THIS PLAN IS TO SUBDIVIDE 44 CLEAR POND ROAD (MAP 59, BLOCK 1, LOT 50), 31 RESERVOIR AVENUE (MAP 59, BLOCK 1, LOT 50-2), 33 RESERVOIR AVENUE (MAP 59, BLOCK 1, LOT 50-3) AND 59 HARCOURT AVENUE (MAP 59, BLOCK 1, LOT 50-1) INTO TWO (4) BUILDABLE LOTS AND GOLFERS WAY (PARCEL A).
 - 2) THE HORIZONTAL DATUM FOR THIS SURVEY IS THE MASSACHUSETTS COORDINATE SYSTEM, NAD 1983, MAINLAND ZONE. SAID DATUM WAS ESTABLISHED VIA GPS OBSERVATIONS UTILIZING NAD83 (NA2011) EPOCH 2010.00 (MYCS2) AND GEOID 18.
 - 3) WETLANDS SHOWN HEREON WERE DELINEATED BY OTHERS AND LOCATED VIA FIELD SURVEY BY HANCOCK ASSOCIATES IN APRIL THROUGH AUGUST, 2022.
 - 4) GOLFERS WAY IS A PROPOSED VARIABLE WIDTH PRIVATE RIGHT OF WAY.
 - 5) LOCATION OF ABUTTING LAND OF JOHN E. BEECH SHOWN HEREON WAS COMPILED FROM TOWN OF LAKEVILLE GIS MAPPING SYSTEM. THE LOT COULD NOT BE ACCURATELY PLACED DUE TO POOR DEED DESCRIPTIONS AND LACK OF RECORD PLANS.

I HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LAKEVILLE PLANNING BOARD WAS RECEIVED AND RECORDED ON _____ AT THIS OFFICE, AND NO APPEAL WAS RECEIVED DURING THE TWENTY (20) DAYS NEXT AFTER SUCH RECEIPT OF RECORDING OF SAID NOTICE.

TOWN CLERK, LAKEVILLE, MA _____ DATE _____

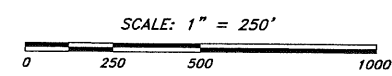
I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE _____ PROFESSIONAL LAND SURVEYOR _____

FOR REGISTRY USE

LAKEVILLE PLANNING BOARD
APPROVED UNDER THE SUBDIVISION CONTROL LAW

APPROVED: _____
ENDORSED _____



ASSESSORS:
44 CLEAR POND ROAD
MAP 59, BLOCK 1, LOT 50
31 RESERVOIR AVENUE
MAP 59, BLOCK 1, LOT 50-2
33 RESERVOIR AVENUE
MAP 59, BLOCK 1, LOT 50-3
59 HARCOURT AVENUE
MAP 59, BLOCK 1, LOT 50-1

REFERENCES:
DEED BOOK 40414, PAGE 215 (TRACT I)
DEED BOOK 48309, PAGE 345 (TRACT II)
PLAN IN BOOK 6, PAGE 211
PLAN IN BOOK 29, PAGE 374
PLAN IN BOOK 40, PAGE 1008
PLAN IN BOOK 40, PAGE 1105
PLAN IN BOOK 53, PAGE 324
PLAN IN BOOK 53, PAGE 345
PLAN IN BOOK 56, PAGE 775
PLAN IN BOOK 63, PAGE 489

RECORD OWNER:
WEBSTER REALTY TRUST
DEREK A. MAKSY, TRUSTEE

DEREK A. MAKSY
44 CLEAR POND ROAD
LAKEVILLE, MA 02347

ZONING: (FROM TOWN OF LAKEVILLE ZONING MAP, DATED OCTOBER 11, 2018)
BUSINESS
RESIDENTIAL

ZONING TABLE

LOT 1		
	REQUIRED	PROPOSED
LOT AREA	70,000 S.F.	82,362± S.F. (TOTAL) 76,382± S.F. (EXCLUDING 40' WIDE PORTION OF LOT)
FRONTAGE (ON PROPOSED R.O.W.)	175 FEET	176.70 FEET
FRONTAGE (TOTAL ON ALL OTHER ROADS)	175 FEET	40.10 FEET

LOT 2		
	REQUIRED	PROPOSED
LOT AREA	70,000 S.F.	72,847± S.F.
FRONTAGE (ON PROPOSED R.O.W.)	175 FEET	176.20 FEET
FRONTAGE (TOTAL ON ALL OTHER ROADS)	175 FEET	0 FEET

LOT 3		
	REQUIRED	PROPOSED
LOT AREA	70,000 S.F.	5,753,889± S.F.
FRONTAGE (ON PROPOSED R.O.W.)	175 FEET	309.70 FEET
FRONTAGE (TOTAL ON ALL OTHER ROADS)	175 FEET	1,075 FEET

LOT 4		
	REQUIRED	PROPOSED
LOT AREA	70,000 S.F.	75,774± S.F. (TOTAL) 70,119± S.F. (EXCLUDING EASEMENT A)
FRONTAGE (ON PROPOSED R.O.W.)	175 FEET	176.90 FEET
FRONTAGE (TOTAL ON ALL OTHER ROADS)	175 FEET	0 FEET

SETBACKS		
MOVE	40 FEET (MIN.)	
SIDE YARD	40 FEET (MIN.)	
REAR YARD	40 FEET (MIN.)	

GOLFERS WAY

(A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)

44 Clear Pond Road
Lakeville, Massachusetts 02347

ASSESSORS:
MAP 59 BLOCK 1 LOT 50

PREPARED FOR:
DEREK A. MAKSY
44 Clear Pond Road
Lakeville, Massachusetts 02347

HANCOCK ASSOCIATES

Civil Engineers
Land Surveyors
Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



2.	J.M.L. JAE	5/22/23	PLANNING BOARD COMMENTS	
1.	J.M.L. JAE	5/4/23	PLANNING BOARD COMMENTS	
NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION

DATE: 11/15/2022 DRAWN BY: J.M.L.
SCALE: 1" = 250' CHECK BY: JAE

DEFINITIVE SUBDIVISION PLAN OF LAND IN LAKEVILLE, MA

PLOT DATE: May 22, 2023 3:23 pm
PATH: \\lan-ss0001\CAD-2\04 3D Projects\26623 - Maksy - Lakeville\DWG\

DWG: 26623sv2.dwg

LAYOUT: DT201A

SHEET: 8 OF 17

L-1

PROJECT NO.: 26623



NOTE:
SEE SHEET 1 FOR REFERENCES, ASSESSORS' INFORMATION, OWNERS, AND NOTES

LEGEND

- EDGE OF PAVEMENT
- x-x-x-x- CHAIN LINK FENCE
- o-o-o-o- WOOD FENCE
- EDGE OF GRAVEL ROAD
- DHCB □ DRILL HOLE IN CONCRETE BOUND
- DHSB □ DRILL HOLE IN STONE BOUND
- I.P.I.P.E. ○ IRON PIPE
- I.ROD ○ IRON ROD
- P.C.B. — PLYMOUTH COUNTY BOUND

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE _____ PROFESSIONAL LAND SURVEYOR _____

GOLFERS WAY

(A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)

44 Clear Pond Road
Lakeville, Massachusetts 02347

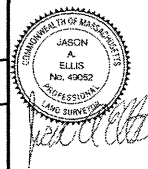
ASSESSORS:
MAP 59 BLOCK 1 LOT 50

DEREK A. MAKSY
44 Clear Pond Road
Lakeville, Massachusetts 02347

HANCOCK ASSOCIATES

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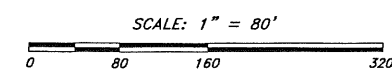
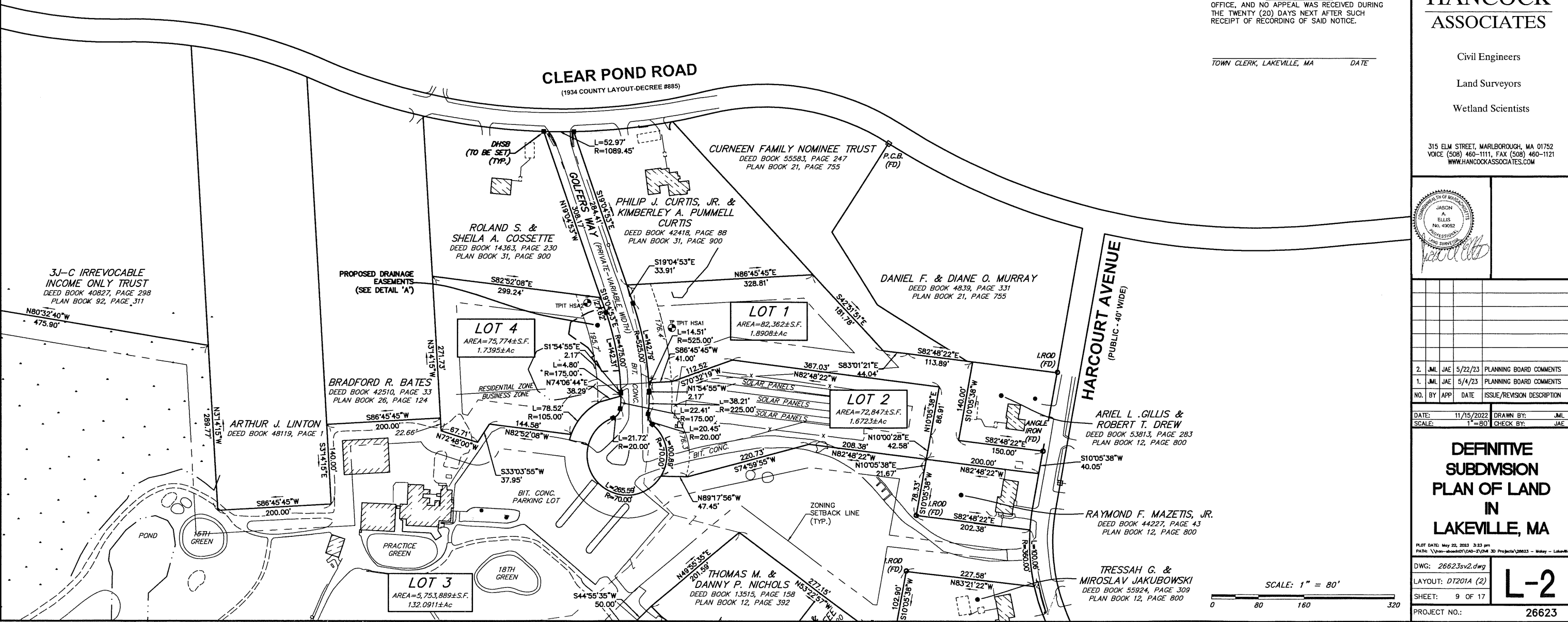
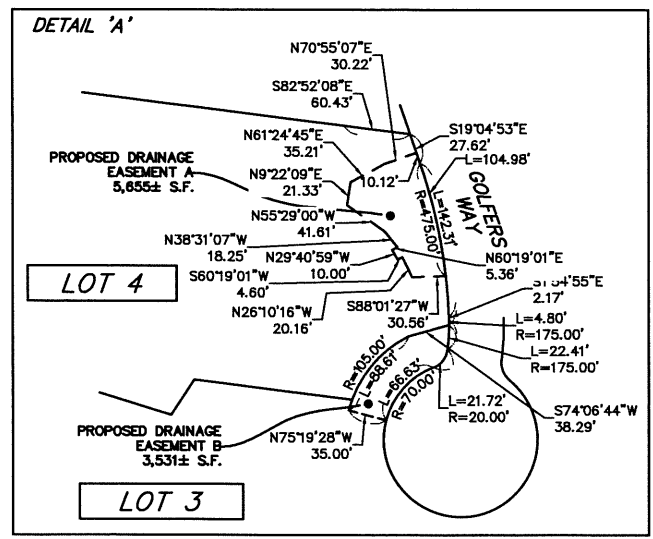
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SCALE: 1"=80' CHECK BY: J.A.E.

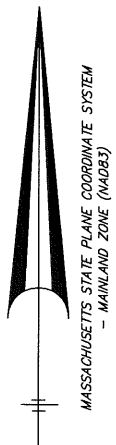
DEFINITIVE SUBDIVISION PLAN OF LAND IN LAKEVILLE, MA

PLAT DATE: May 22, 2023 3:23 pm
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DWG: 26623sv2.dwg
LAYOUT: DT201A (2)
SHEET: 9 OF 17
PROJECT NO.: 26623

L-2





NOTE:
SEE SHEET 1 FOR REFERENCES, ASSESSORS' INFORMATION, OWNERS, AND NOTES

LAKEVILLE PLANNING BOARD
APPROVED UNDER THE SUBDIVISION CONTROL LAW
APPROVED: _____
ENDORSED _____

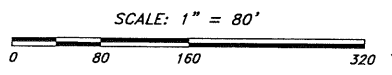
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TOWN CLERK, LAKEVILLE, MA DATE _____

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DATE _____ PROFESSIONAL LAND SURVEYOR

FOR REGISTRY USE



BEDFORD STREET
(PUBLIC - 66' WIDE)
(S.H.L.O. 2850)

DANIEL J. & KAREN P. CASIERI
DEED BOOK 6127, PAGE 59
PLAN BOOK 22, PAGE 322

DONNA STAGMAN
DEED BOOK 45776, PAGE 275
PLAN BOOK 5197, PAGE 238

JD REALTY TRUST
DEED BOOK 16392, PAGE 84

JOHN E. BEECH
DEED BOOK 6536, PAGE 64
COMPILED FROM LAKEVILLE ASSESSOR GIS MAPS
(SEE NOTE #5)

SOUTHCOAST REDEVELOPMENT, LLC
DEED BOOK 52901, PAGE 229
PLAN BOOK 56, PAGE 775

TIMOTHY P. & TARA J. WYNN
DEED BOOK 33547, PAGE 69
PLAN BOOK 41, PAGE 797

PLAN BOOK 92, PAGE 311
N80°32'40"W
475.90'

LOT 3
AREA=5,753,889±S.F.
1.32,0911±Ac

GOLFERS WAY
(A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)

44 Clear Pond Road
Lakeville, Massachusetts 02347

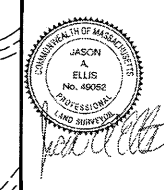
ASSESSORS:		
MAP	BLOCK	LOT
59	1	50

PREPARED FOR:
DEREK A. MAKSY
44 Clear Pond Road
Lakeville, Massachusetts 02347

HANCOCK ASSOCIATES

Civil Engineers
Land Surveyors
Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
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1.	JML	JAE	5/4/23	PLANNING BOARD COMMENTS

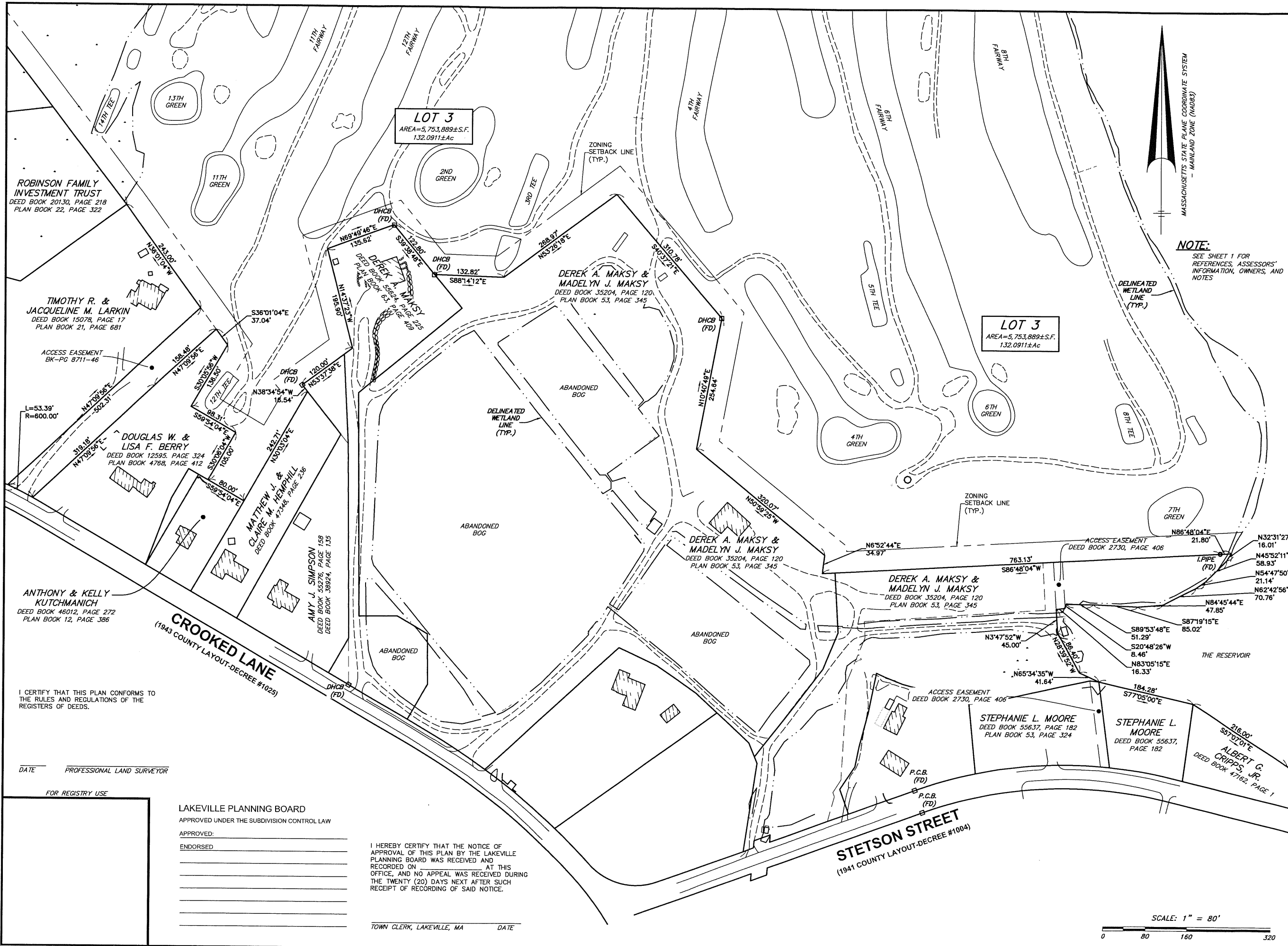
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SCALE: 1"=80' CHECK BY: JAE

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PLOT DATE: May 22, 2023 3:23 pm
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DWG: 26623sv2.dwg
LAYOUT: DT201A (3)
SHEET: 10 OF 17
PROJECT NO.: 26623

L-3



GOLFERS WAY
(A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)

44 Clear Pond Road
Lakeville, Massachusetts 02347

ASSESSORS:

MAP	BLOCK	LOT
59	1	50

PREPARED FOR:

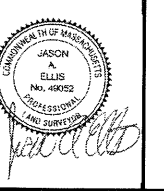
DEREK A. MAKSY

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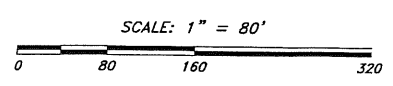
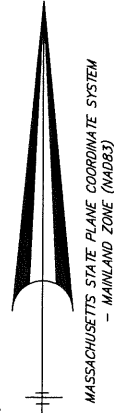
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DEFINITIVE SUBDIVISION PLAN OF LAND IN LAKEVILLE, MA

PROJECT NO.: 26623

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DATE _____ PROFESSIONAL LAND SURVEYOR

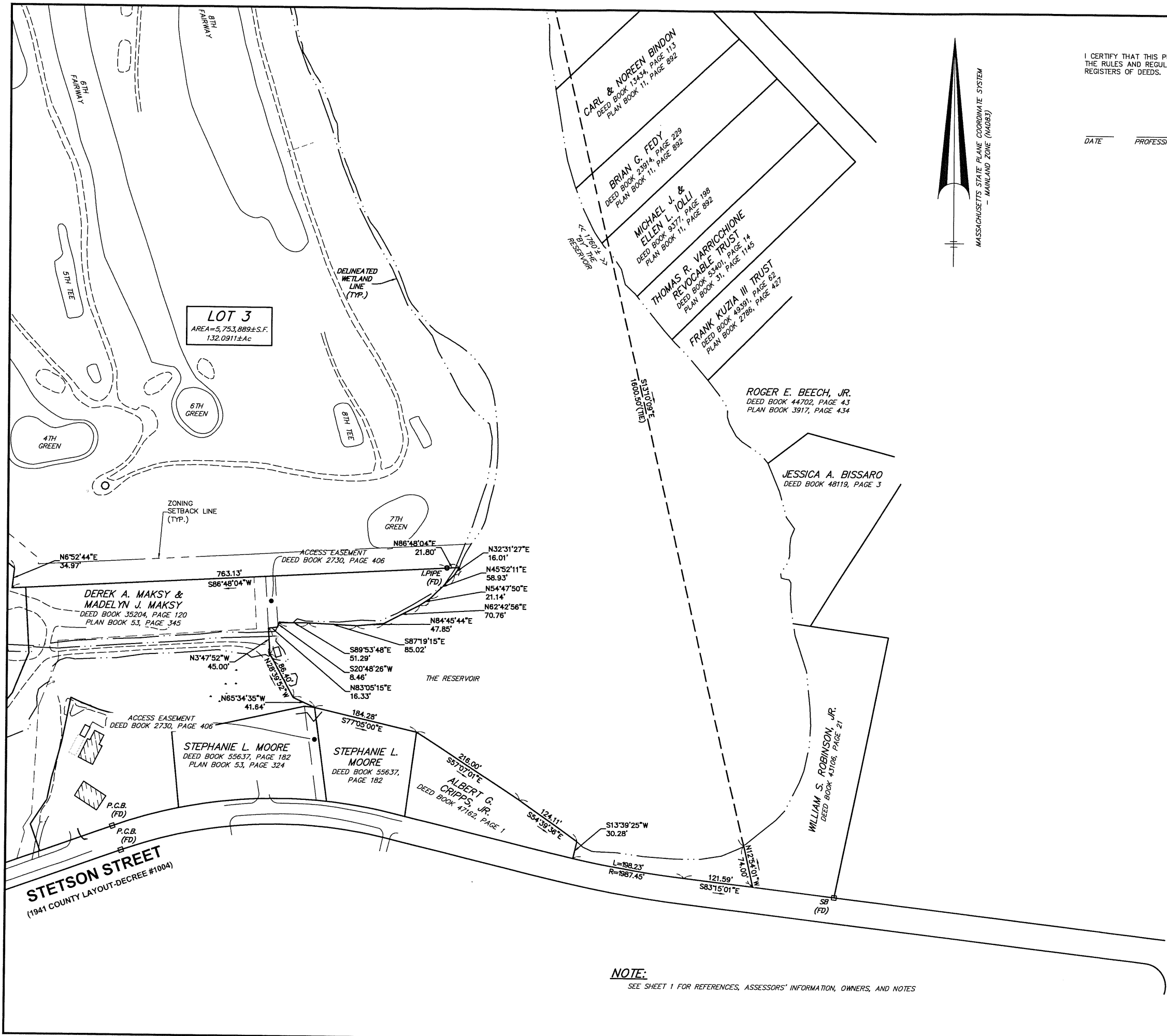
LAKEVILLE PLANNING BOARD
APPROVED UNDER THE SUBDIVISION CONTROL LAW

APPROVED: _____
ENDORSED: _____

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TOWN CLERK, LAKEVILLE, MA DATE _____

FOR REGISTRY USE



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

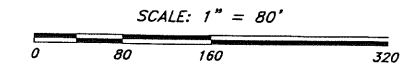
DATE _____ PROFESSIONAL LAND SURVEYOR

LAKEVILLE PLANNING BOARD
APPROVED UNDER THE SUBDIVISION CONTROL LAW

APPROVED: _____
ENDORSED: _____

I HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LAKEVILLE PLANNING BOARD WAS RECEIVED AND RECORDED ON _____ AT THIS OFFICE, AND NO APPEAL WAS RECEIVED DURING THE TWENTY (20) DAYS NEXT AFTER SUCH RECEIPT OF RECORDING OF SAID NOTICE.

TOWN CLERK, LAKEVILLE, MA DATE _____



GOLFERS WAY

(A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)

44 Clear Pond Road
Lakeville, Massachusetts 02347

ASSESSORS:

MAP	BLOCK	LOT
59	1	50

PREPARED FOR:

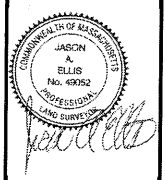
DEREK A. MAKSY

44 Clear Pond Road
Lakeville, Massachusetts 02347

HANCOCK ASSOCIATES

Civil Engineers
Land Surveyors
Wetland Scientists

315 ELM STREET, MARLBOROUGH, MA 01752
VOICE (508) 460-1111, FAX (508) 460-1121
WWW.HANCOCKASSOCIATES.COM



NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
2.	JML	JAE	5/22/23	PLANNING BOARD COMMENTS
1.	JML	JAE	5/4/23	PLANNING BOARD COMMENTS

DATE: 11/5/2022 DRAWN BY: JML
SCALE: 1"=80' CHECK BY: JAE

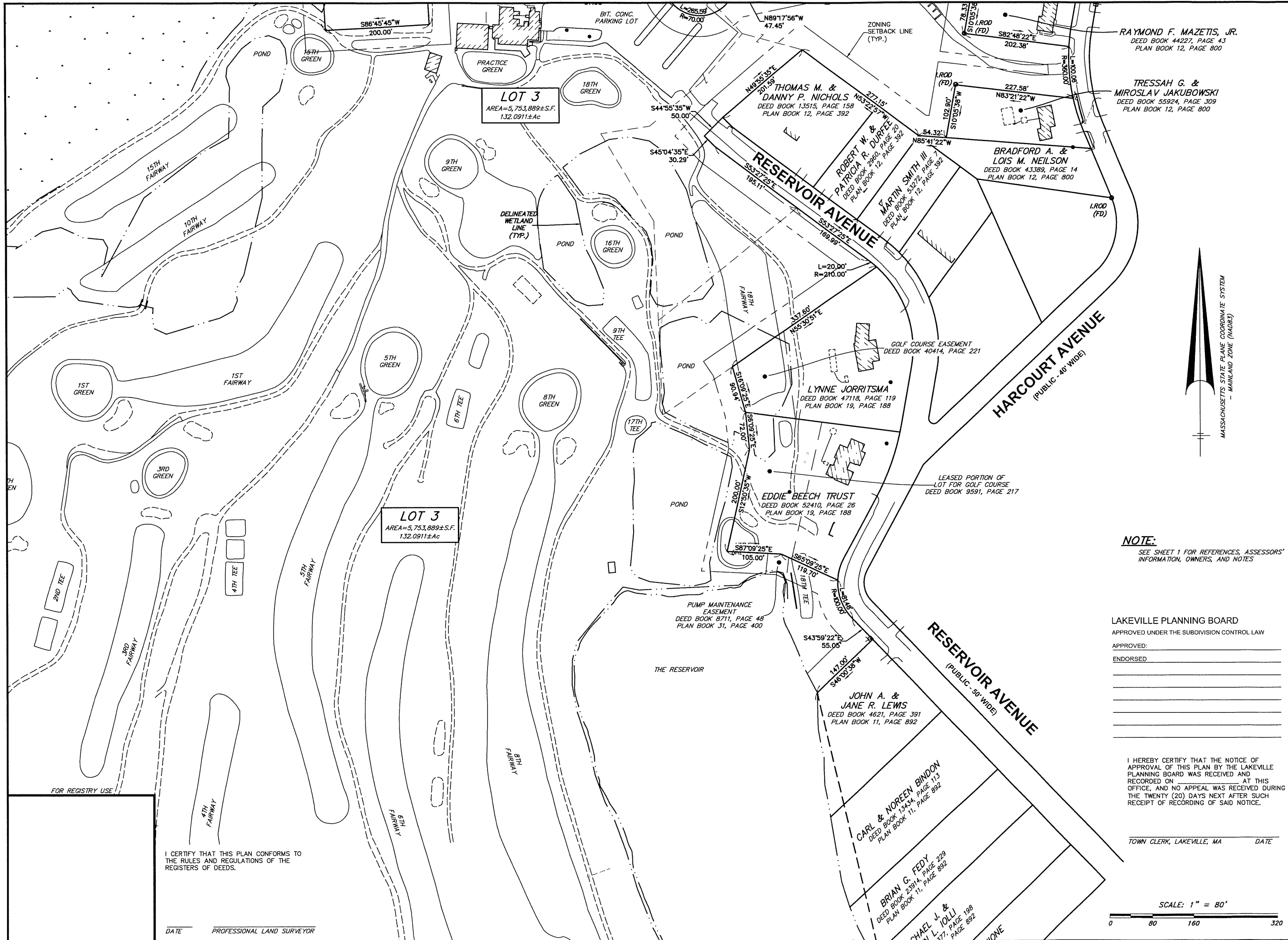
DEFINITIVE SUBDIVISION PLAN OF LAND IN LAKEVILLE, MA

PLOT DATE: May 22, 2023 3:23 pm
PATH: \\server-ds001\CAD-PLANS\20 Projects\20223 - Maksy - Lakeville\DWG

DWG: 26623sv2.dwg
LAYOUT: DT201A (5)
SHEET: 12 OF 17

L-5

PROJECT NO.: 26623

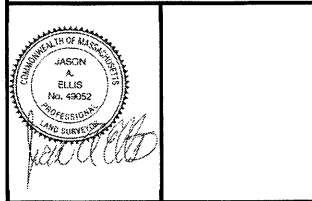


GOLFERS WAY
 (A DEFINITIVE SUBDIVISION IN LAKEVILLE, MA)
 44 Clear Pond Road
 Lakeville, Massachusetts 02347

ASSESSORS:
 MAP 59 BLOCK 1 LOT 50

PREPARED FOR:
DEREK A. MAKSY
 44 Clear Pond Road
 Lakeville, Massachusetts 02347

HANCOCK ASSOCIATES
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 315 ELM STREET, MARLBOROUGH, MA 01752
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NOTE:
 SEE SHEET 1 FOR REFERENCES, ASSESSORS' INFORMATION, OWNERS, AND NOTES

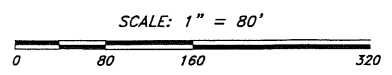
LAKEVILLE PLANNING BOARD
 APPROVED UNDER THE SUBDIVISION CONTROL LAW

APPROVED: _____
 ENDORSED: _____

NO.	BY	APP	DATE	ISSUE/REVISION DESCRIPTION
2.	JML	JAE	5/22/23	PLANNING BOARD COMMENTS
1.	JML	JAE	5/4/23	PLANNING BOARD COMMENTS

I HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LAKEVILLE PLANNING BOARD WAS RECEIVED AND RECORDED ON _____ AT THIS OFFICE, AND NO APPEAL WAS RECEIVED DURING THE TWENTY (20) DAYS NEXT AFTER SUCH RECEIPT OF RECORDING OF SAID NOTICE.

TOWN CLERK, LAKEVILLE, MA DATE _____



I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

DATE _____ PROFESSIONAL LAND SURVEYOR

DATE: 11/15/2022 DRAWN BY: JML
 SCALE: 1"=80' CHECK BY: JAE

DEFINITIVE SUBDIVISION PLAN OF LAND IN LAKEVILLE, MA

PROJECT NO.: 26623

DWG: 26623sv2.dwg
 LAYOUT: DT201A (6)
 SHEET: 13 OF 17

L-6

Cathy Murray, Appeals Board Clerk

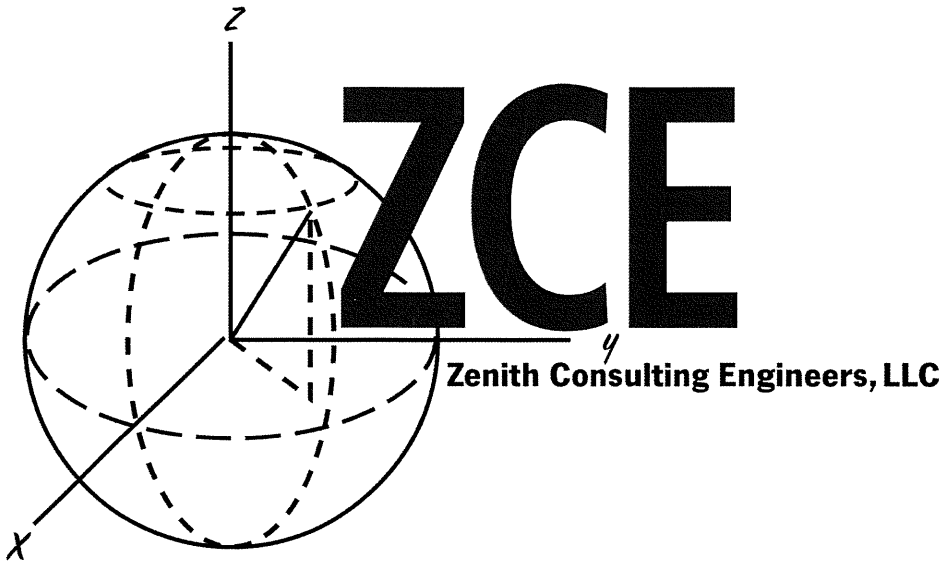
From: Nyles Zager <nyles@zcellc.com>
Sent: Monday, May 22, 2023 1:06 PM
To: Cathy Murray, Appeals Board Clerk
Cc: 'achaves@comcast.net'; Jennifer Stadelmann
Subject: RE: Stowe Estates - Lakeville

Hi Cathy,

I'm assuming that we haven't received anything back from EP yet so I am asking for another continuance of the hearing scheduled for this Thursday until the next available meeting date.

Thanks and have a great day,

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



From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Thursday, May 18, 2023 12:34 PM
To: Nyles Zager <nyles@zcellc.com>
Subject: RE: Stowe Estates - Lakeville

Hi Nyles,

FYI

6.6 SIGN REGULATIONS

6.6.1 Purpose

To provide information to the public and for the identification of permitted activities from public ways, the erection and maintenance of signs shall be **subject to regulation** in order to preserve and enhance the visual appearance and character of the **Town**, to provide for the safety and general welfare of the public, and to prevent injurious and **detrimental** effects from the distracting demands for attention resulting from **uncontrolled shapes**, sizes, colors, motions, lighting, and inappropriate locations.

6.6.2 Permit Required

6.6.2.1 No sign shall be erected, altered, or relocated without a permit issued by the Building Commissioner, except as otherwise provided herein.

6.6.2.2 The applicant proposing to erect, alter or relocate a sign shall submit to the Building Commissioner a completed sign permit application, together with the required application fee and sketches of all proposed signs. The drawings shall specify the building and sign dimensions, colors, attachment methods, location of the signs, method of illumination and any other pertinent information which may be required.

6.6.2.3 Sign permit fees shall be determined by the Select Board.

6.6.3 General Sign Regulations

6.6.3.1 No sign shall be located closer than ten (10) feet from the street right-of-way, and no closer than thirty (30) feet from the side or rear property lines.

6.6.3.2 Signs shall be limited to a maximum height of twenty (20) feet as measured from the crown of the road directly perpendicular to the sign.

6.6.3.3 Signs shall be limited in number to two (2) signs for each business or industrial establishment or company. Business or industrial sites containing more than one establishment (mill outlets, shopping centers, industrial parks, etc.) shall be limited to two (2) signs per establishment, one of which shall be attached to the structure to designate the establishment within the structure, and the other attached to or part of a central common directory sign. Business and Industrial subdivisions may have one (1) entrance sign, not being a directory sign, in addition to the above. Signs for this common directory sign and for the business and industrial subdivision entrance sign may be double-sided and a maximum of sixty-four (64) square feet in area.

6.6.3.4 Unless permitted elsewhere in this By-Law, no sign may exceed thirty-two (32) square feet in area.

6.6.3.5 Signs erected upon or attached to a building shall not project:

1. horizontally more than two (2) feet;
2. into or over any way;
3. above the highest part of the building, not exceeding twenty (20) feet from ground level.

6.6.3.6 No free-standing sign shall project more than two (2) feet horizontally from its means of support.

6.6.3.7 The colors red, green or yellow shall not be used in a manner that might confuse the meaning of stop signs, stop lights or other traffic signs.

6.6.3.8 Freestanding signs shall have landscaping at the base.

6.6.3.9 All Signs must be maintained, this includes awning material, lettering, lighting, and landscaping.

6.6.3.10 Free Standing signs are permitted to have either a changeable copy sign or an electronic Message Board as part of its sign but not both.

6.6.3.11 Wall signs shall not exceed 15% of the area of the wall it is attached to or thirty-two (32) Square Feet whichever is less.

6.6.3.12 Window signs shall not exceed thirty percent (30 %) of the total area of all windows and doors.

6.6.3.13 One (1) Temporary subdivision sales sign not to exceed thirty-two (32) square feet. This sale sign shall be removed upon the issuance of occupancy permits for seventy-five percent (75%) of the subdivision.

6.6.4 Exemptions

6.6.4.1 Flags or insignia of the United States or any political subdivision thereof or any other nation or country when not used for commercial promotion or display.

6.6.4.2 Temporary posters, placards, or signs associated with a political campaign or current political issue associated with an election.

6.6.4.3 Signs located on residential structures or driveways, for the primary purpose of indicating the name or names of the resident.

6.6.4.4 For sale, lease, or rent signs on real property or the signs of real estate agents or brokers.

6.6.4.5 Signs less than two (2) square feet designating entry and egress from parking areas, and other directional traffic control and safety-related signs.

6.6.4.6 Normal highway control signs, hazard signs, and other State-approved highway safety signs.

6.6.4.7 Permanent subdivision or residential development identification signs shall not exceed 12 square feet. They may only be externally illuminated by spotlights and shall be set back 10 feet from property lines.

6.6.4.8 One (1) sign not exceeding thirty-two (32) square feet on a building or project under construction, repair, or renovation identifying the contractor, architect, and/or owner. This sign shall be removed upon issuance of an occupancy permit for all or part of the building.

6.6.4.9 Fuel pump information signs, only as required by State law, are allowed and shall not affect the computation of allowable number of signs or aggregate sign size on a property.

6.6.5 Temporary Signs

6.6.5.1 Temporary exterior signs or mobile sign displays are permitted to advertise the opening of a business at a new location or to advertise a special event at its intended location.

6.6.5.2 Such signs shall not exceed thirty-two (32) square feet in area.

6.6.5.3 Banners or portable signs may be allowed for special events but must be removed after the event has concluded.

6.6.5.4 No two (2) or more of such signs shall be closer than five hundred (500) feet apart.

6.6.5.5 The combined total number of days that one or more temporary signs may be displayed on the premises shall not exceed ninety (90) days in each twelve (12) month period per establishment.

6.6.5.6 Temporary signs shall be displayed in conformance with setback requirements for all signs.

6.6.5.7 At the end of the ninety (90) day period, the sign shall be removed by the initiative of the company, organization, or individual or their agents as indicated by the display of information.

6.6.5.8 All such temporary signs as **herein** described must meet the approval of the Building Commissioner regarding safety of **construction**, placement, mounting, and lighting. By written notice specifying the corrections needed, **the Building Commissioner** shall order the immediate action of the displayer to either **correct the sign** or have it removed.

6.6.6 Special Permits

6.6.6.1 Signs larger in area or higher than **specified or a greater number of signs**, may be granted by Special Permit of the Board of Appeals.

6.6.6.2 A Special Permit may not be issued for signs prohibited by this by-law in Section 6.6.7

6.6.6.3 Changeable copy signs, electronic message board signs, and internally illuminated signs or the portion of a sign that is changeable copy, an electronic message board or internally illuminated shall require a Special Permit **of the Planning Board**.

6.6.6.4 Changeable copy signs and electronic message boards shall not exceed twelve (12) square feet. Only one (1) of these types of signs are permitted per property.

6.6.6.5 Common Directory signs may be allowed to have one (1) additional internally illuminated panel per business not to exceed twelve (12) sq ft.

6.6.6.6 Changeable copy signs, electronic message board signs and internally illuminated signs may not be illuminated during the overnight hours from 11:00 pm until 6:00 am, unless for a facility providing medical care or emergency services with hours of operation during these hours. In this case, the applicant can apply for a special permit to keep the sign illuminated.

6.6.7 General Sign Prohibitions

6.6.7.1 Signs, any part of which moves, flashes, or incorporates traveling or animated lights and all beacons and flashing devices whether a part of, attached to, or apart from a sign are prohibited.

6.6.7.2 No illumination shall be permitted which casts glare onto any residential premises, or onto any portion of a way so as to create a traffic hazard.

6.6.7.3 Any sign which is considered by the Building Commissioner, police department or fire department to be obstructive, hazardous, or dangerous because of age, damage, poor construction, or a potential danger in a severe storm must be removed immediately, but in no case later than seven (7) days following receipt of written notice from the Building Commissioner.

6.6.7.4 No sign shall be attached to or obstruct any fire escape, fire or emergency exit; no sign shall be located as to obstruct free passage of light and air to any door, window, skylight, or other similar opening.

6.6.7.5 No sign shall be located in such a way that it prevents the driver of a vehicle from having a clear and unobstructed view, from an adequate and safe distance, of any official sign or approaching traffic.

6.6.7.6 Roof mounted signs that are taller than two (2) feet or extend over the peak of the roof.

6.6.7.7 No sign shall be attached to utility poles, trees, or traffic control signs or devices, except for public event banners or flags.

6.6.7.8 Portable Signs except for Temporary signs.

6.6.7.9 Banners, pennants, ribbons, streamers, spinners, balloons, and string of lights.

6.6.7.10 Electronic message boards or the electronic message board portion of a sign that exceeds twelve (12) Square feet.

6.6.7.11 Changeable copy signs or the portion of a sign that is changeable copy that exceeds twelve (12) square feet.

6.6.7.12 Electronic Outdoor Advertising Signs.

6.6.7.13 Internally illuminated signs greater than twenty-four (24) square feet.

6.6.7.14 Free Standing signs exceeding thirty (30) feet in Height.

6.6.7.15 Signs not located at the location of the business or off premise signs.

6.6.8. Removal of signs

6.6.8.1 Any sign which is insecure, in danger of falling over, or is deemed unsafe by the Building Commissioner shall be removed.

6.6.8.2 Abandoned signs shall be removed by the sign permit holder and/or the owner of the building or premises at which the abandoned sign is located within ninety (90) days from the date the sign became abandoned.

6.6.9 Nonconforming Signs

6.6.9.1 A lawfully existing non-conforming sign may have its surface and support renewed or replaced with new material without applying for a new permit if the replacement or renewal is for the same business and has the same dimensions, and same location of the existing sign.

6.6.9.2 All non-conforming signs shall be removed or shall be altered so as to conform with the following provisions:

1. When the nature of the business changes and the sign is changed or modified in shape, size; or
2. When the name of the business changes and the sign is changed or modified in shape or size.

6.6.9.3 Any abandoned sign shall not be reestablished except in conformance with this bylaw.

6.6.10 Administration, Violations, Appeals

6.6.10.1 It shall be the duty of the Building Commissioner to administer this By-Law.

6.6.10.2 Violations of the Sign By-Law shall be enforced in accordance with Section 8.0 of these By-Laws.

6.6.10.3 Appeals of any decision taken by the Building Commissioner shall be made in accordance with Section 8.0 of these By-Laws.

Page 61 – add the following language under:

7.4.6 Specific Uses by Special Permit No Special Permit shall be issued, except in accordance with the following conditions and requirements for each specific use:

Changeable copy signs, electronic message board signs, and internally illuminated signs

SPGA – Planning Board

Signs must not be inconsistent with or detrimental to the character of the surrounding zone.

Special Permit will not be detrimental to the character of the neighborhood of the Town, unduly distracting, blocking visibility of traffic or other business or scenic views.

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, March 23, 2023**

On March 23, 2023, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m.

Members present:

Mark Knox, Chair; Peter Conroy, Vice-Chair; Nora Cline, Jack Lynch

Others present:

Marc Resnick, Town Planner

Site Plan Review (7:00) 156 Rhode Island Road, continued

Mr. Knox advised this was a continuance from a previous meeting. The applicant has requested to continue again until May 11, 2023.

Mr. Knox made a motion, seconded by Mr. Conroy, to continue the Public Hearing for 156 Rhode Island Road until May 11, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

Approve Meeting Minutes

Ms. Cline made a motion, seconded by Mr. Conroy, to approve the Minutes from the February 9, 2023, meeting. The **vote** was **unanimous for**.

Next meeting

The next meeting is scheduled for April 13, 2023, at 7:00 p.m. at the Lakeville Police Station.

Certificate to extend the approval of the subdivision Pauline's Path

Mr. Robert Forbes, from Zenith Consulting engineers, explained that the Board had approved this subdivision in October of 2020. The developer for the project was not the owner of the property at that time. There were some issues involved in the transfer of that property from one entity to the developer, which took over six months to resolve. Mr. Forbes said that once plans are endorsed, the Registry of Deeds will not record them if the date the Planning Board signed them was over six months old. The statute does allow for the statement of the Certificate of the Planning Board which states that nothing has changed on the plans, and they are the same as when they were endorsed. The Attorney for the project has put this Certificate together, and it should have been

forwarded to them. Once it is signed, it will allow for the plan to be recorded within 30 days of that signature.

Mr. Knox clarified that by signing this, they reaffirm that everything originally done was proper and no changes have been made or are being made. They are just refreshing the signatures because they have gone stale. Mr. Forbes said that was correct, and they were just trying to satisfy a Registry requirement. Mr. Lynch arrived at the meeting at this time and was updated about this agenda item. Mr. Knox made a motion, seconded by Ms. Cline, that the Planning Board will endorse the document to reaffirm the signatures for the approval of the subdivision Pauline's Path. The **vote was unanimous for.**

Discussion of alternative plan for 13 Main Street

Mr. Forbes was also present for this discussion. He advised that at the last meeting, they had learned that there were some possible zoning compliance issues with the plans that had been presented originally. They met with the Building Commissioner, Mr. Nate Darling, to discuss the issue. Mr. Darling agreed there is ambiguity in the zoning bylaw the way it is worded. They are all in agreement that the former plan that had been presented does not comply with the zoning setbacks for the residential properties. The best thing to do is to redesign the project, which they have not yet done, but they do have a conceptual layout they would like to present. This will enable them to first get the Board's feedback.

Mr. Forbes displayed a rendering of the proposed style of building and the proposed layout of the site. He advised two large apartment buildings were now proposed. They would be three story buildings with approximately 40 age-restricted units. For the commercial aspect, they have an office building on the bottom floor in the front of the Main Street side of the front building. There is a field of parking in the middle, and they will provide approximately two spaces for each residential unit. When they return to the Board, those spaces will be zoning compliant. They had some infiltration basins in the back for drainage, but because this plan has more impervious area, the area reserved is a little larger. There is an intention for a sidewalk out to Main Street. The on-site septic system will be underneath the parking lot.

Mr. Knox asked how this would change trash pickup. Mr. Forbes said he thought there would be a dumpster pad for each building, but he would be reviewing that with the developer. Mr. Knox said looking at the rear of the building, he would want some parking going up the right-hand side for easier access. Mr. Knox said regarding the office space, it might be better if the parking was closer. Mr. Forbes said they would be working with the architect to see if they can do that, but this is a very conceptual plan. Fire access was also discussed. Mr. Forbes said the Fire Chief had not yet commented on this plan, and they still needed to meet with him.

Mr. Knox asked if they anticipated the septic system to be able to fit on the site and handle the increase in units. Mr. Forbes showed where there was ample area on the plan for the septic system. Mr. Conroy noted he did like this plan better. It seemed as the parking was improved. Fire access would have to be looked at, especially as these buildings would need the ladder truck, whereas that had not been the case with the single-family homes. Mr. Knox added that he knew this was conceptual, but they would want to see some screening. Mr. Forbes said they now had more space on the site, which would allow for a bit more enhanced landscaping plan.

Ms. Cline said she was concerned the location of the parking was too far away from the building. As this would be predominately seniors, it could be difficult trying to navigate their way into the building, especially in the winter. That would not be very conducive for a senior. She was also concerned that it would be ADA compliant for all floors. Mr. Forbes said they would look into those requirements, but there would be handicap accessibility to the buildings and the units would meet all building code and ADA requirements. Ms. Cline said with the increase in the number of units, traffic is also a concern. Mr. Forbes replied that he has been tasked with calling the traffic engineer tomorrow to begin on a traffic study. Mr. Lynch reiterated the concerns of having ADA compliant units on all the floors as well as the parking.

Mr. Forbes replied they would be working on these concerns. He then described the location of the elevator which was anticipated to be centralized, and how the parking spaces would be assigned in relation to that. It might be a good idea to come back in when they have something less conceptual and more what they think they will move forward with to review with the Board. It seems to work better when they get the Board's input prior to finalizing plans. Mr. Knox said that Ms. MacEachern had passed on the comment that she did not like the height of the buildings. He thought that her mindset was with the self-storage next door and with the appearance of all this, it would be overwhelming and outside of the Town's character. Mr. Forbes said he understood, but it will comply with zoning. He would pass that along to the proponent.

The lot coverage was also discussed, and if this would need to adhere to the business or residential coverage requirements. Ms. Cline noted that at the last meeting, the need for visitor parking had also been discussed. Mr. Forbes said that what happens in these types of buildings is there is a mix of different amounts of bedrooms in the units. They will be complying with zoning, but they find for an apartment building, it is rare that you would have to provide two spaces per unit. You end up having more than enough vehicle spaces for people. Mr. Forbes advised that when he starts to design and engineer this project, he will determine the size of the infiltration basin that they need. That will be designed first, and then will tell him how much flexibility there is as far as relocating the buildings.

Mr. David Lodge stated that he didn't think the two buildings had to be identical. They could make the building in the front smaller and push the parking forward. The building in the back could be L shaped which might allow them to gain space for parking and at the same time not push these back towards the infiltration basin. Mr. Forbes said with the required setbacks, he didn't think there would be enough room. Mr. Knox had a procedural question. Mr. Resnick replied if the applicant chose to proceed with this concept, they should withdraw their original application and submit a new application. This is a substantial enough change that this would be considered a whole new Site plan and that would need to be re-advertised. Mr. Knox said they would take no action tonight, and to let the Board know when they would be ready to return.

Discuss Planning Board Goals

Ms. Cline asked that this item be continued until their April 13, 2023, meeting. She was also waiting for some goals to come in from neighboring Towns. Mr. Knox thought they had been pretty well established in the goals they chose. Were they just looking to refine language? Ms. Cline said she wanted to make sure they haven't missed anything.

Mr. Knox made a motion, seconded by Mr. Lynch, to continue the Planning Board Goals discussion until April 13, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

Review correspondence – March 14, 2023 - Re: Citizen’s Petition Article

Mr. Resnick advised this was submitted just before the deadline, approximately one week ago. Mr. Knox asked if it had also been submitted to Town Counsel. Mr. Resnick replied usually the Select Board would send the entire warrant for review. Mr. Knox said that he would just like to know if it is flawed in any way. Mr. Resnick said that the public hearing for this has been scheduled for April 13, 2023. Mr. Knox said his concern is to only make a change in the Table of Use Regulations will create a path to allow a use, but without a Special Permit process added or amended to the bylaw. He thought that would then go to the Zoning Board, when it should go through the Planning Board. Mr. Resnick clarified that if this was a new building, it would go to the Planning Board for Site Plan Review, but the Special Permit would go to the Zoning Board. It would be up to the petitioner to propose an amendment on the floor of Town Meeting and for Counsel to say that it was not a substantial change.

Review correspondence – March 16, 2023 - Re: 310 Kenneth W. Welch Drive Parking

Ms. Cline said she had a couple of concerns with this memo that had gone to the Select Board. Yesterday, she counted 49 cars on that side berm. She saw people going over the speed limit, with a couple of near misses. She did not believe it not to be a safety hazard. She was also concerned the memo was not representative of what this Planning Board feels about what is going on over there. Mr. Resnick replied this was a memo to the Select Board requested by the Town Administrator, who also requested comments from the Police Chief and Fire Chief. Mr. Resnick said the staff met with the new owners of the property and the new Property Management Group. They have filed with Conservation for the parking lot expansion after a delay in the project of several months. With the change of management, it appears that they are now moving things along.

Correspondence

Mr. Resnick said there were some notices from the surrounding communities but nothing of significance. Ms. Cline advised there was a meeting scheduled for March 29th regarding bridges in Lakeville that are slated to be repaired.

Adjourn

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

Meeting adjourned at 7:57.