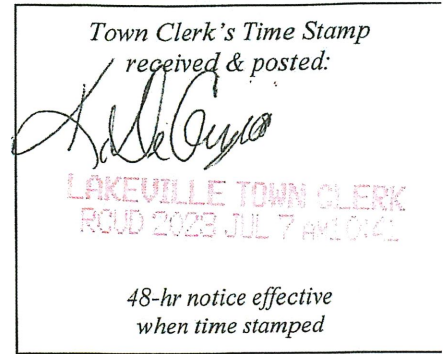


# TOWN OF LAKEVILLE MEETING POSTING & AGENDA



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, July 13, 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: \_\_\_\_\_

## 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
3. **156 Rhode Island Road** – discussion regarding curb cut
4. **Review the following Zoning Board of Appeals petition:**
  - a. Benatti – Re: 434 Bedford Street
  - b. Terra – 8 Birch Street
  - c. Chapin – 24 Beechwood Avenue
  - d. Garbitt/Pike – 29 Staples Shore Road
  - e. Barbosa – 20 Second Avenue
5. **Discussion regarding Sign By-Law and Commercial Zoning Districts.**
6. **Discussion regarding Subdivision waivers**
7. **Approve the April 27, 2023 Meeting Minutes**
8. **Review correspondence**
9. **Next meeting. . . July 27, 2023 at the Lakeville Police Station**
10. **Any other business that may properly come before the Planning Board.**
11. **Adjourn**

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



3 Main Street Lakeville, MA 02347  
(508) 947-4208 - [www.zcellc.com](http://www.zcellc.com)

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

June 5, 2023

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

RE: Stowe Estates, Lakeville, MA

Dear Marc,

This letter is written to respond to the review comments on the subject project which were included in a letter dated April 23, 2023, issued by the Board's review engineer, Environmental Partners (EP). The responses below correspond to the numbered comments from EP.

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

1. **EP: Section III.C.2.b requires a benchmark be provided. A benchmark is provided on the Grading and Drainage Plan only.**

Response: Two benchmarks are provided on the Existing Conditions Plan and Grading and Drainage Plan.

2. **EP: Section III.C.2.f requires existing wells and septic systems within 100 feet of the property line be provided. The submitted plans do not show any wells or septic systems on adjacent properties.**

Response: The existing well and septic tank for #33 Myricks St have been added to the plan. No other known wells or septic system are located within 100' of the site.

3. **EP: Section III.C.2.k requires building setback lines be included on the plans. The plans do not include any building setback lines.**

Response: Building setback lines have been added to the Grading and Drainage Plan.

4. **EP: Section III.C.2.l requires the locations of all easements on the plans. The project includes a large drainage easement on Lot 3.**

Response: No response necessary.

5. **EP: Section III.C.2.o requires the proposed layout and utilities to be shown on plan and profile sheets. The plans show proposed water and electric service on the Grading and Drainage Plans. They are not shown on the proposed road profile.**

Response: The proposed water and electric services have been added to the Roadway Profile Plan.

6. **EP: Section III.C.2.u requires all proposed street trees to be shown on the plan as well as trees to be retained. The plans do not show any existing or proposed individual trees.**

Response: Street trees are not proposed and a waiver has been requested.

7. **EP: Section III.C.2.v requires cross sections of sidewalks to be provided. The proposed project does not include any sidewalks. The project appears to propose a three inch wide gravel shoulder on each side of the road.**

Response: No sidewalks are proposed and a waiver has been requested. The 3' wide gravel shoulders are proposed to allow for cars to pass each other when travelling in opposite directions as well as allow for the required turning movements of emergency vehicles.

8. **EP: Section III.C.2.w requires a table showing areas of all the proposed lots, areas reserved for streets or rights-of-way, and easements.**

Response: An area table has been added to the Lotting Plan.

9. **EP: Section III.C.2.x requires an upland circle shown on each of the lots consistent with the Lakeville Town Bylaws. The plans show the upland circle for lot three shown in the proposed drainage easement.**

Response: This meets the requirements set in Zoning Bylaw 5.1.2 which states only exclusive use easements may not be included in a lot's frontage or area. Per 5.1.2 "Exclusive use shall be when someone other than the owner of a lot has the sole right to use a portion of the lot, to the exclusion of the owner". The proposed drainage easement does not qualify as an exclusive use easement.

10. **EP: Section IV.B.2.b requires the minimum centerline radii of a minor street to be 150'. Although not labelled on the plan, it appears the proposed street has a centerline radius of twenty feet. The applicant has requested a waiver.**

Response: The proposed minimum centerline radius is 20' at stations 2+10 and 4+45. A waiver has been requested.

11. **EP: Section IV.B.2.d requires property lines at street intersections to have a curb radius of thirty feet. The proposed plans do not show curb rounding's. The plans show an edge of pavement rounding with a radius of 20' on the south side of the intersection with Myrick Street. The north edge of pavement rounding is not labelled and does not appear tangent with the edge of pavement on Myricks Street. The applicant has requested a waiver.**

Response: The radius on the edge of the southern gravel shoulder is 20' and is tangent with the existing pavement of Myricks St. The northern radius is the same, but the gravel ties into the existing gravel driveway. A waiver has been requested.

12. **EP: Section IV.B.2.e requires streets to be laid out at intervals of 600 feet to 1200 feet. Based on the locus map, it appears the proposed entrance is approximately 450 feet from the Matthews Drive curb cut.**

Response: A waiver request has been added for this requirement.

13. **EP: Section IV.B.3.a requires the minimum right-of-way width to be fifty feet. The proposed right-of-way width is forty feet. The applicant has requested a waiver.**

Response: No response necessary.

- 14. EP: Section IV.B.4.c requires a leveling area that is seventy-five feet in length with a maximum grade of 3% at intersection of street rights-of-way. The proposed design includes a levelling area that is five feet long prior to the start of a vertical curve. The applicant has requested a waiver.**

Response: No response necessary.

- 15. EP: Section IV.B.5.a requires dead end streets to be no longer than 750 feet in length. The proposed right of way is 750 feet long. There is a residential driveway that continues another 350 feet to provide access to a residential house on Lot 3 at the end of the cul-de-sac.**

Response: No response necessary.

- 16. EP: Section IV.B.5.b requires a dead end to have a turnaround (cul-de-sac) with an outside roadway diameter of 120 feet. The proposed end of the right-of-way does not include a turnaround. This section also describes a landscaped island. The proposed design does not include a landscaped island. The submitted plans do include a fire truck turning detail utilizing residential driveways on lot 2 and 3. This detail shows a fire truck veering off the pavement onto gravel strips that are proposed on the edge of the proposed road and driveways. The applicant has requested a waiver.**

Response: A "T" turnaround is proposed within the right of way. The gravel is intended to be used for this maneuver and is adequate to provide safe access. Similar roadway cross-sections have been approved in the past. A waiver has been requested.

- 17. EP: Section IV.B.6.g requires the minimum roadway width for Minor Streets be twenty-four feet. The proposed cross section includes a 14 foot wide pavement width with a 3 foot wide gravel strip on either side of the pavement. The Roadway Cross Section Detail labels the road width as twenty feet. This includes the fourteen foot pavement and three foot gravel strips. The detail describes the 3-foot gravel strips as processed gravel. We recommend more detail be provided for this specification, consistent with MassDOT Standard Specifications. We assume this is proposed to be ¾-1-1/2 inch crushed stone, but the applicant should specify. The applicant has requested a waiver for reducing the width from twenty-four feet to fourteen feet with 3 foot wide gravel shoulders.**

Response: The Roadway Cross-Section Detail has been revised to specify gravel shoulder requirements.

- 18. EP: Section IV.B.6.h requires roadway pavement to be Class I Bituminous Concrete Pavement Type I-1. This type of pavement should be specified on the detail.**

Response: The Roadway Cross-Section Detail has been revised to specify Type I-1 pavement.

- 19. EP: Section IV.B.7.a (Curbs and Berms) requires concrete berms and curbs to be placed along each side of the road. There are no curbs and berms proposed. The applicant has requested a waiver.**

Response: No response necessary.

- 20. EP: Section IV.B.7.a (Curb Cuts) requires driveways to be at least ten feet wide and have a curb return of three feet. The proposed driveway widths are not labelled.**

Response: The proposed driveways are 14' wide and have greater than 3' curb return radii. Labels have been added to the Grading and Drainage Plan.

- 21. EP: Section IV.B.8.a requires sidewalks within subdivisions. The proposed project does not include any sidewalks. The applicant has requested a waiver.**

Response: No response necessary.

- 22. EP: Section IV.B.8.b requires five foot wide sidewalks to extend the entire length of the street. As described above, sidewalks are not proposed on this project. The applicant has requested a waiver.**

Response: No response necessary.

- 23. EP: Section IV.B.8.c specifies concrete thicknesses for sidewalks. As described above, there are no sidewalks proposed on this project. The applicant has requested a waiver.**

Response: No response necessary.

- 24. EP: Section IV.C.2. is regarding the installation of utilities. The proposed plans show a water line extended into Myricks Street with a note to verify water main location and to connect consistent with Taunton Water Standards. There is no existing water line shown on the plans. The existing conditions plans show water valves and hydrants in the vicinity of the project indicating there is a water line in Myricks Street. We recommend the applicant coordinate with the Water Department regarding the size and location of the line and the feasibility of connecting the project to this line.**

Response: Several unsuccessful attempts have been made to get information on the existing water main. We respectfully request the Planning Board consider a condition to determine the location of the existing water main prior to construction.

- 25. EP: Section IV.C.2.b describes pressures that are required to be provided in each subdivision. The applicant should coordinate with the Water Department regarding water pressures in the existing line. This section also describes looping water lines when possible. The proposed plan does not include a looped water line.**

Response: We recommend a condition of approval be written to require water pressure be determined prior to construction. Since the project is a dead-end road with only three houses, we believe it is impractical to loop the water main. However, ultimately the Taunton Water Department will determine the need for a looped system.

- 26. EP: Section IV.C.2.c describes installing underground gas service. The proposed project does not include any gas service.**

Response: No gas is proposed. Either propane, oil or electric utilities shall be used.

- 27. EP: Section IV.C.2.d describes the installation of underground electric and telephone lines. The proposed plans show overhead electric and telecommunication lines. The applicant has requested a waiver.**

Response: No response necessary.

- 28. EP: Section IV.C.3 is regarding on-site sewage disposal systems. The applicant has performed a significant amount of test holes on site. The results of the test holes generally show high groundwater with slow percolation rates. The test hole results are still within the allowed rates for on-site sewage disposal.**

Response: No response necessary.

- 29. EP: Section IV.D.1 requires the proposed project will not result in a significant increase in peak rates or volumes of stormwater. The proposed project results in a decrease in peak rates of stormwater. The calculations show an increase in volume of stormwater discharged to wetlands for 51% for the 2-year storm and 37% for the 100 year storm.**

Response: The basin discharges to a wetland, which is very conservatively 30 acres, and slopes southeast to Montgomery Street then to a number of cranberry bogs and Tinkham Hill Pond (another 30+ acres of bog, wetland and pond area). Accordingly, there is flow into and out of the downstream wetlands system. By reducing the post-development rate the wetlands, we are assured that no downstream flooding will occur regardless of volume. The difference in volume from pre- to post-development in the 2-year storm is 0.297 acre-feet and 0.759 acre-feet in the 100-year storm. Even if we assume the wetlands system has no outlet beyond Montgomery Street, the increase in flooding would be about 1/8" in the 2-year storm and less than 3/8" in the 100-year storm. We believe this can be considered an insignificant increase and thus consistent with the regulation. Furthermore, the only way to limit runoff volume from a site is to infiltrate and the site soils do not allow for even moderate infiltration.

- 30. EP: Section IV.D.2.c describes methods for managing stormwater. The proposed project includes the use of swales to convey stormwater rather than a traditional closed drainage system, which we believe is consistent with the Regulations. Therefore, all requirements pertaining to a closed drainage system are not pertinent to the project.**

Response: No response necessary.

- 31. EP: Section IV.D.2.f requires all stormwater to pass through an oil/separator prior to outfall. The project does not include an oil/water separator. This section also states that stormwater detention-retention basins should be designed to recharge the ten year event. The proposed basin is not designed to recharge stormwater. The applicant has requested a waiver.**

Response: No response necessary.

- 32. EP: Section IV.F.4 states that drainage easements shall not be included in the lot area. Lot 3 includes a significant (68,808 sf) drainage easement. Access to lot three is proposed through this easement.**

Response: As stated in response to comment #9, Zoning Bylaw 5.1.2 states only exclusive use easements cannot be included in lot area or frontage. Even if we ignore this contradiction in the regulations, the required lot area is 70,000 sf. The proposed drainage easement is 68,808 sf and Lot 3 totals 225,816 sf. This leaves 157,008 sf of non-easement area on Lot 3, more than double the required area. There is no regulation which would restrict access through the easement to the house on this lot.

- 33. EP: Section IV.G.1 requires monuments to be set through the subdivision. The project generally meets this requirement. The applicant is requesting a waiver from setting a monument at the northern intersection point with Myricks Street because this location falls within an existing gravel driveway.**

Response: No response necessary.

- 34. EP: Section IV.G.2 provides specifications for monuments. We recommend the applicant provide a monument detail to confirm compliance with these requirements.**

Response: A concrete bound detail has been added to the Site Details sheet.

- 35. EP: Section IV.H requires street signs. The plans do not include street signs.**

Response: A street sign is specified on the Grading and Drainage Plan on the southern side of the intersection.

- 36. EP: Section IV.I includes specifications for streetlights. It is unclear if streetlights are provided for this project. The project includes utility poles, and it is unclear whether street lights are proposed on the utility poles. The applicant has requested a waiver.**

Response: Street lights are not proposed. A waiver has been requested.

- 37. EP: Section IV.K is regarding street trees. The proposed plans do not show any proposed street trees. The applicant has requested a waiver.**

Response: No response necessary.

**General Stormwater Management Comments**

- 1. EP: The proposed project provides a stormwater management system consisting of a drainage swale along the side of the proposed road that discharges to a stormwater detention basin. The proposed detention basin, along with the proposed swale system, provides removal of Total Suspended Solids, consistent with the Massachusetts Stormwater Management Standards.**

Response: No response necessary.

- 2. EP: The proposed detention basin provides attenuation of peak flows consistent with the Massachusetts Stormwater Management Standards.**

Response: No response necessary.

- 3. EP: The project does not provide any dedicated stormwater recharge facilities. Soils conditions on site are moderately conducive to groundwater recharge.**

Response: The site contains Hydrologic Soil Group C soils. As such, the Mass Stormwater Handbook states that recharge is only required to the maximum extent practicable. The perc tests performed on-site show that the infiltrative capacity of the soil is limited. This coupled with the high groundwater table makes recharge impractical. As explained in response to comment #29, there is no downstream flooding caused by the lack of recharge.

- 4. EP: The project disturbs more than one acre of land and is therefore 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.**

Response: As stated in the Construction Notes on the Cover Sheet, a NPDES permit must be obtained prior to construction. We have no issue providing a copy to the Board prior to construction.

- 5. EP: The applicant has provided an Operation and Maintenance Plan which is consistent with the requirements of the Stormwater Management Standards.**

Response: No response necessary.

- 6. EP: The applicant has provided a Construction Period Pollution Prevention Plan which is consistent with the Stormwater Management Standards.**

Response: No response necessary.

- 7. EP: The applicant has provided an erosion and sedimentation control plan that includes perimeter erosion controls, a construction entrance, and requirements for ongoing erosion and sedimentation observations and maintenance, consistent with the Stormwater Management Standards.**

Response: No response necessary.

8. **EP: The proposed project conveys stormwater to a water quality swale located on the western side of the proposed road. Stormwater will be routed through the gravel section along the side of the road before flowing into the proposed swale. The swale directs stormwater into the drainage easement located on Lot 3 that contains the proposed detention basins. During snow events, if snow is cleared to this side of the road, it will prevent water from being conveyed to the grassed swales, and ultimately to the detention basin. If snow is not cleared properly, it will likely result in ponding, and possibly icing, along the side of the road. The entity responsible for maintenance will need to be diligent about clearing snow so stormwater can flow to these facilities.**

Response: No response necessary.

9. **EP: We recommend the applicant provide a rip-rap pad detail for the location downstream of the outlet pipe from the detention basin. We recommend Stone for Pipe Ends, consistent with MassDOT specifications, be installed at the discharge point.**

Response: A note has been added to the basin detail to specify the splashpool stones shall meet MassDOT specs for Stone for Pipe Ends.

10. **EP: The roadway cross section detail shows the side slopes of the drainage swale to be 2:1. We recommend this slope be flattened to a minimum of 3:1 to ensure adequate stabilization and maintenance, including mowing.**

Response: Swale sideslopes have been revised to be 3:1 slopes.

11. **EP: The Operation and Maintenance Plan indicates a Homeowners Association will be responsible for maintaining the Stormwater Management System. In the event this project is approved, we recommend the Planning Board include a condition requiring proof of maintenance of the Stormwater Management System on an annual basis.**

Response: No response necessary.

Revised design plans reflecting the items detailed in this letter are attached. Should you have any questions, please do not hesitate to contact our office at 508-947-4208.

Sincerely,  
**Zenith Consulting Engineers, LLC.**



Nyles Zager, P.E.  
Manager/Senior Project Engineer



**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

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.

# DEFINITIVE RESIDENTIAL SUBDIVISION

## "STOWE ESTATES" AT 35 MYRICKS STREET

### LAKEVILLE, MASSACHUSETTS

**SITE NOTES:**

- THE SITE IS LISTED ON THE TOWN OF LAKEVILLE ASSESSORS PROPERTY RECORD CARDS AS A PORTION OF PARCEL ID 17-4-3.
- PROPERTY LINE AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A FIELD SURVEY BY ZENITH LAND SURVEYORS, LLC.
- PLYMOUTH COUNTY REGISTRY OF DEEDS:  
DEED REFERENCE: BOOK 57395 PAGE 258  
PLAN REFERENCE: BOOK 66 PAGE 50
- THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) NUMBER 25023C0426J, MAP REVISED 7-17-12.
- THE SITE IS NOT LOCATED IN A PRIORITY HABITAT AND ESTIMATED HABITAT AS SHOWN ON THE MASSACHUSETTS NATURAL HERITAGE ATLAS 15TH EDITION EFFECTIVE DATE AUGUST, 2021.
- WETLAND LINE TAKEN FROM PLAN RECORDED IN PLYMOUTH COUNTY REGISTRY OF DEEDS BOOK 66 PAGE 50.
- THE PROJECT IS NOT LOCATED WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC).
- THE SITE IS NOT LOCATED IN A ZONE II TO A PUBLIC WATER SUPPLY WELL.
- THE SITE IS NOT IN A ZONE A TO A SURFACE WATER SUPPLY AREA.
- THE SITE IS NOT LOCATED IN AN OUTSTANDING RESOURCE WATER AREA (ORW).

**CONSTRUCTION NOTES:**

- A NPDES PERMIT MUST BE OBTAINED FOR THIS PROJECT PRIOR TO CONSTRUCTION.
- CONTRACTOR TO VERIFY BENCHMARKS FOR CONSISTENCY PRIOR TO CONSTRUCTION AND SHALL NOTIFY ZENITH CONSULTING ENGINEERS, LLC OF ANY DISCREPANCIES.
- CONTRACTOR SHALL VERIFY WATER TABLE ELEVATIONS AND NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES FROM THE PLAN.
- IT IS THE CONTRACTORS' RESPONSIBILITY TO CONTACT DIG SAFE (1-888-DIG SAFE) PRIOR TO THE COMMENCEMENT OF WORK AND ALL UNDERGROUND UTILITY COMPANIES TO CONFIRM LOCATIONS AND ELEVATIONS.
- SITE IS TO BE SERVICED BY MUNICIPAL WATER AND PRIVATE SEWER.
- ALL PAVEMENT MARKING AND SIGNAGE SHALL CONFORM TO MUTCD STANDARDS.
- PROPOSED UTILITIES AND CONSTRUCTION METHODS UNDER AREAS SUBJECT TO TRAFFIC LOADING SHALL BE INSTALLED TO WITHSTAND H-20 LOADING TRAFFIC STANDARDS. CONTRACTOR SHALL VERIFY THAT ALL STRUCTURES COMPLY TO THIS STANDARD.
- WHERE ALL CONCRETE STRUCTURES INTERCEPT THE SEASONAL HIGH GROUNDWATER TABLE, THE CONTRACTOR SHALL SEAL THE ENTIRE STRUCTURE WITH WATERPROOF SEALER.
- IF APPLICABLE, ANY RETAINING WALLS SHALL BE DESIGNED BY A MASSACHUSETTS REGISTERED PROFESSIONAL STRUCTURAL ENGINEER.
- ALL WORK SHALL CONFORM TO THE TOWN OF LAKEVILLE RULES AND REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR HIGHWAY AND BRIDGES, MOST CURRENT VERSION OF PLAN SET.

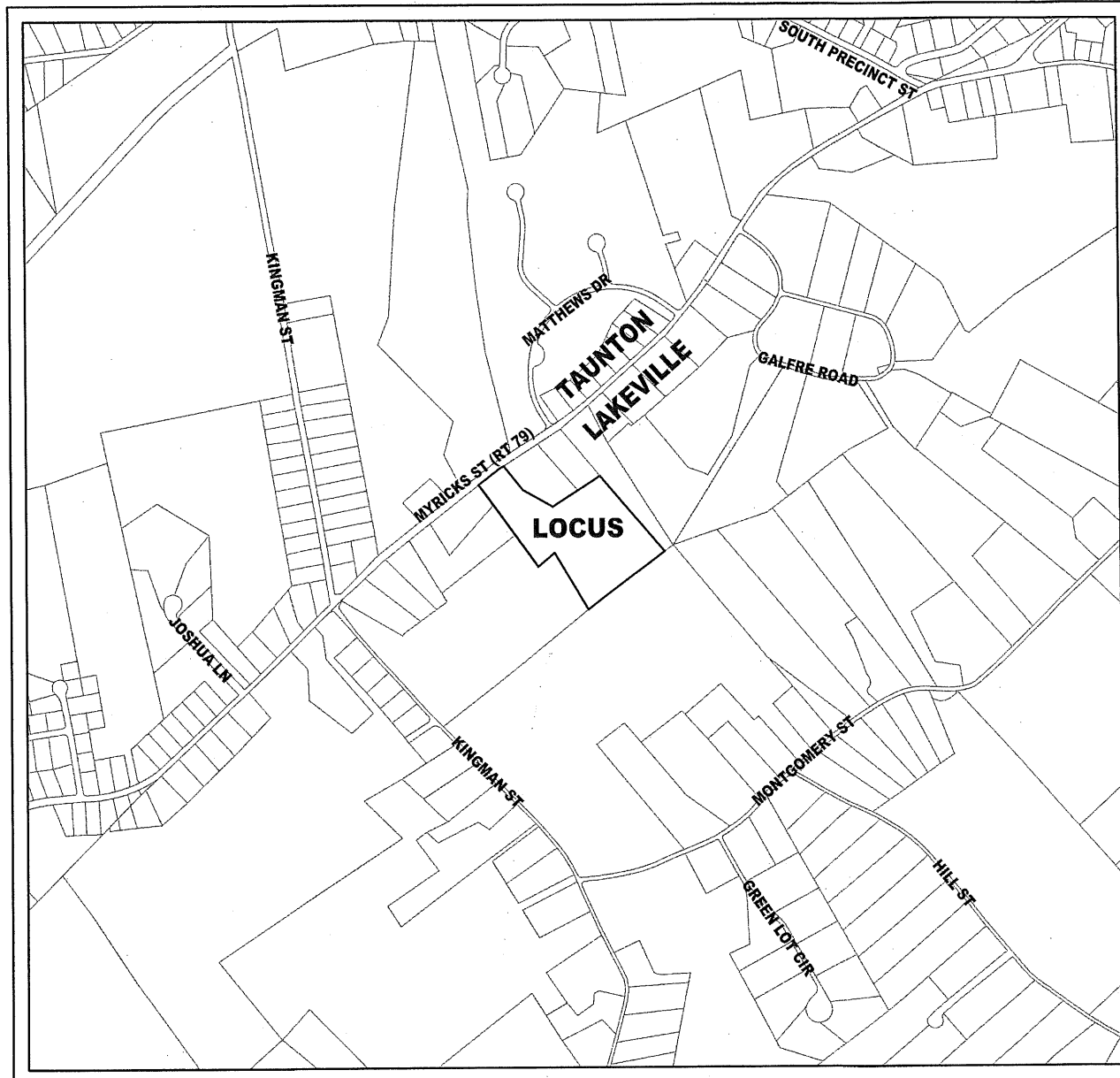
**WAIVERS REQUESTED:**

THE FOLLOWING WAIVERS ARE REQUESTED FROM THE TOWN OF LAKEVILLE RULES & REGULATIONS OF THE PLANNING BOARD GOVERNING THE SUBDIVISION OF LAND:

- SECTION IV B.2.B - TO ALLOW A CENTERLINE RADIUS LESS THAN 150' (20' PROPOSED)
- SECTION IV B.2.D - TO ALLOW A CURB RADIUS LESS THAN 30' AT AN INTERSECTION (20' PROPOSED)
- SECTION IV B.2.E - TO ALLOW AN INTERSECTION LESS THAN 800' FROM MATTHEWS DRIVE (450±' PROPOSED)
- SECTION IV B.3.A - TO ALLOW A RIGHT OF WAY WIDTH LESS THAN 50' (40' PROPOSED)
- SECTION IV B.3.C - TO ALLOW A CHANGE IN GRADE OF MORE THAN 5% WITHIN 150 ON AN INTERSECTION WITHOUT A 75' LEVELING AREA
- SECTION IV B.5.B - TO ALLOW A DEAD-END TURNAROUND OTHER THAN A 120' DIAMETER CUL-DE-SAC (TEE TURNAROUND PROPOSED)
- SECTION IV B.6.C - TO ALLOW A VARIOR ROAD WITHOUT 24' PAVED WIDTH (20' WIDE PAVED IS PROPOSED)
- SECTION IV B.7 - TO WAIVE THE REQUIREMENTS OF CURBS AND BERMS (ROAD IS PROPOSED TO PITCH TO A GRASSED SWALE)
- SECTION IV B.8 - TO WAIVE THE REQUIREMENTS OF SIDEWALKS
- SECTION IV B.9 - TO ALLOW ROADWAY EMBANKMENT SLOPES GREATER THAN 3:1 (2:1 PROPOSED)
- SECTION IV C.2.D - TO ALLOW OVERHEAD ELECTRIC, TELEPHONE AND CABLE UTILITIES
- SECTION IV D.2.F - TO WAIVE THE REQUIREMENT OF AN OIL SEPARATOR PRIOR TO STORMWATER OUTFALL
- SECTION IV D.5 - TO ALLOW A DRAINAGE PIPE MATERIAL OTHER THAN RCP (HDPE PROPOSED)
- SECTION IV G.1 - TO WAIVE THE REQUIREMENT OF A MONUMENT TO BE SET AT THE NORTHERN INTERSECTION POINT WITH MYRICKS STREET (FALLS IN AN EXISTING GRAVEL DRIVEWAY TO REMAIN)
- SECTION IV I - TO WAIVE THE REQUIREMENTS OF STREET LIGHTS
- SECTION IV K - TO WAIVE THE REQUIREMENTS OF TREES

ZONING SUMMARY AND COMPLIANCE TABLE (RESIDENTIAL DISTRICT)			
CRITERIA	REQUIRED	EXISTING	PROPOSED
LOT AREA	70,000 S.F.	505,613± S.F.	75,400± S.F. MIN.
FRONTAGE	175'	202.50'	180.00' MIN.
FRONT BUILDING SETBACK	40'	-	> 40'
SIDE BUILDING SETBACK	20'	-	> 20'
REAR BUILDING SETBACK	20'	-	> 20'
CONTIGUOUS UPLAND	52,500 S.F.	440,822± S.F.	75,400± S.F. MIN.
IMPERVIOUS COVER	25%	0.3% (1,320 S.F.)	7.8%* (34,110 S.F.)

*IMPERVIOUS COVER (PER LAKEVILLE ZONING SECTION 5.2.2.1:)	
TOTAL LOT AREA	505,613 SF
WETLAND AREA	64,791 SF
PROPOSED DRAINAGE BASIN	5,420 SF
ADJUSTED AREA FOR IMPERVIOUS CALCULATION	435,402 SF
PROPOSED ROOF AND PAVEMENT AREA	34,110 SF
IMPERVIOUS AREA = 34,110 SF	= 7.8%
ADJUSTED AREA = 435,402 SF	



**LOCUS PLAN**  
**SCALE: 1"=500'**

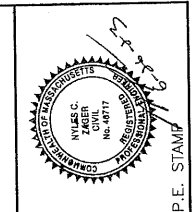
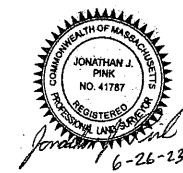
**OWNER/APPLICANT**  
**JIJ PROPERTIES, INC.**  
**6 SAND TRAP LANE**  
**LAKEVILLE, MA**

EXISTING	DESCRIPTION	PROPOSED
	BUILDING	
---	CONTOUR	---
100x0	SPOT GRADE	100x0
---	SILT FENCE/SILT SOCK	---
---	CHAINLINK FENCE	---
---	STOCKADE FENCE	---
---	SIGN	---
---	TEST PIT	---
---	GAS MAIN	---
---	GAS SERVICE	---
OHW	OVERHEAD WIRES	OHW
U	UTILITY POLE	U
G	GUY POLE	G
+	GUY WIRE	+
L	LIGHT POLE	L
W	WATER MAIN	W
WS	WATER SERVICE	WS
H	HYDRANT	H
WV	WATER GATE/VALVE	WV
WS	WATER SHUTOFF	WS
---	TREELINE	---
---	STONEWALL	---
---	WETLAND LINE	---
50'	50' BUFFER	50'
100'	100' BUFFER	100'
WF10	WETLAND FLAG	WF10

SCHEDULE OF DRAWINGS		
SHEET ID	PLAN TITLE	LATEST REVISION DATE
C	COVER SHEET	6-26-23
X	EXISTING CONDITIONS PLAN	6-26-23
L	LOTING PLAN	6-26-23
G	GRADING AND DRAINAGE PLAN	6-26-23
P	ROADWAY PROFILE PLAN	6-26-23
E	EROSION CONTROL PLAN	6-26-23
D	SITE DETAILS	6-26-23

**SURVEY COMPANY OF RECORD:**

**ZLS**  
ZENITH LAND SURVEYORS, LLC  
1162 ROCKDALE AVENUE  
NEW BEDFORD, MA 02740  
(508) 995-0100



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



DATE	REV.	DESCRIPTION	BY	APP.
2-13-23	1	PER REVIEW & FIRE CHIEF COMMENTS	NCZ	

SHEET NAME:	DEFINITIVE SUBDIVISION COVER SHEET
PROJECT SITE:	STOWE ESTATES LAKEVILLE, MASSACHUSETTS
CLIENT INFO:	JIJ PROPERTIES, INC. 6 SAND TRAP LANE LAKEVILLE, MASSACHUSETTS

**FEBRUARY 13, 2023**

S:\Civil Engineering\Projects\Lakeville\Myricks St\13-23-27 Myricks Street\DWG\Subdivision Plan - 35 Myricks St - Lakeville.dwg

**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.

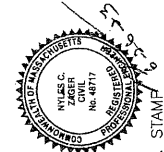
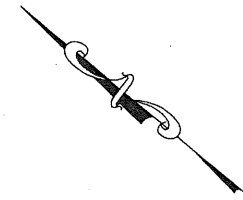
TOWN CLERK, LAKEVILLE, MA DATE \_\_\_\_\_

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.

ZONING SUMMARY TABLE (RESIDENTIAL DISTRICT)		
CRITERIA	REQUIRED	EXISTING
LOT AREA	70,000 S.F.	505,613± S.F.
FRONTAGE	175'	202.50'
FRONT BUILDING SETBACK	40'	-
SIDE BUILDING SETBACK	20'	-
REAR BUILDING SETBACK	20'	-
CONTIGUOUS UPLAND	52,500 S.F.	440,822± S.F.
IMPERVIOUS COVER	25%	0.3% (1,320 S.F.)

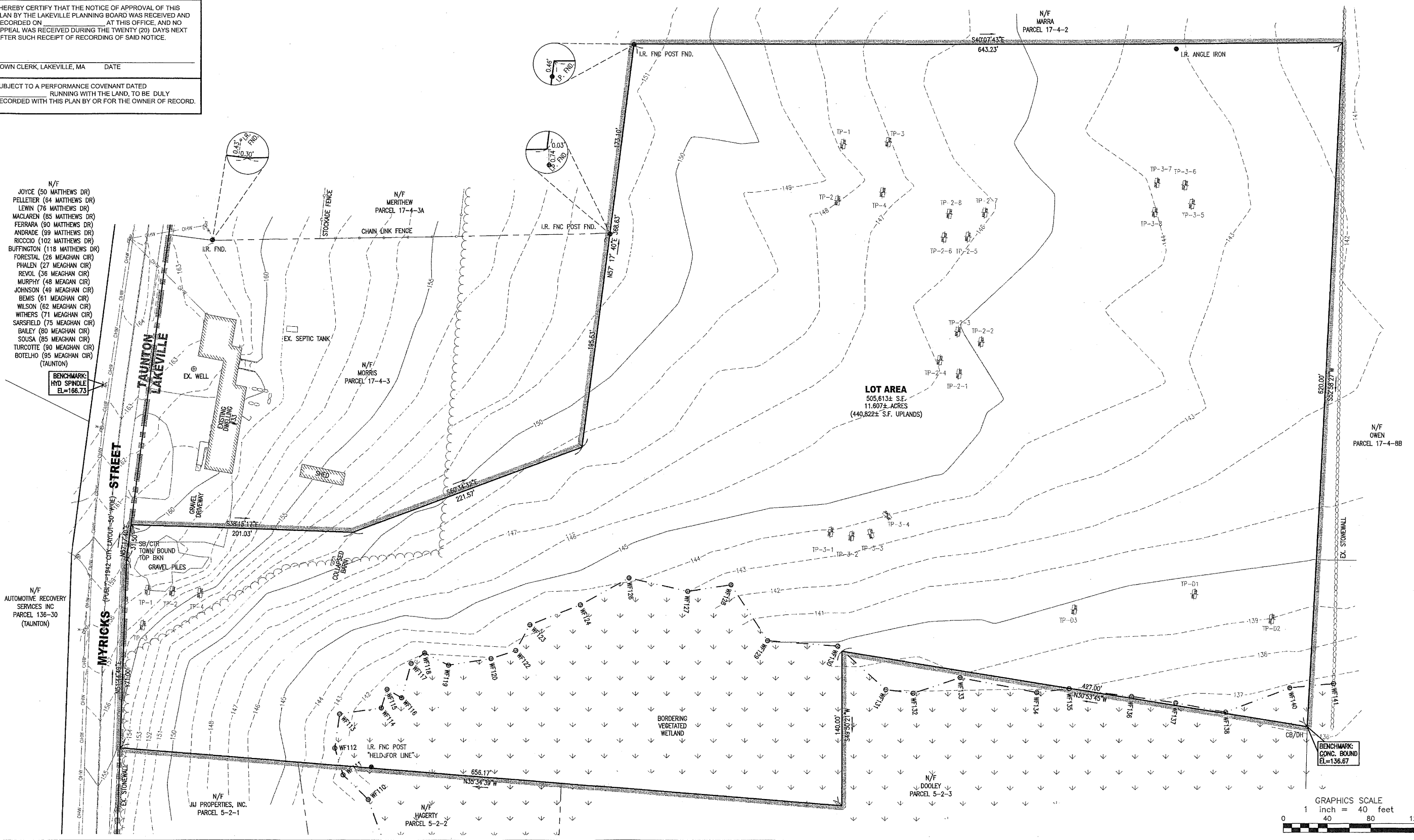
**SURVEY COMPANY OF RECORD:**

**ZLS**  
**ZENITH LAND SURVEYORS, LLC**  
 1162 ROCKDALE AVENUE  
 NEW BEDFORD, MA 02740  
 (508) 995-0100



P.E. STAMP

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



- N/F JOYCE (50 MATTHEWS DR)
- PELLERIER (54 MATTHEWS DR)
- LEWIN (76 MATTHEWS DR)
- MACLAREN (85 MATTHEWS DR)
- FERRARA (90 MATTHEWS DR)
- ANDRADE (99 MATTHEWS DR)
- RICCOIO (102 MATTHEWS DR)
- BUFFINGTON (118 MATTHEWS DR)
- FORESTAL (26 MEAGHAN CIR)
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- SARSFIELD (75 MEAGHAN CIR)
- BAILEY (80 MEAGHAN CIR)
- SOUSA (85 MEAGHAN CIR)
- TURCOTTE (90 MEAGHAN CIR)
- BOTELHO (95 MEAGHAN CIR)
- (TAUNTON)

N/F AUTOMOTIVE RECOVERY SERVICES INC  
 PARCEL 136-30  
 (TAUNTON)

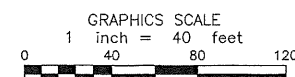
N/F JIJ PROPERTIES, INC.  
 PARCEL 5-2-1

N/F HAGERTY  
 PARCEL 5-2-2

N/F DOOLEY  
 PARCEL 5-2-3

N/F OWEN  
 PARCEL 17-4-BB

N/F MARRA  
 PARCEL 17-4-2



DATE	REV.	DESCRIPTION	BY	APPR.
2-13-23	1	PER REVIEW & FIRE CHIEF COMMENTS	TEM	NCZ
8-26-23	1	PER REVIEW & FIRE CHIEF COMMENTS	TEM	NCZ

DATE	DESIGNED BY	CHECKED BY	APPROVED BY
2-13-23	0992-01-01	NCZ	NCZ

DATE	PROJECT NUMBER	DRAWING SCALE	SHEET ID
2-13-23	0992-01-01	1"=40'	X

SHEET NAME	PROJECT SITE	CLIENT INFO
DEFINITIVE SUBDIVISION EXISTING CONDITIONS PLAN	STOWE ESTATES LAKEVILLE, MASSACHUSETTS	JIJ PROPERTIES, INC. 6 SAND TRAP LANE LAKEVILLE, MASSACHUSETTS

S:\Civil Engineering Projects\Lakeville\Myricks Street\33-35-37 Myricks Street\Subdivision Plan - 35 Myricks St - Lakeville.dwg

**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 \_\_\_\_\_

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.

**SITE NOTES:**

- THE SITE IS LISTED ON THE TOWN OF LAKEVILLE ASSESSORS PROPERTY RECORD CARDS AS A PORTION OF PARCEL ID 17-4-3.
- PROPERTY LINE AND EXISTING CONDITIONS INFORMATION WAS TAKEN FROM A FIELD SURVEY BY ZENITH LAND SURVEYORS, LLC. PLYMOUTH COUNTY REGISTRY OF DEEDS. DEED REFERENCE: BOOK 57395 PAGE 258. PLAN REFERENCE: BOOK 66 PAGE 50.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AS SHOWN ON THE FLOOD INSURANCE RATE MAP (F.I.R.M.) NUMBER 25023C0426J, MAP REVISED 7-17-12.
- THE SITE IS NOT LOCATED IN A PRIORITY HABITAT AND ESTIMATED HABITAT AS SHOWN ON THE MASSACHUSETTS NATURAL HERITAGE ATLAS 15TH EDITION EFFECTIVE DATE AUGUST, 2021.
- WETLAND LINE TAKEN FROM PLAN RECORDED IN PLYMOUTH COUNTY REGISTRY OF DEEDS BOOK 66 PAGE 50.
- THE PROJECT IS NOT LOCATED WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC).
- THE SITE IS NOT LOCATED IN A ZONE II TO A PUBLIC WATER SUPPLY WELL.
- THE SITE IS NOT IN A ZONE A TO A SURFACE WATER SUPPLY AREA.
- THE SITE IS NOT LOCATED IN AN OUTSTANDING RESOURCE WATER AREA (ORW).

I HEREBY CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

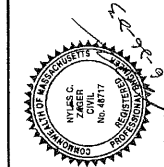
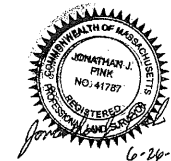
PROFESSIONAL LAND SURVEYOR \_\_\_\_\_ DATE \_\_\_\_\_

ZONING SUMMARY TABLE (RESIDENTIAL DISTRICT)	
CRITERIA	REQUIRED
LOT AREA	70,000 S.F.
FRONTAGE	175'
FRONT BUILDING SETBACK	40'
SIDE BUILDING SETBACK	20'
REAR BUILDING SETBACK	20'
CONTIGUOUS UPLAND	52,500 S.F.
IMPERVIOUS COVER	25%

LOT AREA TABLE	
	TOTAL
ROADWAY	505,613± S.F.
LOT 1	83,509± S.F.
LOT 2	75,400± S.F.
LOT 3	225,816± S.F.
PARCEL A	80,998± S.F.
DRAIN EASE LOT 3	66,808± S.F.
GRADING EASE LOT 3	1,628± S.F.
GRADING EASE PARCEL A	4,264± S.F.

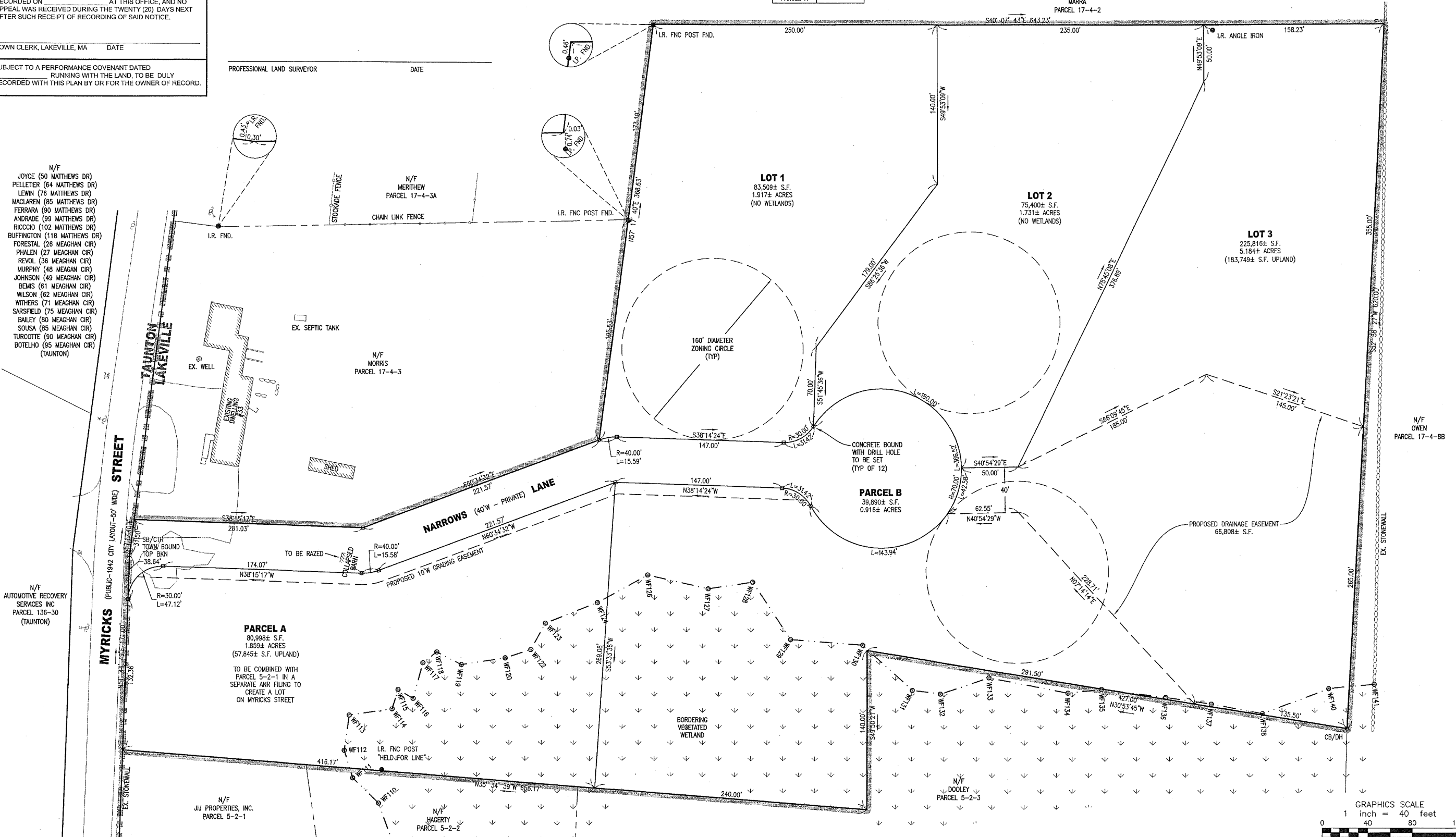
**SURVEY COMPANY OF RECORD:**

**ZLS**  
ZENITH LAND SURVEYORS, LLC  
1162 ROCKDALE AVENUE  
NEW BEDFORD, MA 02740  
(508) 995-0100

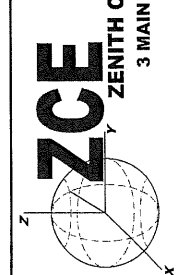


P.E. STAMP

FOR REGISTRY USE ONLY



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



DATE	REVISION	DESCRIPTION	BY	APP.
2-13-23	1	PER REVIEW & FIRE CHIEF COMMENTS	TEM	INCZ

<b>DEFINITIVE SUBDIVISION LOTTING PLAN</b>	<b>STOWE ESTATES</b>
<b>LAKEVILLE, MASSACHUSETTS</b>	<b>JJI PROPERTIES, INC.</b>
<b>6 SAND TRAP LANE</b>	<b>LAKEVILLE, MASSACHUSETTS</b>

S:\C\W Engineering Projects\Lakeville\Myricks Street\33-35-37 Myricks Street\DWG\Subdivision Plan - 35 Myricks St - Lakeville.dwg

**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 \_\_\_\_\_

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.

**UTILITY NOTES**

1. WATER AND ELECTRIC SHOWN ON THIS PLAN ARE PRELIMINARY. FINAL LAYOUT IS SUBJECT TO CHANGE BY RESPECTIVE UTILITY COMPANIES. ALL WORK SHALL COMPLY WITH LOCAL REGULATIONS.
2. SEPTIC LAYOUTS SHOWN ON THIS PLAN ARE SIZED BASED ON CONVENTIONAL FIELD FOR 4-BEDROOM HOUSES. LAYOUTS ARE SUBJECT TO CHANGE. INDIVIDUAL SITE PLANS SHALL BE PERMITTED THROUGH THE BOARD OF HEALTH PRIOR TO CONSTRUCTION.

- N/F JOYCE (50 MATTHEWS DR)
- PELLETIER (64 MATTHEWS DR)
- LEWIN (76 MATTHEWS DR)
- MACLAREN (85 MATTHEWS DR)
- FERRARA (90 MATTHEWS DR)
- ANDRADE (99 MATTHEWS DR)
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- FORESTAL (26 MEAGHAN CIR)
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- BAILEY (80 MEAGHAN CIR)
- SOUSA (85 MEAGHAN CIR)
- TURCOTTE (90 MEAGHAN CIR)
- BOTELHO (95 MEAGHAN CIR)
- (TAUNTON)

BENCHMARK:  
HYD SPINDLE  
EL=166.73

N/F AUTOMOTIVE RECOVERY SERVICES INC PARCEL 136-30 (TAUNTON)

PARCEL A

N/F JJI PROPERTIES, INC. PARCEL 5-2-1

N/F HAGERTY PARCEL 5-2-2

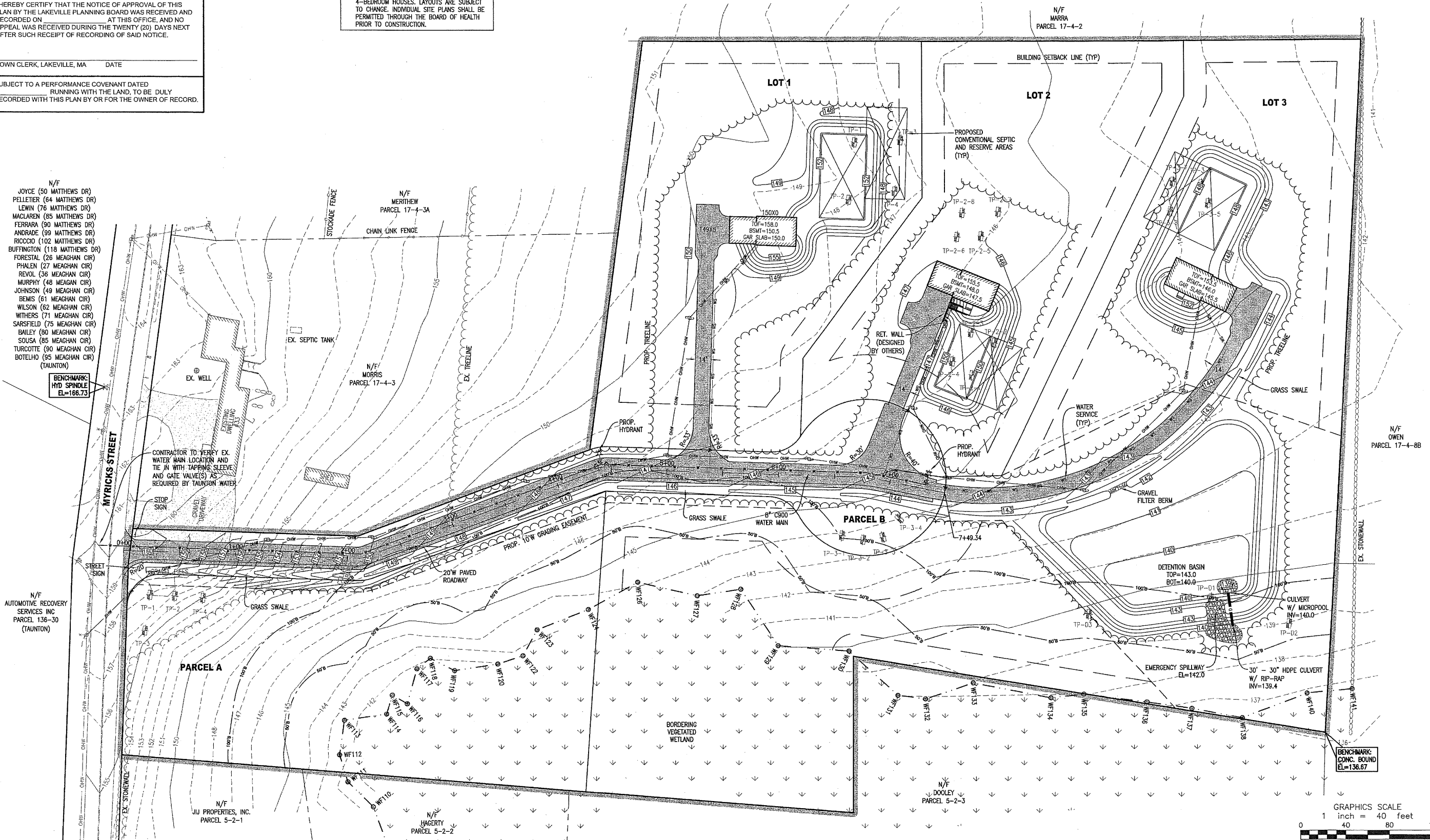
N/F DOOLEY PARCEL 5-2-3

N/F MERITHEW PARCEL 17-4-3A

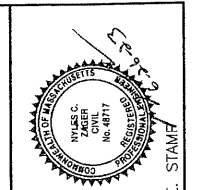
N/F MORRIS PARCEL 17-4-3

N/F MARRA PARCEL 17-4-2

N/F OWEN PARCEL 17-4-8B

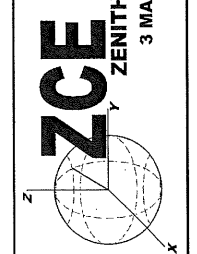


GRAPHICS SCALE  
1 inch = 40 feet  
0 40 80 120



P.E. STAMP

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



REV.	DATE	DESCRIPTION	BY	APP.
1	6-28-23	PER REVIEW & FIRE CHIEF COMMENTS	TEM	NCZ

DATE:	2-13-23
PROJECT NUMBER:	092-01-01
DRAWING SCALE:	1"=40'
SHEET ID:	G

**DEFINITIVE SUBDIVISION GRADING & DRAINAGE PLAN**  
STOWE ESTATES  
LAKEVILLE, MASSACHUSETTS  
JJI PROPERTIES, INC.  
6 SAND TRAP LANE  
LAKEVILLE, MASSACHUSETTS

S:\CH Engineering Projects\Lakeville\Myricks Street\35-37 Myricks Street\DWG\Subdivision Plan - 35 Myricks St - Lakeville.dwg

**LAKEVILLE PLANNING BOARD**

APPROVED UNDER THE SUBDIVISION CONTROL LAW

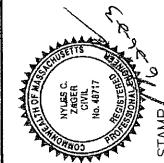
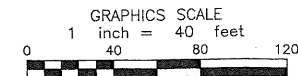
APPROVED: \_\_\_\_\_

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.

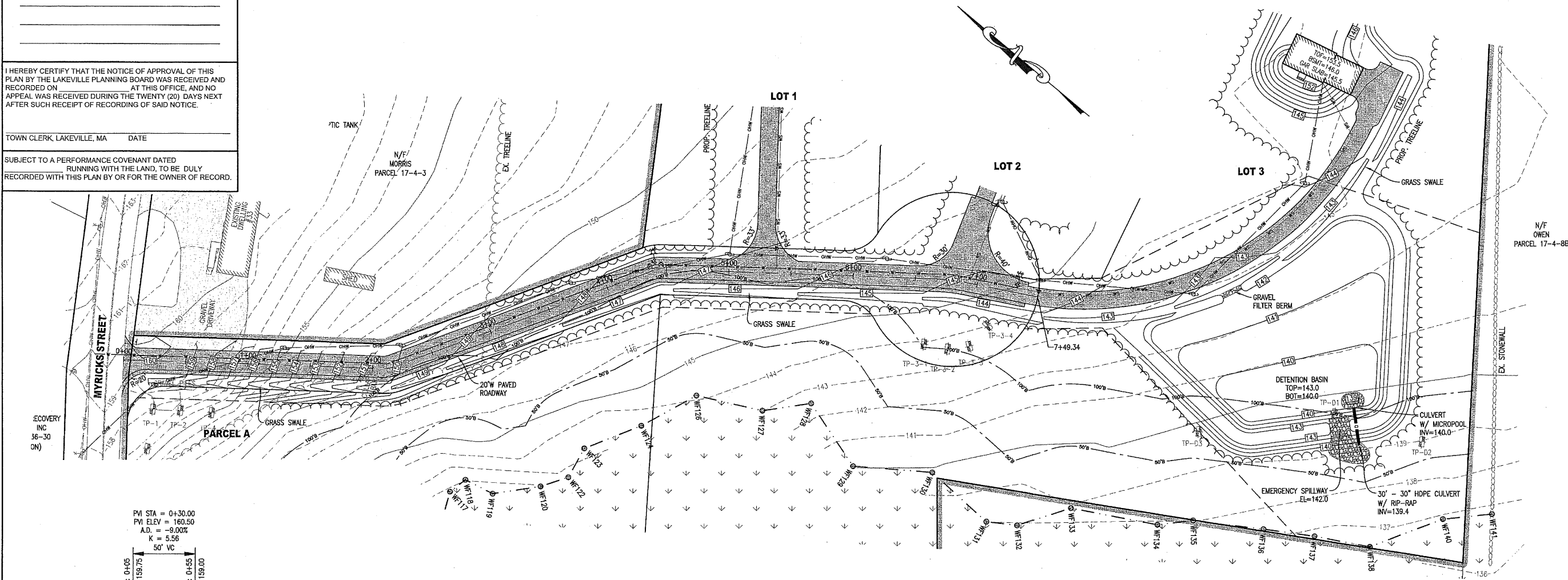
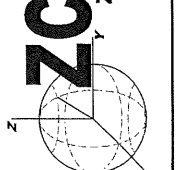
TOWN CLERK, LAKEVILLE, MA DATE \_\_\_\_\_

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.



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3 MAIN STREET LAKEVILLE, MA 02347  
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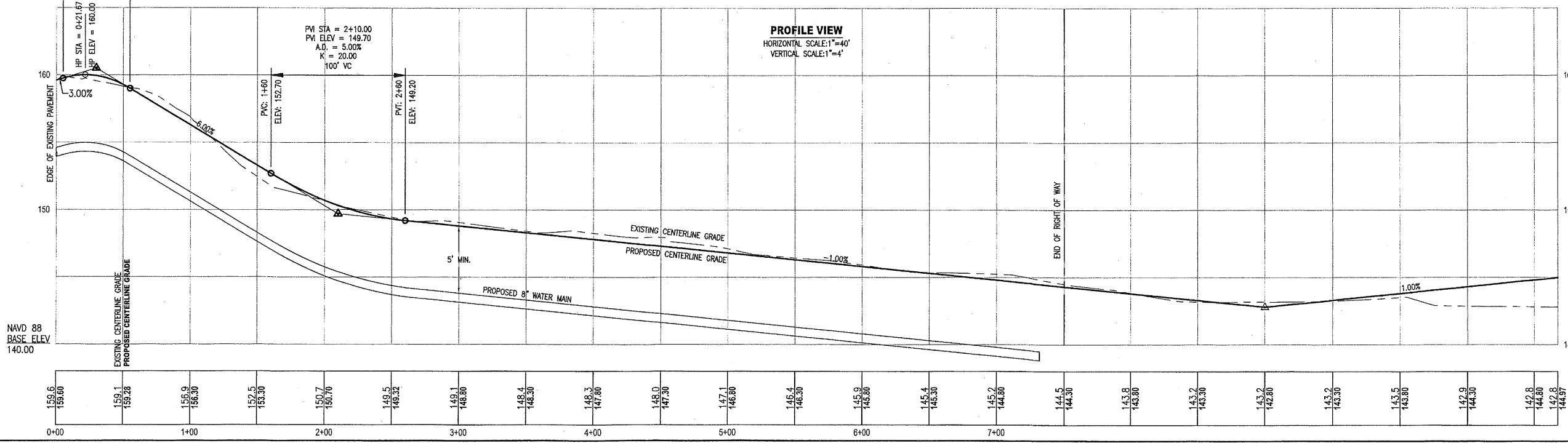


PI STA = 0+30.00  
PI ELEV = 160.50  
A.D. = -9.00%  
K = 5.56  
50' VC

PVC: 0+05  
ELEV: 159.75  
HP STA = 0+21.67  
HP ELEV = 160.00  
PVI: 0+55  
ELEV: 159.00

PI STA = 2+10.00  
PI ELEV = 149.70  
A.D. = 5.00%  
K = 20.00  
100' VC

**PROFILE VIEW**  
HORIZONTAL SCALE: 1"=40'  
VERTICAL SCALE: 1"=4'



NAVD 88  
BASE ELEV  
140.00

REV.	DATE	DESCRIPTION	BY	APP.
1	6-26-23	PER REVIEW & FIRE CHIEF COMMENTS	TEM	NCZ

DATE:	2-13-23
DRAWN BY:	TEM
DESIGNED BY:	TEM
CHECKED BY:	NCZ
APPROVED BY:	NCZ

SHEET NAME:	DEFINITIVE SUBDIVISION ROADWAY PROFILE PLAN
PROJECT SITE:	STOWE ESTATES
CLIENT INFO:	JJI PROPERTIES, INC. 6 SAND TRAP LANE LAKEVILLE, MASSACHUSETTS

S:\Civil Engineering Projects\Lakeville\Myricks Street\33-36-37 Myricks Street\DWG\Subdivision Plan - 35 Myricks St - Lakeville.dwg

**LAKEVILLE PLANNING BOARD**

APPROVED UNDER THE SUBDIVISION CONTROL LAW

APPROVED: \_\_\_\_\_

ENDORSED: \_\_\_\_\_

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TOWN CLERK, LAKEVILLE, MA DATE \_\_\_\_\_

SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.

**EROSION & SEDIMENT CONTROL NOTES:**

IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTROL EROSION AND PREVENT SEDIMENTATION FROM ENTERING THE WETLAND OR OFFSITE PROPERTIES. IT IS INTENDED THAT THE IMPLEMENTATION OF THE FOLLOWING MEASURES WILL MEET THIS GOAL. WHEN IT IS CLEAR TO THE DESIGNER THAT EROSION AND SEDIMENTATION HAVE BEEN ADEQUATELY CONTROLLED WITHOUT THE IMPLEMENTATION OF EVERY MEASURE, ADDITIONAL MEASURES NEED NOT BE IMPLEMENTED. ALTERNATIVELY, IF ALL OF THE FOLLOWING MEASURES HAVE BEEN IMPLEMENTED AND THE CONTROL OF EROSION AND SEDIMENTATION IS INADEQUATE, THE CONTRACTOR MUST EMPLOY SUFFICIENT SUPPLEMENTAL MEASURES BEYOND THE SCOPE OF THIS PLAN.

1. EROSION AND SEDIMENT CONTROL MEASURES WILL BE INSTALLED PRIOR TO STUMP REMOVAL AND CONSTRUCTION. STABILIZATION OF ALL REGRADED AND SOIL STOCKPILE AREAS WILL BE INITIATED AND MAINTAINED DURING ALL PHASES OF CONSTRUCTION.
2. ALL EROSION AND SEDIMENT CONTROL MEASURES WILL BE CONSTRUCTED IN ACCORDANCE WITH LOCAL MUNICIPAL REGULATIONS. ALL EROSION CONTROL MEASURES ARE TO BE MAINTAINED AND UPGRADED AS REQUIRED TO ACHIEVE PROPER SEDIMENT CONTROL DURING CONSTRUCTION. A STAKED FILTER SOCK DAM SHALL BE INSTALLED DOWN GRADIENT OF ALL DRAINAGE OUTFALLS.
3. ADDITIONAL CONTROL MEASURES WILL BE INSTALLED DURING THE CONSTRUCTION PERIOD, IF DEEMED NECESSARY BY THE OWNER OR AGENTS OF THE OWNER.
4. SEEDING MIXTURE FOR FINISHED GRASSED AREAS WILL BE AS FOLLOWS:  
 KENTUCKY BLUE GRASS 45%  
 CREEPING RED FESCUE 45%  
 PERENNIAL RYEGRASS 10%

SEED TO BE APPLIED AT A RATE OF 4 LBS./1,000 SQ. FT.  
 PLANTING SEASONS SHALL BE APRIL 1 TO JUNE 1 AND AUGUST 1 TO OCTOBER 15. AFTER OCTOBER 15, AREAS WILL BE STABILIZED WITH HAYBALE CHECK, FILTER FABRIC, OR WOODCHIP MULCH, AS REQUIRED, TO CONTROL EROSION.

5. AREAS THAT ARE NOT THE LOCATION OF ACTIVE CONSTRUCTION WHICH ARE TO BE LEFT BARE FOR OVER ONE MONTH BEFORE FINISHED GRADING AND SEEDING IS ACHIEVED, SHALL BE MULCHED OR RECEIVE TEMPORARY STABILIZATION SUCH AS JUTE NETTING OR SHALL RECEIVE A TEMPORARY SEEDING OF PERENNIAL RYEGRASS APPLIED AT A RATE OF 2 LBS./1,000 SQ. FT. LIMESTONE (EQUIVALENT TO BE 50 PERCENT CALCIUM PLUS MAGNESIUM OXIDE) SHALL BE APPLIED AS SEEDBED PREPARATION AT A RATE OF 90 LBS./1,000 SQ. FT. PLANTING SEASONS SHALL BE APRIL 1 TO JUNE 1 AND AUGUST 1 TO OCTOBER 1. AREAS TO BE LEFT BARE BEFORE FINISH GRADING AND SEEDING OUTSIDE OF PLANTING SEASONS SHALL RECEIVE AN AIR-DRIED WOOD CHIP MULCH, FREE OF COARSE MATTER.

6. AT ALL PROPOSED FILL AREAS WHICH ARE NOT CURRENTLY SHOWN ON THESE PLANS, THE CONTRACTOR SHALL ESTABLISH AN EROSION CONTROL LINE (HAYBALE CHECK OR FILTER FABRIC) ABOUT TEN (10') FEET FROM TOE TO SLOPE OF PROPOSED FILL AREAS PRIOR TO BEGINNING FILL INSTALLATION. STABILIZATION OF SLOPES IN FILL AREAS (USING MULCH OR GRASS) SHALL BE INITIATED WITHIN THIRTY (30) DAYS OF COMMENCEMENT OF FILL INSTALLATION.

7. STABILIZATION OF SLOPES IN CUT AREAS (USING MULCH OR GRASS) AND THE INSTALLATION OF CONTROL LINE (HAYBALE CHECK OR FILTER FABRIC) AT THE TOE OF SLOPE SHALL BE INITIATED WITHIN THIRTY (30) DAYS OF COMPLETION.

8. SEDIMENT REMOVED FROM CONTROL STRUCTURES WILL BE DISPOSED IN A MANNER WHICH IS CONSISTENT WITH THE INTENT OF THE PLAN. ALL HAYBALES OR SILT FENCE RETAINING SEDIMENT OVER 1/2 THEIR HEIGHT SHALL HAVE THE SEDIMENT REMOVED AND ALL DAMAGED EROSION CONTROLS SHALL BE REPAIRED OR REPLACED.

9. CONTRACTOR WILL BE ASSIGNED THE RESPONSIBILITY FOR IMPLEMENTING THIS EROSION AND SEDIMENT CONTROL PLAN. THIS RESPONSIBILITY INCLUDES THE INSTALLATION AND MAINTENANCE OF EROSION CONTROL MEASURES, INFORMING ALL PARTIES ENGAGED ON THE CONSTRUCTION SITE OF THE REQUIREMENTS AND OBJECTIVES OF THE PLAN, AND NOTIFYING THE PLANNING BOARD OF ANY TRANSFER OF THIS RESPONSIBILITY. THE OWNER SHALL BE RESPONSIBLE FOR CONVEYING A COPY OF THE EROSION AND SEDIMENT CONTROL PLAN IF THE TITLE TO THE LAND IS TRANSFERRED.

10. THE CONTRACTOR SHALL SECURE THE SERVICES OF A PROFESSIONAL ENGINEER, WHO SHALL VERIFY IN THE FIELD THAT THE CONTROLS REQUIRED BY THIS PLAN ARE PROPERLY INSTALLED, SHALL MAKE INSPECTION OF SUCH FACILITIES NOT LESS FREQUENTLY THAN EVERY 14 DAYS OR AFTER A RAINFALL IN EXCESS OF 1/2 INCH, WHICHEVER OCCURS FIRST. THE INSPECTION REPORTS SHALL BE SUBMITTED TO THE PLANNING DEPARTMENT AND CONSERVATION COMMISSION OFFICE ON A MONTHLY BASIS.

11. STOCKPILES OF SOIL SHALL BE SURROUNDED BY A SEDIMENT BARRIER. SOIL STOCKPILES TO BE LEFT BARE FOR MORE THAN THIRTY (30) DAYS SHALL BE STABILIZED WITH TEMPORARY VEGETATION OR MULCH. IF SOIL STOCKPILES ARE TO REMAIN FOR MORE THAN SIXTY (60) DAYS, FILTER FABRIC SHALL BE USED IN PLACE OF HAYBALES. SIDE SLOPES SHALL NOT EXCEED 2:1.

12. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONTROL DUST AND WIND EROSION THROUGHOUT THE LIFE OF THE CONTRACT. DUST CONTROL SHALL INCLUDE, BUT IS NOT LIMITED TO SPRINKLING OF WATER ON EXPOSED SOILS AND HAIL ROADS. CONTRACTOR SHALL CONTROL DUST TO PREVENT A HAZARD TO TRAFFIC AND ADJUTING PROPERTIES.

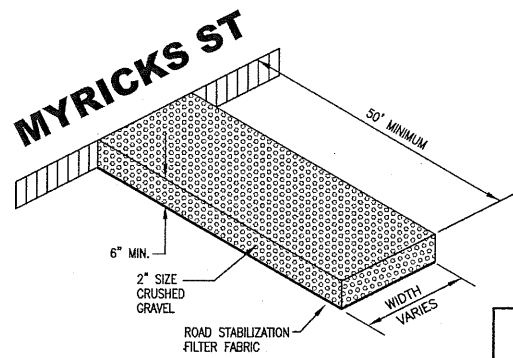
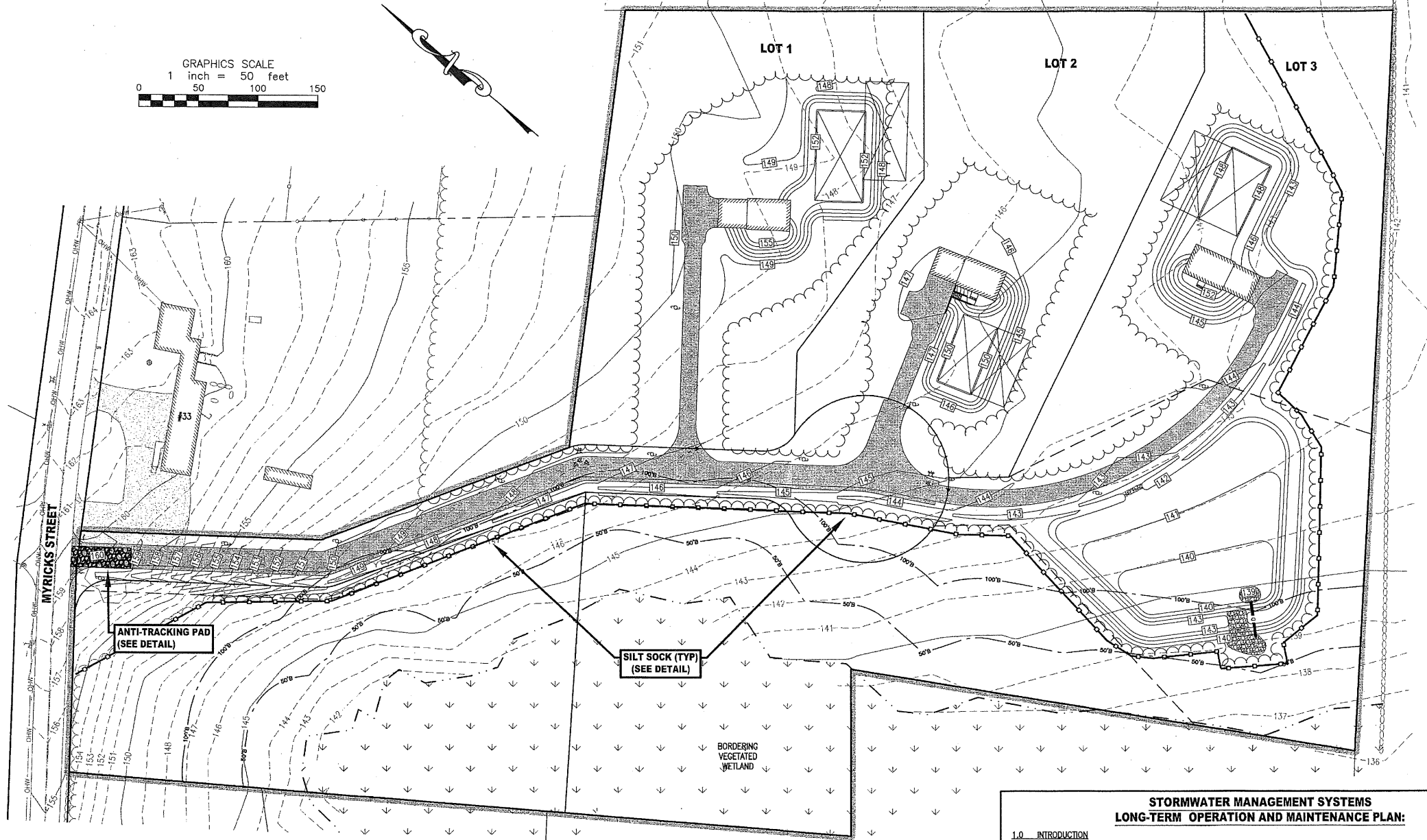
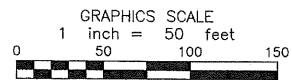
13. IF FINAL GRADING IS TO BE DELAYED FOR MORE THAN THIRTY (30) DAYS AFTER LAND DISTURBANCES CEASE, TEMPORARY VEGETATION OR MULCH SHALL BE USED TO STABILIZE SOILS.

14. FILTER SOCK SHALL BE USED ONLY AS A TEMPORARY MEASURE. WHERE CONTROL MEASURES WILL BE REQUIRED FOR LONGER THAN SIXTY (60) DAYS, FILTER FABRIC SHALL BE USED.

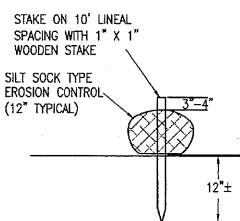
15. WHERE Dewatering is necessary, there shall not be a discharge directly into wetlands or watercourses. PROPER METHODS AND DEVICES SHALL BE UTILIZED TO THE EXTENT PERMITTED BY LAW, SUCH AS PUMPING WATER INTO A TEMPORARY SEDIMENTATION BOWL, PROVIDING SURGE PROTECTION AT THE INLET AND THE OUTLET OF PUMPS, OR FLOATING THE INTAKE OF THE PUMP, OR OTHER METHODS TO MINIMIZE AND RETAIN THE SUSPENDED SOLIDS. IF A PUMPING OPERATION IS CAUSING TURBIDITY PROBLEMS, SAID OPERATION SHALL CEASE UNTIL SUCH TIME AS FEASIBLE MEANS OF CONTROLLING TURBIDITY ARE DETERMINED AND IMPLEMENTED. SAID DISCHARGE POINTS SHALL BE LOCATED OVER 100 FEET FROM THE DELINEATED WETLANDS AS INDICATED ON THIS PLAN.

16. EROSION CONTROL MEASURES SHOWN ON THIS PLAN SHALL BE FOLLOWED BY THE GENERAL CONTRACTOR AND ALL INDIVIDUAL HOME BUILDERS.

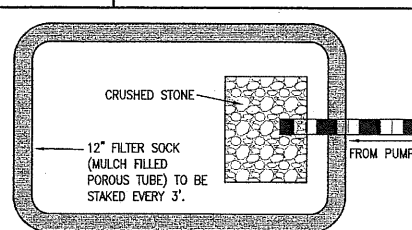
17. ANY SLOPE GREATER THAN 3:1 SHALL BE STABILIZED WITH STUMP GRINDINGS (OR EQUIVALENT) AND INSPECTED ON A WEEKLY BASIS THROUGHOUT THE CONSTRUCTION PERIOD. ANY EROSION OR SLUMPING DISCOVERED SHALL BE REPAIRED AND STABILIZED IMMEDIATELY. INSPECTIONS SHALL CONTINUE UNTIL THE SLOPE IS CONSIDERED FULLY STABILIZED.



**ANTI-TRACKING PAD DETAIL**  
NOT TO SCALE



**SILT SOCK DETAIL**  
NOT TO SCALE



**DEWATERING BASIN DETAIL**  
NOT TO SCALE

**CONSTRUCTION OPERATION AND MAINTENANCE SCHEDULE**

THE OPERATION AND MAINTENANCE (O&M) SCHEDULE DURING THE CONSTRUCTION PHASE IS THE RESPONSIBILITY OF THE DEVELOPER AND/OR SITE CONTRACTOR. THE OUTLINE BELOW SHALL BE ADHERED TO AS CLOSELY AS POSSIBLE TO ENSURE THE PROPER CONSTRUCTION AND FUNCTION OF THE DRAINAGE SYSTEM.

1. PRIOR TO CONSTRUCTION, SILT SOCK SHALL BE INSTALLED PER THE APPROVED PLANS. THE EROSION CONTROL SHALL BE INSPECTED PRIOR TO A LARGE STORM EVENT TO ENSURE THAT THE EROSION CONTROL WILL FUNCTION AS REQUIRED AND FOLLOWING A STORM TO INSPECT FOR DAMAGE TO THE EROSION CONTROL ELEMENTS. ANY DAMAGE OR IMPROPER INSTALLATION THAT IS NOTICED PRIOR TO OR FOLLOWING A STORM EVENT SHALL BE PROMPTLY REPLACED OR REPAIRED IN A SATISFACTORY MANNER SO AS TO PREVENT SEDIMENT FROM BYPASSING THE EROSION CONTROL BARRIER.
2. THE LIMIT OF CLEARING SHOWN ON THE APPROVED PLAN SHALL BE STRICTLY ADHERED TO. IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO DETERMINE THE LEVEL OF SAFETY OF STANDING TREES.
3. IN CONJUNCTION WITH THE ROADWAY CONSTRUCTION, ALL DRAINAGE STRUCTURES, INCLUDING THE DETENTION BASIN, SHALL BE CONSTRUCTED AND STABILIZED AS SOON AS POSSIBLE. METHODS OF STABILIZATION INCLUDE, BUT ARE NOT LIMITED TO, HYDROSEED, LOAM AND SEED, STRAW MULCH, EROSION CONTROL BLANKETS, ETC.
4. THE DETENTION BASIN SHALL BE INSPECTED WEEKLY OR AFTER ALL RAINFALL EVENTS GREATER THAN 1/2 INCH, WHICHEVER OCCURS SOONER. ANY EROSION WITHIN THE BASIN SHALL BE FILLED AND RE-STABILIZED IN A MANNER TO PREVENT FUTURE EROSION. IN ADDITION, THE OUTER PORTIONS OF THE BASIN SHALL BE INSPECTED IN A SIMILAR MANNER.
5. THE ANTI-TRACKING PAD SHALL BE INSPECTED DAILY. THE STONE AND SEDIMENT MUST BE REMOVED AND REPLACED AS NECESSARY TO PREVENT EXCESSIVE SEDIMENT FROM ENTERING MYRICKS STREET. SWEEPING SHALL BE PERFORMED AS NEEDED TO REMOVE ANY SEDIMENT IN MYRICKS STREET.
6. THIS SCHEDULE MUST BE ADHERED TO BY THE OWNER AND/OR CONTRACTOR UNTIL THE ROADWAY IS TRANSFERRED TO THE HOMEOWNERS ASSOCIATION.

**STORMWATER MANAGEMENT SYSTEMS  
LONG-TERM OPERATION AND MAINTENANCE PLAN:**

**1.0 INTRODUCTION**  
THE STOWE ESTATES SUBDIVISION HAS BEEN DESIGNED TO ENSURE STORMWATER QUALITY. IN ORDER FOR THIS TO CONTINUE IN THE LONG TERM, IT IS NECESSARY TO IMPLEMENT THE FOLLOWING LONG TERM OPERATION AND MAINTENANCE PROGRAM.

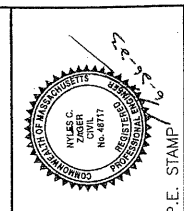
**2.0 RESPONSIBLE PARTY**  
OWNER: JIJ PROPERTIES, INC.  
6 SAND TRAP LANE  
LAKEVILLE, MA 02347

RESPONSIBLE FOR OPERATION AND MAINTENANCE: SAME AS ABOVE

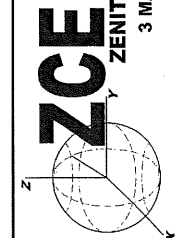
UPON COMPLETION OF THE DEVELOPMENT, THE APPLICANT SHALL ESTABLISH A HOMEOWNERS ASSOCIATION WHICH SHALL TAKE OVER AS THE RESPONSIBLE PARTY FOR OPERATION AND MAINTENANCE OF THE ROADWAY AND DRAINAGE FEATURES AS THE ROADWAY SHALL REMAIN PRIVATE.

**3.0 MAINTENANCE OF STORMWATER MANAGEMENT FACILITIES**  
THE STORMWATER MANAGEMENT FACILITIES WERE DESIGNED TO REQUIRE LITTLE OR NO INTERVENTION IN THE OPERATION AND TO REQUIRE LITTLE OR NO MAINTENANCE ONCE THE PROJECT IS BUILT AND STABLE VEGETATIVE COVER IS ESTABLISHED. HOWEVER, THE DRAINAGE IMPROVEMENTS SHALL BE SUBJECT TO THE FOLLOWING MAINTENANCE SCHEDULE.

- A. ROUTINE MAINTENANCE**
  1. DEBRIS: ALL DEBRIS AND LITTER ARE TO BE REMOVED FROM ALL SWALES AND SURROUNDING AREAS AT LEAST TWICE PER YEAR.
  2. RE-SEEDING: EMBANKMENTS THAT HAVE EXCESSIVE EROSION OR SLUMPING ARE TO BE RE-GRADED AND SEEDDED (WITH CANARY GRASS OR TALL FESCUE GRASS) DURING THE SPRING OR FALL GROWING SEASONS AS NEEDED.
  3. INSPECT: DETENTION BASIN SHALL BE INSPECTED FOR SIGNS OF PROPER FUNCTIONING ON A MONTHLY BASIS. ANY SIGNS OF STANDING WATER SHALL BE RECTIFIED IMMEDIATELY.
  4. MOWING: ALL LAWN AREAS SHALL BE MOWED AT LEAST TWICE PER YEAR.
- B. PERIODIC MAINTENANCE**
  1. ALL SWALES SHALL BE INSPECTED, AT A MINIMUM, FOUR TIMES PER YEAR. THEY SHALL BE CLEANED TWO TIMES PER YEAR OR WHENEVER THE DEPTH OF DEPOSITS IS GREATER THAN OR EQUAL TO ONE HALF THE DEPTH. WITH THE ONE-FOOT DEPTH THAT IS SPECIFIED, THIS DEPTH EQUALS SIX INCHES.
- C. NON-ROUTINE MAINTENANCE**
  1. STRUCTURAL: ALL SWALES AND THE DETENTION BASIN SHALL BE INSPECTED ONCE EVERY FOUR (4) YEARS FOR PROPER FUNCTION, CLOGGING, SIGNS OF DETERIORATION AND STRUCTURAL INADEQUACY. ANY ADVERSE SITUATIONS ARE TO BE REPAIRED AS NEEDED.
- D. NON-PERIODIC INSPECTION**
  1. THE STORM WATER MANAGEMENT SYSTEM SHALL BE INSPECTED AFTER TWO YEARS OF FULL OPERATION BY A REGISTERED PROFESSIONAL CIVIL ENGINEER TO CONFIRM ITS ADEQUACY. THE INSPECTION SHALL INCLUDE AN EXAMINATION OF ALL COMPONENTS OF THE SYSTEM INCLUDING SWALES AND THE DETENTION BASIN.
- E. ANNUAL BUDGET**
  1. THE ESTIMATED ANNUAL BUDGET FOR THE O & M IS \$1,000.



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



REV.	DATE	DESCRIPTION	BY	APP.
1	6-26-23	PER REVIEW & FIRE CHIEF COMMENTS	TEM	NCZ

DATE	APP.	PROJECT NUMBER	DRAWING SCALE	SHEET ID
2-13-23		0992-01-01	1"=50'	E

DESIGNED BY	CHECKED BY	APPROVED BY
TEM	NCZ	NCZ

DEFINITIVE SUBDIVISION EROSION CONTROL PLAN
STOWE ESTATES LAKEVILLE, MASSACHUSETTS
JIJ PROPERTIES, INC. 6 SAND TRAP LANE LAKEVILLE, MASSACHUSETTS

**LAKEVILLE PLANNING BOARD**

APPROVED UNDER THE SUBDIVISION CONTROL LAW

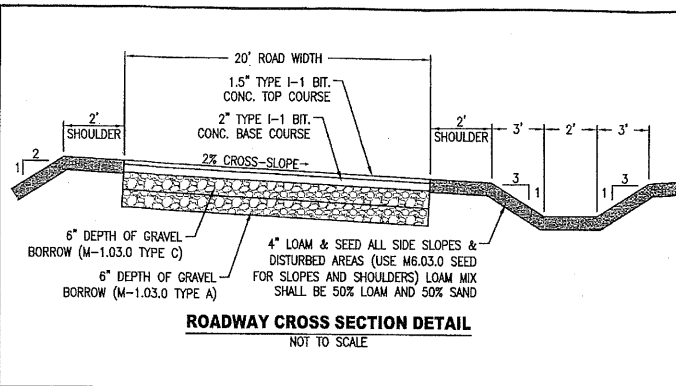
APPROVED: \_\_\_\_\_

ENDORSED: \_\_\_\_\_

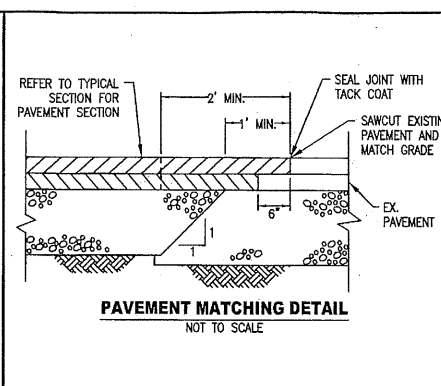
I HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LAKEVILLE PLANNING BOARD WAS RECEIVED AND RECORDED ON \_\_\_\_\_ AT THIS OFFICE, AND NO APPEAL WAS RECEIVED DURING THE TWENTY (20) DAYS NEXT AFTER SUCH RECEIPT OF RECORDING OF SAID NOTICE.

TOWN CLERK, LAKEVILLE, MA DATE \_\_\_\_\_

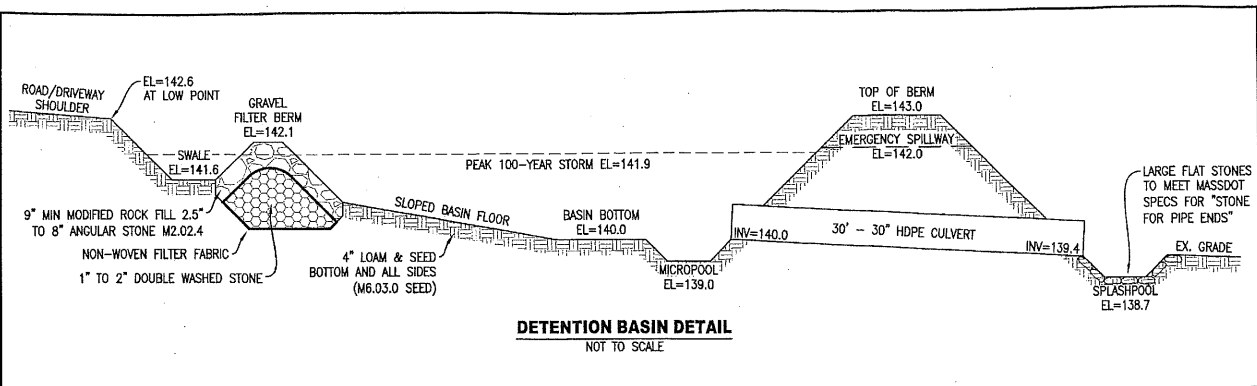
SUBJECT TO A PERFORMANCE COVENANT DATED \_\_\_\_\_ RUNNING WITH THE LAND, TO BE DULY RECORDED WITH THIS PLAN BY OR FOR THE OWNER OF RECORD.



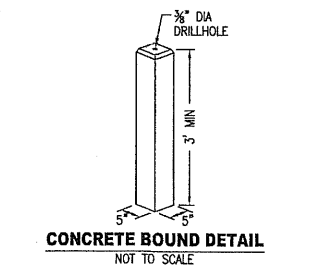
**ROADWAY CROSS SECTION DETAIL**  
NOT TO SCALE



**PAVEMENT MATCHING DETAIL**  
NOT TO SCALE



**DETENTION BASIN DETAIL**  
NOT TO SCALE

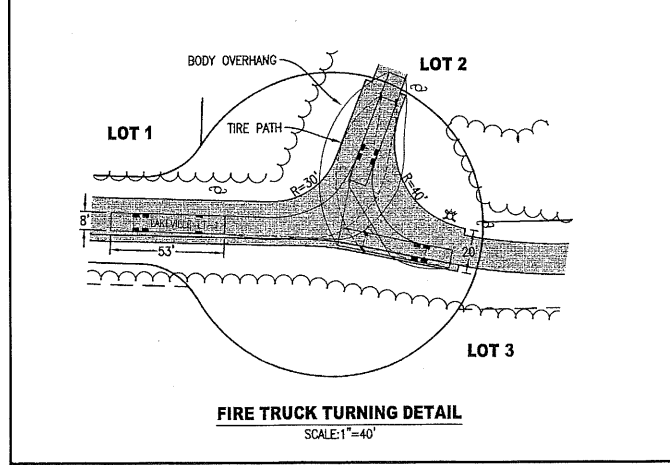


**CONCRETE BOUND DETAIL**  
NOT TO SCALE

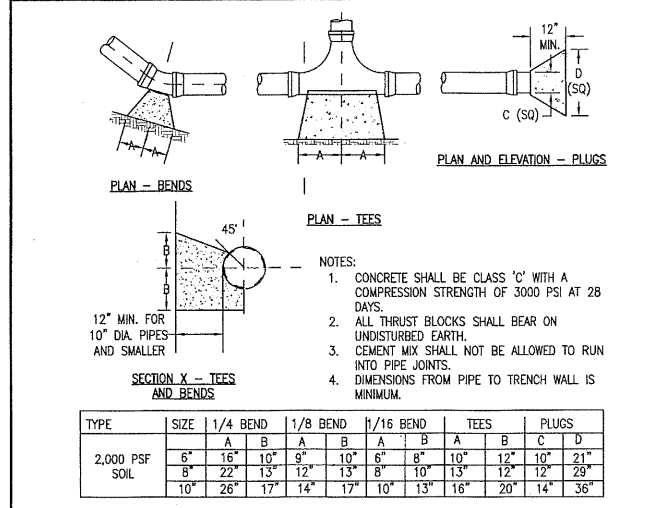
**SOIL LOGS:**

DATE: 9-12-21 (TP-1 THRU 4 ON PARCEL A), 9-13-21 (TP-1 THRU 4 ON LOT 1), 9-29-21 (TP-2-1 THRU 3-4), 9-30-21 (TP-3-5 THRU 3-8)  
PERFORMED BY: WILL CONNELLY, ZENITH, CONSULTING ENGINEERS, LLC.  
WITNESSED BY: ED CULLEN, LAKEVILLE BOH

TP-1	TP-2	TP-3	TP-4	TP-1	TP-2	TP-3	TP-4	TP-2-1	TP-2-2	TP-2-3	TP-2-4	TP-2-5	TP-2-6	TP-2-7	TP-2-8	TP-3-1	TP-3-2	TP-3-3	TP-3-4	TP-3-5	TP-3-6	TP-3-7	TP-3-8
DEPTH (INCHES) 0 14 30 108 142	DEPTH (INCHES) 0 10 22 100 130	DEPTH (INCHES) 0 10 28 98 132	DEPTH (INCHES) 0 14 26 98 130	DEPTH (INCHES) 0 10 24 76 120	DEPTH (INCHES) 0 12 24 66 114	DEPTH (INCHES) 0 12 26 68 102	DEPTH (INCHES) 0 10 26 90 138.9	DEPTH (INCHES) 0 8 24 148	DEPTH (INCHES) 0 12 26 142	DEPTH (INCHES) 0 8 22 132	DEPTH (INCHES) 0 10 24 140	DEPTH (INCHES) 0 16 30 122	DEPTH (INCHES) 0 16 32 130	DEPTH (INCHES) 0 16 30 116	DEPTH (INCHES) 0 12 26 114	DEPTH (INCHES) 0 12 26 130	DEPTH (INCHES) 0 10 28 140	DEPTH (INCHES) 0 8 24 136	DEPTH (INCHES) 0 12 28 134	DEPTH (INCHES) 0 14 28 120	DEPTH (INCHES) 0 12 34 120	DEPTH (INCHES) 0 14 20 116	DEPTH (INCHES) 0 12 26 124
ELEV. (FEET) 158.0 158.8 155.5 149.0 146.2	ELEV. (FEET) 157.0 156.2 155.2 148.7 146.2	ELEV. (FEET) 158.0 155.2 153.7 148.5 145.0	ELEV. (FEET) 155.0 153.8 152.8 146.8 144.2	ELEV. (FEET) 147.9 147.1 145.9 141.6 137.9	ELEV. (FEET) 148.0 147.0 146.0 142.5 138.5	ELEV. (FEET) 147.1 146.1 144.9 141.4 138.6	ELEV. (FEET) 147.3 146.5 145.1 141.4 139.8	ELEV. (FEET) 145.6 144.9 143.6 133.3	ELEV. (FEET) 144.8 143.8 142.6 133.0	ELEV. (FEET) 145.1 144.4 143.3 134.1	ELEV. (FEET) 145.6 144.8 143.6 133.9	ELEV. (FEET) 146.1 144.8 143.6 135.9	ELEV. (FEET) 146.4 145.1 143.7 135.6	ELEV. (FEET) 146.1 144.8 143.6 136.4	ELEV. (FEET) 146.4 145.4 144.4 136.9	ELEV. (FEET) 143.9 142.9 141.7 133.1	ELEV. (FEET) 143.6 142.8 141.3 132.9	ELEV. (FEET) 143.5 142.8 141.5 132.2	ELEV. (FEET) 144.0 143.0 141.7 132.8	ELEV. (FEET) 143.7 142.5 141.4 133.7	ELEV. (FEET) 143.7 142.7 140.9 133.7	ELEV. (FEET) 143.9 142.7 142.2 134.2	ELEV. (FEET) 144.0 143.0 141.8 133.7
MOTTLING @ 30" WEEPING @ NONE STANDING @ NONE ESHW EL= 155.5 PERC DEPTH: 30"-48" PERC RATE: 51 M.P.I.	MOTTLING @ 26" WEEPING @ NONE STANDING @ NONE ESHW EL= 154.8 PERC DEPTH: 42"-60" PERC RATE: 54 M.P.I.	MOTTLING @ 28" WEEPING @ NONE STANDING @ NONE ESHW EL= 153.7 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 28" WEEPING @ NONE STANDING @ NONE ESHW EL= 152.7 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 24" WEEPING @ 68" STANDING @ 116" ESHW EL= 145.9 PERC DEPTH: 18"-38" PERC RATE: 25 M.P.I.	MOTTLING @ 24" WEEPING @ 53" STANDING @ 106" ESHW EL= 146.0 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 26" WEEPING @ 64" STANDING @ 94" ESHW EL= 144.9 PERC DEPTH: 22"-40" PERC RATE: 52 M.P.I.	MOTTLING @ 26" WEEPING @ 54" STANDING @ 84" ESHW EL= 145.1 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 24" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.6 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 26" WEEPING @ NONE STANDING @ NONE ESHW EL= 142.6 PERC DEPTH: 26"-44" PERC RATE: 40 M.P.I.	MOTTLING @ 22" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.6 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 24" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.6 PERC DEPTH: 24"-42" PERC RATE: 18 M.P.I.	MOTTLING @ 30" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.7 PERC DEPTH: 24"-44" PERC RATE: ABANDONED	MOTTLING @ 32" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.7 PERC DEPTH: 28"-46" PERC RATE: ABANDONED	MOTTLING @ 30" WEEPING @ NONE STANDING @ NONE ESHW EL= 143.6 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 26" WEEPING @ NONE STANDING @ NONE ESHW EL= 144.4 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 26" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.7 PERC DEPTH: 26"-44" PERC RATE: ABANDONED	MOTTLING @ 28" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.3 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 24" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.5 PERC DEPTH: 28"-46" PERC RATE: ABANDONED	MOTTLING @ 28" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.7 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 28" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.4 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 34" WEEPING @ NONE STANDING @ NONE ESHW EL= 140.9 PERC DEPTH: NONE PERC RATE: NONE	MOTTLING @ 20" WEEPING @ NONE STANDING @ NONE ESHW EL= 142.2 PERC DEPTH: 20"-38" PERC RATE: 45 M.P.I.	MOTTLING @ 26" WEEPING @ NONE STANDING @ NONE ESHW EL= 141.8 PERC DEPTH: 22"-40" PERC RATE: 17 M.P.I.

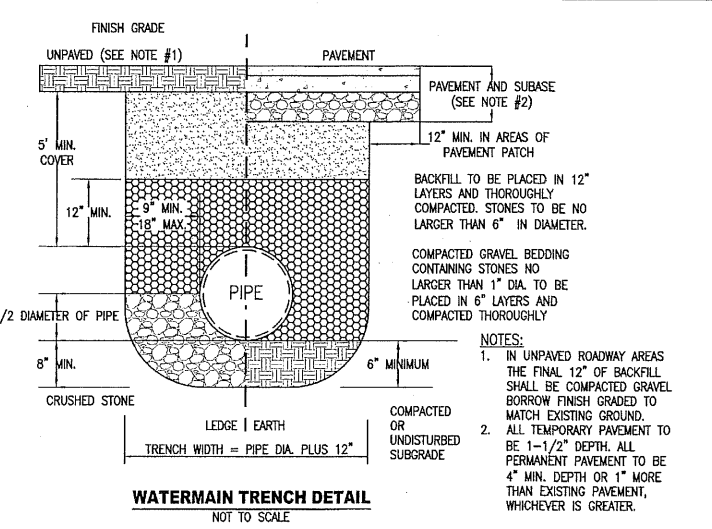


**FIRE TRUCK TURNING DETAIL**  
SCALE: 1"=40'



**THRUST BLOCK DETAIL**  
NOT TO SCALE

TYPE	1/4 BEND			1/8 BEND			1/16 BEND			TEES		PLUGS	
	A	B	C	A	B	C	A	B	C	D	E	F	
2,000 PSF SOIL	6"	16"	10"	6"	10"	8"	6"	10"	12"	10"	21"		
	8"	22"	13"	8"	13"	10"	8"	13"	12"	12"	29"		
	10"	26"	17"	10"	17"	13"	10"	16"	20"	14"	36"		

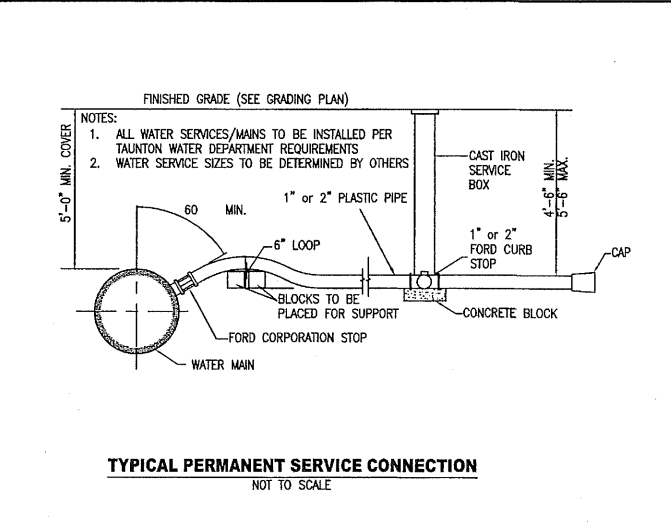


**WATERMAIN TRENCH DETAIL**  
NOT TO SCALE

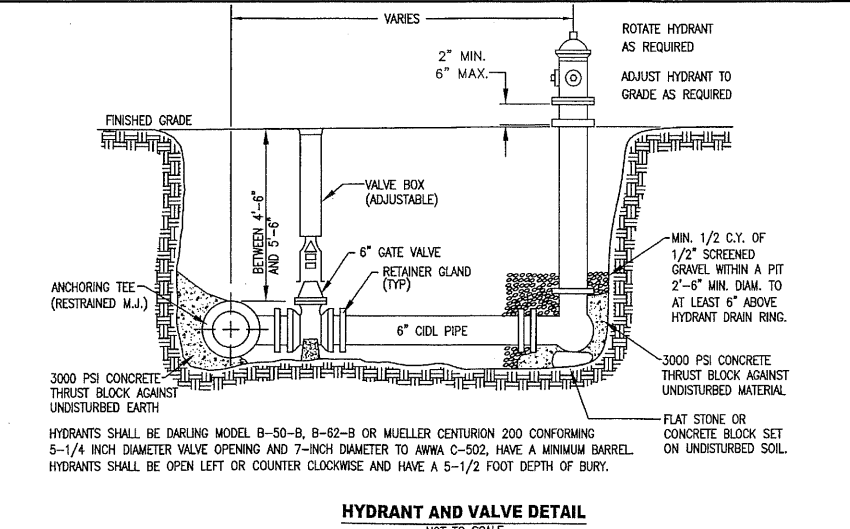
**SOIL LOGS:**

DATE: 2-6-23  
PERFORMED BY: TOM MORRIS, ZENITH, CONSULTING ENGINEERS, LLC.

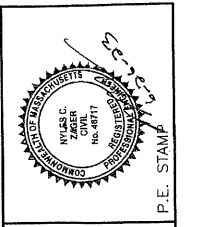
TP-D1	TP-D2	TP-D3
DEPTH (INCHES) 0 10 20 84	DEPTH (INCHES) 0 8 16 76	DEPTH (INCHES) 0 10 22 72
ELEV. (FEET) 139.8 139.0 138.1 132.8	ELEV. (FEET) 139.0 138.3 137.7 132.7	ELEV. (FEET) 139.7 138.9 137.9 132.7
MOTTLING @ 20" WEEPING @ 22" STANDING @ NONE ESHW EL= 138.1	MOTTLING @ 18" WEEPING @ 20" STANDING @ NONE ESHW EL= 137.5	MOTTLING @ 22" WEEPING @ 22" STANDING @ NONE ESHW EL= 137.9



**TYPICAL PERMANENT SERVICE CONNECTION**  
NOT TO SCALE



**HYDRANT AND VALVE DETAIL**  
NOT TO SCALE



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



REV.	DATE	DESCRIPTION	BY	APP.
1	6-26-23	PER REVIEW & FIRE CHIEF COMMENTS	TECH	NCZ

DATE	PROJECT NUMBER	DRAWING SCALE	SHEET ID
2-13-23	0992-01-01	N.T.S.	D

**DEFINITIVE SUBDIVISION SITE DETAILS**  
STOWE ESTATES  
LAKEVILLE, MASSACHUSETTS  
JJI PROPERTIES, INC.  
6 SAND TRAP LANE  
LAKEVILLE, MASSACHUSETTS

June 26, 2023

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

**RE: Engineering Peer Review #2  
Golfers Way, Lakeville, Massachusetts**

Dear Marc,

This letter is to advise that we have reviewed the revised 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 June 7, 2023.
- Response to Peer Review Comments Letter prepared by Hancock Associated, dated June 15, 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.

**Hancock Associates response 6/15/23:** As noted Sheet C-1 included a note referring to Existing Conditions Sheet EC-6 for benchmark locations and elevations. Sheet C-1 has been revised to also show the benchmark locations and elevations to address this comment.

**EP Response 6/26/23: Item closed.**

2. Section III.C.2.h requires locations of all monuments. It does not appear the proposed project is proposing any monuments.

**Hancock Associates response 6/15/23:** Proposed monuments were shown on Sheet L-2 as a dark square and labeled "DHSB" (To Be Set)(Typ.), for clarity a Proposed Legend has been added to Sheet L-2 identifying the symbols for proposed monumentation (stone bounds and iron rods).

**EP Response 6/26/23: Item closed.**

3. Section III.C.2.k requires building setbacks be shown on the plans. We did not see building setback lines on the plans.

**Hancock Associates response 6/15/23:** Building setback lines were shown on Sheets L-1 through L-6 and labeled "Zoning Setback Line (Typ.)", for clarity the line symbol and label have been added to the Proposed Legend on Sheet L-2.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** The Plan and Profile Sheet (Sheet C-1) has been revised to show the benchmark locations and elevations.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** The proposed subdivision road follows the alignment of the existing access drive from Clear Pond Road, with existing mature wooded areas along both sides, accordingly the Applicant is requesting a waiver from this requirement. The Planning Board has indicated their support of this waiver request.

**EP Response 6/26/23:** We defer to the Planning Board whether this requirement can be waived.

6. Section IV.A.1 requires proposed streets be constructed with the Standard Cross Section.

**Hancock Associates response 6/15/23:** The Applicant is requesting a waiver to this requirement to provide "country drainage" with the roadway sloped to one side to a water quality drainage swale. At the Planning Board's request, the Applicant also prepared a plan consistent with the Standard Cross Section and showing a conventional closed pipe drainage system. Both plans were reviewed with the Planning Board during the public hearings, and the Board determined that the country drainage plan was the best alternative and would support the waiver request.

**EP Response 6/26/23:** We defer to the Planning Board whether this requirement can be waived.

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.

**Hancock Associates response 6/15/23:** The proposed curb will be entirely within the Applicant's property and the Clear Pond Road layout.

**EP Response 6/26/23:** Due to the proximity of the proposed curb to the property line, construction activities required to install the proposed curb and nearby site features may extend onto the adjacent private property. No proposed site features or construction activities should impact the abutting property in this area to the northeast.

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%.

**Hancock Associates response 6/15/23:** The proposed centerline profile has been revised to provide a minimum slope of 0.50%.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** The proposed centerline profile has been revised to address this comment.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Sheet C-1 has been revised to label the dimensions of the landscaped island as recommended.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Refer to response to comment 6 above, the Applicant is requesting a waiver from the Standard Cross Section and requirement for curbing on both sides of the proposed roadway to provide country drainage. The Planning Board has indicated their support for this waiver request.

**EP Response 6/26/23:** We defer to the Planning Board whether this requirement can be waived.

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%.

**Hancock Associates response 6/15/23:** The proposed driveway on Lot 4 has been revised to reduce the slope to no more than 8%.

**EP Response 6/26/23:** The "10%" slope label has been removed from the Lot 4 driveway on Sheet C-1. However, the location of the 85.0' spot elevation that delineates the ridge at the northern portion of the Lot 4 driveway still indicates that the driveway exceeds an 8% slope connecting to the proposed road.

13. Section IV.B.8.c includes requirements for bituminous concrete sidewalk construction. There is no detail provided for bituminous concrete sidewalks.

**Hancock Associates response 6/15/23:** A detail for the proposed bituminous concrete sidewalk has been added to Sheet C-3.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** The Applicant is not proposing utilities to be installed in the roadway.

**EP Response 6/26/23:** Acknowledged. The Applicant should confirm if there are any plans to install utilities in the roadway in the future.

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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** Item closed.

16. Section IV.D.2.f requires removal of 80% of sediments. See comments in the drainage section regarding removal of sediments.

**Hancock Associates response 6/15/23:** A sediment forebay has been added to the proposed Rain Garden and updated TSS Removal Calculations are included herewith.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** The plans have been revised to exclude the area of the drainage easements from the lot areas, refer to Sheet C-4.

**EP Response 6/26/23:** Item closed.

18. Section IV.G requires monuments be installed. The proposed project does not appear to have proposed monuments.

**Hancock Associates response 6/15/23:** Proposed monuments were shown on Sheet L-2 as a dark square and labeled "DHSB" (To Be Set)(Typ.), for clarity a Proposed Legend has been added to Sheet L-2 identifying the symbols for proposed monumentation (stone bounds and iron rods).

**EP Response 6/26/23: Item closed.**

19. Section IV.H requires street signs to be installed. The proposed plans do not show street signs.

**Hancock Associates response 6/15/23:** Sheet C-1 has been revised to include a street name sign in plan view and also spell out the requirement in Note 4.

**EP Response 6/26/23: Item closed.**

20. Section IV.I requires streetlights to be installed. It does not appear streetlights are proposed.

**Hancock Associates response 6/15/23:** The original filing included a request to waive the requirement for installation of street lights. The Planning Board was not in favor of granting this waiver request and accordingly the revised plans call for street lights to be installed, refer to Sheet C-1.

**EP Response 6/26/23:** Acknowledged. We defer to the Planning Board whether a photometrics plan is required.

21. Section IV.K is regarding street trees. It does not appear that street trees are proposed as part of this project.

**Hancock Associates response 6/15/23:** The proposed subdivision road follows the alignment of the existing access drive from Clear Pond Road, with existing mature wooded areas along both sides, accordingly the Applicant is requesting a waiver from this requirement. The Planning Board has indicated their support of this waiver request.

**EP Response 6/26/23:** We defer to the Planning Board whether this requirement can be waived.

#### 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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** Item closed.

2. *Standard 2: Peak rate attenuation*

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

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** A sediment forebay has been added to the Rain Garden for pretreatment runoff, refer to Sheet C-1.

**EP Response 6/26/23:** Sizing calculations for the sediment forebays are provided and are consistent with the requirements in Volume 2 Chapter 2 of the MA Stormwater Handbook.

- 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.

**Hancock Associates response 6/15/23:** Agreed, the reference to a Stormceptor Water Quality Unit was an error, pretreatment is provided by the proposed sediment forebay.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Trip generation estimates (attached) indicate that an 18-hole golf course, such as the Lakeville Country Club, typically generate about 548 vehicle trips per day on a weekday, about 358 trips on a Saturday, and about 340 trips on a Sunday. Well below the 1,000 trip threshold to be considered a LUHPPL.

**EP Response 6/26/23: Item closed.**

6. *Standard 6: Critical areas*

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

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Agreed—the proposed stormwater management system meets the Standards for new development.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Agreed, a SWPPP will be prepared, and an NOI filed with the EPA for coverage under the NPDES Construction General Permit in advance of any construction. A copy of the SWPPP can be provided to the Planning Board if required.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** A signed illicit discharge statement is included herewith.

**EP Response 6/26/23: Item closed.**

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.

**Hancock Associates response 6/15/23:** A detail for the proposed Rain Garden has been added to Sheet C-3 showing appropriate planting soil. Plantings will include a mix of herbaceous perennials and shrubs that can tolerate intermittent ponding and extended dry periods. A planting plan will be developed by the Applicant prior to construction.

**EP Response 6/26/23: Item closed.**

2. We recommend the applicant provide forebay sizing calculations for the rain garden which comply with the Massachusetts Stormwater Management Standards.

**Hancock Associates response 6/15/23:** Forebay sizing calculations are included herewith as recommended.

**EP Response 6/26/23:** Sizing calculations for the sediment forebays are provided and are consistent with the requirements in Volume 2 Chapter 2 of the MA Stormwater Handbook. **Item closed.**



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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** Item closed.

4. We recommend a Construction Detail for the standpipe in the rain garden be provided on the plans.

**Hancock Associates response 6/15/23:** A detail for the standpipe has been added to Sheet C-3 as recommended.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** Agreed—pretreatment is provided by the water quality swale.

**EP Response 6/26/23:** Item closed.

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.

**Hancock Associates response 6/15/23:** Agreed.

**EP Response 6/26/23:** We recommend adding this information to the Operations and Maintenance Log to ensure proper maintenance of the water quality swale is enforced.

7. We recommend that Stone for Pipe Ends, consistent with MassDOT specifications, be installed at the flared end sections.

**Hancock Associates response 6/15/23:** Agreed—the revised plans call for stone/rip-rap at the flared end sections.

**EP Response 6/26/23:** We recommend adding a label "Stone for pipe ends MHD M2.02.3" to all construction details specifying rip rap or large stone to ensure the correct sized stone is used for the project.

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](mailto:sdt@envpartners.com) with any questions or comments.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "Scott D. Turner", with a long horizontal flourish extending to the right.

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

I:\Lakeville.348\22012473 - Lakeville CC Subdivision\02 Correspondence\Letter 1\2023-05-22 - Lakeville CC Review Letter 1.docx



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

OFFICE OF  
ZONING BOARD OF APPEALS  
*Secretary: Cathy Murray*

**TO:** Board of Health  
Building Department  
Conservation Commission  
Planning Board ✓  
Town Planner

**FROM:** Board of Appeals

**DATE:** June 13, 2023

**RE:** Attached Petitions for Hearing  
Benatti – 434 Bedford Street  
Terra – 8 Birch Street

Attached please find copies of two (2) Petitions for Hearing, which have been submitted to the Board of Appeals. The hearings for these petitions will be held on July 20, 2023.

Please review and forward any concerns your Board may have regarding these petitions to the Board of Appeals, if possible, no later than Friday, July 14, 2023.

Thank you.

Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

RECEIVED  
JUN 9 2023  
BOARD OF APPEALS

Name of Petitioner: Thomas Terra  
Mailing Address: 63 Freetown St Lakeville MA 02347  
Name of Property Owner: Thomas Terra  
Location of Property: 8 Birch St Lakeville  
Property is located in a  residential  business  industrial (zone)  
Registry of Deeds: Book No. 32343 Page No. 226  
Map 042 Block 009 Lot 003  
Petitioner is:  owner  tenant  licensee  prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) \_\_\_\_\_ of the Zoning Bylaws  
 Variance from Section (s) Front setback of the Zoning Bylaws.  
 Appeal from Decision of the Building Inspector/Zoning Enforcement Officer  
 Date of Denial \_\_\_\_\_

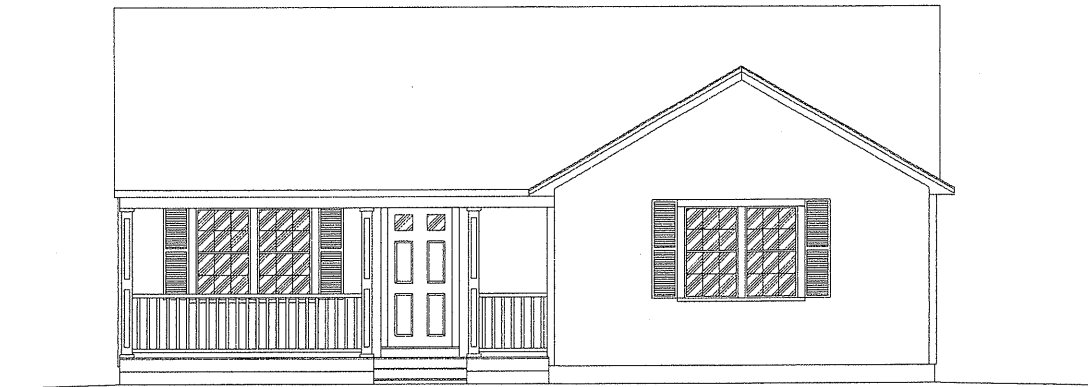
Brief to the Board: (See instructions on reverse side – use additional paper if necessary.)  
house addition 14' towards Birch St.  
need front setback variance of 10 feet.  
house is currently 44 feet from Birch St.

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: Thomas Terra Date: 6/5/23  
Signed: Thomas M. Terra Telephone: 774-766-7573  
Owner Signature: Thomas M. Terra Owner Telephone: ~~508-294-1007~~  
(If not petitioner) 774-766-8476  
774-766-7573  
Email: maeganterra@gmail.com

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

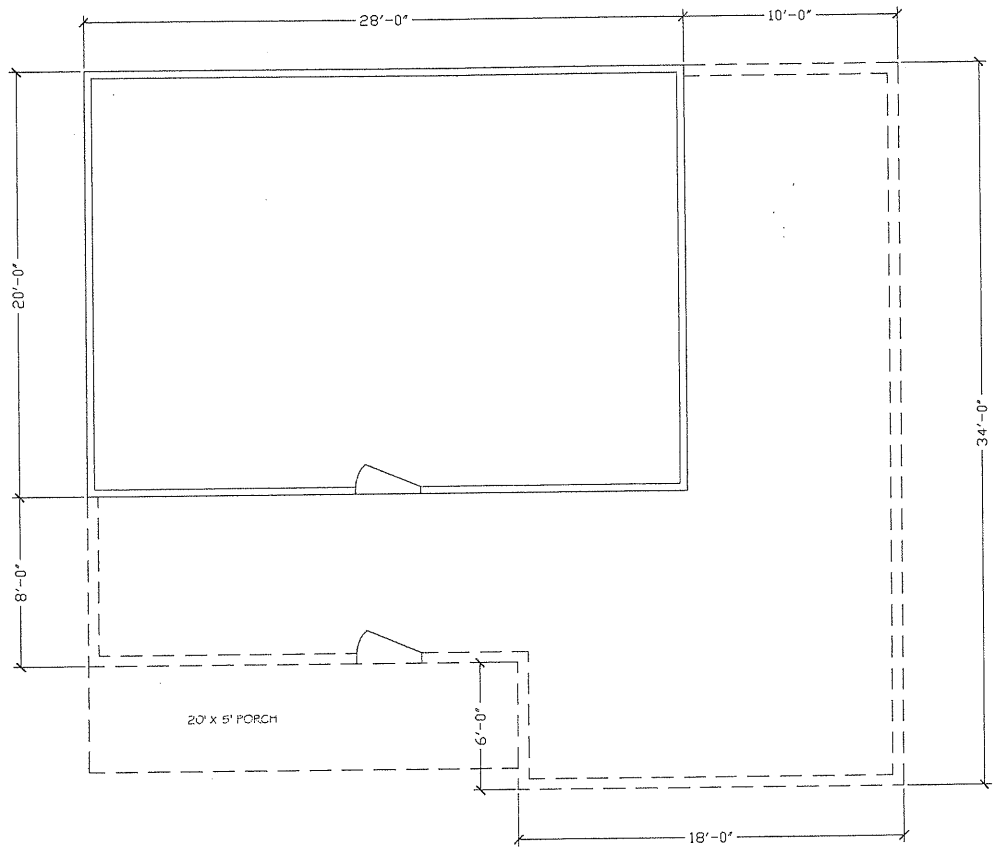
Yes  No  
\_\_\_\_\_  
(Name and Title)



PROPOSED FRONT VIEW

SCALE: 1/4" = 1'-0"





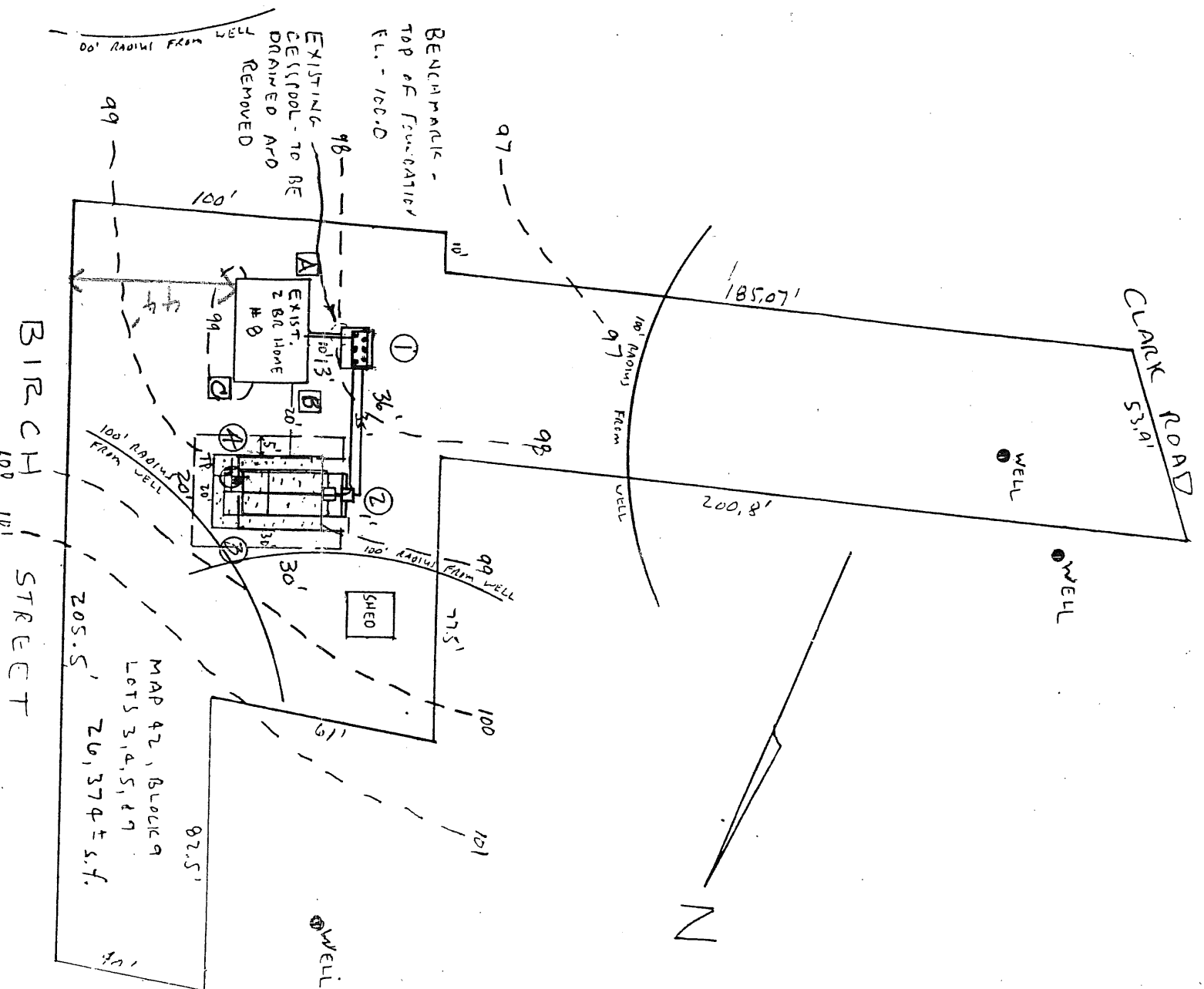
PROPOSED FLOOR PLAN

SCALE: 1/4" = 1'-0"

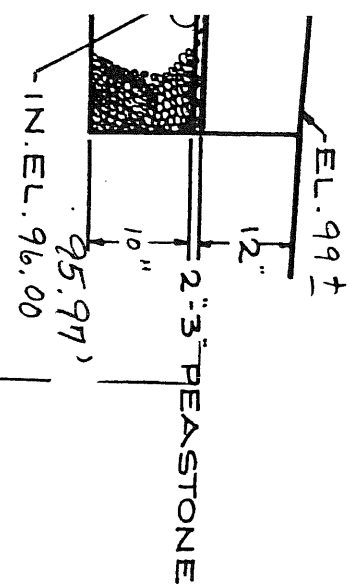
DR. BY: J. ROGERS



10' ±  
20' ± below

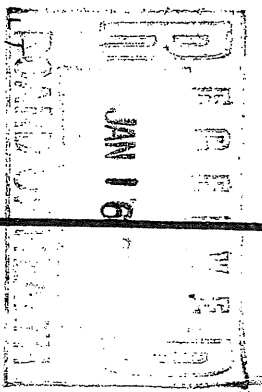


PLAN VIEW  
1" = 40'



FILE COPY

" AS BUILT " PLAN 01-14-02  
# 8 BIRCH STREET MAP 42, BLOCK 9, LOTS 8, 9



PROPOSED SEPTIC SYSTEM REPAIR  
IN LAKEVILLE, MA  
FOR TERRA FAMILY TRUST  
DATE: AUGUST 10, 2000

SENA FITZGERALD ALBERT ASSOCIATES  
CIVIL ENGINEERS LAND SURVEYORS  
28 MAIN STREET LAKEVILLE, MA 00000  
CALL - 7028

E.L. 99.10

Petition to be  
filed with Town Clerk

TOWN OF LAKEVILLE  
MASSACHUSETTS

EXHIBIT 'A'  
**RECEIVED**  
JUN 2 2023  
BOARD OF APPEALS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

Name of Petitioner: JOHN H. BENATTI

Mailing Address: 436 BEDFORD ST. LAKEVILLE MA.

Name of Property Owner: EDWARD HASKELL

Location of Property: 434 BEDFORD ST. LAKEVILLE MA.

Property is located in a  residential  business  industrial (zone)

Registry of Deeds: Book No. 8941 Page No. 280

Map 065 Block 001 Lot 001

Petitioner is:  owner  tenant  licensee  prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) \_\_\_\_\_ 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.)

SEE ATTACHED LETTER

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: JOHN H. BENATTI

Date: 6-2-23

Signed: John H. Benatti

Telephone: 774-766-2741

Owner Signature: \_\_\_\_\_  
(If not petitioner)

Owner Telephone: \_\_\_\_\_

Email: JPSD1105@MSN.COM

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes  No

\_\_\_\_\_  
(Name and Title)



Dear Planning Board,

Please reference sound clips and pictures from the flash drive.

Background: Back in March 2022 , Nate Darling advised me (unsolicited) that there was a tow truck operating illegally at 434 Bedford St. I assumed it was legal, but the application had been denied all the way back on Jan 18, 2021 for residential. I was very glad when he said he would order them to stop because the truck can go several times a day with a 90 db back up alarm, sometimes til 9:30 PM , occasional weekends and holidays. Cars are often towed there. It's tough to handle. Unfortunately , nothing was ever done so I complained to have the decision enforced. but after 18 months of illegal operation the decision was actually overturned due to an "ambiguous law". Now we have an active tow operation and auto repair in a residential zone.

I mention this to point out the continuing lack of enforcement or regard for my property rights. This new noise was in addition to the ever increasing auto repair noise already coming from 434 Bedford St., especially in the last 7 years or so. I've attached a handful of audio clips and some pictures. I've addressed this with the owner several times to no effect and the last time was dismissively told to go to the town. There's certainly no fear of the town, it's by laws or enforcement.

I had always assumed the property at 434 Bedford was legit, grandfathered special permitted etc but I decided to research the property anyway.. Amazingly , I found that it was supposed to be shutdown (for good) for 3 violations including auto repair back in 1989, see attached info. The town never once followed up. The building commission provided the information to me but did not deem it fit to visit the site even though I was told no officials had been on the site for 30 years. That caused me great concern and since there was no forthcoming resolutions of any kind for noise or environmental issues, I had no choice but to file a formal complaint dated Sep 6,2022 The complaint was unequivocally ignored to the extent that I did not even receive an acknowledgement of the complaint, though I asked for one. Not one single response in 9 months. After several months of also wrangling with various town officials to no avail, I decided to file a de facto appeal at my own time and expense.

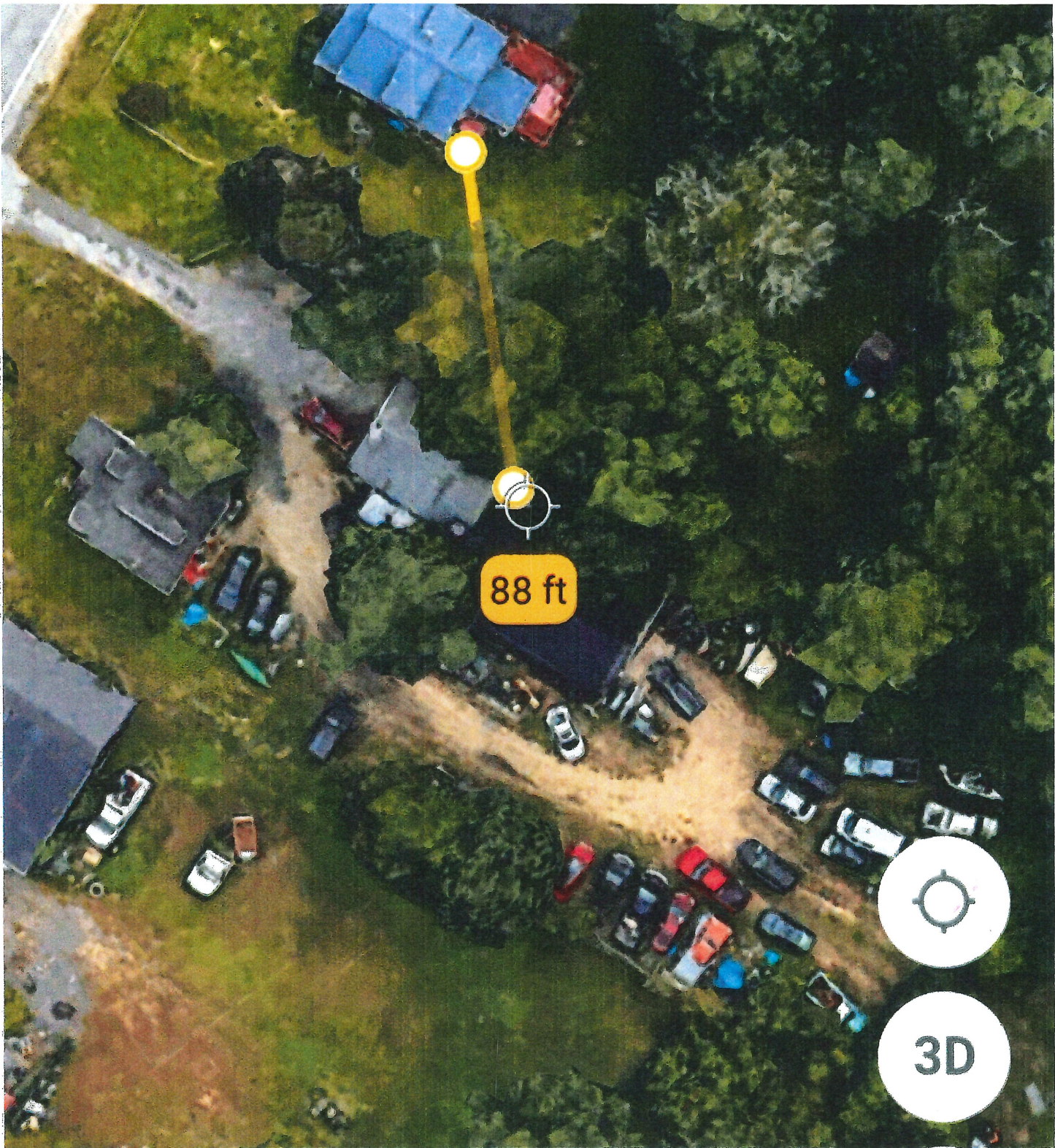
I hope you can truly understand the impact of not being able to enjoy your deck or yard without the random screeching of power tools, hammers banging, cars revving, or tow truck back up alarms and hydraulics. Many summer days we're stuck in the house with windows shut . Also note, we live here , we don't drive in from another town make noise and leave. No one would or should put with it.

I expect that you will now do the right thing and protect my family against the noise and other truck issues associated with this illegal operation by any means at your disposal. My wife and I are retired after working for 50 years and ourselves and grandchildren (one autistic) need to be able to enjoy the property with the same safeguards as anyone else in a residential zone. It's a tremendous stress dealing with this every day. I'm exhausted and sick of the whole thing. My wife especially is not well and the sooner this is resolved the better.

Regards,

John Benatti 774-766-2241 [jpsd1105@msn.com](mailto:jpsd1105@msn.com)





88 ft



3D

# Bedford Street Engine Services



5.0 ★★★★★ (9)

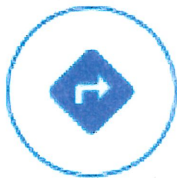
Auto repair shop in Lakeville, Massachusetts

OVERVIEW

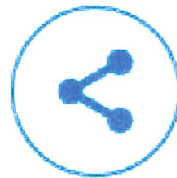
REVIEWS

PHOTOS

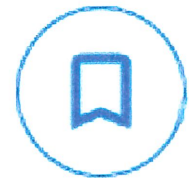
ABOUT



DIRECTIONS



SHARE



SAVE



434 Bedford St, Lakeville, MA  
02347  
109 ft



Bedford Str  
Engine Serv



Own this business? Claim it now



Add place's phone number





## 4.0 USE REGULATIONS

Except as provided by law or in this By-Law, no building, structure or land shall be used except for the purpose permitted in the district as described in this section. Any use not listed shall be construed to be prohibited.

A use listed in Section 4.1 is permitted as of right in any district under which it is denoted by the letter "Y" subject to such requirements as may be specified elsewhere in this By-Law. If designated in the Table by the letters "SP", the use may be permitted as an exception only if the Special Permit Granting Authority so determines and grants a Special Permit therefore as provided in Section 7.0 subject to such restrictions as set forth elsewhere in this By-Law and such further restrictions as said Special Permit Granting Authority may establish. The letter "N" shall designate that the use is not permitted.

### 4.1 Table of Use Regulations: R-Residential; B-Business; I-Industrial; I-B Industrial-B (Adopted June 16, 1997; approved by Attorney General August 11, 1997)

#### LAKEVILLE ZONING DISTRICTS

(I-B and allowed uses as shown, Adopted June 16, 1997; Approved by Attorney General August 11, 1997)

##### 4.1.1 Residential Uses

	R	B	I	I-B
Accessory Apartment (Adopted 6/15/2009, approved by Attorney General 8/18/2009)	Y	SP	N	SP
Single-family, detached dwellings	Y	SP	N	SP
Farm, garden, greenhouse or nursery, including the display and sale of natural products; when involving the raising and keeping of livestock other than for the private use of the residents, allowed only on parcels of five (5) acres or larger.	Y	Y	Y	Y
Stand for the sale of agricultural products less than 5 acres	SP	SP	SP	SP
Religious, educational, or use by the Town of Lakeville	Y	Y	Y	Y
Mobile Home <b>other than allowed in 8.7.1 and 8.7.2</b> <i>*(Adopted 6/13/2005; approved by Attorney General 9/30/2005 (Underlined-Adopted adjourned ATM 6/19/2017; approved by Attorney General 9/19/2017)</i>	N*	N*	N	N
Alterations, otherwise prohibited, of a dwelling in existence as of January 1, 1978 for two (2) families	SP	SP	N	N
Conversion of a seasonal home or non-residential building for year-round residential occupancy, subject to Board of Health approval and to conditions and limitations on the occupancy and use	SP	SP	N	N
Hospital, convalescent or nursing home	SP	Y	N	N

Home for the elderly, residential care facility, charitable institution or use	SP	Y	N	N
Cemetery	SP	SP	SP	SP
Golf Course	SP	SP	SP	SP
Riding Stable	SP	SP	SP	SP
Private Club not conducted for profit and not containing sleeping quarters for more than four (4) persons	SP	SP	SP	SP
Recreational or sports facilities primarily for participatory, rather than spectator sports, including day or seasonal camp for boys and girls	SP	SP	SP	SP

**4.1.2 Business Uses**

	<b>R</b>	<b>B</b>	<b>I</b>	<b>I-B</b>
Large –scale retail building with 35,000 or more square feet of gross floor area and smaller retail stores within such building, subject to Section 7.6 (Adopted 6/ 14/2004; approved by Attorney General 9/16/ 2004) *(Adopted 6/13/2005; approved by Attorney General 9/30/2005)	N	SP*	Y	Y
Retail business, service or public utility not involving manufacture on the premises except of products the major portion of which is to be sold at retail by the manufacturer to the consumer and provided further that not more than ten (10) operators shall be employed in such manufacture	N	Y	SP	SP
Newspaper or job printing	N	Y	Y	Y
Business or professional office or bank	N	Y	Y	Y
Restaurant	N	Y	Y	Y
Theater (seating capacity of less than 300), bowling alley or other commercial amusement, provided all business is conducted within the structure	N	Y	SP	Y
Museum	SP	Y	Y	Y
Hotel or Motel	N	Y	Y	N
Wholesale office or showroom with no on-site storage	N	Y	Y	Y
Launderette	N	SP	N	N
<b>Funeral Home, Mortuary or Crematory</b> (Adopted adjourned ATM 6/19/2017; approved by Attorney General 9/19/2017)	N	Y	N	N
Animal kennel or hospital	N	SP	N	N
Radio or television studio	N	Y	Y	Y
Bus or railroad terminal or passenger station	N	SP	SP	SP
Commercial parking facility	N	SP	SP	SP
<b>Auto or boat sales, rentals or service</b> (Underlined: Adopted STM 4/30/18; approved by AG June 8, 2018)	<b>N</b>	<b>SP</b>	<b>N</b>	N
Car Wash	N	SP	N	N
Filling Station allowed only in areas served by municipal water (Adopted 5/8/2006; approved by Attorney General 6/14/2006) (Underlined: Adopted STM 11/13/18; approved by AG January 7,2019)	N	SP	<b>N</b>	N
Storage of junk for commercial purposes	N	SP	SP	N



# Town of Lakeville Zoning Map

THIS IS TO CERTIFY THAT THIS IS THE ZONING MAP OF THE TOWN OF LAKEVILLE, MASSACHUSETTS REFERRED TO IN THE ZONING BY-LAW OF THE TOWN OF LAKEVILLE, MASSACHUSETTS WHICH WAS ADOPTED BY THE TOWN ON

ATTEST: *Nirpane*

TOWN CLERK: 10/11/18 TOWN SEAL

RAYNHAM

MIDDLEBOROUGH

TAUNTON

BERKLEY

FREETOWN

ROCHESTER

Approved by Lakeville Planning Board August 10, 2018. Maps produced by SP7800 and for the sole purpose of displaying zoning decisions and are not warranted for any other use. This map is not intended for engineering, legal, or survey purposes. Data sources: MassGIS, MassDOT and the town of Lakeville.

## Legend

- |                |  |                          |                                 |
|----------------|--|--------------------------|---------------------------------|
| Residential    | Mixed Use Development District                 | Municipal Boundaries     | MBTA Active Commuter Stations   |
| Industrial - B | Planned Special Purpose Overlay District (PSP) | Interstates              | MBTA Active Commuter Rail Lines |
| Industrial     | Smart Growth Overlay District (CAOR)           | Arterials and Collectors | MBTA Proposed Commuter Rail     |
| Business       | Water  | Local Roads              |                                 |







# Town of Lakeville

## COMPLAINT FORM

Date: 9/6/2022

Name of person(s) filing complaint JOHN BENATTI  
Mailing Address: 436 BEDFORD ST. LAKEVILLE, MA 02347  
Address (if different then above) \_\_\_\_\_  
Phone # 508-946-1105 Cell # 774-766-2241

To: Building Commissioner  
Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347

Dear Sir:

This is a formal request for enforcement of an alleged violation of Lakeville's Zoning By-laws. Within fourteen (14) days of your receipt of this request, I expect to have you mail me a letter stating the action taken, or refusal to act, and the reasons therefore on the following complaint.

Property address or alleged violation: 434 BEDFORD ST. LAKEVILLE, MA.

Property owner's name ED HASKELL

Property owner's mailing address: 434 BEDFORD ST. LAKEVILLE MA.

Date(s) of alleged violation(s) ON-GOING

Nature and details of violation(s): AUTO BUSINESS IN RESIDENTIAL ZONE + OTHER VIOLATIONS PURSUANT TO BLDG COMMISSIONER'S LETTER TO PREVIOUS OWNER DATED 4/26/89

I qualify as an aggrieved party and do believe the understand that if it is necessary for the Town of action in the courts, I hereby agree to testify as a of Lakeville, Massachusetts.

JOHN BENATTI

PRINT NAME (S)

John Benatti  
SIGNATURE (S)

ORIGINAL  
COMPLAINT FORM  
NEVER ANSWERED



Town of Lakeville

~~NOV 8, 2022~~

COMPLAINT FORM

Date: ~~7/25/22~~  
NOV 9, 2022

Name of person(s) filing complaint JOHN BENATTI

Mailing Address: 436 BEDFORD ST. LAKEVILLE, MA.

Address (if different than above) \_\_\_\_\_

Phone # 508-946-1105

Cell # 774-766-2341

To: Building Commissioner  
Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347

Dear Sir:

This is a formal request for enforcement of an alleged violation of Lakeville's Zoning By-laws. Within fourteen (14) days of your receipt of this request, I expect to have you mail me a letter stating the action taken, or refusal to act, and the reasons therefore on the following complaint.

Property address or alleged violation: 434 BEDFORD ST. LAKEVILLE MA

Property owner's name ED HASKELL

Property owner's mailing address: 434 BEDFORD ST. LAKEVILLE MA

Date(s) of alleged violation(s) Ord. Going EVERY DAY, SOMETIMES NIGHTS + WEEKS

Nature and details of violation(s): AUTO REPAIR BUSINESS IN RESIDENTIAL ZONE  
THIS VIOLATION IS EVIDENT ONGOING AND ATTRIBUTABLE TO THIS OWNER AT THE PROPERTY ABOVE.

I qualify as an aggrieved party and do believe that the understand that if it is necessary for the Town of Lake action in the courts, I hereby agree to testify as a witness of Lakeville, Massachusetts.

JOHN BENATTI  
PRINT NAME (S)

John Benatti  
SIGNATURE (S)

Follow-up  
Complaint  
For clarification  
ALSO NEVER  
ANSWERED.

1/17/23

Dear Select Board,

My name is John Benatti. I've lived with my family at 436 Bedford St for 22 years. We live next door to an auto repair shop which I assumed had a provision which allowed it to operate in a residential zone. We suffer loud auto repair noise throughout our property sometimes extending to weekends and holidays. It's become intolerable so I decided to research all documents for this property. I was astonished to find the property has no right to operate and multiple unresolved violations on the books from 1989 per the Lakeville Building Commission, see attached. No one from the town has ever followed up. I filed a formal complaint (attached) back on 9/6/22 asking for citation of the violations pursuant to the original letter from the town. To date I have not received a single word from the building commission. not even an acknowledgement of the complaint. Mr Sky tried to help out and was told the issue was complicated by the violations being issued to a previous owner. I think I was misunderstood. The violations have never resolved with the current owner. To clarify, I went ahead and filed another complaint on 11/9/22. This complaint specifically calls out the current owner and current violations at the property. Also attached. This complaint has not been answered either, nor addressed in any capacity.

The fact that something has been going on for a long time (illegally) does not justify it's continued existence at the hardship of law abiding neighbors not to mention the detrimental health and environmental concerns. (see photo).

My wife and I are senior citizens and were looking forward to a peaceful retirement. I appeal to the select board to help provide answers to this situation. If you have any questions please call or write me, I'll be glad to address them 774 766 2241 [ipsd1105@msn.com](mailto:ipsd1105@msn.com)

Thanks for your time, I look forward to hearing from you on this matter.

Regards,

Select Board  
Letter 1/17/23



OFFICE OF  
BUILDING COMMISSIONER

# Town of Lakeville

Bedford Street

Lakeville, Mass. 02347

April 26, 1989

Mr. Jon R. LaPointe  
432 Bedford Street  
Lakeville, MA 02347

Dear Mr. LaPointe:

As the result of a complaint I received regarding the use of your property at 434 Bedford Street, I have made two inspections of the property.

The first inspection was made on March 13, 1989. Those present at the time of the inspection were Deputy Fire Chief Douglas Mills, you, and myself. The second inspection was made on March 27, 1989. Those present at that time were Eric Johnson of the Department of Environmental Quality Engineering, you, and myself.

As a result of these inspections I have determined that your property is in violation of the State Building Code Section 113.0 (Application for Permit), and the Protective By-laws of the Town of Lakeville, Chapter III (Building Inspector) Sections 18 thru 23 and Section III-A (Residence District Uses).

You shall within fourteen days of the receipt of this letter notify me in writing what action you will be taking to bring this property into compliance and a time in which this will be done.

Please be advised there are provisions in the Protective By-laws of the Town of Lakeville and the State Building Code, that anyone aggrieved by an order of the Building Commissioner may appeal his order to the Lakeville Board of Appeals and the State Building Code Board of Appeals.

Very truly yours,

*Merrill S. Norton*

Merrill S. Norton  
Building Commissioner

ORIGINAL  
CORRESPONDENCE  
RE: VIOLATIONS  
AT 434 BEDFORD  
ST.

OBTAINED THROUGH  
PUBLIC DOC REQUEST  
BLDG COMM. E-MAIL ATTACHED



OFFICE OF  
BUILDING COMMISSIONER

## Town of Lakeville

Bedford Street

Lakeville, Mass. 02347

May 30, 1989

Mr. Jon R. LaPointe  
432 Bedford Street  
Lakeville, MA 02347

Dear Mr. LaPointe:

I am in receipt of your letter of May 10, 1989 regarding your seeking an alternate location for the activities currently being conducted at your property located at 434 Bedford Street.

Please be advised if the zoning violation that presently exists on your property has not been corrected by July 1, 1989, the Building Department will take the necessary action to bring this property into compliance with the Protective By-Laws of the Town of Lakeville.

Please be advised there are provisions in the Protective By-Laws that anyone aggrieved by an order of the Building Commissioner may appeal his order to the Lakeville Board of Appeals.

Very truly yours,

*Merrill S. Norton*

Merrill S. Norton  
Building Commissioner

MSN/nmt

May 10, 1989

Jon R. LaPointe  
432 Bedford Street  
Lakeville, MA 02347

Merrill S. Norton  
Town of Lakeville  
Building Commissioner

Dear Mr. Norton:

I am in receipt of your letter dated April 16, 1989 concerning the uses of the property at the above address.

I am presently seeking an alternate location for the activities currently being conducted at the above address.

You will be notified when I am successful in this search.

Thanking you in advance for your cooperation in this matter, I remain,

Sincerely yours,



Jon R. LaPointe

Hello John, Please see attached Building/Zoning Permit activity related to 434 Bedford Street. I have also attached some documentation from 1989 that Inspectional Services staff uncovered during the search for your requested information. While you had not requested this information, I deemed it relevant to your concerns and thought it should be included in your request. As limited time allows, both staff and I have been scouring our records further and the Plymouth County Registry of Deeds to find anything that would explain what happened here and why there is no additional records on the matter for 33 years and four additional Building Commissioners. I had hoped to provide clarification on this prior to sharing the information but I also felt that you have been very patient and did not want you to think we were not working on your request. I will continue to look into the facts surrounding this situation but please feel free to reach out to me should you have any questions or any information you can add to this. Respectfully, Nate Nathan Darling Building Commissioner 346 Bedford Street Lakeville, MA 02347 Phone: 508-946-8804 Fax: 508-946-8812

RECEIVED

8/8/2022



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

OFFICE OF  
ZONING BOARD OF APPEALS  
*Secretary: Cathy Murray*

**TO:** Board of Health  
Building Department  
Conservation Commission  
Planning Board ✓  
Town Planner

**FROM:** Board of Appeals

**DATE:** June 29, 2023

**RE:** Attached Petitions for Hearing  
Chapin – 24 Beechwood Avenue  
Garbitt/Pike – 29 Staples Shore Road  
Barbosa – 20 Second Avenue

Attached please find copies of three (3) Petitions for Hearing, which have been submitted to the Board of Appeals. The hearings for these petitions will be held on July 20, 2023.

Please review and forward any concerns your Board may have regarding these petitions to the Board of Appeals, if possible, no later than Friday, July 14, 2023.

Thank you.



Petition to be filed with Town Clerk

TOWN OF LAKEVILLE MASSACHUSETTS

EXHIBIT RECEIVED JUN 26 2023 BOARD OF APPEALS

ZONING BOARD OF APPEALS PETITION FOR HEARING

Name of Petitioner: CHRISTOPHER CHAPIN

Mailing Address: 15 SOUTH AVE., LAKEVILLE, MA

Name of Property Owner: NYNELYON, INC

Location of Property: 24 BEECHWOOD AVE, LAKEVILLE MA

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 57718 Page No. 178

Map 00042 Block 0021 Lot 011

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 6.1.3 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.)

- 1 ADDITION OF SF OF HOME VIA ADDITION OF LIVING ROOM AND ATTACHED DECK
2 INCREASE OF ROOF PITCH TO ALLOW FOR ATTIC STORAGE

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: CHRISTOPHER CHAPIN Date: 6/26/23

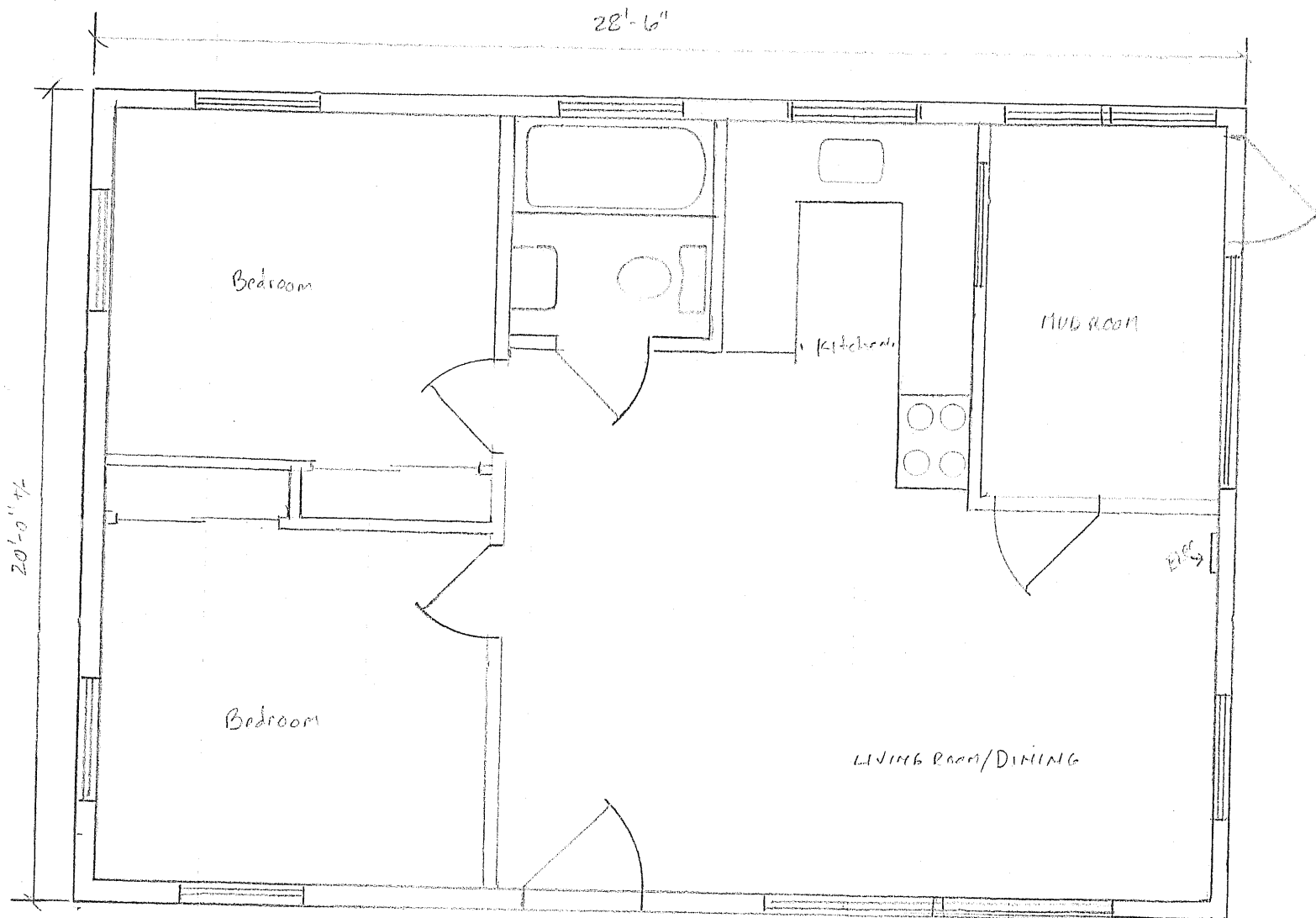
Signed: [Signature] Telephone: 508 728 2496

Owner Signature: [Signature] Owner Telephone: SAME

Email: CHRISCHAPIN@GMAIL.COM

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

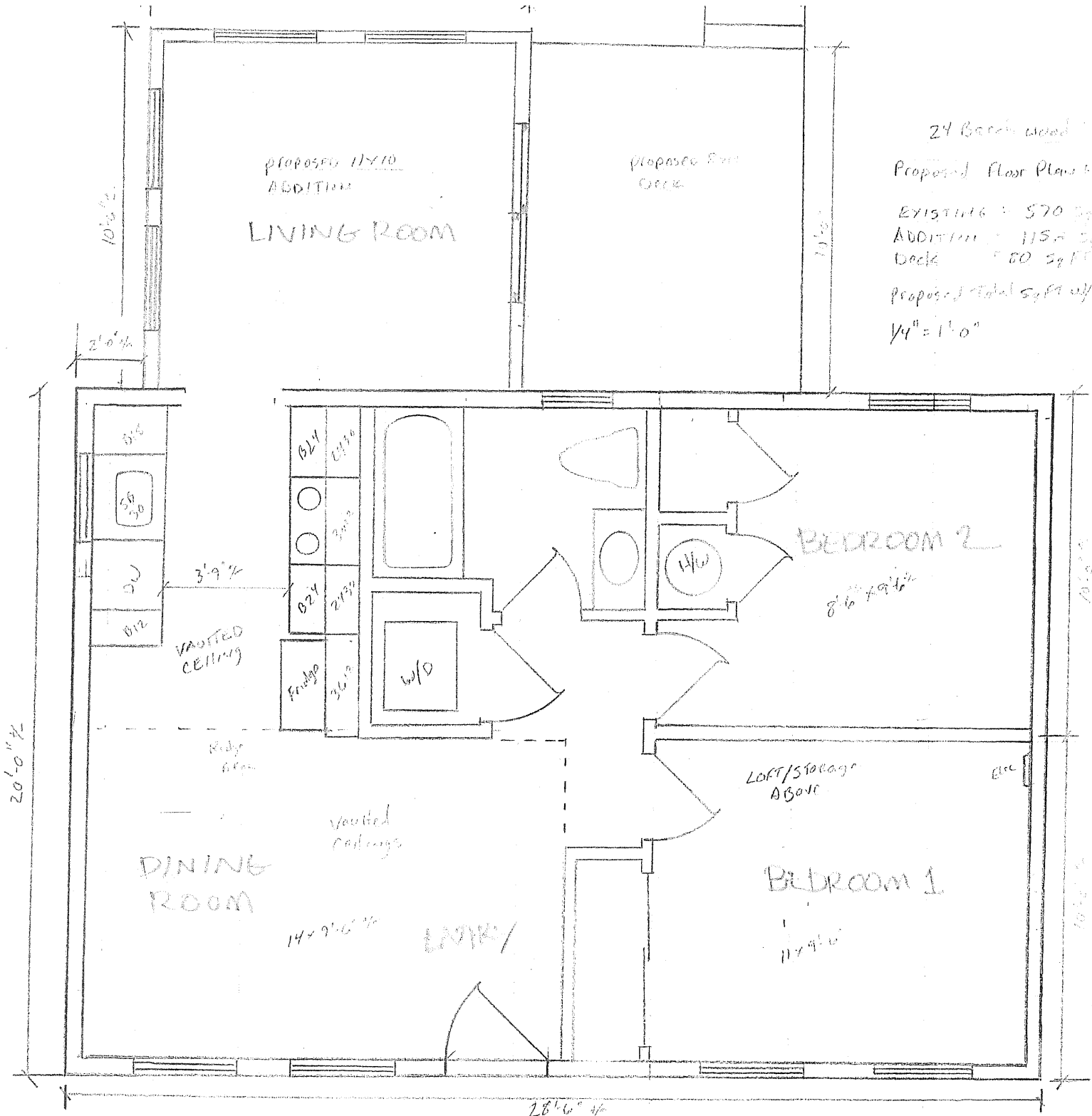
Yes No SCOTT BORDEN / CONTRACTOR (Name and Title)



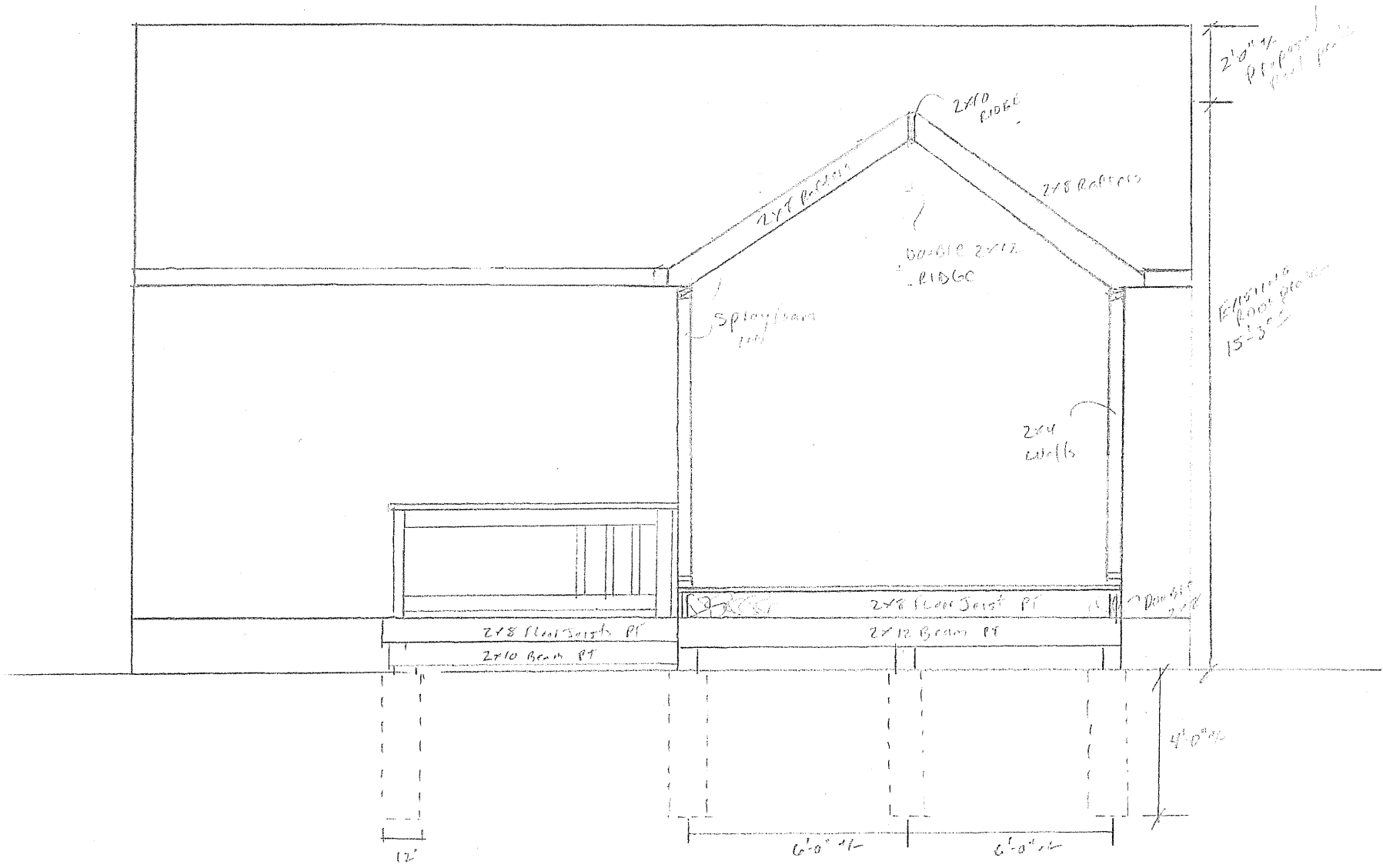
24 Beechwood Existing Floor Plan

1/4" = 1'-0"

Sq. FT. 570 EXISTING



24 Birch wood  
 Proposed Floor Plan w/ Addition  
 EXISTING = 570 sq ft  
 ADDITION = 115 sq ft  
 Deck = 60 sq ft  
 Proposed Total sq ft w/ Deck = 745 sq ft  
 1/4" = 1'-0"



Section New Addition + Deck



PTI  
ANC  
S F  
LON  
3E  
4 C  
-3  
SIB  
L  
OR  
D  
ITI

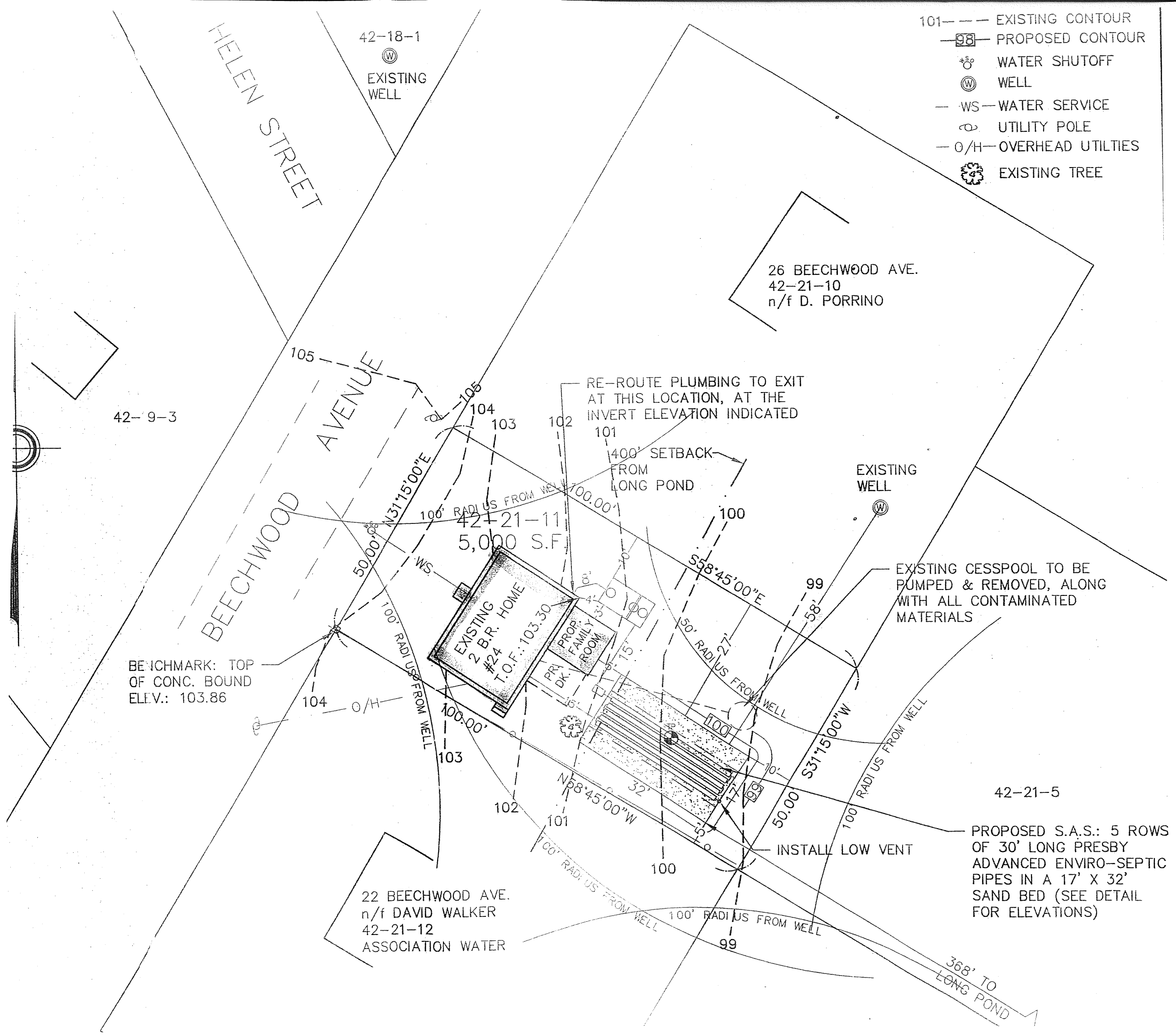
24 BEECHWOOD AVE, LAKEVILLE, MA

SCALE 1" = 20'

\* APPROVED SEPTIC PLAN BY LAKEVILLE BOARD OF HEALTH

LOT SIZE = 5,000 SF

SF OF PROPOSED HOME = 765 SF



- 101 — — — EXISTING CONTOUR
- 99 — — — PROPOSED CONTOUR
- ⊕ WATER SHUTOFF
- ⊙ WELL
- WS — WATER SERVICE
- ⊕ UTILITY POLE
- O/H — OVERHEAD UTILITIES
- ⊗ EXISTING TREE

26 BEECHWOOD AVE.  
42-21-10  
n/f D. PORRINO

42-9-3

BENCHMARK: TOP  
OF CONC. BOUND  
ELEV.: 103.86

22 BEECHWOOD AVE.  
n/f DAVID WALKER  
42-21-12  
ASSOCIATION WATER

EXISTING CESSPOOL TO BE  
PUMPED & REMOVED, ALONG  
WITH ALL CONTAMINATED  
MATERIALS

42-21-5  
PROPOSED S.A.S.: 5 ROWS  
OF 30' LONG PRESBY  
ADVANCED ENVIRO-SEPTIC  
PIPES IN A 17' X 32'  
SAND BED (SEE DETAIL  
FOR ELEVATIONS)

RE-ROUTE PLUMBING TO EXIT  
AT THIS LOCATION, AT THE  
INVERT ELEVATION INDICATED

400' SETBACK  
FROM  
LONG POND

INSTALL LOW VENT

368' TO  
LONG POND

DATE OF TEST: APRIL 19, 2023		WITNESS: ED CULLEN		SOIL EVALUATOR: STEVE GILBERT, R.P.L.S.	
TEST PIT #1 : ELEV.: 99.73					
DEPTH FROM SURFACE FEET	SOIL HORIZON	SOIL TEXTURE (USDA)	SOIL COLOR (MUNSELL)	SOIL MOTTLING	OTHER (STRUCTURE, STONES, ROOTS, COBBLES, & GRAVEL)
1	0 - 10	FILL & A	SANDY LOAM	10 YR 3/3	
2	10 - 30	B	SANDY LOAM	10 YR 5/6	
3					
4					
5	30 - 102	C	SANDY LOAM	2.5Y 5/3	
6					
7					
8					
9	PERCOLATION RATE: 34 M.P.J @ 48"				
GROUNDWATER: NO WATER TO ELEV.: 91.23					

**TEST PIT INFORMATION**

**DESIGN CALCULATIONS**

**CAPACITY REQUIRED - RESIDENTIAL USE:**  
 DESIGN FLOW: 2 BEDROOMS @ 110 Gal/Day/Bedroom = 220 Gal/Day

**CAPACITY PROVIDED:**  
**SEPTIC TANK FIRST COMPARTMENT:**  
 DESIGN FLOW = 220 Gal/Day  
 X 200%  
 REQUIRED SIZE = 440 Gal/Day  
 SIZE PROVIDED = 1,000 Gal/Day

**SEPTIC TANK SECOND COMPARTMENT:**  
 DESIGN FLOW = 220 Gal/Day  
 X 100%  
 REQUIRED SIZE = 220 Gal/Day  
 SIZE PROVIDED = 500 Gal/Day

**LEACHING FACILITY:**  
 DESIGN PERCOLATION RATE: 34 MPI  
 SOIL TEXTURAL CLASS: CLASS III  
 LONG TERM ACCEPTANCE RATE (LTAR): 0.25 GPD/SF  
 220 GAL/DAY / 0.25 GPD/SF = 880 SF REQ'D.  
 WITH 40% REDUCTION ALLOWED WITH ADVANCED ENVIROSEPTIC:  
 220 GAL/DAY X 60% = 132 GAL/DAY REQUIRED  
 PRESBY DESIGN MANUAL REQUIRES 70 LF./B.R. OF PIPE  
 2 B.R. X 70 LF./B.R. = 140' OF PRESBY ADVANCED ENVIRO-SEPTIC PIPE WITH 6" OF C-33 SAND BELOW  
 INSTALL 5 ROWS OF 30' LONG PIPE  
 PRESBY DESIGN MANUAL REQUIRES 529 S.F. SAND BED  
 BOTTOM AREA: 32' x 17' = 544 SF  
 SIDEWALL AREA: = 0  
 TOTAL AREA = 544 SF  
 x LTAR 0.25 Gal/Day/SF  
 TOTAL CAPACITY = 136 Gal/Day

136 GAL/DAY PROVIDED > 132 GAL/DAY REQUIRED  
 544 S.F. SAND BED PROVIDED > 529 S.F. REQUIRED

SYSTEM IS NOT DESIGNED FOR A GARBAGE GRINDER NOR FOR WATER SOFTENER BACKWASH.

**BOARD OF HEALTH NOTES**

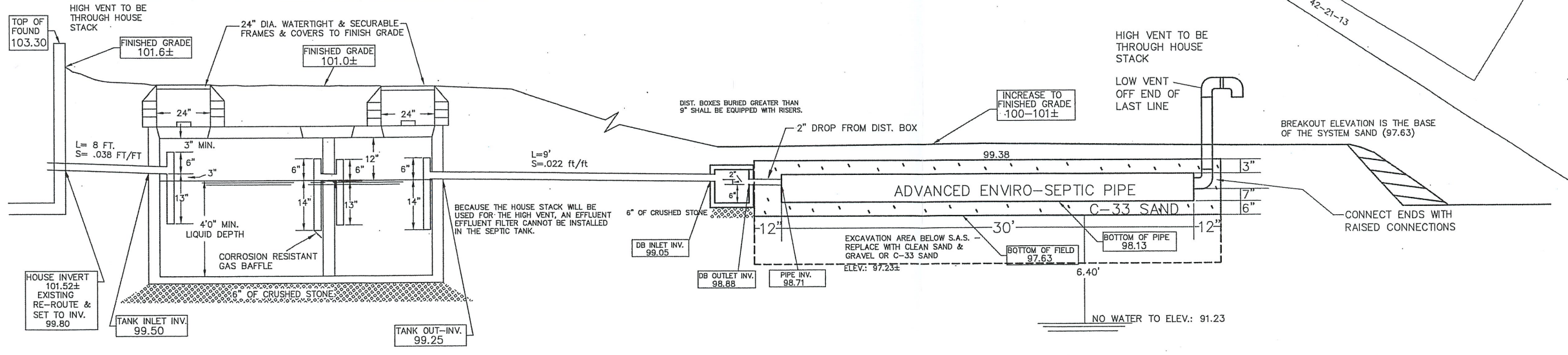
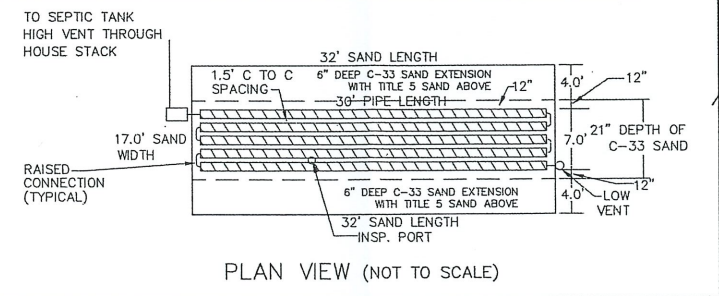
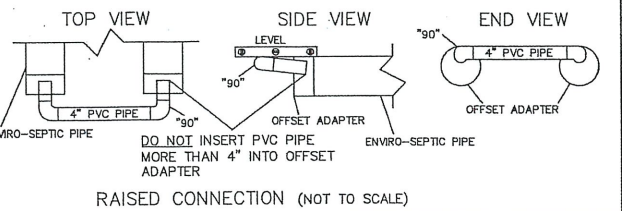
- THE PLUMBING SHALL BE RE-ROUTED IN THE CELLAR TO EXIT AT THE LOCATION SHOWN, AT THE INVERT ELEVATION INDICATED.
- INSTALL A 1500 GALLON 2 COMPARTMENT SEPTIC TANK.
- BECAUSE THE HOUSE STACK WILL BE USED FOR THE HIGH VENT, AN EFFLUENT FILTER CANNOT BE INSTALLED IN THE SEPTIC TANK.
- THE LOW VENT IS TO BE PLACED IN AN AREA WHERE IT WILL NOT BE SUSCEPTIBLE TO DAMAGE.
- THE HOUSE STACK SHALL ACT AS THE HIGH VENT.
- BECAUSE THE SYSTEM IS A GRAVITY FED SYSTEM, DIFFERENTIAL VENTING IS ACCOMPLISHED THROUGH THE ROOF VENT.
- IF VENTING CANNOT BE ACCOMPLISHED THROUGH THE BUILDING STACK, THEN A HIGH VENT MUST BE PROVIDED OUT OF THE DIST. BOX, TO A HEIGHT A MINIMUM OF 10' ABOVE THE ELEVATION OF THE LOW VENT, AND AN EFFLUENT FILTER ADDED TO THE SEPTIC TANK OUTLET TEE.
- TANK CONSTRUCTION SHALL MEET THE REQUIREMENTS SPECIFIED IN TITLE 5, SECTION 15.226.
- CONCRETE IS TO BE 4000 PSI @28 DAYS.
- TONGUE & GROOVE JOINT TO BE SEALED WITH BUTYL RESIN TO MAKE WATERTIGHT.
- ALL RISERS ARE TO BE MADE WATERTIGHT.
- ALL PIPE IS TO BE SCH. 40 P.V.C. OR EQUIVALENT.
- ALL JOINTS ARE TO BE MADE WATERTIGHT.
- ALL STONE IS TO BE DOUBLE WASHED.
- ALL COMPONENTS SHALL HAVE A MINIMUM OF 9" AND A MAXIMUM OF 36" OF COVER.
- THE CONTRACTOR IS TO VERIFY ALL ELEVATIONS AND UTILITY LOCATIONS PRIOR TO CONSTRUCTION. ANY DIFFERENCES SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER.
- THE RESERVE AREA IS TO BE IN THE SAME LOCATION AS THE ACTIVE SYSTEM.
- THERE ARE NO CONFLICTS WITH TITLE 5, SECTION 15.220(4)(k) - LOCATION OF PUBLIC AND PRIVATE WATER SUPPLIES.
- THE SOIL BELOW THE S.A.S. SHALL BE EXCAVATED DOWN 30"± TO THE C LAYER, AND REPLACED WITH CLEAN SAND & GRAVEL AS PER TITLE 5, SECTION 15.255, OR WITH C-33 SAND.
- USE OF THE PRESBY ENVIRO-SEPTIC LEACHING SYSTEM, AS A REMEDIAL USE, ALLOWS FOR A 40% REDUCTION IN THE SIZE OF THE S.A.S. AREA.

THE FOLLOWING LOCAL UPGRADES WERE GRANTED BY THE BOARD OF HEALTH ON JUNE 7, 2023, UNDER TITLE 5, SECTION 15.405(1):

- (g) TO ALLOW THE S.A.S. TO BE 5' FROM THE SOUTHERLY PROPERTY LINE OF WALKER AT 22 BEECHWOOD AVE, INSTEAD OF THE REQUIRED 10'.
- (b) TO ALLOW THE SEPTIC TANK TO BE 3' FROM THE CRAWL SPACE, INSTEAD OF THE REQUIRED 10'.
- (b) TO ALLOW THE S.A.S. TO BE 5' FROM THE CRAWL SPACE, INSTEAD OF THE REQUIRED 20'.
- (g) TO ALLOW THE S.A.S. TO BE 58' FROM THE ABUTTING WELL OF PORRINO AT 26 BEECHWOOD AVE, INSTEAD OF THE REQUIRED 100'.
- (g) TO ALLOW THE S.A.S. TO BE 368'± FROM A PUBLIC WATER SUPPLY (LONG POND), INSTEAD OF THE REQUIRED 400'.
- (k) TO ALLOW FOR ONE DEEP HOLE, INSTEAD OF THE REQUIRED TWO.

**SYSTEM NOTES:**

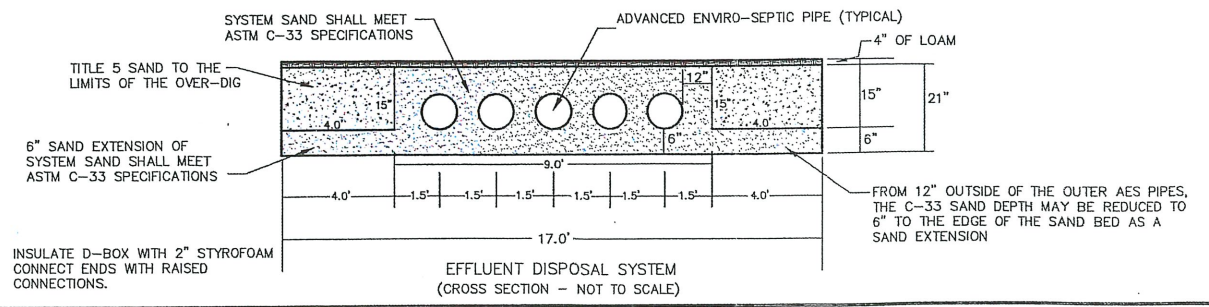
- THIS SYSTEM IS TO BE A PRESBY ADVANCED ENVIRO-SEPTIC PIPE SYSTEM (ALTERNATIVE SAS PATENTED SAND FILTER).
- THE DESIGN MANUAL IS ENTITLED "MASSACHUSETTS ADVANCED ENVIRO-SEPTIC DESIGN AND INSTALLATION MANUAL".
- A DISCLOSURE NOTICE IN THE DEED TO THE PROPERTY IS REQUIRED LISTING THE EXISTENCE OF THE ALTERNATIVE SYSTEM, ALONG WITH A TWO BEDROOM DEED RESTRICTION.
- CERTIFICATIONS BY THE DESIGNER AND INSTALLER WILL BE REQUIRED.
- WITHIN 24 HOURS OF ANY SYSTEM FAILURE, THE SYSTEM OWNER MUST NOTIFY THE LAKEVILLE BOARD OF HEALTH AT (508) 946-3473.
- THE SYSTEM OWNER MUST ACKNOWLEDGE THEIR RESPONSIBILITIES, IN ACCORDANCE WITH THE "STANDARD CONDITIONS FOR ALTERNATIVE SOIL ABSORPTION SYSTEMS WITH GENERAL USE CERTIFICATION AND/OR APPROVED FOR REMEDIAL USE" REVISED DATE: MARCH 5, 2018, AND WITH THE "MODIFIED REMEDIAL USE APPROVAL" DATE OF ISSUANCE: MODIFIED MARCH 15, 2022, TRANSMITTAL NUMBER 21-CLM-000073-APP.



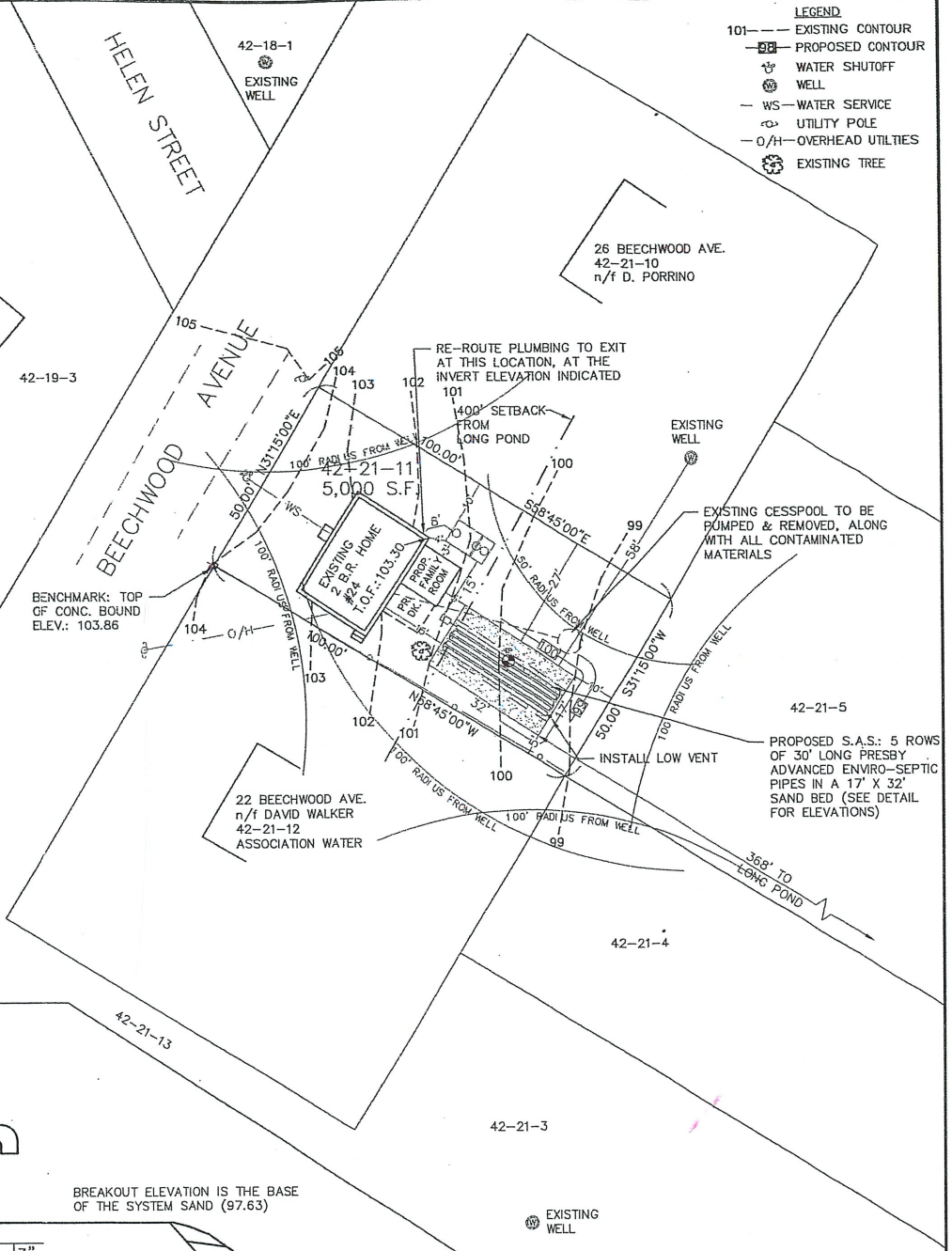
\* INSTALL TEES IN ACCORDANCE WITH TITLE 5

1,500 GALLON TWO COMPARTMENT PRECAST CONC. SEPTIC TANK (4000 PSI CONC.)

TANKS & DIST. BOX FROM J & R PRE-CAST, INC.  
 16 COUNTY STREET BERKLEY, MA 02779  
 (508) 822-3311



**SYSTEM PROFILE (not to scale)**



**LEGEND**

- 101- EXISTING CONTOUR
- PROPOSED CONTOUR
- WATER SHUTOFF
- WELL
- WS- WATER SERVICE
- UTILITY POLE
- O/H- OVERHEAD UTILITIES
- EXISTING TREE



NOTE: THE JUNE 6, 2023 REVISION WAS DONE TO ADDRESS COMMENTS FROM THE BOARD OF HEALTH AT THE JUNE 7, 2023 HEARING.

24 BEECHWOOD AVENUE MAP 20, BLOCK 21, LOT 11  
**A SEPTIC SYSTEM REPAIR IN LAKEVILLE, MA FOR NYNELYON, INC.**  
 DATE: MAY 23, 2023  
 REVISED: JUNE 8, 2023  
 SENNA FITZGERALD GILBERT ASSOCIATES  
 SFG ASSOCIATES, INC.  
 CIVIL ENGINEERS & LAND SURVEYORS  
 28 MAIN STREET LAKEVILLE, MA 02347  
 (508) 946-5258 TEL./FAX. (508) 947-1090



3 Main Street Lakeville, MA 02347  
(508) 947-4208 - [www.zcellc.com](http://www.zcellc.com)

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

NARRATIVE IN SUPPORT  
OF A SPECIAL PERMIT  
FOR 29 STAPLE SHORE ROAD  
LAKEVILLE, MA 02347

PREPARED FOR:

RENEE M. GARBITT AND LEO L. PIKE, JR.  
29 STAPLE SHORE ROAD  
LAKEVILLE, MA 02347

PREPARED BY:

ZENITH CONSULTING ENGINEERS, LLC.  
3 MAIN STREET  
LAKEVILLE, MA 02347

JUNE 23, 2023



## **EXISTING SITE CONDITIONS**

The locus site, 29 Staple Shore Road, is located on the northeasterly side of Staple Shore Road. The site is comprised of approximately 1.523+/- acres of land that includes a residential dwelling (under construction) and accessory buildings. Along with the dwelling is a new title 5 septic system, existing private water supply well and utilities. A plan entitled "Plan to Accompany a Zoning Board of Appeals Request" is part of this packet.

## **SPECIAL PERMIT / VARIANCE**

The applicant received a special permit from the Lakeville Zoning Board of Appeals in April of 2023. The house is under construction and the applicant is requesting that the Lakeville Zoning Board grant a special permit for the construction of the proposed porch, landing and existing building location. Per Section 6.1.3, pre-existing non-conforming structures or uses may be changed, extended, or altered by special permit from the board of appeals.

A variance is also being requested from section 7.8.3.7 of the Lakeville zoning by-law that states "The accessory apartment and the principal dwelling shall be serviced and monitored by common utilities. The applicant has two electric meters / services on the house and is requesting relief to section 7.8.3.7.

The client has designed and permitted improvements onsite including the installation of a well and title 5 compliant septic system. The applicant is in the construction process and this portion of the project is currently on hold pending the determination of the board. The improvements and changes, as proposed, will not negatively impact the neighborhood and will, in fact, enhance the aesthetics.

Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

RECEIVED  
JUN 26 2023  
BOARD OF APPEALS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

Name of Petitioner: Renee M. Garbitt and Leo L. Pike, Jr.

Mailing Address: 29 Staple Shore Road Lakeville, MA 02347

Name of Property Owner: Renee M. Garbitt and Leo L. Pike, Jr.

Location of Property: 29 Staple Shore Road Lakeville, MA 02347

Property is located in a XX residential \_\_\_\_\_ business \_\_\_\_\_ industrial (zone)

Registry of Deeds: Book No. 57546 Page No. 307 (4 pages)

Map 058 Block 008 Lot 004

Petitioner is: XX owner \_\_\_\_\_ tenant \_\_\_\_\_ licensee \_\_\_\_\_ prospective purchaser

Nature of Relief Sought:

XX Special Permit under Section (s) 7.4 & 6.1.3 of the Zoning Bylaws

XX Variance from Section (s) 7.8.3.7 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.)**  
See attached narrative.

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: LEO PIKE

Date: 6/23/23

Signed: [Signature]

Telephone: (508) 509-2309

Owner Signature: \_\_\_\_\_  
(If not petitioner)

Owner Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

XX Yes \_\_\_\_\_ No

Jamie Bissonnette, Engineer from Zenith Consulting Engineers, LLC.  
(Name and Title)



2023 00027161

Bk: 57883 Pg: 158 Page: 1 of 9  
Recorded: 05/04/2023 01:21 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

wait  
eo Pike Jr  
29 Staples Shore Rd  
Lakeville Ma 02347

THE COMMONWEALTH OF MASSACHUSETTS  
LAKEVILLE  
CITY OR TOWN

ZONING BOARD OF APPEALS

Date April 13, 2023

NOTICE OF SPECIAL PERMIT

(General Laws Chapter 40A, Section 18 as amended)

Notice is hereby given that a Special Permit has been granted  
To Renee M. Garbitt & Leo L. Pike, Jr.  
Owner or Petitioner  
Address 29 Staples Shore Road  
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  
29 Staples Shore Road Lakeville  
Street City or Town  
the record title standing in the name of  
Renee M. Garbitt & Leo L. Pike, Jr.

whose address is 29 Staples Shore Road Lakeville MA  
Street City or Town State

by a deed duly recorded in the Plymouth County Registry of Deeds in  
Book 57546, Page 307 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. 23-03  
in the office of the Town Clerk Lillian M. Drane  
Certified this 13<sup>th</sup> day of April, 2023.

THE APPEALS BOARD

[Signature] Chairman  
[Signature] Clerk

\_\_\_\_\_ 19 \_\_\_ at \_\_\_\_\_ o'clock and \_\_\_\_\_ minutes \_\_\_\_\_ M.

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

Attest

\_\_\_\_\_  
Register of Deeds

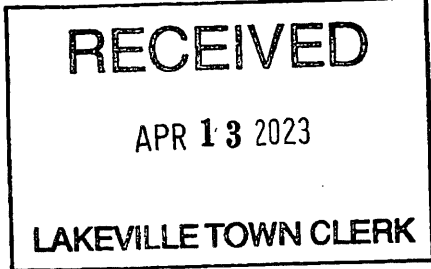
Notice to be recorded by Land Owner.

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS

NOTICE OF DECISION

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: April 13, 2023

Renee M. Garbitt & Leo L. Pike, Jr. Case No: 23-03

Owner Address: 29 Staples Shore Road

Renee M. Garbitt & Leo L. Pike, Jr. Lakeville, MA 02347

Premises Affected

29 Staples Shore Road

Special Permit Application

Referring to the above application so as to permit

To raze a portion of a pre-existing, non-conforming house located on a non-conforming lot and construct a new dwelling.

After a public hearing on March 30, 2023  
the Appeals Board at its meeting on March 30, 2023

VOTED TO GRANT a Special Permit under Article 6 & 7 Section 6.1.3 & 7.4  
of the Zoning By-law, subject to the following conditions, safeguards and limitation on time or use, if any.

The decision of the Board, together with a detailed record of its proceedings stating the reasons for the decision, shall be filed within 14 days after the hearing in the office of the Town Clerk. Decision filed with the Town Clerk on April 13, 2023.

**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

[Signature]  
Clerk

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS

RECORD OF PROCEEDINGS

ON APPLICATION FOR A SPECIAL PERMIT

PETITION No. 23-03 DATE FILED March 1, 2023

(Copies of this Record of Proceedings with all attachments must be filed within 14 days of a decision by the Appeals Board in the Office of the Town Clerk.)

I, [Signature], Clerk of the Appeals Board hereby certify that the following is a detailed record of all its proceedings relative to the application of:

Renee M. Garbitt & Leo L. Pike, Jr., 29 Staples Shore Road, Lakeville, MA 02347

(Name and address of Applicant)

for a Special Permit under Section 6.1.3 & 7.4 of the Zoning By-law.

The Applicant desires: To raze a portion of a pre-existing, non-conforming house located on a non-conforming lot and construct a new dwelling.

The premises affected are located at 29 Staples Shore Road, Lakeville, MA

being in the Residential District, in which the above-mentioned use requires a Special Permit from the Appeals Board.

1. On March 1, 2023, 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 Nemasket Week a newspaper published in Middleboro, MA on 3/16/23 and on 3/23/23.  
(Date) (Date)
3. Notice of the hearing, a copy of which 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 March 30, 2023, a hearing was 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, application, or appeal at which hearing:

Mr. Jamie Bissonnette from Zenith Consulting Engineers was present.

Members present: J. Olivieri-CH , J. Youngquist-VCH, G. Noble-CLK ,  
C. Campeau , C. Sheedy , A. Zucco .

5. Following the hearing the Board made the following specific findings regarding the land in question and the proposed use.

- The property is zoned residential.
- The property is non-conforming because it is approximately 67,518 sf. while 70,000 sf. is required.
- The proposed plan is to raze a portion of the pre-existing, non-conforming house and construct a new dwelling. The new dwelling will contain three (3) bedrooms in the new portion and one (1) bedroom in the existing portion which will be used as an in-law apartment.
- No Town Boards or committees expressed opposition to the proposed project.
- The Board of Health indicated there is a recently approved four-bedroom septic system plan on file.
- No neighbors or members of the public spoke to the proposed project.
- The ZBA hereby finds that the proposed plan is not substantially more detrimental than the existing structure.
- The ZBA find that the proposed change to this property is in harmony with the general purpose and intent of this bylaw and represents an improvement to the property and the neighborhood.
- The ZBA finds that the proposed project is not noxious, harmful or hazardous, is socially and economically desirable, and will meet an existing need to have a dwelling that will have improved infrastructure and will meet all current building codes.
- The ZBA finds that the advantages of the 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.
- The ZBA finds that the applicant has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.
- The ZBA finds that the proposal generally conforms to the principals of good engineering, sound planning, and correct land use, and the applicant has the means to implement the proposal if a Special Permit is granted.

NOTE: Restatement of mandatory provisions and requirements are not to be taken as findings.



Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

Name of Petitioner: Renee M. Garbitt and Leo L. Pike, Jr.

Mailing Address: 29 Staple Shore Road Lakeville, MA 02347

Name of Property Owner: Renee M. Garbitt and Leo L. Pike, Jr.

Location of Property: 29 Staple Shore Road Lakeville, MA 02347

Property is located in a XX residential \_\_\_\_\_ business \_\_\_\_\_ industrial (zone)

Registry of Deeds: Book No. 57546 Page No. 307 (4 pages)

Map 058 Block 008 Lot 004

Petitioner is: XX owner \_\_\_\_\_ tenant \_\_\_\_\_ licensee \_\_\_\_\_ prospective purchaser

Nature of Relief Sought:

XX Special Permit under Section (s) 7.4 & 6.1.3 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.)**

Demolish a portion of the existing house and construct a new dwelling on a new foundation. The new house will have 2 stories and a porch in the front.

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: LEO PIKE JR, RENEE GARBITT Date: 2/27/23

Signed: [Signature] Telephone: (508) 509-2309

Owner Signature: \_\_\_\_\_  
(If not petitioner)

Owner Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

XX Yes \_\_\_\_\_ No

Jamie Bissonnette, Engineer from Zenith Consulting Engineers, LLC.  
(Name and Title)



" B "

**Town of Lakeville  
ZONING BOARD OF APPEALS  
346 Bedford Street  
Lakeville, MA 02347**

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, March 30, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Renee M. Garbitt and Leo L. Pike, Jr.** A **Special Permit** is requested under **7.4 and 6.1.3** to raze a portion of a pre-existing, non-conforming house located on a non-conforming lot and construct a new dwelling. The new dwelling will contain three (3) bedrooms in the new portion and one (1) bedroom in the existing portion, which will be an in-law (accessory apartment) The property site is **29 Staples Shore Road.**

The application and assorted documents can be viewed in the Planning Department by appointment, or on the Town of Lakeville Zoning Board of Appeals web page.

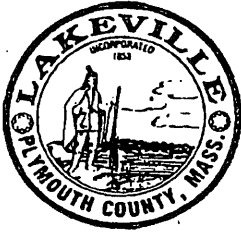
John Olivieri, Jr., Chairman  
Nemasket Week  
March 16, 2023 & March 23, 2023

**Town of Lakeville  
ZONING BOARD OF APPEALS  
346 Bedford Street  
Lakeville, MA 02347**

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, March 30, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Renee M. Garbitt and Leo L. Pike, Jr.** A **Special Permit** is requested under **7.4 and 6.1.3** to raze a portion of a pre-existing, non-conforming house located on a non-conforming lot and construct a new dwelling. The new dwelling will contain three (3) bedrooms in the new portion and one (1) bedroom in the existing portion, which will be an in-law (accessory apartment) The property site is **29 Staples Shore Road.**

The application and assorted documents can be viewed in the Planning Department by appointment, or on the Town of Lakeville Zoning Board of Appeals web page.

John Olivieri, Jr., Chairman  
Nemasket Week  
March 16, 2023 & March 23, 2023



# TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp  
received & posted:  
*K. DeGuzia*  
LAKEVILLE TOWN CLERK  
RCUD 2023 MAR 16 PM 2:17

*48-hr notice effective  
when time stamped*

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

Name of Board or Committee:	Zoning Board of Appeals
Date & Time of Meeting:	Thursday, March 30, 2023 at 7:00 p.m.
Location of Meeting:	Lakeville Public Library 4 Precinct Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: \_\_\_\_\_ (circle one)

Clerk/Board Member Cancelling/Postponing: \_\_\_\_\_

## A G E N D A

1. **I.D. Sign Group hearing – 15 Main Street** – request for a **Special Permit** under 6.6.6.3 for an internally illuminated sign that will include non-illuminated changeable copy.
2. **Garbitt/Pike hearing – 29 Staples Shore Road** – request for a **Special Permit** under 7.4 and 6.1.3 to raze a portion of a pre-existing, non-conforming house located on a non-conforming lot and construct a new dwelling. The new dwelling will contain three (3) bedrooms in the new portion and one (1) bedroom in the existing portion, which will be an in-law (accessory apartment).
3. **North Bedford Crossing LLC hearing– 109 Bedford Street, continued** – request for a **Comprehensive Permit** to construct twelve (12) single family residential dwellings of which three (3) units or twenty-five (25%) will be affordable to households earning up to eighty (80%) of the Area Median Income.
4. **The Residences at LeBaron Hills, LLC, hearing, continued** – request to modify their **Comprehensive Permit** and add three ten-unit buildings and one five-unit building in Phase 5.
5. Approve Meeting Minutes for February 16, 2023.
6. Correspondence
7. Next meeting . . . Thursday, April 20, 2023 at the Lakeville Public Library.
8. Adjourn

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

ZONING BOARD OF APPEALS

NOTICE FOR RECORDING IN THE REGISTRY  
OF A DECISION ON A SPECIAL PERMIT

Date: April 13, 2023

(A copy shall be sent to the applicant, and shall be filed with the Town Clerk together with the Record of Proceedings and plans.)

Notice is hereby given that a Special Permit has been granted in compliance with statutory requirements as set forth in Chapter 40A as amended

TO Renee M. Garbitt & Leo L. Pike, Jr.  
Owner or Petitioner

ADDRESS 29 Staples Shore Road, Lakeville, MA 02347

By the Appeals Board, affecting the rights of the owner with respect to use of the premises on

29 Staples Shore Road, Lakeville, MA 02347

Identity of Land Affected

The record title standing in the name of

Renee M. Garbitt & Leo L. Pike, Jr.

whose address is 29 Staples Shore Road Lakeville MA  
Street City or Town State

by a deed duly received in the Plymouth District,

Registry of Deeds in Book 57546, Page 307.

Registry District of Land Court, Certificate No. \_\_\_\_\_

Book \_\_\_\_\_, Page \_\_\_\_\_

The decision of said Board is on file with the papers and plans in the Office of the Town Clerk.

Signed and certified this 13<sup>th</sup> day of April, 2023.

THE APPEALS BOARD

[Signature] Chairman  
[Signature] Clerk

CERTIFICATE BY THE TOWN CLERK FOR FILING OF THE DECISION IN THE REGISTRY

This is to certify that twenty (20) days have elapsed since filing of the above decision with this office and no appeal has been filed, or an appeal has been filed and denied in case.

[Signature] William M. Dione  
Signature and seal of the Town Clerk 5/4/23

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 12/27/2022 11:00 AM  
Ctrl#  
Fee: \$.00 Cons: \$1.00  
\*\*\*\*\*

### Quitclaim Deed

Property Address: 29 Staples Shore Road, Lakeville, MA 02347

We, **Mary Anne Sena (formerly known as Mary Anne Sena Garbitt)**, being unmarried, AND **Andrew J. Garbitt**, being married to **Heather Garbitt**, AND **Renee M. Garbitt**, being married to **Leo L. Pike, Jr.**, of Lakeville, Massachusetts, in full consideration paid in the amount of **One Hundred and 00/100 Dollars (\$100.00)**, grant to, **Renee M. Garbitt & Leo L. Pike, Jr.**, Husband and Wife as Tenants by the Entirety, of 29 Staples Shore Road, Lakeville, MA, Massachusetts, with **Quitclaim Covenants**,

The land in Lakeville, Plymouth County, Commonwealth of Massachusetts, with the buildings thereon, on the Northeasterly side of Staples Shore Road, bounded and described as follows:

Beginning at a point in the Northeasterly line of said road 100 feet Northwesterly, as measured in the Northeasterly line of said road, from the corner of land formerly of Mildred L. Stafford in the Northwesterly line of said road which last mentioned corner is 40 feet North 55 degrees 13' 40" East from an iron pipe in the Southwesterly line of said road; thence North 34 degrees 46' 20" West 212.50 feet to a corner; thence South 55 degrees 13' 40" West 200 feet to Staples Shore Road; thence by said Road South 34 degrees 46' 20" East 212.50 feet to the bound first mentioned.

Being the same premises conveyed in deed of Donald T. Sena et al, dated June 26, 1984, recorded with the Plymouth County Registry of Deeds in Book 6009, Page 51.

ALSO

A certain parcel of land with a portion of a barn thereon situated off the Northeasterly side of Staples Shore Road in Lakeville, Plymouth County, Massachusetts, and more particularly shown as Lot C-1 on a plan entitled, "Plan of Lots Staples Shore Road Lakeville, Massachusetts, October 30, 1984, 40 feet to an inch, William L. Phinney, Registered Land Surveyor, Middleboro, Massachusetts" and more particularly bounded and described according to said plan as follows:

Beginning at a point marking the Northwesterly corner of the herein conveyed premises, said point being in line of land of Donald T. Sena, et al, as shown on said plan:

Thence South 85 degrees 31' 00" East, a distance of 105.74 feet along land of the Lakeville Lions Club, being more properly known as Lions Club of Lakeville, Inc., to a point;

Thence North 55 degrees 14' 00" East, a distance of 343.48 feet continuing along said land shown as of said Lakeville Lions Club to a point in line of land now or formerly of Jean H. and William P. Shing, as shown on said plan;

Thence South 31 degrees 20' 00" East, a distance of 66.66 feet along said land now or formerly of Shing to a point;

Thence South 59 degrees 46' 20" West, a distance of 422.71 feet along Lot C-2, as shown on said plan to a point and common corner of land of Dale R. Lawrence and said Donald T. Sena, et al'

Thence North 34 degrees 46' 00" West, a distance of 100.00 feet along said land of Donald T. Sena, et al, to the point of beginning.

Subject to an Easement to the Thirty-One SSR Realty Trust recorded on 01/05/2010 in Book 38106, Page 115.

Subject to an Easement to the Lions Club of Lakeville, Inc. recorded on 12/18/2012 in Book 42413, Page 109.

Subject to all matters of record (easements, restrictions, covenants, reservations, etc.) insofar as in force and applicable.

The Grantors hereby release any and all rights of Homestead in the parcel being conveyed and certify under oath that there are no other persons entitled to any rights of Homestead under M.G.L. c. 188 in the premises conveyed herein, apart from those joined in this deed.

Being all of the Grantor's title and interest in premises by deed from **Mary Anne Sena Garbitt**, dated 11/07/2000 and recorded in **Book 19048, Page 98**, on 11/07/2000, at the Plymouth County Registry of Deeds.

Return: Coutinho Law Group, P.C., 511 West Grove Street, Suite 302, Middleboro, MA 02346

WITNESS our hands and seals this 27<sup>th</sup> day of December, 2022.

Mary Anne Sena  
Mary Anne Sena (f/k/a Mary Anne Sena Garbitt)

Renee M Garbitt  
Renee M. Garbitt

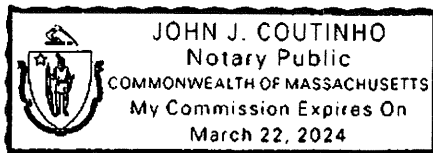
I, Leo L. Pike, Jr. hereby release any and all rights to the property herein conveyed that I may have in courtesy, dower and Homestead.

Leo L. Pike, Jr.  
Leo L. Pike, Jr.

COMMONWEALTH OF MASSACHUSETTS

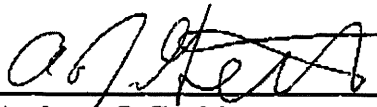
Plymouth, SS.

On this 27<sup>th</sup> day of December, 2022 before me, the undersigned notary public, personally appeared **Mary Anne Senna Garbit & Renee M. Garbitt & Leo L. Pike, Jr.**, and proved to me through satisfactory evidence of identification, which was Commonwealth of Massachusetts driver's license, to be the people whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.



John J. Coutinho  
Notary Public: John J. Coutinho  
My commission expires: March 22, 2024

WITNESS our hands and seals this 18<sup>th</sup> day of December, 2022.

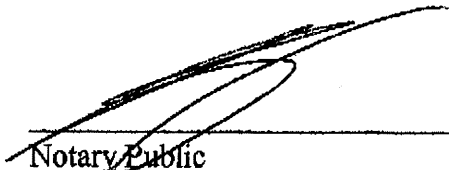
  
\_\_\_\_\_  
Andrew J. Garbitt

I, Heather Garbitt hereby release any and all rights to the property herein conveyed that I may have in courtesy, dower and Homestead.

  
\_\_\_\_\_  
Heather Garbitt

STATE OF FLORIDA  
COUNTY OF MONTE

Sworn to and subscribed before me, by means of physical presence, this date of December 18, 2022, by Andrew J. Garbitt & Heather Garbitt.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires:

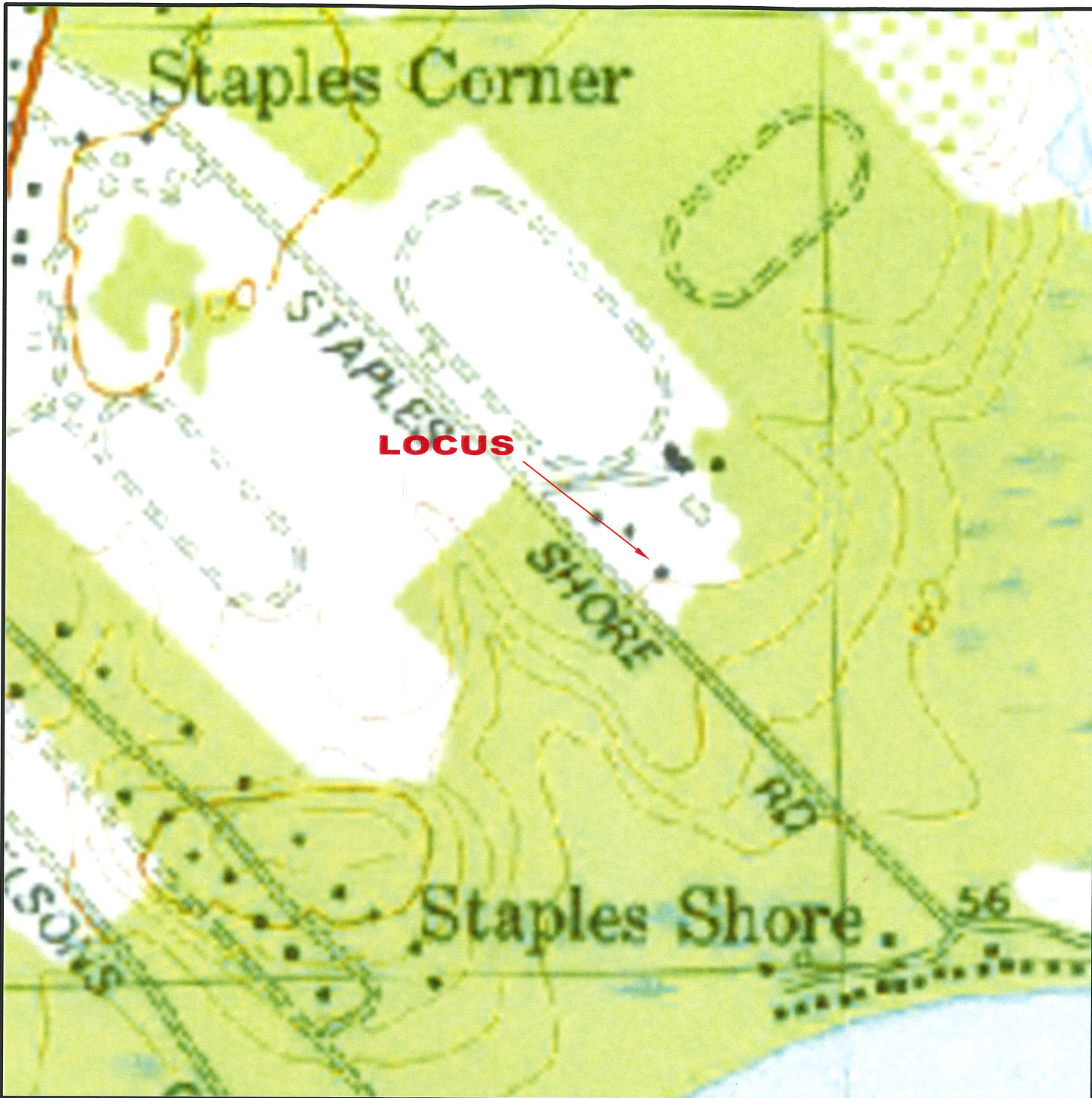
(SEAL)



KEVIN COOPER  
MY COMMISSION # FH 076872  
EXPIRES: May 2, 2025  
Recorded This Notary Public Underwrites

Personally Known \_\_\_\_\_ OR Produced Identification X  
Type of Identification Produced FLDL Andrew Garbitt 6 613 01 076 1700  
FLDL Heather Garbitt 6 613 324 857890

Return: Coutinho Law Group, P.C., 511 West Grove Street, Suite 302, Middleboro, MA 02346



SHEET NAME:

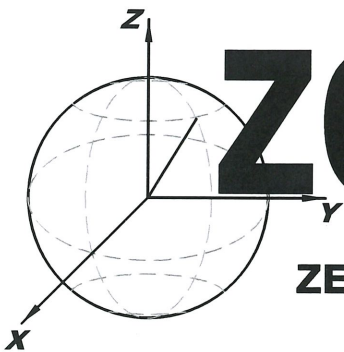
**USGS MAP**

PROJECT SITE:

**29 STAPLES SHORE ROAD  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**LEO PIKE  
LAKEVILLE, MASSACHUSETTS**



**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208



# National Flood Hazard Layer FIRMette



70°56'5"W 41°51'38"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- |                                    |                      |   |
|------------------------------------|----------------------|---|
| <b>SPECIAL FLOOD HAZARD AREAS</b>  |                      | Without Base Flood Elevation (BFE)<br><i>Zone A, V, A99</i>   |
|                                    |                      | With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>  |
|                                    |                      | Regulatory Floodway   |
| <b>OTHER AREAS OF FLOOD HAZARD</b> |                      | 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone</i> |
|                                    |                      | Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>   |
|                                    |                      | Area with Reduced Flood Risk due to Levee. See Notes, <i>Zone X</i>   |
|                                    |                      | Area with Flood Risk due to Levee <i>Zone C</i>   |
| <b>OTHER AREAS</b>                 |                      | NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>  |
|                                    |                      | Effective LOMRs   |
|                                    |                      | Area of Undetermined Flood Hazard <i>Zone</i>   |
| <b>GENERAL STRUCTURES</b>          |                      | Channel, Culvert, or Storm Sewer  |
|                                    |                      | Levee, Dike, or Floodwall   |
| <b>OTHER FEATURES</b>              |                      | 20.2 Cross Sections with 1% Annual Chance Water Surface Elevation   |
|                                    |                      | 17.5 Coastal Transect   |
|                                    |                      | Base Flood Elevation Line (BFE)   |
|                                    |                      | Limit of Study  |
|                                    |                      | Jurisdiction Boundary   |
|                                    |                      | Coastal Transect Baseline   |
|                                    |                      | Profile Baseline  |
|                                    | Hydrographic Feature |   |
| <b>MAP PANELS</b>                  |                      | Digital Data Available  |
|                                    |                      | No Digital Data Available   |
|                                    |                      | Unmapped  |
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



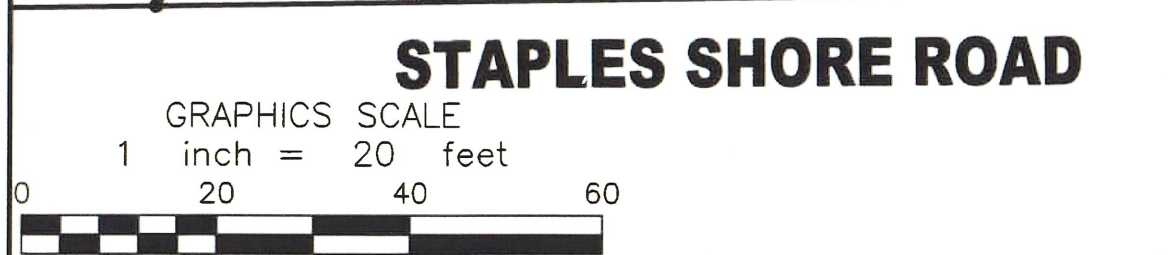
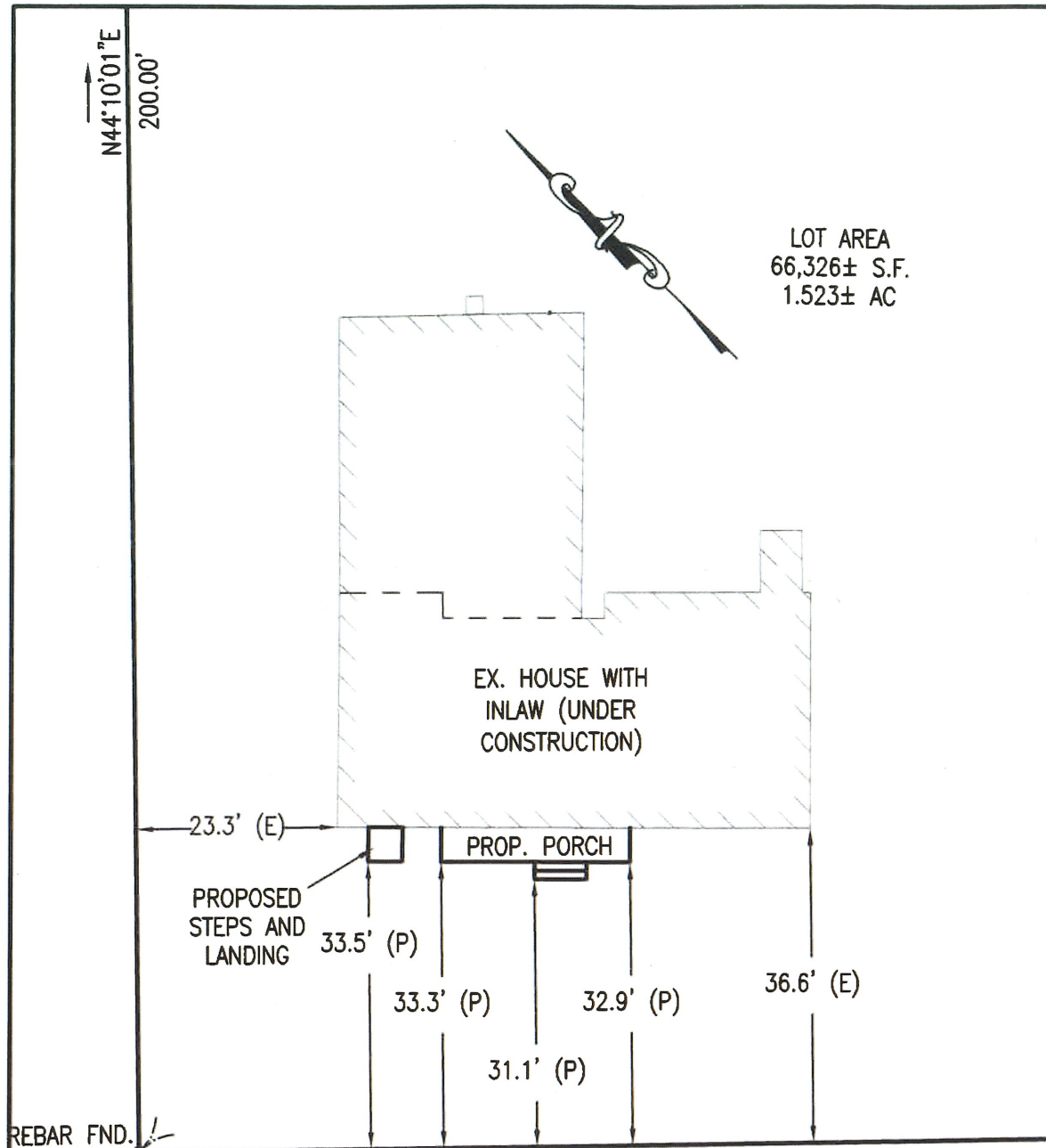
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **10/13/2022 at 2:00 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

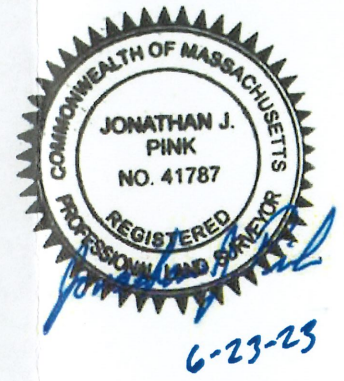
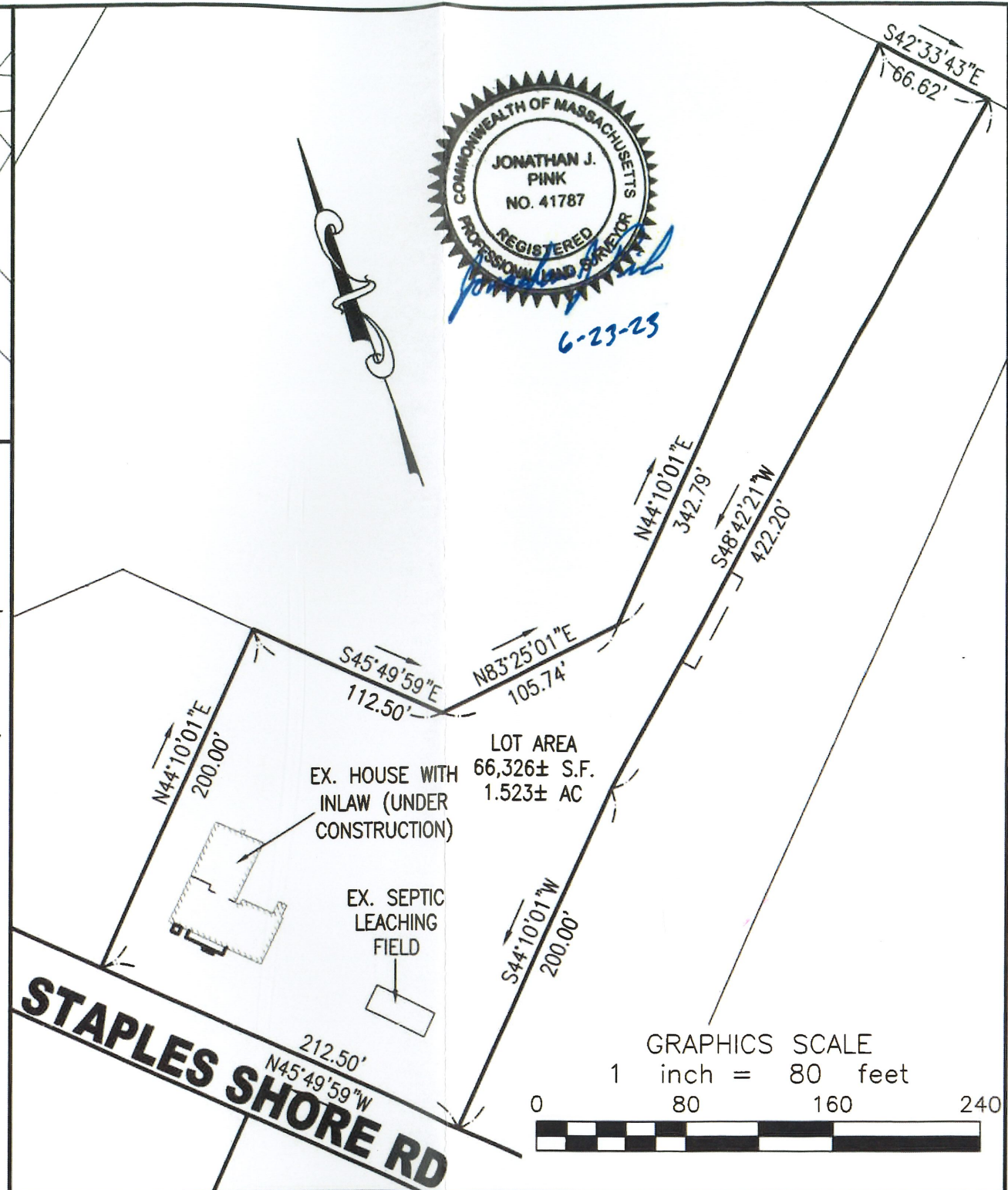
0 250 500 1,000 1,500 2,000 Feet 1:6,000

70°55'28"W 41°51'11"N



**SITE INFORMATION:**

- THE SITE IS SHOWN ON THE TOWN OF LAKEVILLE ASSESSORS MAP AS MAP 58 BLOCK 8 LOT 4.
- PROPERTY LINE INFORMATION WAS TAKEN FROM
  - FOR TITLE REFERENCE TO THE SUBJECT PROPERTY REFER TO BOOK 19048, PAGE 98 IN THE PLYMOUTH COUNTY REGISTRY OF DEEDS.
- PROPERTY LINE AND EXISTING CONDITIONS INFORMATION TAKEN FROM FIELD SURVEY BY ZENITH LAND SURVEYORS, LLC. IN NOVEMBER 2022 AND A FOUNDATION AS-BUILT IN 2023.
- THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AS SCALED FROM THE FLOOD INSURANCE RATE MAP (F.I.R.M.) OF PLYMOUTH COUNTY, MAP NUMBER 25023C0431K, EFFECTIVE DATE JULY 16, 2015.
- SEE ZONING BOARD OF APPEALS DECISION DATED APRIL 13, 2023 RECORDED IN THE PLYMOUTH COUNTY REGISTRY OF DEEDS BOOK 57883 PAGE 158 PAGES 1 TO 9.



SHEET NAME: **PLAN TO ACCOMPANY A ZONING BOARD OF APPEALS REQUEST**

PROJECT SITE: **29 STAPLE SHORE ROAD LAKEVILLE, MASSACHUSETTS**

CLIENT INFO: **RENEE GARBITT & LEO PIKE LAKEVILLE, MA 02347**

DRAWN BY: JLB

DESIGNED BY:

CHECKED BY: NCZ DATE: 6-23-23

APPROVED BY: JLB PROJECT NUMBER: 1018-01-01 SHEET ID: ZBA PLAN

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



3 Main Street Lakeville, MA 02347  
(508) 947-4208 - [www.zcellc.com](http://www.zcellc.com)

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

NARRATIVE IN SUPPORT  
OF A SPECIAL PERMIT  
FOR 20 SECOND AVE  
LAKEVILLE, MA 02347

PREPARED FOR:

JULIO BARBOSA  
10 FIELDSTONE FARM DRIVE  
DARTMOUTH, MA 02748

PREPARED BY:

ZENITH CONSULTING ENGINEERS, LLC.  
3 MAIN STREET  
LAKEVILLE, MA 02347

JUNE 23, 2023

## **EXISTING SITE CONDITIONS**

The locus site, 20 Second Ave, is located on the westerly side of Second Ave. The site is comprised of approximately 6,970+/- s.f. of land that includes a residential dwelling and accessory buildings. Along with the dwelling is an existing cesspool with plans to upgrade to a tight tank. A plan entitled "Plan to Accompany a ZBA Petition" is part of this packet.

## **PROPOSED SITE IMPROVEMENTS**

The applicant is proposing to raze the existing dwelling and construct a new residential dwelling along with a detached garage. The new dwelling will be 2 stories and contain 2 bedrooms and the garage will be 25' x 18'. Per Section 6.1.3, pre-existing non-conforming structures or uses may be changed, extended, or altered by special permit from the board of appeals.

## **SPECIAL PERMIT CONDITIONS**

The applicant has designed and permitted improvements onsite including the installation of a title 5 compliant tight tank. The applicant is proposing to raze the existing structure and construct a new dwelling with a detached garage as shown on plan. The improvements, as proposed, will not negatively impact the neighborhood and will, in fact, enhance the aesthetics.

Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

RECEIVED  
JUN 26 2023  
BOARD OF APPEALS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

Name of Petitioner: Julio Barbosa

Mailing Address: 10 Fieldstone Farm Drive Dartmouth, MA 02748

Name of Property Owner: Julio Barbosa

Location of Property: 20 Second Ave Lakeville, MA 02347

Property is located in a XX residential \_\_\_\_\_ business \_\_\_\_\_ industrial (zone)

Registry of Deeds: Book No. 57427 Page No. 7 (3 pages)

Map 041 Block 013 Lot 002

Petitioner is: XX owner \_\_\_\_\_ tenant \_\_\_\_\_ licensee \_\_\_\_\_ prospective purchaser

Nature of Relief Sought:

XX Special Permit under Section (s) 7.4 & 6.1.3 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.)

Raze the existing house and construct a new dwelling on a new foundation and a new detached garage. See attached narrative.

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: Julio Barbosa Date: \_\_\_\_\_

Signed: [Signature] Telephone: \_\_\_\_\_

Owner Signature: [Signature] Owner Telephone: 508-958-2281  
(If not petitioner)

Email: CarlHueinvestments@gmail.com

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

XX Yes \_\_\_\_\_ No

Jamie Bissonnette, Engineer from Zenith Consulting Engineers, LLC.  
(Name and Title)

\*\*\* Electronic Recording \*\*\*  
Doc#: 00092223  
Bk: 57427 Pg: 7 Page: 1 of 3  
Recorded: 11/16/2022 01:56 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 11/16/2022 01:56 PM  
Ctrl# 161619 09606  
Fee: \$638.40 Cons: \$140,000.00  
\*\*\*\*\*

After Recording Return To:  
  
Williams, Quintin & O'Leary  
  
651 Orchard Street, Suite 200  
  
New Bedford, MA 02744

**QUITCLAIM DEED**

**THIS DEED**, Made on the 27 day of OCTOBER <sup>2022</sup> by and between Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-FRE2 Asset-Backed Pass-Through Certificates, having a place of business at 1600 South Douglass Avenue, Anaheim CA 92806 (hereinafter referred to as "Grantor") for valuable consideration of **One Hundred Forty Thousand and 00/100 Dollars (\$140,000.00)**, received to its full satisfaction from **Julio Barbosa**, (hereinafter referred to as "Grantee") does give, grant, bargain, sell and confirm unto said Grantee and their heirs and assigns, the real property described on Schedule "A" attached hereto with quitclaim covenants and made a part hereof.

\*10 Fieldstone Farm Dr., Dartmouth, MA  
02748

AND BEING same property conveyed to the Grantor herein by virtue of a Foreclosure Deed recorded 12/14/2021 in Book 56169 Page 145 of the Plymouth County Registry of Deeds.

TO HAVE AND TO HOLD the premises to Grantee and unto Grantee, their heirs and assigns forever, to its and their own proper use and behoof.

AND ALSO, Grantor does, for itself its successors and assigns, covenant with Grantee, their heirs and assigns forever, that the premises are free from all encumbrances made or suffered by Grantor.

AND FURTHERMORE, Grantor does by these presents, bind itself, its successors and assigns forever, to warrant and defend the Premises to Grantee, their heirs and assigns forever, against claims and demands made or suffered by Grantor, except as aforesaid, but against none other.

Property does not represent all or substantially all of Grantor's assets in Massachusetts.

Commonly known as: 20 Second Avenue Lakeville MA 02347

This Deed is signed and attested to by the Grantor's proper corporate officers as of the date at the top of the first page. Its corporate seal is affixed.

Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-FRE2 Asset-Backed Pass-Through Certificates, by Carrington Mortgage Services, LLC as Attorney in Fact

[Signature]  
WITNESS **Cecilia Alonso**

By: [Signature] **OCT 27 2022**  
Joseph Anthony Barragan  
Post Foreclosure Supervisor  
Carrington Mortgage Services, LLC attorney in fact

[Signature]  
WITNESS

Its: \_\_\_\_\_  
  
\* For authority see POA recorded Book 06367  
Page 115 in the Franklin County Registry of  
Deeds

STATE OF CALIFORNIA }  
COUNTY OF ORANGE }

Before me, the undersigned authority, on this day appeared Joseph Anthony Barragan  
\_\_\_\_\_ of Carrington Mortgage Services LLC as Attorney in Fact for Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-FRE2 Asset-Backed Pass-Through Certificates, an LLC organized and existing under the laws of California, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she signed it voluntarily for its stated purpose as the voluntary act of said Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-FRE2 Asset-Backed Pass-Through Certificates.

Given under my hand and seal of office on this 27 day of October 2022

[Signature]  
Notary Public Signature

Ann Pool  
Notary Public Printed Name

My commission expires: 1-5-2024

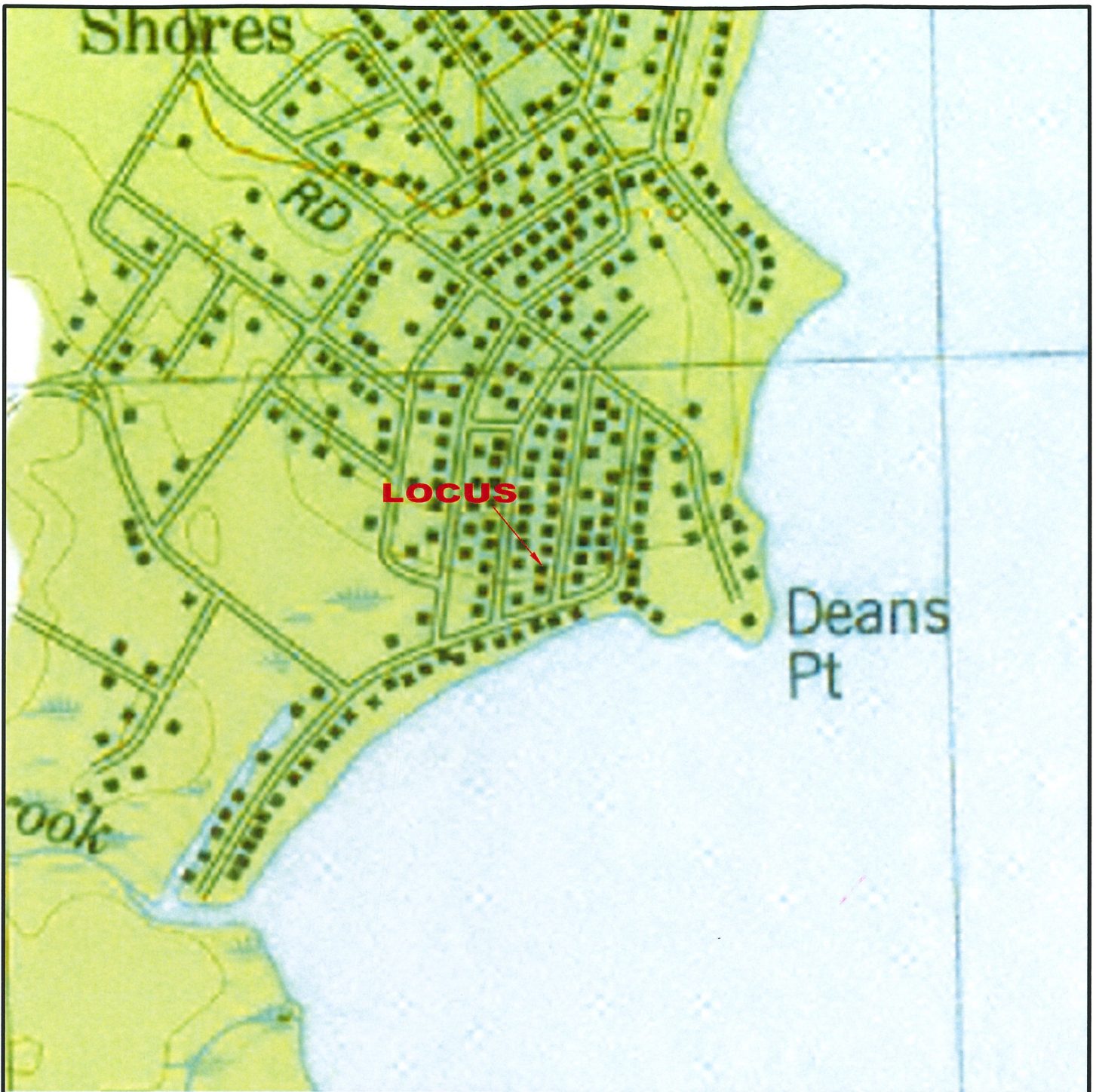


**SCHEDULE A**

**THE FOLLOWING PROPERTY IN LAKEVILLE, PLYMOUTH COUNTY, MASSACHUSETTS.  
A CERTAIN PARCEL OF LAND IN LAKEVILLE, POSTAL ADDRESS 20 SECOND AVENUE, LAKEVILLE,  
BOUNDED AND DESCRIBED AS FOLLOWS  
EASTERLY BY SECOND AVENUE SIXTY (60.0) FEET.  
NORTHERLY BY LOT 39 ON A PLAN HEREINAFTER REFERRED TO, NINETY (90.0) FEET.  
WESTERLY BY LOTS 48 AND 49 ON SAID PLAN NINETY-FIVE AND 05/100 (95.05) FEET.  
SOUTHERLY BY LOTS 46 AND 37 ON SAID PLAN NINETY-SIX AND 6/10 (96.6) FEET.  
BEING LOT 38 AS SHOWN ON PLAN OF DEAN SHORES, LONG POND IN SAID LAKEVILLE, ORIGINAL PLAN  
DATED JUNE 13, 1947, REVISED MAY 14, 1948, BY BENJAMIN E. EVANS, SURVEYOR, RECORDED WITH  
THE PLYMOUTH COUNTY REGISTRY OF DEEDS IN PLAN BOOK 7, PAGE 734.**

**Tax ID: 041/ 013/ 002/ /**





SHEET NAME:

**USGS MAP**

PROJECT SITE:

**20 SECOND AVE  
LAKEVILLE, MASSACHUSETTS**

CLIENT INFO:

**JULIO BARBOSA  
DARTMOUTH, MA 02748**



**ZENITH CONSULTING ENGINEERS, LLC**

**3 MAIN STREET LAKEVILLE, MA 02347**

**PHONE: (508) 947-4208**

# National Flood Hazard Layer FIRMette



70°57'35"W 41°49'5"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes, <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone C</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Coastal Transect
		513 Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
MAP PANELS		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

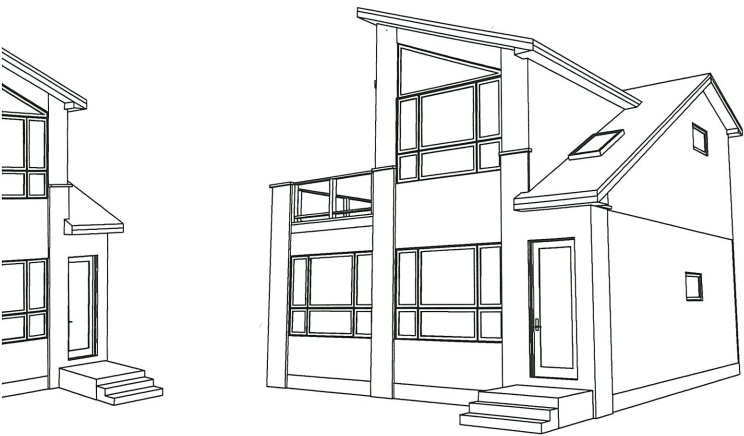
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/13/2023 at 7:36 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

0 250 500 1,000 1,500 2,000 Feet 1:6,000

70°56'58"W 41°48'39"N

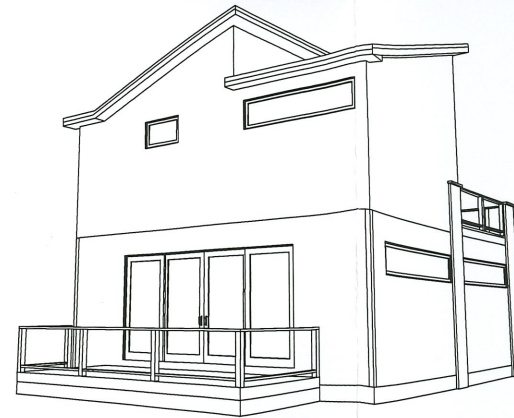




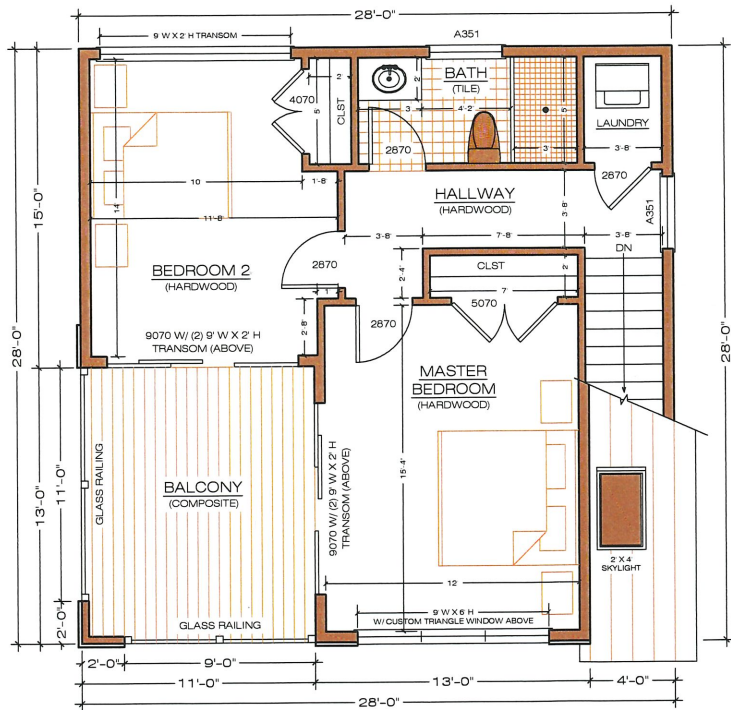
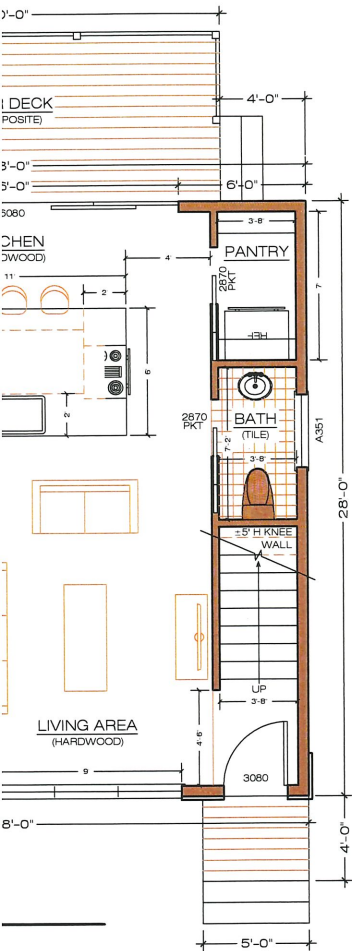
FRONT PERSPECTIVE 2  
NOT TO SCALE



REAR PERSPECTIVE 1  
NOT TO SCALE



REAR PERSPECTIVE 2  
NOT TO SCALE



SECOND FLOOR PLAN  
SCALE: 1/4"=1'-0"



FRONT ELEVATION  
SCALE: 1/4"=1'-0"

**SCHEME 1.2**

PROJECT NAME: **BARBOSA**  
PROJECT #: **117233**

OWNER:

LOCATION:  
**20 2ND AVENUE  
LAKEVILLE, MA**

DATE:  
**2.22.2023**

## SECTION IV – DESIGN AND CONSTRUCTION STANDARDS

### A. General

1. A. No street or way through private property shall be recommended for acceptance by the Town unless the same be previously constructed and completed in accordance with the Standard Cross Section (see Figure A) and the following specifications.

B. Occasionally the Planning Board may deem it necessary to waive the following standards for construction of Private Ways, only if those Private Ways will be privately maintained in perpetuity, and never accepted by the Town.

B. 3. Width

B. 7. Curbs and Berms

I. Street Lights

K. 1. Trees

2. Unless otherwise specified, all the work and the materials used in the work to be done shall conform to the requirements of the “Commonwealth of Massachusetts, Department of Public Works, Standard Specifications for Highways and Bridges, 1973 Edition as amended”, hereinafter referred to as the Standard Specifications, as amended and the Special Provisions included hereinafter. Appropriate illustrations are found in “Commonwealth of Massachusetts, Department of Public Works, Construction Manual Part 3, 1966 as amended”.

3. Supplementing the aforesaid Standard Specifications, certain specifications or special provisions shall apply particularly to the work to be done hereunder. References in the following specifications, unless otherwise stated, are to be aforesaid Standard Specifications, amendments or addenda. These specifications and special provisions shall take precedence and shall govern when they are stricter.

4. To facilitate reference, each paragraph in these specifications is noted with paragraph number of the particular section as contained in the Standard

Specifications.

5. The context of work required is as shown upon approved plans, and is in compliance with the Standard Cross Section Plans. Stakes shall be set which will indicate the exact amount of cut or fill.

6. As each construction operation is completed, it shall be approved by the proper Town authority prior to starting work on the succeeding operation.

7. At the time the street or way or portion thereof is ready for acceptance and to facilitate acceptance by the Town of Lakeville, the developer shall have prepared and certified by a Registered Land Surveyor a "Plan of Acceptance" drawn with India ink on tracing cloth (size 18" x 24" or 24" x 36") showing widths, lengths, bearings of all boundary lines of streets and easements and radii, tangents and central angles of all curves in street lines. It shall show that all stone bounds have been set.

A blank space (4" x 8") shall be provided on the lower right hand corner on the plan for a title block to be filled in by the developer. The surveyor shall place a certification on the plan stating "The street (or way or portion thereof) is laid out and the bounds have been set as shown on this plan" and shall be dated, signed and the surveyor's stamp affixed thereon. The plan shall be submitted to the Board of Selectmen.

8. The developer shall have the original plans and profiles that were submitted to the Planning Board and that are on file in the Planning Board office, corrected and certified by his Engineer to show the actual as built locations and grades of all utilities and roadway profile and any changes authorized by the Planning Board.

## B. Streets and Roadways

### 1. Location.

a) All streets in the subdivision shall be designed so that, in the opinion of the Planning Board, they will provide safe vehicular travel and an attractive street layout in order to obtain the maximum safety and amenity

for future residents of the subdivision, and they shall be in accord with the rules and regulations of the Board of Selectmen, and the Superintendent of Highways.

b) The proposed streets shall conform in location, so far as practicable, to any existing plans of the Planning Board, and where required by the Planning Board, to the existing street system.

c) Provision satisfactory to the Planning Board shall be made for the proper projection of streets or for access to adjoining property, whether or not subdivided.

d) Reserve strips prohibiting access to streets or adjoining property shall not be permitted, except where, in the opinion of the Planning Board, such strips shall be in the public interest.

## 2. Alignment.

a) Street jogs with centerline offsets of less than one hundred and fifty feet (150') shall be avoided.

b) The minimum horizontal centerline radii of streets shall be as follows:

Secondary, Major, and Primary Streets - Four Hundred Feet (400')

Minor Streets - One Hundred and Fifty Feet (150')

c) Streets shall be laid out so as to intersect as nearly as possible at right angles. No street shall intersect any other street at less than sixty (60) degrees.

d) Property lines at street intersection shall be rounded or cut back to provide for a curb radius of not less than thirty feet (30'). However, when the intersection of two (2) streets varies more than ten (10) degrees from a right angle, the radius of the curve at the obtuse angle may be less and of the acute angle may be greater than thirty feet (30') to the extent approved or required by the Planning Board.

e) Streets shall be laid out so as to intersect at intervals in a range of six hundred feet (600') to twelve hundred feet (1200') in length, unless

otherwise specified by the Planning Board. In special instances the Planning Board may approve an easement for a future street, in lieu of actual construction of a cross street.

### 3. Width.

- a) The minimum width of any street right-of-way, including dead-end streets, shall be fifty feet (50').
- b) When on a secondary or major street and potential volume warrants, the Board may require a greater right-of-way than that specified above and may require construction of a divided highway.
- c) Major streets and such secondary streets, which in the judgment of the Planning Board may in the future be changed in character to become major streets, shall have a minimum right-of-way of sixty feet (60').
- d) When a minor street will provide the only access for lots fronting on a length in excess of five hundred feet (500') or where, on a major street, potential volume warrants, the Planning Board may require construction of a divided roadway.

### 4. Grade.

- a) The centerline grade for any street shall not be less than five tenth of one percent (0.5%).
- b) The maximum centerline grade for streets shall be as follows:  
Minor Street Six Percent (6%)  
Secondary Street Six Percent (6%)  
Primary and Major Streets Four Percent (4%)
- c) Where changes in grade exceed one percent (1%), vertical curves, as required by the Board will be provided; and where a grade is five percent (5%) or greater within one hundred and fifty feet (150') of the intersection of street right-of-way lines, there shall be provided in a residential subdivision a leveling area of at least seventy-five feet (75') with a maximum grade of three percent (3%), and in all other



subdivisions, a leveling area of at least two hundred feet (200'), with a maximum grade of two percent (2%); and at all other intersections there shall be a leveling area of at least fifty feet (50').

#### 5. Dead-End Streets.

a) For the purposes of this section, any proposed street which intersects solely with a dead-end street shall be deemed to be an extension of the dead-end street. Dead-end streets and their extensions, if any, shall not be longer than seven hundred and fifty feet (750').

b) Dead-end streets shall be provided at the closed end with a turn-around having an outside roadway diameter of at least one hundred twenty (120') feet and a property line diameter of at least one hundred forty (140') feet unless otherwise specified by the Planning Board. If the dead-end street is not intended to connect with another street at some future point in time, the Planning Board may, at its option, require a minimum outside roadway diameter of one hundred sixty (160') feet. A property line diameter of one hundred eighty (180') feet and the placement of a circular landscape island with minimum radius of forty (40') feet at the center of the turn-around.

6. Roadway Construction. Numbers refer to specific sections in the Standard Specifications. The Standard Specifications should be referred to for more detailed descriptions of the work, materials, and construction methods. The roadway shall be graded and prepared for pavement as follows:

a) 101 Clearing and grubbing shall be performed to remove all stumps, brush, roots, and like material from the area of the traveled way, berms, shoulders, sidewalks, and utility trenches, but wherever feasible, existing vegetation shall be protected. Cleared materials shall be removed from the property unless otherwise approved by the Board.

b) 120 Earth excavation shall be the removal of all materials encountered within the area of the traveled way, berms, shoulders, and sidewalks down

to the true surface of the subgrade or to suitable material in areas where unsuitable material exists, in preparation for foundation of roadway, sidewalks, driveways, and berms. Approved material obtained from the excavation may be used in fills as required if, in the opinion of the Planning Board, they are suitable.

c) 150 When in the opinion of the Planning Board, suitable material is not available within the limits of the roadway location to form the subgrade or sub-base, the developer shall obtain suitable additional material from other sources in accordance with this section and as may be approved by the Planning Board.

d) 170 The subgrade surface, fifteen and one-half inches (15 and ½") below the finished surface grade in residential streets, and seventeen and one-half inches (17 and ½") below the finished surface grade in all streets in nonresidential subdivisions shall be prepared true to the lines, grades and cross sections given and properly rolled. All soft or spongy material below the subgrade surface shall be removed to a depth determined by the Planning Board. The space thus made shall be filled with special gravel borrow, containing no stones over six inches (6") in their largest dimension.

e) 401 The gravel sub-base or foundation shall be spread in two six inch (6") layers on the surface of the subgrade. The first six inch (6") layer shall be spread in conformity with requirements of Section M-1.03.0 gravel borrow Type A six inches (6") largest dimension Standard Specifications. The second six inch (6") layer shall be spread in conformity with requirements of Section M-1.03.0 gravel borrow Type C two inches (2") largest dimension of the Standard Specifications. Each layer shall be thoroughly watered, rolled and compacted true to line and grade. Any depressions that appear during and after the rolling shall be filled with additional gravel and re-rolled until the surface is true.

Suitable subgrade stability fabric may be required by the Planning Board prior to gravel placement.

f) Final grading, rolling and finishing including the shaping, trimming, rolling and finishing of the surface of the sub-base prior to application of gravel for surfacing of the roadway base courses for walks and berms shall be in accordance with this section and as directed by the Planning Board. Compaction testing and soil gradations shall be performed as required by the Planning Board.

g) Roadway pavement shall be constructed for the full length of all streets within the subdivision and shall have the curb radii required in Section IV, B-2, b above. The center line of all roadways shall coincide with the center line of the street right-of-way unless a deviation is approved by the Planning Board. The minimum widths of a roadway pavement shall be as follows:

Major and Primary Streets Thirty Feet (30')

Secondary Streets Twenty-Six Feet (26')

Minor Streets Twenty-Four Feet (24')

Dead-end Streets Twenty-Four Feet (24')

h) Pavement for roadways in subdivisions shall be Class I Bituminous Concrete Pavement Type I-1. The material and construction methods for laying pavement shall conform in every way to the applicable sections of Section 400 and Section M of the Standard Specifications except that no such construction shall be undertaken before March 30th of any year nor after December 1st of any year without written permission of the Planning Board. Pavement on minor and secondary residential subdivision streets shall be laid to a finished depth of three and one-half inches (3 and ½") and laid in two (2) courses. The base course shall be two inches (2") and the top course shall be one and one-half inches (1 and ½"). Pavement on major and non-residential subdivision streets shall be laid to a finished

depth of five and one-half inches (5 and ½") and laid in three (3) courses.

The base course shall be two inches (2"), binder course shall be two inches (2") and top course shall be one and one-half inches (1 and ½").

The Planning Board may require the installation of Petromat fabric or any approved equal over any areas in the base pavement that, in their opinion, require reinforcement prior to the placement of an additional course of pavement.

#### 7. Curbs and Berms.

a) Bituminous concrete berms and curbs of six inches (6") in height shall be provided along each side of the roadway where there are sidewalks. All other roadways without sidewalks except where granite curbs shall be provided, shall have eighteen inch (18") flat berm, one (1) layer two and one-half inch (2 and ½") Bituminous concrete:

at intersections along the roadway the distance of the arcs of the curves plus a straight section at each end of eight feet (8'). Granite curb shall be type SB sloped edging. (Subsection M9.04)

along each edge of a roadway where the grade exceeds five percent (5%).

on the inner side of all curves with a radius less than two hundred and fifty feet (250'). The elevation of the curb shall be seven inches (7") higher than the gutter line.

b) In the event that the Planning Board waives curbs and berms, eighteen inch (18") flat berms as above shall be provided along each edge of the roadway where the grade exceeds three percent (3%).

c) The profile of the berm is subject to Planning Board approval.

#### 7. Curb Cuts.

a) Driveways shall be at least ten feet (10') wide and have a curb return at the roadway of three feet (3') in radius.

b) Where rolled curbs or no curbs exist, the driveway flare should have a

three foot (3') radius. Driveway cuts shall not be within sixty-five feet (65') of the intersection of the center line of intersecting streets.

c) Driveways shall slope down from the edge of the street right-of-way to the edge of the street pavement at a grade of not less than one percent (1%) but not more than eight percent (8%).

#### 8. Sidewalks.

a) Sidewalks shall be constructed within the subdivision.

b) The sidewalks shall extend the full length of the street and shall be of the following widths:

Along all Streets Five feet (5') On one side

Except around a cul-de-sac a sidewalk need be provided on one (1) side only, the exterior side.

c) 701 Bituminous concrete sidewalks shall have a minimum thickness of two 1.1/2 courses each after compression.

9. Embankments. Outside the right-of-way embankments shall be evenly graded and pitched at a slope of not greater than 3 horizontal to 1 vertical in fill. Where cuts are made in ledge, other slopes may be determined with the approval of the Planning Board. Where terrain necessitates greater slopes, retaining walls, terracing, fencing, or rip-rap may be used either alone or in combination to provide safety and freedom from maintenance, but must be done in accordance with plans filed with and approved by the Planning Board. Whenever embankments are built in such a way as to require approval by the Planning Board, the developer must furnish to the Town duly recorded access easements free of encumbrances for maintenance of the slopes, terraces or retaining walls. All such slopes shall be grassed in accordance with the specifications for the area between the roadway and sidewalk or roadway and boundary of the right-of-way.

#### C. Utilities

1. Excavation. Excavation for structures, including foundation for drains and

water pipes, walls and other structures shall be made to the depth as indicated on the Definitive Plan or established by the Highway Surveyor.

2. Installation. All drain, sewer, gas and water pipes, underground utilities, and other structures shall be installed upon the completion of roadway subgrade and before the placing of the sub-base, gravel base course, sidewalks or pavement.

a) Water Facilities-Installation. Water mains, with hydrants, valves and other fittings, shall be constructed and installed within the subdivision as necessary to provide to all lots therein adequate water supply for domestic and fire protection use. Proper connections shall be made with existing public water systems. Where property adjacent to the subdivision is not subdivided, provision shall be made for proper projections of the systems by continuing appropriate water mains to the exterior boundaries of the subdivision, at such size and grade as will allow for the projections, except that the installation of water mains for these projections will not be required where their location is outside paved areas.

b) Water Supply. Potable water of quality and quantity acceptable to the Board of Health for domestic use, and fire protection water with a minimum open hydrant flow of 500 gallons per minute shall be provided in each subdivision, at minimum residual pressure of 20 pounds per square inch. Water lines shall be at least 6-inch diameter cement-lined cast iron, 150-pound class or equivalent, and shall be furnished with adequate valves and appurtenances to the specifications of the Town. Whenever possible, water pipes shall be extended and connected to form a loop, if need be using easements across lots. Where no municipal water supply is available within a reasonable distance of the subdivision, the Board will not approve a subdivision plan unless adequate groundwater supply is available at the site, in the

opinion of the Planning Board acting with the advice of the Board of Health.

c) Gas mains shall be installed if gas connection is available unless said installation is specifically waived by the Planning Board.

d) Telephone lines shall be installed in underground conduits in conformity with Section 390 of the Standard Specifications. Electric lines shall be installed underground in accord with the regulations of the Massachusetts Electric Company. Cable television lines, when provided, shall also be installed underground.

3. On-site sewage disposal facilities shall be installed and constructed in conformity with the rules, regulations and requirements of the Board of Health. On-site septic tanks and leaching fields may be located in the front side or rear yard of the building(s) served, with the front yard preferred. Due consideration should be given to surface and sub-surface soil conditions, drainage and topography in the location of such on-site facilities, and in no instance can any portion of the sewage disposal facilities be located closer than twenty feet (20') to a property line.

4. Where adjacent property is not subdivided or where all the property of the applicant is not being subdivided at the same time, provision shall be made for the extension of the utility system by continuing the mains the full length of streets and to the exterior limits of the subdivision, at such grade and size which will, in the opinion of the Planning Board, permit their proper extension at a later date.

#### D. Drainage and Runoff Control

1. General Requirements. Approval of subdivision plans may be denied until the Planning Board is assured that either the proposed subdivision will not result in significant increase in the rate and volume of storm water runoff over natural or existing conditions or that adequate provisions will be taken to maintain the volume and rate of runoff at its natural or existing level. The

objective of this regulation is to maintain the integrity of natural drainage patterns, in order to provide adequate storm water drainage, prevent flooding, and avoid alteration of existing stream channels.

2. Procedure. (May be modified by the Planning Board to suit the problems and needs of a particular subdivision.)

a) An estimate of the present rate and volume of runoff, as well as an estimate of the rate and volume of runoff that would occur from the proposed subdivision, shall both be submitted along with supporting data. The runoff calculations shall be developed using the "Modified Soil Cover Complex Method" described in Guidelines for Soil and Water Conservation in Urbanizing Areas of Massachusetts, Appendix B, published by the Soil Conservation Service. These calculations shall be on the basis of runoff produced from a 100-year storm event. In calculating runoff and drainage requirements, the developer shall consider the impact of septic systems on the ability of the soil to absorb additional storm water, as well as any upstream runoff which may impact on the subdivision.

b) In order to control the rate and volume of storm water runoff from the development site, the developer may elect to do so through any method which can be demonstrated to control the required amount of runoff, to the satisfaction of the Planning Board or the Board's agent. In each instance, the method or methods elected shall be suitable to the site and subject to the approval of the Planning Board.

c) The system may make use of gutters, inlets, culverts, catch basins, manholes, subsurface piping, surface channels, natural waterways, and detention basins, open or stone-filled. The Board will not approve any design or component which in its opinion does not meet the standards of engineering practice, will not function without frequent maintenance, or is unsuited to the character of the subdivision.



d) In general, the design of pipes shall be such as to provide for a flow of water at speeds between two (2) and twelve (12) feet per second; the minimum grade shall be not less than 0.4 percent for pipes twelve inches (12") and less in diameter, and 0.25 percent as absolute minimum; the minimum pipe diameter shall be twelve inches (12"), except that ten-inch (10") pipe may be used to connect a single catch basin across the street; catch basins shall have a two-and-one-half-feet (2.5') sump below invert; and all drop manholes or inlets with a drop of six feet (6') or more shall be provided with a splash pad. Catch basins or inlets shall be spaced along both sides of a street at approximately 400 feet intervals, and located at all low points and corner roundings at street junctions.

e) Streets shall be graded to provide for expeditious runoff of water, except that settling basins or other means of removing pollutants shall be used in draining large parking areas or streets subject to heavy traffic or other sources of pollutants. Roof drains may be connected to the drainage system, but no industrial or domestic waste shall be discharged to or allowed to enter storm drains.

f) Storm drains and retention basins shall be designed based on a twentyfive year frequency storm, and cross culverts shall be based on a twenty- five year frequency storm. All storm water shall pass through an oil separator manhole prior to outfall. The manhole shall have convenient access. Prior to discharge, all storm water shall pass through a sedimentation basis capable of removing 80 percent of the waterborne sediment. All storm water shall be conveyed in ditches or storm drain lines to storm water detention-retention basins capable of recharging the ten-year event, or to permanent streams. Permanent easements and provisions for vehicular access shall be provided along the entire length of ditches and storm drain lines. No increase in storm water runoff over predevelopment conditions will be permitted for up to the twenty-five year

event. Evidence of this shall be submitted to the Planning Board in the form of calculations for pre-development versus post development for all channels leaving the site, and any other design points required by the Board.

3. Final Approval. Where runoff detention features are required, a proposed development shall in no case receive final approval until the site has been inspected by the Planning Board or the Board's agent, to ensure that detention facilities have been installed as proposed in the Definitive Plan.

4. Lot Drainage. Lots shall be prepared and graded in such a manner that development of one shall not cause detrimental drainage on another; if provision is necessary to carry drainage to or across a lot, an easement or drainage right-of-way of a minimum width of twenty feet (20') and proper side slope shall be provided. Storm drainage shall be designed in accord with the specifications of the Board. Where required by the Planning Board or the Board of Health, the applicant shall furnish evidence that adequate provision has been made for the proper drainage of surface and underground waters from any lot or lots. Storm water shall not discharge overland across lot lines. Drainage conveyances and easements shall be provided to convey storm water to the nearest permanent stream or municipal drainage system.

5. Construction. Drainage facilities shall be provided as indicated on the plan and in conformity with the requirements of Sections 200, 220, and 230 of the Standard Specifications.

The standard depth of catch basins shall be two and one-half feet (2 and ½') below the invert of the outlet. Manholes shall be constructed to the required depth at each junction point and as shown on the plan. Pipe culvert and pipe drains shall be in conformity with the requirements of Section 230 for installation of pipes.

All drain pipes except sub-drains shall be reinforced concrete pipe and shall be installed according to the size as shown on the plans. No backfilling of

pipes shall be done until the installation has been inspected by the Planning Board's Agent. All drainage trenches shall be filled with clean gravel borrow in accordance with Section 150.

Where sub-drains are required they shall be constructed in conformance with Section 260 of the Standard Specifications (Mass. DPW specs). Such subdrains may be required by the Board following clearing and grubbing operations. No drainage pipes from roof drains, driveway drains, or other onlot sources shall be connected to the street drainage system without the explicit approval of the Planning Board. Cast iron manhole covers and catch basin grates shall be as manufactured by or equivalent to E.L. LeBaron Foundry Model No.'s LK-110 for manholes, L.F. 248-2 for catch basins or for catch basins at the end of or on 5% gradient roads No. LK-120A (Cascade Grate).

#### E. Open Space

Before approval of a plan the Planning Board may also, in proper cases, require the plan to show a park or parks, suitably located for playground or recreation purposes or for providing light and air. The park or parks shall not be unreasonable in area in relation to the land being subdivided and to the prospective uses of land. The Planning Board may by appropriate endorsement on the plan, require that no building be erected upon such park or parks without its approval for a period of three (3) years. Pedestrian ways, hike ways, or bridle paths of not less than fifteen feet (15') in width may be requested where deemed desirable to provide circulation or access to schools, playgrounds, parks, shops, transportation, open spaces and/or community facilities. Each area reserved for such purpose shall be of suitable area, dimensions, topography and natural character for the purposes of a park and/or playground. The area or areas shall be so located as to serve adequately all parts of the subdivision as approved by the Planning Board. The Planning Board may require that the area or areas reserved shall be located and laid out so as to be used in conjunction with similar areas of

adjoining subdivisions or of probable subdivisions. Unless otherwise specifically approved by the Planning Board, the total amount of area to be reserved for park and/or playground purposes shall be no less than five percent (5%) of the gross area of the subdivision with a minimum of one acre when ten or more lots. Any land so reserved shall be graded to dispose properly of surface water and shall be left in condition for the purpose intended, as required by the Planning Board.

#### F. Easements

1. Where utilities cross lots or are centered on rear or side lot lines, easements shall be provided of a width of at least twenty feet (20').
2. Where a subdivision is traversed by a water course, drainage way, channel or stream, the Planning Board may require a storm water easement or drainage right-of-way of adequate width and proper side slope to conform substantially to the lines of such water course, drainage way, channel or stream and to provide for construction or other necessary purposes.
3. Access easements to park and conservation land shall be provided, if required by the Planning Board, and shall be at least twenty feet (20') wide.
4. General, access, drainage, or utility easements shall not be included in the lot area.

#### G. Monuments

1. Monuments shall be installed on street lines at all points of curvature, at all points of change in direction, at each point where the lot line intersects the street right-of-way, and at all other points where, in the opinion of the Planning Board, Permanent monuments are necessary.
2. Monuments shall be a standard permanent granite or reinforced concrete marker of not less than three feet (3') in length and not less than five inches (5") in width and breadth and shall have a three-eighth inch (3/8") drill hole in the center of the top surface. Said monuments shall be installed at the time of final grading with the top flush with top final graded surface. At each point where the lot line intersects the street right-of-way shall be a pipe or steel rod

three feet (3') in length.

3. The placement and accurate location of these markers shall be certified by a registered land surveyor and properly located on the street acceptance plans.

#### H. Street Signs and Names

1. Street signs shall be installed at each intersection to conform to the standard established by the Highway Surveyor.

2. Street names shall be approved by the Planning Board to prevent duplication and to provide names in keeping with the character of the Town.

3. From the time of rough grading until such time as each street is accepted by the Town as a public way, the sign posts at the intersection of such street with any other street shall have affixed thereto a sign designating such street as a private way.

#### I. Street Lights

1. Street lights shall be installed to conform to the type and style in general use in the Town of Lakeville unless otherwise specified by the Planning Board.

2. Street lights shall not be nearer than twenty-five feet (25') from the intersection of two (2) streets, measured from the intersection of the tangents of the intersecting street curb lines; and shall be placed in back of sidewalks wherever possible.

3. Street lights shall be installed in accord with the procedure required by the Board of Selectmen and the applicable utility company.

#### J. Utility Poles

Utility poles, hydrants, and street shade trees shall not be nearer than twenty-five feet (25') from the intersection of two (2) streets, measured from the intersection of the tangents of the intersecting street curb lines; and shall be placed in back of sidewalks wherever possible.

#### K. Trees

1. Where reasonable deciduous street trees shall be planted on each side of each street in a subdivision, except where the Definitive Plan showed trees to be

retained which are healthy and adequate. Such trees shall be located outside of the right-of-way as shown in the Profile and Standard Cross Sections Schedules A and B, approximately at forty foot (40') intervals, and shall be at least twelve feet (12') in height, two inches (2") in caliper measured four feet (4') about the approved grade, and shall be planted each in at least one-half (½) cubic yard of topsoil unless otherwise required by the Tree Warden.

2. The developer shall plant other trees as needed to provide at least one (1) area of shade to each lot.

3. All deciduous street trees shall be clear of any branches from the approved grade level to a point seven feet (7') above ground level.

4. The developer will be liable for all trees so planted as to their erectness and good health for one (1) year after planting.

5. No evergreen trees such as pine, fir, spruce or hemlock are to be planted on an easterly or southerly side of a road, street or way.

6. All cut bankings that tend to wash or erode must be planted with a low growing evergreen shrub such as laurel, mugho pine or juniper, and seeded with a deep rooted perennial grass to prevent erosion.

#### L. Protection of Natural Features

Due regard shall be shown for all natural features, such as large trees, wooded areas, water courses, scenic points, historic spots, and similar community assets, which, if preserved, will add attractiveness and value to the subdivision. Outside of street right-of-ways, no trees over a twenty-four inch (24") caliper measured at four feet (4') above the existing grade shall be removed or have the grade level surrounding the trunk altered by more than six inches (6") without approval of the Planning Board.

#### M. Maintenance of Improvements

For the purpose of protecting the safety, convenience and welfare of the Town's inhabitants; for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for reducing the danger to life

and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; under the authority of Chapter 41, Section 81-M as amended, the applicant or his successor shall provide for the proper maintenance and repair of improvements under this Section of the Rules and Regulations during the construction and for the period of twenty-four (24) months after the completion of the construction of said improvements or until the Town votes to accept such improvements, whichever comes first. Such maintenance shall include snow removal beginning from the time of occupancy of an individual owner or tenant other than the developer.

#### N. Erosion and Sedimentation

1. General Requirements. These requirements may be waived. However, in a subdivision with excessive slope or a subdivision which abuts or includes a stream(s), wetlands or pond(s), or where major earth work is anticipated, an erosion and sedimentation analysis shall be presumed necessary unless a waiver is received. Approval of a subdivision plan may be denied until the existing average annual erosion and the expected average annual erosion during and after construction is determined. The developer may be required to submit an erosion and sediment control plan, if based on the analysis of erosion potential the Board determines that sedimentation will have an impact on nearby wetlands, streams, ponds, and other water bodies.

2. Procedure. (May be modified by the Planning Board to suit problems and needs of a particular subdivision.)

a) Using the methods described in Guidelines for Soil and Water Conservation in Urbanizing Areas of Massachusetts, Appendix J, published by the Soil Conservation Service, the developer shall use the Universal Soil Loss Equation to estimate the present annual soil loss from the site, as well as the estimated annual soil loss from the site while under construction and after construction is completed.

b) The developer shall submit as part of the Definitive Plan a soil erosion and

sedimentation control plan, if the Board determines that erosion due to development activity will be excessive or significant to wetlands, streams, ponds, or other water bodies. This plan shall consist of a drawing certified by a registered civil engineer, identifying appropriate control measures and their location. Also, the drawing shall show all natural drainage ways and water bodies in and adjacent to the proposed subdivision. The drawing shall be at a scale of one inch (1") equals forty feet (40'), and show the existing and proposed topography at five-foot (5') contour intervals.

c) If erosion and sedimentation control measures are required, they shall be adequate to retain all erosion within the subdivision and away from nearby water systems, both during and after construction. A timetable outlining anticipated construction activity and associated erosion and sedimentation control measures shall be submitted to the Board. All work shall be subject to periodic inspection by the Board or Board's agents.



**Planning Board  
Lakeville, Massachusetts  
Minutes of Meeting  
Thursday, April 27, 2023**

On April 27, 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; Michele MacEachern, Vice-Chair; John Cabral, Nora Cline

**Others present:**

Marc Resnick, Town Planner

**Public hearing (7:00) – Stowe Estates – 35 Myricks Street**

Mr. Knox read the legal ad into the record. He then made a motion to open the public hearing. It was seconded by Ms. Cline. The **vote** was **unanimous for**. Mr. Jamie Bissonnette from Zenith Consulting Engineers was present for the applicant. He advised he was presenting the plan for Stowe Estates which was located at 35 Myricks Street. The site is comprised of 11.6 acres. There is a bordering vegetative wetland to the west of the property, and they are showing the 100-foot buffer zone to the property. They have done a full boundary survey, and have done perc tests with the Board of Health for the lots and test holes for the drainage area.

Mr. Bissonnette said the proposal is to create three buildable lots with two additional parcels; Parcel B will be the right of way and Parcel A will be merged with the property to the west. They are proposing a private right of way and are requesting a waiver for 40 feet width instead of 50 feet. For the road, they are proposing 14 foot paved with two, three-foot process gravel berms on the side. They are proposing a grass swale on the low side, which would be the west and southwesterly, to collect storm water. The storm water will then be directed to the back drainage basin. It will receive some treatment as it goes through the swale. They then have a gravel filter berm, and the basin itself with a micro pool will help to treat and reduce the rates of runoff flow

Mr. Bissonnette noted they also propose municipal water and to tie into that in the street. The applicant is also requesting overhead wires. That will go through the power company of jurisdiction. There will be on-site septic systems. The percs were marginal, but all passed. The water table on site is between 18 inches and 32 inches, so they will be raised systems. Fire access was also discussed. The plan shows the fire truck being able to maneuver on the hammerhead style turnaround. Regarding the road, they have kept it just under the 750' maximum length. They also kept the proposed profile at 6% which is also the maximum. This will allow them to work with grade and try to balance out cuts and fills. They are placing the high point at Myricks Street so the gutter line will continue to let the water flow downhill. At this point down here, they will

be catching everything with their super elevated roadway, coming over to the swale and pitching it down. That will continue to happen the entire length of the road, all the way down to the basin, which is the ultimate low point. They have shown on their drainage reports that each storm event will have a reduction in rate for discharges.

Mr. Knox said the culvert is actually on Lot 3. Mr. Bissonnette said yes, and they have an easement proposed. Mr. Bissonnette then read through their list of requested waivers. Mr. Knox asked if they were using plastic concrete on the drainage pipe. Mr. Bissonnette replied reinforced concrete pipe (RCP) and high-density polyethylene (HDPE) They want to use the plastic with 12 inches of cover which meets H20 loading. Mr. Knox noted that they had not received peer review comments yet, so they would like to hear back on that. He then asked how long the leveled off area is where the roadway comes to Myricks. Mr. Bissonnette estimated that there was close to 40-45 feet before it starts to go down 6%.

Mr. Cabral then questioned the fire turn around. Would the fire apparatus have to go on the gravel? Mr. Bissonnette said that it appears that three of the tires would touch the gravel. The National Fire Protection Association (NFPA) requires 20 feet. Mr. Knox asked if they could not put an angle on the hammerhead so it was more at a 90 degree to make that turn more typical. Mr. Bissonnette said they could look at it. He stated they have a three-foot gravel strip on both sides of the road, and then a grass shoulder before the swale starts. Even if they pulled over to the edge of the three foot itself, they would still have two feet of relatively level grass.

Mr. Cabral was also concerned with the lack of lighting. Mr. Bissonnette said that he could talk to the client about driveway lights. That has been a pretty common thing that the Planning Board has previously worked with them on. Ms. MacEachern said she does get concerned when there's no sidewalks, especially as Route 79 is a busy street. There could be the potential for students walking to a bus stop, and she is concerned for pedestrian safety. Regarding the overhead electric, that was something they were looking for all new subdivisions to have the underground wires. She would also like to see at least some trees included. Mr. Bissonnette showed where they were trying to keep the existing trees.

Ms. Cline said that she is concerned about the turnaround for the Fire, as well as a secondary vehicle in there. She also questioned the lack of lighting, but would be okay with the driveway lights. Mr. Knox said he did not see the comment regarding a Homeowners Association on the Plan. He would like that to be added. Mr. Knox then asked for an explanation on the grade change. Mr. Bissonnette replied what they are trying to do is to keep it as close to natural grade as possible. This stops them from having to bring in a tremendous amount of fill, or change the course of the water flow any more than they have to. He then went through the elevation changes on the Plan.

The abutter from 39 Margaret Street, Taunton, and Ms. Lynn Haggerty were present. They were concerned about the drainage and noted that there is a stream that runs under the road. There is also a problem with flooding in the neighborhood. It was noted that it is very wet back there and several trees have fallen because the ground cannot support the roots because of the water. Mr. Bissonnette said right now the water pitches down to the wetland. They are proposing to collect it with the drainage basin and discharge it toward the back. He did not think that would exacerbate

the situation at all. After discussion, it was said that they were not here to fight this, but here to protect their property. What will he do with the water? This is his concern. Mr. Bissonnette further explained that the drainage is all being caught in a swale along the road, and brought down and discharged into a pond, where it will be treated and released at a slower rate.

Ms. MacEachern noted that there would be a peer review of these plans, so this hearing would probably be continued. Mr. Knox said that he would also like to see them apply to Conservation, in case anything should change. A few concerns have been mentioned tonight, so he would also like to see those addressed. Mr. Bissonnette felt they could get a filing in with Conservation next week and requested that the hearing be continued for two weeks. If they did not hear back from peer review, they could request another continuance.

Mr. Knox made a motion seconded by Ms. Cline, to continue the public hearing for the definitive subdivision plan at 35 Myricks Street until May 11, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

#### **Public hearing (7:00) – Site Plan Review – 13 Main Street, continued**

Mr. Bo McMahon was present. Mr. Knox advised that currently this is a scheduled public hearing that is ongoing. However, they have had a significant change. He would like to see if Mr. McMahon would like to consult with his attorney and re-advertise this hearing. Mr. McMahon said he was not present at the last meeting, but he worked with Mr. Zagar, Mr. Forbes, and Mr. Bissonnette to incorporate a lot of the changes that were heard. Mr. Knox said they had discussed the original proposal for small houses. Would Mr. McMahon consider attempting to go to the Zoning Board of Appeals for a Variance for the lot line? Mr. McMahon said it would be two lot lines, but because this is allowed by right under the zoning, it could be a tough sell to say they needed 20 feet instead of the 40 feet because of a hardship. They went after that concept for 12 to 13 months thinking the setbacks were 20 feet. Then it was found out that the setbacks were 40 feet, so they are now trying to do the best they can, with what they have.

Ms. MacEachern noted they were adding additional units to this heavily trafficked area, was it worth a conversation with ZBA? The original plan was very much in line with what their residents want to see. It would fit better aesthetically and design wise. Mr. McMahon said that would be an expensive gamble to pursue. He had consulted with Atty. O'Shaughnessy for quite a while in regards to it, but reiterated that owner hardship would be a hard sell.

Mr. McMahon then addressed the proposed plan. He advised they had incorporated the comments of not having one parking lot and having some green space in the middle. They were also able to take the hammerhead turnaround and incorporate more parking closer to the entrances. He said it was also discussed about having first floor retail office in the front of the building. They have it shown, but it makes no difference to him. Logistically, if it's going to be residential, it should all be residential. If the Board still wants to see some mixed-use element, they would be fine incorporating it. Both the buildings will be the same size, with a mix of one and two bedrooms. It will all be age qualified housing. He noted that in comparison, the buildings would be one third

the size of the storage building next door, and in footprint also smaller than the nearby CVS building.

Mr. Knox said that initially he was in favor of the business space in the front of the building. With these bigger buildings it might add some confusion to the layout, so he was now also indifferent to it. Ms. Cline agreed, but she didn't really like this concept and had liked the initial rendering of the small houses. Mr. McMahon said that he had liked the bungalow design, but thought that from the street these buildings will look more cohesive with the neighborhood and will look better. He then displayed a rendering of the proposed buildings. There are built in balconies so nothing is protruding, a couple of jogs in the building, the overhang roof styles, and the two main entrances to access it. They are trying to blend the Lakeville rural feel with where buildings are going today, more modern, clean, and inviting.

Mr. Knox said regarding that first-floor retail space on Main Street, another reason he has turned against it is, when it was a stand alone building it had its own parking, but now it confuses the parking. Ms. MacEachern agreed. Mr. Knox said it seems as though the Board would not have a problem in keeping the whole project residential. He asked where they stood from a design standpoint. Mr. McMahon said they have gone a little further with that and once they readvertise he would push the floor plans and elevations. It would probably be 10 to 15 days from when he tells them to go.

Mr. Knox asked if the Fire Chief had seen the plan. Mr. McMahon said he has seen the previous proposed plan with the other parking. Once they have a full set, they will send it to him showing the additional parking. The width of the turnaround stayed the same. After discussion concerning the height of the buildings in comparison to the surrounding area, it was decided to continue the hearing until June 22, 2023. It was also decided to readvertise as the plan had changed significantly.

Mr. Knox made a motion, seconded by Ms. MacEachern, to continue the hearing for Site Plan Review for 13 Main Street until June 22, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

### **5 Harding Street – Discussion regarding possible changes to the approved Site Plan.**

This was withdrawn by the applicant.

### **Housing Production Plan (HPP) – Discuss and possible vote**

Mr. Knox advised there was a copy of the HPP and a spreadsheet in their packets. Ms. MacEachern explained they had gone over this last time, and there were many items that she had requested be incorporated. She then went through and made her own suggestions and cleaned it up. Looking through the spreadsheet from SRPEDD, it looks like they have addressed all the items and indicated whether it was their revision or a revision that she had made. Ms. MacEachern then went through each item. She had talked about removing the Housing Choice initiative, but in the final

draft it was included but red-lined. She had not liked the part about the targeted legislative reform to encourage municipalities to plan and build diverse housing stocks. It was her opinion that she didn't like top down regulations, and that communities should be able to designate that on their own.

Mr. Resnick said that it is not saying that you are going to incorporate any one thing, but just stating the facts. There wasn't a reason to not include it to make it comply. Ms. MacEachern added that she didn't see where in the guidelines that it was necessary. Mr. Resnick replied that would be something that should be discussed with SRPEDD. Ms. MacEachern said one of the items in the guidelines, which talks about implementation strategies, states participation in regional collaboration. She preferred that over the legislative reform and would not mind replacing that sentence with something like that. She would just like to see it removed and sent to DHCD. If they had to add it back in, then they could. Ms. Cline agreed. Mr. Cabral was also fine with that. Ms. MacEachern then went through the balance of the items. Most of the items requested had been incorporated into the final revision.

Ms. MacEachern said that personally, she felt that they needed to take a vote on this, with whatever revisions are necessary. They need to get this to DHCD, so it can be reviewed, and they can make any changes that are necessary. Mr. Resnick said that he would like to call Ms. Perez and ask her to complete the edits, and then send it to the Board, so it could be placed back on the agenda. SRPEDD could then come in and discuss any final changes and explain them to the Board. The Board could then vote at that meeting, and after that, it will have to go back to the Select Board. After further discussion, members wanted to have a clean copy of the plan by their next meeting. They would then review and vote on it.

### **Correspondence**

There was no correspondence to review. Mr. Resnick gave an update regarding the proposed project at John Paun Park. He also advised the Board they had met with the owners of 310 Kenneth W. Welch Drive. They have notified the tenants about parking across the street and are in the process of identifying sites for off site parking and getting a shuttle. They continued the Conservation Commission meeting, but indicated they will have all the final comments related to the peer review submitted shortly. Once that is completed and approved, they will get an Order of Conditions and can follow up with the Planning Board for their Site Plan Review for the parking plan.

### **Next meeting**

The next meeting is scheduled for May 11, 2023, at 7:00 p.m. at the Lakeville Police Station.

## **Adjourn**

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

Meeting adjourned at 8:23.