



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:
K. D'Amico
LAKEVILLE TOWN CLERK
ROUD 2023 SEP 8 PM 2:00
48-hr notice effective
when time stamped

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

Name of Board or Committee:	Planning Board
Date & Time of Meeting:	Thursday, September 14, 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) 13 Main St., continued** - upon the application for a Site Plan Review and Approval submitted by Main Street Real Estate Holdings, LLC for a proposed development with two (2) three (3)-story apartment buildings with a total of 40 age qualified residential units and associated site improvements.
2. Review OSRD draft bylaw for fall Town meeting possible/vote
3. Review submit Sign By-Law amendment for final edits/possible vote
4. Discuss Planning Board Goals
5. Discuss Chapter land maps
6. Approve the June 22, 2023 and August 10, 2023 Meeting Minutes
7. Review correspondence
8. Next meeting. . . September 28, 2023 at the Lakeville Police Station
9. Any other business that may properly come before the Planning Board.
10. Adjourn

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

August 16, 2023

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

RE: Engineering Peer Review #2
13 Main Street, Lakeville, Massachusetts

Dear Marc,

This letter is to advise that we have reviewed the revised materials submitted for a proposed Residential Development project located at 13 Main Street. The project includes the construction of two 3-story apartment buildings with a total of 80 residential units. Construction will also consist of the necessary supporting infrastructure including pavement for access and parking, drainage structures, and utilities. The re-submission includes the following documents:

- Revised Plans entitled "Site Plan, 13 Main Street, Lakeville, Massachusetts," prepared by Zenith Consulting Engineers (ZCE), dated June 8, 2023, revised through July 25, 2023;
- Response to comments letter prepared by Zenith Consulting Engineers, LLC, dated July 26, 2023.

These documents have been reviewed for conformance to Section 6.7.6.11 of the Lakeville Zoning Bylaw regarding Stormwater Management, the Massachusetts Stormwater Management Standards, and general engineering practice regarding stormwater design.

BACKGROUND

The subject property, located at 13 Main Street, is a portion of the old Lakeville Hospital site. The old pavement and foundations have been removed from the site. The proposed project includes the removal of any existing structures and then construction of two 3-story apartment buildings with a total of 80 residential units. Construction will also consist of the necessary supporting infrastructure including pavement for access and parking, drainage structures, and utilities. The site is located in the Mixed Use Development District ("MUDD"). It is also located in both the Residential Zoning District and the Business Zoning District.

COMMENTS

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

Section 6.7.6.11 of the Lakeville Zoning Bylaw

1. *Section 6.7.6.11.1.: All efforts shall be made to design the drainage system to utilize low-impact development (LID) methods. Developments not incorporating any LID design elements shall prove to the Board that the use of these drainage systems is not feasible for the project due to unique site characteristics or its location.*

In Section 2.1 of the Stormwater Management Report, the Applicant indicates that “no credits are sought for the project and therefore no LID techniques are required. Nevertheless, the project design incorporates LID techniques by proposing no impacts to wetlands and the minimum amount of pavement required to provide safe vehicular access to and around the site for all vehicle types.”

The proposed design employs stormwater infiltration via a stormwater infiltration basin, in addition to two underground recharge chamber systems (one for each of the two apartment buildings’ roofs).

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

2. *Section 6.7.6.11.2.: Detailed drainage design and computations shall be provided in conformance with the Department of Environmental Protection, Massachusetts Stormwater Handbook (latest edition). Closed drainage systems shall be designed for a 25-year storm event. Culverts, detention basins, and infiltration systems shall be designed for 100-year events.*

The submitted Stormwater Management Report includes a stamped MassDEP “Checklist for Stormwater Report” indicating compliance with the Stormwater Management Standards. See “Massachusetts Stormwater Standards” section below for a review of conformance to each of the MA Stormwater Management Standards.

The Applicant has submitted closed drainage pipe sizing calculations in the Stormwater Management Report. Closed drainage pipe systems have been sized for the 25-year storm event. The proposed infiltration basin is also designed to fully infiltrate the 100-year storm event.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

3. *Section 6.7.6.11.3.: Post-development drainage rates shall not exceed pre-development levels. Within the Water Resource Protection District, special attention shall be made to ensure water quality is not degraded. Easements shall be shown on the plan. If they are to be granted to the Town, a written easement and a specific easement plan of such for recording purposes is necessary.*

The Drainage Summary in the submitted Stormwater Management Report indicates that post-development drainage rates are less than pre-development drainage rates. See “Massachusetts

Stormwater Standards” section below for an in-depth review of conformance to each of the MA Stormwater Management Standards. However, the drainage area map that was included with the stormwater report does not include all areas of the project. There are areas along the southern boundary of the project that were not included in the analysis. None of these areas are proposed to be pavement. In our opinion, the stormwater analysis should extend to the property line.

ZCE response 7/26/23: As suggested in several other comments, the grading on the south property line has been adjusted to direct the negligible amount of runoff in this area into the basin, thus extending the drainage analysis to the property line. It should be noted that this area is bare ground in the existing condition and grass in the proposed condition. Thus, even if the area were not re-graded, there would be a decrease in runoff rate to the abutting property when the project is constructed. It should also be noted that the basin infiltrates all of the runoff up to the 100 year storm event and still has over a foot of freeboard as required.

EP Response 8/16/23: Acknowledged—the revised hydrology calculations appended to the comment response letter show that the area of analysis increased by approximately 0.16 acres. The revised Grading & Drainage Plan also confirms that the grading along the south property line has been adjusted to direct runoff into the basin. **Item closed.**

Massachusetts Stormwater Management Standards

1. Standard 1: No new untreated discharges

The proposed project complies with Standard 1. There is a bordering vegetated wetlands system in the northwest corner of the site. Stormwater generated by the proposed impervious areas experiencing vehicular traffic is routed through deep sump, hooded catch basins and a sediment forebay for pretreatment prior to infiltration in the proposed infiltration basin. The infiltration basin is designed to fully infiltrate the 100-year storm event, and includes an emergency spillway.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: **Item closed.**

2. Standard 2: Peak rate attenuation

The Stormwater Report states the proposed project complies with Standard 2. All impervious surfaces are routed to the infiltration basin or Cultec infiltration chamber systems, all of which are designed to fully infiltrate the 100-year design storm. Post-development peak rates of runoff are less than pre-development rates at all discharge points. As described above, the drainage area map that was included with the stormwater report does not include all areas of the project. There are areas along the southern boundary of the project that were not included in the analysis. None of these areas are proposed to be pavement. In our opinion, the stormwater analysis should extend to the property line.

ZCE response 7/26/23: As suggested in several other comments, the grading on the south property line has been adjusted to direct the negligible amount of runoff in this area into the basin, thus extending the drainage analysis to the property line.

EP Response 8/16/23: Acknowledged—the revised hydrology calculations appended to the comment response letter show that the area of analysis increased by approximately 0.16 acres. The revised Grading & Drainage Plan also confirms that the grading along the south property line has been adjusted to direct runoff into the basin. **Item closed.**

3. *Standard 3: Recharge*

- a. The recharge calculations provided in the Stormwater Management Report indicate that the recharge volume requirements are easily satisfied. However, the Applicant should provide calculations showing that all infiltration facilities are able to drain fully within 72 hours.

ZCE response 7/26/23: The hydrographs that are attached in the revised HydroCAD analysis of the 100 year storm event in the post-development indicate that all of the infiltration BMP's designed in the project drain fully in less than 36 hours.

EP Response 8/16/23: Item closed.

- b. The test pit data logs for test pits excavated proximate to the infiltration basin and chamber field #2 indicate four feet or greater separation between the bottom of the infiltration system and estimated seasonal high groundwater. However, the test pit excavated near chamber field #1 (TP-3) has an estimated seasonal high groundwater elevation of 99.1', and the bottom of the system is at elevation 98.62'. We recommend that the Applicant performs another test pit directly within the limits of chamber field #1, and revises the design as necessary to ensure adequate separation between the bottom of the system and estimated seasonal high groundwater.

ZCE response 7/26/23: A test pit was excavated in the chamber field #1 limits as suggested. The test pit location and log has been added to the plan. No indication of groundwater was observed down to the bottom of the pit which is 13 feet below the ground surface.

EP Response 8/16/23: Item closed.

4. *Standard 4: Water quality*

The proposed project complies with Standard 4. Stormwater runoff generated by all impervious surfaces subject to vehicular traffic is conveyed through deep sump hooded catch basins and a sediment forebay, prior to discharge to the infiltration basin. The stormwater management system is designed to remove at least 80% of the average annual post-construction load of total suspended solids (TSS).

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

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

The project is not a LUHPPL, and therefore Standard 5 does not apply.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

6. *Standard 6: Critical areas*

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

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

7. *Standard 7: Redevelopment*

This project does not classify as a redevelopment. Therefore, the project requires full compliance with all Stormwater Management Standards.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

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

- a. The plans indicate that the majority of the site will need to be cleared for proposed construction. Based on recent aerial imagery, it appears that the entire site has already been cleared. Unstabilized land from clearing, combined with steep slopes across the site, is likely to cause erosion and sedimentation. On the Erosion Control Plan, the Applicant proposes temporary stabilization on all slopes steeper than 2:1. All areas with a slope of 2:1 or steeper should be permanently stabilized. Additionally, diversion swales and temporary sediment basins should be used if necessary to prevent sedimentation of the infiltration basin during construction.

ZCE response 7/26/23: A note has been added to the plans that all slope stabilization methods shall be permanent.

EP Response 8/16/23: Acknowledged—we recommend adding the limits of all permanent slope stabilization to the Grading & Drainage plan. The specification and/or detail for slope stabilization should also be added to the plans—we recommend MHD M2.02.2 for riprap.

- b. 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 is provided in the Storm Water Management Report. We recommend the Planning Board require the final SWPPP be submitted for review and approval prior to the commencement of construction.

ZCE response 7/26/23: The applicant is aware of the requirement for a NPDES Permit.

EP Response 8/16/23: Item closed.

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

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

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

10. Standard 10: Prohibition of illicit discharges

The proposed project complies with Standard 10, and a signed illicit discharge statement is provided in the Stormwater Management Report.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

General Comments

1. The infiltration basin is proposed within the 100-foot buffer to bordering vegetated wetlands. Therefore, this project is subject to review by the Conservation Commission. All construction activities should be consistent with any future Order of Conditions.

ZCE response 7/26/23: No response necessary.

EP Response 8/16/23: Item closed.

2. We recommend the Applicant consider alternatives to the proposed trench drain located at the throat of the driveway. Trench drains clog easily and can underperform. The grates can become broken or dislodged, making them difficult to maintain.

ZCE response 7/26/23: MassDOT requires that runoff from a project be collected and contained within that project or directed away from the state highway layout. Trench grates are recommended by MassDOT to collect runoff at a property line that is upgradient of the highway's elevation. We have successfully utilized trench grates on numerous projects in the town of Lakeville including the property next door at 15 Main Street.

EP Response 8/16/23: As described above, we prefer the use of catch basins. If a trench drain is utilized, the owner should regularly maintain the trench drain to prevent clogging and ensure proper operation. The trench drain should be maintained consistent with manufacturer requirements. We recommend adding specific information to the Operation and Maintenance Plan regarding trench drain maintenance.

3. There are several areas of steep slopes across the proposed project, including 1:1 slopes. We recommend all 1:1 slopes be reinforced and not left as grass. For instance, 1:1 slopes could be reinforced with rip-rap or another type of reinforcement. Slopes 2:1 will remain stable once vegetation is established. However, 2:1 slopes are too steep to be mowed. All slopes 2:1 or steeper should be permanently stabilized.

ZCE response 7/26/23: The Erosion Control Plan indicates proposed methods for slope stabilization including riprap on 1:1 slopes. A note has been added to assure that these methods are permanent.

EP Response 8/16/23: Acknowledged—we recommend adding the limits of all permanent slope stabilization to the Grading & Drainage plan. The specification and/or detail for slope stabilization should also be added to the plans—we recommend MHD M2.02.2 for riprap.

4. The project proposes significant cut across portions of the site (e.g. approximately 18 feet of cut is proposed to the west of the western most 3-story apartment building). The cut areas appear to be in areas where stockpiles of material exist or existed when the topographic survey was performed. We recommend the Applicant quantify the earthwork required for the project as well as the number of trips needed to remove this material if the project requires a net cut.

ZCE response 7/26/23: While there is, in fact, a required cut in the area of the soil stockpile as indicated, there is a significant amount of refill required on the west side of the property. The calculated net earthwork required for the project is a cut of approximately 6,500 yds which includes the soil stockpile which contains approximately 3,100 yds.

EP Response 8/16/23: Acknowledged. Based on the amount of exported fill, the project will result in approximately 220 truck trips off site. The applicant will need to be diligent to prevent sediment from tracking on to adjacent roads.

5. The rim elevation labelled on some of the structures (DMH-2 and DMH-3) is incorrect.

ZCE response 7/26/23: The labels have been corrected on the revised plans.

EP Response 8/16/23: Item closed.

6. We recommend inspection ports be included with the Cultec chamber system.

ZCE response 7/26/23: Inspection ports have been added as suggested.

EP Response 8/16/23: Item closed. The inspection ports have been added to the construction detail as requested.

7. There are no electric or gas utilities proposed in the plans.

ZCE response 7/26/23: There is no gas proposed for this project. No electric is shown since the utility company requires approved plans prior to their design of the electric layout on the property.

EP Response 8/16/23: We recommend the Planning Board require the final Utilities Plan with proposed electric utilities be submitted for review and approval prior to the commencement of construction.

8. The proposed water main connects to an existing water main on the adjacent property. The Applicant should provide more information on this connection and verify this connection has been coordinated with the adjacent property owner/Taunton Water Department.

ZCE response 7/26/23: There is an existing permanent easement for the water main. Taunton Water Department is aware of the proposed connection and easement.

EP Response 8/16/23: Acknowledged—we recommend the Planning Board require the Taunton Water Department's approval of this connection prior to the commencement of construction.

9. The slope work around the western apartment building directs water onto adjacent property. We recommend moving the slope away from the property line and grading a swale to direct water from this area into the proposed infiltration basin.

ZCE response 7/26/23: This area has been re-graded to direct runoff into the basin.

EP Response 8/16/23: Item closed.

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

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

Very Truly Yours,



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Article _____

To see if the Town will vote to amend the Town of Lakeville Zoning By-Laws by adding the following new Section:

Section 270-7.9. Open Space Residential Development

A. Purpose

- (1). To permit maximum flexibility and creativity in design for the development of single-family subdivisions that will be superior to conventional plans,
- (2) To promote the most harmonious use of the land's natural features, resources and topography, which will promote the general health and safety of the public,
- (3) To discourage sprawled development, minimize environmental disruption, and provide a shorter network of streets and utilities which will promote a more efficient distribution of services; and
- (4) To encourage the permanent preservation of open space, agricultural land, forestry land, wildlife habitat, other natural resources including aquifers, water bodies and wetlands, and historical and archaeological resources.

B. Special Permit Required. Open space residential development may be authorized, only by a special permit as granted by the Planning Board. The Board may approve, with conditions, or deny an application for an OSRD after assessing whether the OSRD better promotes the intent of this By-Law than a conventional subdivision.

C. Pre-Application Meeting. A pre-application meeting is required to be held at any regular meeting of the Planning Board. Concept plans for the traditional subdivision and open space plan shall be submitted for discussion. The Board shall invite representatives from the Conservation Commission and the Board of Health to attend. The intent of such meeting is to allow the Town the opportunity to discuss with the applicant and review each proposal prior to the special permit process. After the pre-application review, an applicant may then proceed to the preliminary plan review process.

D. Development Requirements

- (1) The minimum lot size of the development parcel shall be 20 acres.
- (2) The minimum lot size of the OSRD parcel may be reduced to 10 acres if:
 - a. The proposed dedicated open space abuts an existing parcel of local, state, federal, or permanently restricted open space land. The Agency or organization

must agree to accept the ownership or a Conservation Restriction on the parcel prior to final approval. or

- b. The property is located along a great pond and the open space land will be the land along the pond. Land located within the floodplain shall not be included in the open space calculations.
- (3). The development shall be served by at least one of the following types of utilities. A municipal water supply, a privately-owned public water supply, a Wastewater Treatment Plant, or a shared septic system. Approval for the desired system shall be obtained from the licensing/permitting authority prior to the issuance of the OSRD Special Permit.
- (4) Land area required for the Zone 1 of a public water supply and the land area required for the septic field and reserve area of a WWTP or shared septic system and the required buffer, as well as any associated buildings shall be excluded from land area calculations. These areas shall be owned and maintained by a homeowner's association.

E. Dimensional and Design Requirements.

- (1) The number of building lots for the Open Space Residential Development may not exceed the number of building lots that may be approved on the property as permitted by Board of Health and Conservation Commission regulations, existing zoning, and a conventional subdivision per the Lakeville Subdivision Regulations ("subdivision regulations").
- (2) Lots may be reduced in size to a minimum of 30,000 square feet of contiguous upland area. The general location of septic systems and wells shall be shown on the plans to ensure proper distances can be maintained to protect public health. The Health Department shall provide guidance to the Board on the proper location of these utilities.
- (3) Lots approved under this section do not have to comply with the requirements of Section 5.1 Intensity Regulations and instead shall comply with the requirements found in this Section.
- (4) All lots and structures shall comply with the following dimensional requirements.

Frontage: 75 feet *
Front yard setback: 25 feet
Side yard setback: 20 feet
Rear yard setback: 25 feet

Maximum Height of buildings
Number of Stories 2.5

Height 35 Feet

Lot Coverage 40%

Towers are not permitted

Lots with on-site septic systems shall be limited to one bedroom per 10,000 sq. ft. of land area.

* The Board may allow 20% of the lots to have the frontage reduced to 50 feet

- (5) The width of each lot shall not be reduced to less than the required frontage from the street to building site on each lot.
- (6) All accessory structures and uses shall comply with the requirements of Section 5 of these bylaws unless otherwise provided for herein.
- (7) Strong emphasis shall be placed upon preserving and integrating the existing topography, natural features (such as rock outcrops, specimen trees and clumps of trees) and man-made features such as stonewalls into the plan.
- (8) Existing/proposed screening, distances between the OSRD and existing abutters, and topography shall all be considered. The intent is to minimize impacts on existing abutters.
- (9) When determined necessary by the Board, screening and buffering shall be required. It may consist of landscaped berms, evergreen plantings, solid walls or fences complemented by suitable plantings, "no cut" provisions (for existing vegetation), or a combination of these items. The location of the screening/buffering and species type(s) of vegetation shall be noted on the definitive plan.

F. Dedicated Open Space

- (1) A minimum of 50% of the upland area of the parcel shall become dedicated open space as described below. The Planning Board may reduce this figure to a minimum of 40% if it determines there are unique circumstances (re: shape of parcel, topography, wetlands, etc.) that would individually or together preclude the construction of the OSRD or that the open space to be provided is of exceptional value to the Townspeople. Roadway layouts shall be excluded from the open space land area calculations.
- (2) Uses for open space: The open space may be used for wildlife habitat and conservation and may also be used for the following additional purposes or a combination of these uses to the extent allowed by this By-Law: historic preservation, outdoor education, passive recreation, aquifer protection,

stormwater management, agriculture, horticulture, forestry, and shall be served by suitable access for such purposes. Only 10% of the open space land may be used for new agriculture, horticulture, or community gardens provided that only organic methods are employed. In subdivisions of 25 or more lots the Board may require a portion of the site be developed for active recreation such as but not limited to playgrounds, sports fields, courts, etc... The Select Board must vote to accept this park prior to final approval, or the land shall remain as open space and be deeded to the Conservation Commission as open space.

- (3) Detention or retention basins may be located in the open space however this land area may not be counted towards the minimum open space required.
- (4) Dedicated open space may be utilized as natural courses for disposal for storm drainage from impervious surfaces. Other than minor berming (maximum 3-1 slopes which shall blend into the landscape) and riprap at pipe outflows, no significant disruptions of the land (contour changes greater than three feet) for drainage are permitted.
- (5) Dedicated open space may be in one or more parcels of a size and shape appropriate for its intended use. The parcels shall be laid out to promote convenient access by the homeowners within the OSRD and the general public. Wherever practical, parcels shall be accessible via upland areas. The adequacy of the open space land shall be determined by the Planning Board.
- (6) Public access to proposed preserved open space, including paths, shall be provided where appropriate. The plan shall show the location, construction details, and signage for pathways. Paths in OSRDs shall not be utilized for snowmobiles and other motorized travel, but may be used for cross-country skiing, snowshoeing, horseback riding, and other non-motorized modes of travel.
- (7) Parking for public access or facilities to serve the recreational uses shall be allowed on the open space land.

G. Ownership of Dedicated Open Space.

- (1) The open space shall, at the Planning Board's election be conveyed to:
 - a) The Town of Lakeville Conservation Commission or Select board and accepted by it for open space, or a park, or
 - b) The Commonwealth of Massachusetts as part of a state forest, park, or wildlife management area, or
 - c) A nonprofit organization, the principal purpose of which is the

conservation of open space. In this case where the open space is not conveyed to the Town, a permanent conservation, agricultural or historical preservation restriction approved by Town counsel and enforceable by the Town, conforming to the standards of the Massachusetts Executive Office of Energy and Environmental Affairs, Division of Conservation Services shall be recorded to ensure that such land shall be kept in an open or natural state and not be built for residential use or developed for accessory uses such as parking or roadways except as permitted by this bylaw and approved by the Planning Board. Restrictions shall provide for periodic inspection of the open space by the Town. Such restriction shall be submitted to the Planning Board prior to approval of the project and at the Registry of Deeds/Land Court simultaneously with recording of the endorsed definitive subdivision plan. A management plan may be required by the Planning Board which describes how existing woods, fields, meadows, or other natural areas shall be maintained with good conservation practices.

- (2) Any land set aside as open space, or conserved as a condition of special permit, shall be permanently protected pursuant to Article 97 of the Articles of Amendment to the Constitution of the Commonwealth of Massachusetts or a 27 perpetual restriction under G.L. Chapter 184 Section 31-33. Unless conveyed to the Conservation Commission, the required open space shall be subject to a permanent Conservation, Watershed, or Agricultural Preservation Restriction conforming to the standards of the Massachusetts Executive Office of Environmental Affairs, Division of Conservation Services, or Department of Agricultural Resources in accordance with G.L. Chapter. 184 Section 31-33, approved by the Planning Board and Select Board and held by the Town of Lakeville, or a non-profit conservation organization qualified to hold conservation restrictions under G.L. Chapter 184, Section 31-33.
- (3) If necessary, such restrictions shall further provide for maintenance for the common land in a manner which will ensure its suitability for its function, appearance, cleanliness, and proper maintenance of drainage, utilities, and the like.
- (4) Where the boundaries of the open space are not readily observable in the field, the Planning Board shall require placement of surveyed bounds sufficient to identify the location of the open space.

H. Preliminary Subdivision and OSRD Concept Plan Application Process.

After the preapplication review, an applicant must file for preliminary subdivision approval and approval of the OSRD concept plan.

- (1) An application, a preliminary set of plans, illustrating a conventional subdivision plan and proposed OSRD shall be filed with the Lakeville Town Clerk and the Planning Board. The application shall be accompanied by 14 copies of the plans and any other supporting materials, which must be prepared and stamped by a professional civil engineer and landscape architect. This submittal shall comply with the Lakeville Subdivision Regulations. An electronic copy shall also be filed.
- (2) The preliminary subdivision plan shall be used by the Planning Board to determine the maximum number of lots which could be created via a conventional plan. The applicant must demonstrate to the satisfaction of the Board that all the lots shown on the preliminary plan comply with the applicable sections of the Lakeville Zoning By-Laws and Subdivision Regulations. This number will be the maximum allowed in an OSRD Special Permit and definitive subdivision plan submittal.
- (3) All lots shown on the preliminary conventional plan shall have at least one deep observation hole and percolation test dug according to 310 CMR 15.102 and 15.104 to determine the suitability of the lot for development. If necessary to determine whether a lot may be buildable, the Board of Health may require additional testing.
- (4) Prior to the submittal of the preliminary subdivision and OSRD concept plan the applicant shall have the wetlands delineated on the site and a Resource Area Delineation approved by the Conservation Commission.
- (5) The burden of proof shall be upon the applicant to prove that all the proposed lot(s) are suitable for building. The Planning Board reserves the right to challenge the status of any lot and not allow such to be included in any definitive plan filing.
- (6) Formal percolation and depth to groundwater tests shall be conducted on a portion of the lots located on the OSRD development area. Depending on the results of these tests and after consultation with the Board of Health, the Board may require additional testing. The results of these tests shall be submitted with the application.
- (7) A preliminary sketch plan of the proposed OSRD shall be submitted. It shall contain the proposed location of the road(s), lots, drainage, and dedicated open space. General topography (with ten-foot contours maximum), major site features and adjacent streets shall also be shown.
- (8) The Planning Board shall hold a public hearing on the preliminary plan as required by the Town of Lakeville Rules and of the Planning Board Governing the Subdivision of Land.
- (9) The conceptual OSRD shall also be reviewed and discussed during the hearing

process. Comments and recommendations shall be incorporated in plans included in any subsequent filings.

- (10) If the preliminary conventional and conceptual OSRD plans are approved, the Planning Board shall, insofar as practical under the law, allow the submittal of a combined special permit and definitive subdivision plan. A combined submission will not be authorized in those cases where either the conventional preliminary plan or proposed OSRD concept plan is not approved by the Planning Board.

I Special Permit Application and Fillings.

A special permit application for an OSRD shall include a definitive subdivision plan with 14 copies and an electronic copy. It shall be prepared in accordance with the Lakeville Subdivision Regulations. Administrative and consulting review fees required by the Board shall be paid by the applicant. In addition, the applicant shall provide the following information:

- (1) A detailed analysis of the site, including wetlands, soil conditions, areas within the one-hundred-year floodplain, trees over eight inches in diameter in areas identified by the Planning Board, and natural, and/or man-made features and other items as the Planning Board may request;
- (2) A description of the proposed design characteristics of the site pursuant to these regulations;
- (3) Drainage calculations meeting the requirements of the subdivision regulation and zoning bylaws.
- (4) If a common septic system is proposed then septic tanks shall be required for each house lot. Easements shall be granted to the homeowner's association to allow for regular cleaning.
- (5) A copy of any restrictive covenant(s) for the preserved open space, association rules and regulations and/or other documentation relating to the creation of a homeowners' association or similar entity, if necessary.
- (6) The Planning Board may require other plans, studies, or reports as may be necessary for the Board to understand the impact of the proposal and determine compliance with the provisions of this By-Lay and the Lakeville Subdivision Regulations.

K. Special Permit Decision.

- (1) The Planning Board shall conduct a public hearing in accordance with the

provisions of these bylaws.

- (2) If the Planning Board disagrees with any recommendations of another Town of Lakeville Board, it shall state its reasons therefor in writing.
- (3) The Planning Board shall consider the approval criteria in this section to determine if it approves the plan as submitted.
- (4) The Planning Board may impose conditions as a part of any approval that furthers the purposes of this Section 7.10 and these bylaws.
- (5) The Planning Board shall require a performance guarantee pursuant to G.L. Ch.41 Section 81U. to secure the proper completion of all infrastructure as well as the fulfillment of any conditions of approval.

L. Approval Criteria.

The Planning Board may grant a special permit under this Section only if it finds that:

- (1) The proposed plan is in harmony with the intent and requirements of this section and these bylaws.
- (2) Open space as required by this bylaw has been provided and generally conforms to the dedicated open space section of this bylaw.
- (3) Proposed uses of the open space comply with this bylaw.
- (4) Proposed open space will be dedicated in compliance with the Massachusetts General Laws and this bylaw and is suitably protected.
- (5) Approximate building sites have been identified and are not located closer than 100 feet to wetlands and waterbodies.
- (6) Proposed streets have been aligned to provide vehicular access to each house in a reasonable and economical manner. Lots and streets have been located to avoid or minimize adverse impacts on open space areas and to provide views of and access to the open space for the lots.
- (7) All lots meet the applicable dimensional requirements of this Open Space Residential Development By-Law.
- (8) If required, all documents creating a homeowners' association has been submitted to the Board and approved by Town Counsel.
- (9) Any restriction or other legal documents (deeds, conservation restrictions, easements, etc...) necessary to permanently conserve the open space as required

by the approval shall be recorded prior to the release of any lots in the subdivision and prior to the issuance of any building permits.

- (10) The development will not have a detrimental impact on the neighborhood or abutting properties; and
- (11) Other factors as determined appropriate by the Planning Board.

J. Revisions to Approved Special Permits. Subsequent to granting of a special permit, the Planning Board may permit the relocation of lot lines or changes to landscaping within the project, provided that any change in the number of lots, street layout, square footage or composition of dedicated open space, or disposition thereof, will require further review and a public hearing.

Or take any other action relative thereto

To see if the Town will vote to amend the Lakeville Code by

ADD to Section 270-6.6 F. Special Permits

(3) Add to the end of the sentence the words “by the Zoning Board of Appeals” so the sentence reads: Changeable copy signs, electronic message board signs, and internally illuminated or the portion of a sign that is changeable copy, an electronic message board or internally illuminated shall require a special permit **by the Zoning Board of Appeals.**

ADD to Section 270-7.4

(30) Signs - Changeable copy signs, electronic message board signs, and internally illuminated signs.

These signs must meet the following standards:

- (a) The parcel where the sign is proposed shall not abut properties on either side or across the street that are zoned Residential, **or contain a single-family dwelling.**
- (b) If the property cannot meet the above standard (a) a Special permit may still be issued only if the sign is for a use that identifies municipal or public safety buildings, medical facilities, or **retail** stores that sell medical supplies.
- (c) It must be determined that the sign is not detrimental to the character of the neighborhood.

And renumber the remainder of the Section accordingly.

PLANNING BOARD

Goal #	Goal	Details if Needed	T (timebound)	PB	PB Planner and Support Team	6-Apr
1	Review Housing Production Plan	Review	Jun-23	x	x	Draft currently under review
2	Yearly review of Planning Board goals to ensure goals are being met		May-23	x		
3	Establish Individual goals for Planner and support Staff		May-23	x	Planner	
4	Establish tracking and MAP of Buildable Land area (use SRPEDD) - coordinate with SRPEDD representatives for town		Jul-23		x	
5	Review Current Zoning Map to ensure compatibility with existing uses	Along with this review PB should identify properties for zoning reclassifications based on useage. Look at Open Space Residential needs to determine if a by law is needed. Is there a need for an Adult Entertainment District, look at land to be further established as Industrial Growth land. What are growth areas for all phases	Aug-23	x	x	
6	Complete review of 40R, 40B and 3A for identification of applicable property	Is there a need for modification of existing zoning bylaw to allow Moderate Densities and Multi family housing in appropriate locations - Planner to do developmenta work to present to board. Work with developers to bring housing identified thru survey to town (age restricted, affordable, assisted, etc.	Sep-23	x	x	currently underway
7	Review Planning Board rules and guidelines to ensure consistency and updates. Target a complete review within 5 years	a priority list should be developed to prioritize review - recommend a small committee to do this.	Apr-28	x		
8	Electronic Agendas to be delivered weekly by noon on Friday preceeding the meeting	Hard cut off of seven days prior of submissions for next meeting	At Once and On going		x	
9	Hold one combined meeting with CPA and Con Com		Dec Yearly			
10	Implementation of applicable Master Plan goals updating priority protection areas	Communicate this goal regularly with MPIC with any/all updates	Dec Yearly	x	x	
11	Adopt stormwater Management By-Law	Planner will present to board for review	Jul-23		x	
12	Investigate of Transfer of Development Rights By-Law	Planner to define the need and present to board for a go ahead			x	

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
1	179 COUNTY REALTY TRUST	39-5-33	179 COUNTY ST	13.92	0.00	13.92	0.00
1	179 COUNTY REALTY TRUST	39-5-33A	6 CHURCHILL RD	1.70	0.00	1.70	0.00
2	BAYSIDE AGRICULTURAL INC	15-1-11	116 SOUTH PICKENS ST	11.60	0.00	11.60	0.00
3	BEECHWOOD FARMS LLC	7-2-2	71 PIERCE AVE	72.00	62.75	0.00	0.00
3	BEECHWOOD FARMS LLC	7-1-6	80 PIERCE AV	16.16	16.16	0.00	0.00
4	CAMPBELL HAZEL	017-003-004	51 MONTGOMERY ST	12.00	0.00	10.39	0.00
4	CAMPBELL HAZEL	17-3-9	MONTGOMERY ST	41.89	0.00	41.89	0.00
4	CAMPBELL HAZEL	17-3-3	MONTGOMERY ST	15.02	0.00	15.02	0.00
4	CAMPBELL HAZEL	17-3-6	REARMONTGOMERY ST	14.00	0.00	14.00	0.00
4	CAMPBELL HAZEL	17-3-11	MONTGOMERY ST	31.88	0.00	31.88	0.00
5	CARD HAROLD B	18-1-2	BARSTOW ST	37.76	0.00	37.76	0.00
6	CHAMBERLAIN J ADRIAN	32-1-011B	HIGHLAND RD	57.50	0.00	0.00	57.50
6	CHAMBERLAIN J ADRIAN	032-1/011	48 HIGHLAND RD	10.47	0.00	0.00	8.86
7	CHAVES RICHARD F TRUSTEE	17-1-4	97 KINGMAN ST	1.80	0.00	1.80	0.00
7	CHAVES RICHARD F TRUSTEE	5-1-1	95 KINGMAN ST	48.88	0.00	48.88	0.00
7	CHAVES RICHARD F TRUSTEE	5-1-3	111 KINGMAN ST	1.70	0.00	1.70	0.00
7	CHAVES RICHARD F TRUSTEE	17-1-6	103 KINGMAN ST	1.70	0.00	1.70	0.00
7	CHAVES RICHARD F TRUSTEE	5-1-2	109 KINGMAN ST	1.70	0.00	1.70	0.00
7	CHAVES RICHARD F TRUSTEE	17-1-5	101 KINGMAN ST	1.70	0.00	1.70	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
7	CHAVES RICHARD F TRUSTEE	5-1-4	113 KINGMAN ST	1.70	0.00	1.70	0.00
8	CONWAY ARTHUR L TRUSTEE	25-1-015A	SOUTHWORTH ST	5.08	0.00	1.18	0.00
8	CONWAY ARTHUR L TRUSTEE	25/1/15B	33 SOUTHWORTH ST	7.10	0.00	5.49	0.00
8	CONWAY ARTHUR L TRUSTEE	25-1-15	SOUTHWORTH ST	31.82	0.00	5.00	0.00
8	CONWAY ARTHUR L TRUSTEE	25-1-014A	SOUTHWORTH ST	6.69	0.00	2.00	0.00
9	CONWAY SHAWN P	25-3-1	23 LEONARD ST	3.01	0.00	1.40	0.00
9	CONWAY SHAWN P	25-3-22	SOUTHWORTH ST	11.84	0.00	11.84	0.00
9	CONWAY SHAWN P	25-3-5	SOUTHWORTH ST	5.10	0.00	5.10	0.00
10	CROSSLOR DEVELOPMENT LLC	26-3-3	CROOKED LN/R I RD	9.12	0.00	1.61	0.00
11	CROSSLOR SOLAR LLC	26-4-4	REARRHODE ISLAND RD	22.85	0.00	1.61	0.00
12	DARLING ROBERT JR & ROSLYN L	54-3-013A	LAKESIDE AV	7.68	0.00	7.68	0.00
13	DIBIASE RUSSELL L & BEVERLY J	26-4-15	BEDFORD ST	10.98	0.00	10.98	0.00
13	DIBIASE RUSSELL L & BEVERLY J	26-4-004D	REARRHODE ISLAND RD	1.64	0.00	1.64	0.00
13	DIBIASE RUSSELL L & BEVERLY J	26-4-007A	115 CROOKED LN	2.50	0.00	2.50	0.00
14	DOOLEY WILLIAM F	5-2-3	KINGMAN ST	20.56	0.00	20.56	0.00
15	DOUZANIS EDWARD & JUDITH E	14-1-2	14 PIERCE AV	2.25	1.63	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	14-4-015A	21 PIERCE AV	1.62	1.62	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	14-4-12	PIERCE AV	10.64	10.49	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	14-4-014A	17 PIERCE AV	25.00	24.18	0.00	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
15	DOUZANIS EDWARD & JUDITH E	14-4-9	COUNTY ST	12.40	5.00	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	014-001-002-01	16 PIERCE AVE	2.34	1.35	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	14-3-1	PIERCE AV	0.09	0.09	0.00	0.00
15	DOUZANIS EDWARD & JUDITH E	14-4-15	19 PIERCE AVE	1.67	0.88	0.00	0.00
46	CURTIN JOHN L & WHIPPEN-CURTIN	24-07-10	2 TYLER'S WAY	105.00	0.00	103.40	0.00
47	STAPLES, ROBERT S & JOANNA M. TRUSTEES	33-4-012-01	CHRISTIAN WAY	5.38	1.79	3.59	0.00
47	STAPLES, ROBERT S & JOANNA M. TRUSTEES	33-4-012-02	1 CHRISTIAN WAY	7.46	4.58	2.88	0.00
47	STAPLES, ROBERT S & JOANNA M. TRUSTEES	14-4-001J	158 COUNTY ST	1.61	1.61	0.00	0.00
47	STAPLES, ROBERT S & JOANNA M. TRUSTEES	33-4-012-03	CHRISTIAN WAY	16.50	12.45	4.05	0.00
47	STAPLES, ROBERT S & JOANNA M. TRUSTEES	14-4-1	164 COUNTY ST	29.93	28.32	0.00	0.00
48	MARY LOUIS IRREVOCABLE TRUST	66-1-1	472 BEDFORD ST	50.00	0.00	0.00	48.39
49	BROADWEST GROUP 4 LLC	024-003-019	1 OCEAN SPRAY DR	54.12	0.00	29.55	0.00
50	ZION SCOTT K.	54-1-1	7 QUAIL RUN	30.98	0.00	0.00	29.37
51	ROBBINS COLEMAN B & DOREEN R	006-001-004	12 COUNTY ST	31.75	0.00	0.00	27.14
52	ASHLEY PAULINE A	013-001-001	73 HOWLAND RD	21.36	0.00	0.00	19.75
53	BELAND DAVID L & WINTERS DONNA	017-003-001	17 MONTGOMERY ST	76.41	0.00	74.80	0.00
53	BELAND DAVID L & WINTERS DONNA	017-003-002	29 MONTGOMERY ST	2.60	0.00	0.99	0.00
54	BERNIER SHERRY J	016-005-003	72 KINGMAN ST	17.55	0.00	15.94	0.00
55	BISSONETTE KERRY J	017-003-008	22 HILL ST	16.00	0.00	0.00	14.39

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
56	BOOKER-CABRAL SHARON J	006-003-010A	1 LANG ST	5.17	0.00	5.00	0.00
57	BROWN MARGARET M	007-003-001	74 COUNTY ST	8.71	0.00	7.10	0.00
58	CALIRI PAUL C & BONNIE L TRUSTEES	020-001-002	69 SOUTHWORTH ST	18.00	0.00	8.00	0.00
59	CHISTOLINI GLENN A	015-006-001	1 ELLIOT WAY	40.90	0.00	37.29	0.00
61	DICARLO JOSEPH & NORMA C	020-002-006	64 SOUTHWORTH ST	18.50	0.00	9.00	0.00
62	FRANCESCON ELIOT L TRUSTEE	009-002-001	30 HOWLAND RD	565.77	0.00	564.16	0.00
63	JOHNSON DOUGLAS & PAULA J	060-008-014D	55 RHODE ISLAND RD	40.11	0.00	38.50	0.00
64	LEONARD KENNETH C JR	008-002-004	22 PIERCE AVE	102.70	87.10	0.00	11.60
65	MARKSON WILLIAM H TRS	014-004-001-03	REAR COUNTY ST	51.04	0.00	0.00	51.04
75	CEDAR WOODS REALTY TRUST	018/001/025	6 BARSTOW ST	0.00	0.00	0.00	0.00
75	CEDAR WOODS REALTY TRUST	26-3-2A	108 CROOKED LN	39.61	0.00	38.00	0.00
76	BETTY'S NECK FARM, INC.	71-1-1	50 LONG POINT RD	151.41	0.00	149.80	0.00
77	HOLLOWAY BROOK FARM	018-001-025	6 BARSTOW ST	36.64	0.00	35.03	0.00
78	MALLOCH STEVEN	014-004-002C	3 JULIA'S WAY	19.51	17.90	0.00	0.00
78	MALLOCH STEVEN	014-004-002D	OFF JULIA'S WAY	30.25	0.00	0.00	30.25
79	BISIO LEO B	007-004-002	43R COUNTY ST	8.40	0.00	0.00	8.40
67	POQUOY BROOK GOLF COURSE LLC	024-001-001	20 LEONARD ST	136.39	0.00	0.00	134.78
68	RUBINI ROBERTO	015-001-012	118 SOUTH PICKENS ST	28.31	0.00	26.70	0.00
69	STANDISH BARRY E TRUSTEE	063-002-001	37 BRIDGE ST	13.00	0.00	11.39	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
70	TRIPP RICHARD S TRUSTEE	058-007-044	134 MAIN ST	22.00	0.00	20.39	0.00
71	VANLAARHOVEN HENRY W & NANCY LEE	033-004-016	165 COUNTY ST	15.20	11.50	2.09	0.00
72	WALKER MARK T & MARIANNE	008-001-001	35 PIERCE AVE	18.80	0.00	17.19	0.00
73	WARD MICHAEL IAIN & CHRISTINE G	014-006-006	89 HIGHLAND RD	16.40	0.00	14.79	0.00
73	WARD MICHAEL IAIN & CHRISTINE G	015-005-006	HIGHLAND RD	32.00	0.00	30.39	0.00
74	MESSIER ROBERT E	6-3-6	15 COUNTY ST	13.80	0.00	0.00	12.19
16	DOW ROBERT C & CINDY LOU	58-7-042B	NELSONS GROVE RD	7.08	0.00	7.08	0.00
16	DOW ROBERT C & CINDY LOU	58-7-42	NELSONS GROVE RD	2.44	0.00	2.44	0.00
16	DOW ROBERT C & CINDY LOU	58-6-3	NELSONS GROVE RD	12.00	0.00	12.00	0.00
17	DUPRE ROBERT J & DIANE M	6-1-10	20 COUNTY ST.	10.61	9.00	0.00	0.00
17	DUPRE ROBERT J & DIANE M	6-1-11	COUNTY ST	15.60	15.60	0.00	0.00
18	EIGHT DUNBAR REALTYTRUST	39-5-29	8 DUNBAR RD	0.64	0.00	0.64	0.00
19	FREITAS DAVID A	63-2-005K	REARVAUGHAN ST	21.70	0.00	12.00	0.00
19	FREITAS DAVID A	63-2-023A	VAUGHAN ST	13.51	0.00	13.51	0.00
20	GAMACHE ROBERT E & ANN C	56-6-1	393 BEDFORD ST	2.76	0.00	2.19	0.00
20	GAMACHE ROBERT E & ANN C	56-6-001B	393 BEDFORD ST	2.81	0.00	2.81	0.00
21	HILLSIDE CRANBERRY COMPANY INC	16-2-006-01	69 KINGMAN ST	9.66	0.00	5.60	0.00
22	MAKSY DEREK A & MADELYN J	59-1-004B	31 STETSON ST	7.09	0.00	7.09	0.00
22	MAKSY DEREK A & MADELYN J	59-1-4	1 CEDAR BERRY LN	13.32	0.00	8.23	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
22	MAKSY DEREK A & MADELYN J	59-1-50	44 CLEAR POND RD	134.77	0.00	0.00	133.16
23	MCCAFFREY WILLIAM M	7-1-2	REAR PIERCE AV	71.20	71.20	0.00	0.00
23	MCCAFFREY WILLIAM M	7-1-20	COUNTY ST	13.00	0.00	13.00	0.00
24	NEMASKET CRANBERRY CO INC	19-1-4	REARRHODE ISLAND RD	14.03	0.00	14.03	0.00
24	NEMASKET CRANBERRY CO INC	20-1-4	REARSOUTHWORTH ST	20.60	0.00	20.60	0.00
24	NEMASKET CRANBERRY CO INC	25-1-14	REARSOUTHWORTH ST	62.57	0.00	62.57	0.00
24	NEMASKET CRANBERRY CO INC	25-1-17	45 SOUTHWORTH ST	36.20	0.00	36.20	0.00
25	OCEAN SPRAY CRANBERRIES INC	24-3-019A	4-18 CROSS ST	211.68	211.68	0.00	0.00
25	OCEAN SPRAY CRANBERRIES INC	22-3-8	REARCROSS ST	4.00	4.00	0.00	0.00
25	OCEAN SPRAY CRANBERRIES INC	24-3-004A	52 REAR TAUNTON ST	3.36	3.36	0.00	0.00
26	OLDE STONE LOOKOUT LLC	30-2-29	17 HERITAGE HILL DR	64.50	0.00	0.00	62.00
26	OLDE STONE LOOKOUT LLC	56-1-13	1 HERITAGE HILL DR	0.14	0.00	0.00	0.14
26	OLDE STONE LOOKOUT LLC	30-4-26	9A PICKENS ST	0.19	0.00	0.00	0.19
27	ORRALL EMERY F & ILENE G	26-4-004E	152 RHODE ISLAND RD	9.44	0.00	0.00	9.44
28	ORRALL GEORGE A & ANNA C TRS	26-3-003AA	CROOKED LN	10.18	0.00	10.18	0.00
28	ORRALL GEORGE A & ANNA C TRS	26-3-002B	106 CROOKED LN	3.04	0.00	3.04	0.00
29	OWEN STEPHEN M & TRACY POWDERLY	17-4-008B	48A MONTGOMERY ST	47.53	0.00	47.53	0.00
30	PAQUIN AARON E & SHERRI M	27-2-023A	REARLOON POND RD	36.08	0.00	29.58	0.00
30	PAQUIN AARON E & SHERRI M	27-2-23	REAR BEDFORD ST	29.00	0.00	20.00	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
31	PINK LAWRENCE W & NANCY J TRS	24-6-004A	520 KENNETH W WELCH D	8.79	0.00	8.79	0.00
31	PINK LAWRENCE W & NANCY J TRS	24-6-9	KENNETH W WELCH DR	4.08	0.00	4.08	0.00
32	POULLAS ATHANASIOS G & CHRYSAVGE M	17-4-15	46 MONTGOMERY ST	8.54	0.00	0.00	6.93
32	POULLAS ATHANASIOS G & CHRYSAVGE M	17-4-015A	44 MONTGOMERY ST	1.63	0.00	0.00	1.63
33	REZENDES ASSOCIATES INC	4-7-003A	118 PIERCE AV	55.05	0.00	55.05	0.00
34	REZENDES FAMILY LIMITED PARTNERSHIP	6-1-5	REAR PIERCE AV	6.95	0.00	6.95	0.00
35	SCHOBEL WILFRED L & SANDRA M	58-3-1	45 CROOKED LN	189.95	0.00	188.34	0.00
35	SCHOBEL WILFRED L & SANDRA M	58-6-2	50 OLD MAIN ST	12.70	0.00	12.70	0.00
36	SIX DUNBAR REALTY TRUST	39-5-34	6 DUNBAR RD	1.02	0.00	1.02	0.00
37	SMALE ODERA TRUSTEE	16-5-1	KINGMAN ST	38.32	0.00	27.72	0.00
39	SYLVIA EDWARD A & MICHELLE R	27-2-14	37 LOON POND RD	3.00	0.00	3.00	0.00
41	SYLVIA FAMILY LAND TRUST	15-3-15	REARFRANCISCO DR	14.08	0.00	14.08	0.00
41	SYLVIA FAMILY LAND TRUST	15-2-2	98 COUNTY ST	1.96	0.00	1.96	0.00
41	SYLVIA FAMILY LAND TRUST	15-3-19	91 COUNTY ST	43.13	0.00	43.13	0.00
41	SYLVIA FAMILY LAND TRUST	15-3-15A	83 COUNTY ST	4.48	0.00	2.87	0.00
41	SYLVIA FAMILY LAND TRUST	34-3-7	182 COUNTY ST	8.39	0.00	8.39	0.00
42	TEN DUNBAR REALTY TRUST	39-5-30	10 DUNBAR RD	0.72	0.00	0.67	0.00
43	TETREAUULT LISA A	4-5-1	43196 MALBONE ST	4.20	0.00	4.20	0.00
43	TETREAUULT LISA A	4-5-2	2 MALBONE ST	2.50	0.00	2.50	0.00

4/15/2021

Town of Lakeville
Total Chapter Acreage Report

ID	Owner	Parcel ID	Property location	Total Acres	61 Acres	61A Acres	61B Acres
44	TUOMALA JEFFREY P & MARJORIE	31-1-2	PICKENS ST	31.84	0.00	31.84	0.00
44	TUOMALA JEFFREY P & MARJORIE	17-3-5	PICKENS ST/HILL ST	15.24	0.00	15.24	0.00
44	TUOMALA JEFFREY P & MARJORIE	31-1-002G	PICKENS ST	23.32	0.00	23.32	0.00

Ch. 61 Total Acres:	604.24	Ch.61A Total Acres:	2,352.12	Ch. 61B Total Acres:	667.15
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Total Town Chapter Acres	3,623.51
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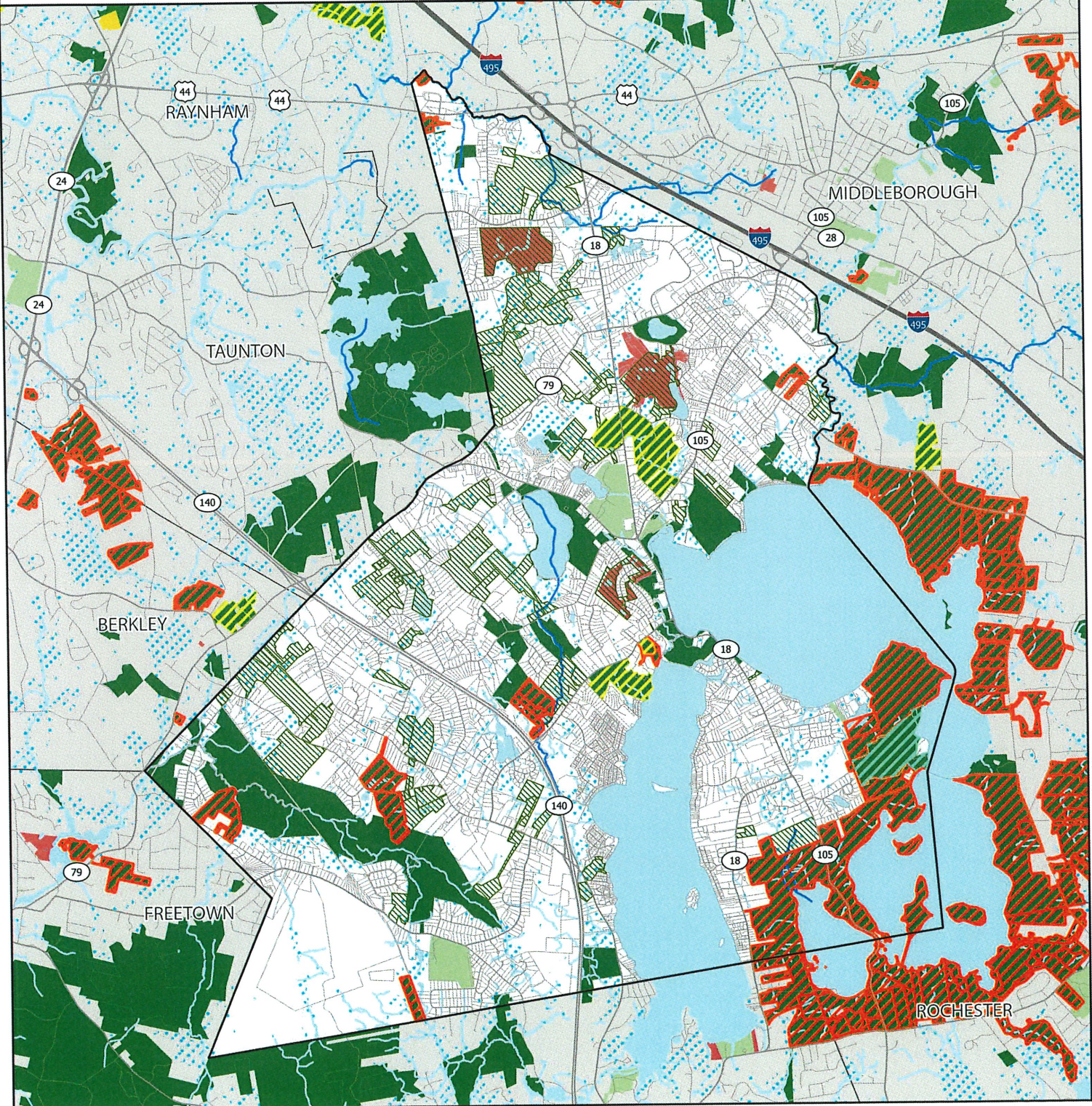
Lakeville Open Space by Level of Protection



- In Perpetuity
- Limited
- Term Limited; Unknown
- None
- Conservation Restriction
- Agricultural Preservation Restriction (APR)
- CR/APR Combination
- Chapter 61 Land
- Lakeville Parcels
- Interstates
- Collectors and Arterials
- Local Roads
- MA DFW Coldwater Fisheries Resources
- Wetlands
- Water

Data sources: MassGIS, MassDOT, and the Town of Lakeville. This map is for the sole purpose of aiding regional decisions and is not warranted for any other use.

January 2020 1 Mile



**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, June 22, 2023**

On June 22, 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. LakeCam was recording.

Members present:

Mark Knox, Chair; Michele MacEachern, Vice-Chair; John Cabral, Nora Cline, Jack Lynch

Others present:

Marc Resnick, Town Planner

ANR Plan – 10 Meadow Lane

Mr. Dave Maddigan of Maddigan Land Surveying was present. He advised this Form A was an even land swap between Parcel A and Parcel B consisting of 18,207 feet. Parcel A is currently connected to Lot 2 and will be added to Lot 1 and will square that lot off. The long, narrow piece labeled Parcel B, will be cut off and added to the larger piece. He noted they are not impacting the frontage, it meets all the setbacks, and they have put the upland circle on the Plan. He was unsure why the lot had been created with that strip. There were no questions.

Mr. Knox made a motion, seconded by Mr. Cabral, to endorse the Form A Plan for 10 Meadow Lane as presented. The **vote** was **unanimous for**.

Public hearing (7:00) – 44 Clear Pond Road, continued

Mr. Knox advised the applicant has requested to continue this hearing until their next meeting. He suggested they send the plan to Town Counsel to confirm some of the issues they had discussed before they sign off on it. He had spoken to the applicant in regards to some of the setbacks that would be infringed upon by one on the lot lines they were proposing. He would like Counsel to opine of this plan regarding those setbacks as well as putting some covenants on the property to ensure that proper development, a timetable for the release of the lots, as well as construction of the road happen in a proper manner. Mr. Resnick added there is also a question regarding the zoning line between the business district and the residential district.

Mr. Knox made a motion seconded by Ms. MacEachern, to continue the public hearing for the definitive subdivision plan at 44 Clear Pond Road until their July 13, 2023, meeting, at 7:00 p.m. The **vote** was **unanimous for**.

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

Mr. Knox said the applicant is currently waiting for a response from Environmental Partners so they have requested a continuance to the next meeting.

Mr. Knox made a motion, seconded by Ms. MacEachern, to continue the Stowe Estates hearing until July 13, 2023, at 7:00 p.m. The vote was unanimous for.

Public hearing (7:00) – Site Plan Review - 13 Main Street

Mr. Knox read the public hearing notice into the record. Mr. Bob Forbes from Zenith Consulting Engineers and Mr. Bo McMahon the applicant were present. Mr. Forbes advised they had previously come in with a totally different plan, but had found out the setbacks did not conform to zoning. They had come back with a concept plan and are now back with a revised plan which considers the feedback they had received from the Board. He then displayed the plan.

Mr. Forbes advised the parcel is 3.09 acres and it is mostly all uplands, with a small wetland area in the back corner. They are proposing two, three-story apartment buildings. One would be up front near Main Street, and one in the back. There will be 20 apartment units in each building for a total of 40 units. They have broken the parking up into two areas, which will comply with the zoning requirements of two spaces per unit and will allow for some planting areas. There will be a total of 82 parking spaces. There are two handicap parking spaces at each building.

Mr. Forbes stated that municipal water would be supplied by the City of Taunton. There would be on-site septic under the parking areas. They are collecting all the runoff from the site. Roof runoff will get infiltrated in the subsurface system. All the pavement and other areas that shed down into the pavement are collected and brought into an infiltration basin that is located in the rear of the property. This will collect and infiltrate all the runoff from this site up to and including the 100-year storm.

Mr. Forbes noted that they had met with the Fire Chief last week. He had asked that the Fire Department connections be very visible which they have shown on the plan. He also asked them to add a couple of hydrants which Mr. Forbes then indicated on the plan. These buildings will be required to be sprinklered so they have the domestic and fire suppression lines coming off that main line that comes off the abutting property. He also stated that some areas in the back have been re-graded and an area has been provided so the Fire Department will be able to access the side of the building. This will be a gravel area.

Mr. Forbes noted that some of the items the Fire Chief asked for are not requirements, but they have provided them. Chief O'Brien also acknowledged that he cannot require elevators, but he did ask hoping to get them. It was discussed, but it is not economically feasible to provide elevators in these buildings. Mr. McMahon said they are now in the schematic design phase for the architectural. That is the floor plan layout and exterior elevations which are required for this Board. They will have to meet all ADA and building code requirements in order to be issued any permits.

Ms. Cline said so there will not be elevators. Mr. McMahon said they don't have one currently planned, but if it is required by the building code, they will have to provide one. Ms. Cline said her concern is if this is age qualified housing to not have an elevator would be a hardship. Mr. Knox said they had the original rendering that had been submitted. It is hard to tell from a two-dimensional drawing, but he would hope to get another break in the building's facade. Mr. McMahon said that this plan was created off that rendering. There were a couple of two-foot jogs that were removed to meet the side setbacks, but they still have facade jogs on the front and rear of the building, and the inlets for the balconies. It would have a very similar feel to the rendering. Mr. Knox asked if one more break could be looked into, and adding on the south side of the building.

Ms. MacEachern said she had been in favor of the original proposal of 19 single level units. She was not really in favor of a three-story apartment building. According to their Housing Production Plan survey, 82% of residents strongly disapprove of multi-story buildings. In addition, with no elevators proposed in a three-story building, that is kind of insulting to the residents and possibly, the elderly residents. She felt this project as proposed would result in a detriment to the neighborhood. Mr. Knox added he understood members were concerned about the elevators, but that is building code and not Site Plan Review. Ms. Cline said that she was okay with the plan, but if it was going to be marketed as age restricted, it was problematic to not have an elevator.

Mr. Cabral said that he did not see any mechanicals or anything on the roof. Mr. McMahon replied that if there are going to be any mechanicals, they would be behind screening or rear mounted on the building. There would not be any mounted mechanicals facing the street. His intention was to use high efficiency electric heat pumps which could be rear mounted on the building. Mr. Resnick asked if they had contacted the Taunton Water Department. Mr. McMahon said that he had. They will have to go to the Select Board and request an allocation from Taunton. Once they have that, they can go to the Taunton Water Department with their proposed plan for their review. Mr. Resnick said that Taunton would like to have the water line locations, hydrant locations, and valves reviewed as part of this process, not later, in case something changes. He would like a copy of the plan to be sent to them. Mr. Knox suggested submitting a letter from the Water Department acknowledging that it had been submitted for review.

Mr. Knox asked about them applying to the Conservation Commission. Mr. Forbes replied that they would not be going to them until they were well into this process. Mr. Knox said that typically

they could approve, but would not sign the plan until Conservation does, to ensure that they are all signing the same plan. Mr. Forbes said the plan has been revised, so he would get copies into the Board. They are also waiting for peer review responses to come back. After discussion, it was agreed to continue for one month.

Mr. Knox made a motion, seconded by Ms. Cline, to continue the public hearing for 13 Main Street until July 27, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

Mr. Knox said procedurally as these units were supposed to be age-restricted and the traffic study was based on that use, they may want to send it to Counsel. He did not want things to change between access, or lack of rental, etc. and have the project go away from age restricted and then the traffic study would not be as effective. His question will be if there can be some sort of deed restriction as part of the approval. Mr. McMahon said their intention was to fully comply with the current zoning at the time of permitting. The legal interpretation that he has and understands is that no deed restrictions are required if they stay within the zoning.

Site Plan Review – 156 Rhode Island Road, continued

Mr. Bob Rego from River Hawk Environmental, engineer, and Mr. Tylor Sikorski, applicant, were present. Mr. Rego advised since they last were in front of the Board, there have been some significant changes. Mr. Sikorski was able to get some land at the north of the property under agreement to increase the size of the site. They are now at about 44% coverage instead of 60%. That land is under agreement, and they are in the process of surveying it to prepare a Form A to bring back to this Board. With that land, they no longer need any of the density bonuses.

Mr. Rego then went through the following changes that had been made:

- They have eliminated all curb cuts from Crooked Lane and added some additional landscaping where the curb cut had been proposed.
- They have reduced the curb cut on Rhode Island Road down to 60 feet. Mr. Rego said that it appears that the jurisdiction of that road is by the Town.
- They have added a dedicated loading area on the north side of the building.
- They have added additional parking spaces for large trucks or tractor trailers.
- They have added additional parking on the rear of the site.
- They have changed the dimensions of the building. It is now a little shorter and a little wider. That allow for full circulation around the building.
- They have removed three lease bays and added one additional dumpster on the east side of the property.
- They have enlarged the infiltration basin in front of the rain garden on the south easterly portion of the property to meet the zoning bylaw.
- The truck parking will be behind the buildings, so they will be more screened from the roadway.

- They extended the fence along the north property line. It will be moved and extended along the new property line. He advised that lot is being purchased and will remain undisturbed.

Mr. Rego and the Board then went through the points on the memo from Mr. Resnick.

- Regarding the existing building, the Board would like it to be labeled as an accessory building.
- Drive aisles - Mr. Knox recommended those be increased to 24 feet.
- The driveway width - Mr. Rego said that it is currently 90 feet. They would like to leave it at 60 feet to provide easier access for large trucks. Mr. Knox said they will discuss that later.
- Regarding the paving of the driveways and parking, Mr. Resnick said that it did not specify the depth of the subgrade material. He would like to see a better pavement detail.
- Adequate loading areas are not provided on the south side of the building. Mr. Rego said he felt the loading and unloading areas were more than adequate, and they complied with the zoning requirements. Mr. Resnick said that it could be amended similar to the northwest side of the building. Mr. Rego said that he would prefer to stay with the design shown.
- The Lighting Plan needs additional detail. Mr. Rego will modify the plan to include more detail and will reduce the lighting where it was deemed to be too intense.
- There are no dumpsters on the north side of the building. Mr. Knox suggested the dumpster be angled so there would be better accessibility for a dumpster truck. He also indicated where they could possibly place another dumpster pad.
- All proposed mechanical equipment should be shown. Mr. Rego advised that there would be no exterior mechanical equipment.
- Proposed and existing locations of signs should be shown on the plan. Mr. Rego said there are no freestanding signs proposed, other than the existing sign. Mr. Resnick asked that be labeled that it is to remain.
- The landscaping should be with all native species. That will be changed. Mr. Resnick suggested a small berm along Crooked Lane with plantings, to provide screening for the houses across the street. They discussed the area where this should be done and noted that it should not obstruct the line of sight.
- After reading the most recent letter from the Fire Department, Mr. Rego said they would meet all the requests that have been made.
- The Plan needs to be sent to the Taunton Water Department.
- The applicant also needs to file a water allocation request with the Select Board.

Mr. Cabral asked that the holding tank be shown on the plan. Ms. MacEachern said there should be a statement and there is an example in the Lakeville Country Club that there will be no illicit discharge. Mr. Rego said they will submit that. He stated that previously they had submitted architectural drawings. As they no longer must meet the density bonus requirements, that will be toned down a bit. Some of the items were very costly. Mr. Knox said that he did understand, but asked if they could keep the cupolas, which would make it look nice. Mr. Sikorski said that he could have the architect redo that plan. Mr. Sikorski said that he would keep the cupolas, but for

the overhangs over the doors, he would put a full overhang along the roof line. He was going to get rid of the gables and the jogs in the front wall.

Ms. Keiko Orrall, of 120 Crooked Lane then spoke. She thanked and was in agreement with Mr. Resnick's comments regarding the vegetation, Taunton water, the needs of the additional businesses, and getting clarification from MassDOT regarding Rhode Island Road on that potential project. She also agreed with the lighting plan. She advised they had been told earlier that the screening plant was leaving the site, but this operation has gotten bigger and is not shown on the plan. Is this operation going to be leaving the site? Mr. Sikorski replied it will all be removed from the site.

Ms. Orrall then asked if there was any assurance that the new property would remain undisturbed. Mr. Knox said there are no guarantees that Mr. Sikorski wouldn't cut any trees on the property, but as far as lot coverage, he would be unable to pave and do anything that would increase that coverage. Mr. Resnick also noted that if more than 1,500 square feet were disturbed, Mr. Sikorski would have to return to the Planning Board for Site Plan Review. Ms. Orrall said she still had concerns about parking. There are over 15 vehicles on the site now with 3 businesses and with the potential for 12 additional businesses, that could be 60 parking spaces. As this has been an issue in other areas of Town, she would submit that this continues to be an area of concern. Mr. Sikorski said it is seven businesses and himself.

Ms. Orrall continued that she had a question regarding a traffic study. Has traffic been reviewed because of the additional businesses and truck traffic that is proposed? Mr. Resnick replied that the peer review engineer had only reviewed the drainage. Ms. Orrall asked if there had been any Board of Health comments. The site continues to operate without proper sanitation. Mr. Rego said the system has been designed, but it has not yet been submitted. Perc tests have been done and observed by the Board of Health.

Mr. Knox stated that they will be making some changes and then coming back to the Board. He would like to see if they could put something together in regards to traffic for a better understanding. Mr. Rego said it would be no problem to get a traffic assessment. He would have to confirm with the traffic consultant, but felt they would be ready within a month.

Mr. Knox made a motion, seconded by Ms. Cline, to continue the Site Plan Review for 156 Rhode Island Road until July 27, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

Discussion regarding Sign By-Law and Commercial Zoning Districts

Ms. Cline said her position on this is that it should stay with the Zoning Board of Appeals (ZBA.) They always have an opportunity to comment on things that are before the ZBA. If they have a concern, that is where it should be addressed. Having been involved in many of these discussions at the ZBA, generally unless there is a prevailing precedent or a reason not to, the Board stays with the bylaw. Mr. Knox advised for those who had not been present at their last meeting, they had discussed creating a zoning overlay to allow either of these types of signs only in certain areas.

Ms. MacEachern added that they had brought this sign bylaw to Town Meeting and even though electronic signs are only allowed by Special Permit, there are no set standards for when those signs can be permitted. This was new and specific to the electronic light up signs. Ms. Cline was not in favor of the possibility of applicants having to go to two Boards. Ms. MacEachern replied then maybe they should just create those parameters to have a Special Permit be granted under. Ms. Cline was fine with that.

Mr. Resnick said they do have to meet the standard Special Permit conditions that they find it is not detrimental to the neighborhood. There is no requirement for the other things mentioned such as glare, brightness, etc. He asked that a list be put together which defined the concerns of the various signs. Ms. Cline said that it appears that they have the bases already in the bylaw, do they just need to further define them? Ms. MacEachern said she thought that they did. Mr. Knox said they will place this item on their next agenda, and they will bring additional language they would like to see, to clean this bylaw up.

Site Plan Review – 156 Rhode Island Road, continued

Mr. Rego said he had returned as they had a question regarding the driveway opening on Rhode Island Road. They wanted to go away with a clear answer so the plans can be revised correctly. The requirements for an opening are 30 feet, and it is currently 90 feet. Mr. Knox asked members what they thought. The applicant is proposing 60 feet. Mr. Resnick said he would contact Mr. Moniz for an opinion. After discussion, Mr. Knox suggested placing just this topic on their next agenda. They would not need to come in, but the Board will gather information so they can make an educated decision.

Approve Meeting Minutes

The minutes of April 27, 2023, were on the agenda for approval, but had not been completed in time to add to the packet. They will be placed on the next agenda.

Next meeting

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

Correspondence

There was no correspondence of significance.

Adjourn

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

Meeting adjourned at 8:42.

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, August 10, 2023**

On August 10, 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, Jack Lynch

Others present:

Marc Resnick, Town Planner

Public Hearing (7:00) 13 Main Street, continued

Mr. Knox advised the applicant has requested a continuance to their September meeting. He then made a motion, seconded by Ms. MacEachern to continue the public hearing for 13 Main Street until September 14, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

Site Plan Review – 156 Rhode Island Road, continued

Mr. Sikorski, the applicant, was present. Mr. Knox stated they had received a set of revised plans today. The only change was the change in the driveway opening to 54 feet, but he had not had a chance to review the plans. Mr. Knox noted that Mr. Sikorski had some concerns about some of the conditions in the draft approval. Mr. Sikorski said that he would prefer to wait until this engineer arrived to discuss.

Approve Meeting Minutes

Mr. Lynch joined the meeting at this time. Mr. Knox made a motion, seconded by Mr. Cabral. to approve the minutes from the May 25, 2023, meeting.

Mr. Cabral, Mr. Lynch, Mr. Knox - **Aye**; Ms. MacEachern - **Abstain**

Mr. Knox made a motion, seconded by Mr. Cabral, to approve the minutes from the June 8, 2023, meeting.

Mr. Cabral, Mr. Lynch, Mr. Knox - **Aye**; Ms. MacEachern - **Abstain**

Next meeting

The next meeting is scheduled for September 14, 2023, at 7:00 p.m. at the Lakeville Police Station.

Discussion regarding a policy for additional hearing submittals

Mr. Knox said that it has been an ongoing item that engineers are amending and submitting plans at the last minute because it is a continuation of a public hearing. Although the initial submittals are done properly, they don't get enough time to review amendments properly. He thought a reasonable deadline would be the Tuesday before the meeting. Anything submitted after that, they would have the right to refuse, but they could also waive that right at their discretion. Ms. MacEachern agreed. She said that Concomm will vote on whether or not to accept the plan. If there are extenuating circumstances and they want to explain them, the Board could then vote on whether or not to accept the plan. Mr. Knox said the denial of that would then force a continuance.

Mr. Knox then made a motion, seconded by Mr. Cabral, to have a Planning Board policy that the deadline for submittals for a continued hearing will be the Tuesday before the scheduled meeting at 4:00 p.m., with the Board's right to waive the deadline if they so choose. The **vote** was **unanimous for**.

Discuss OSRD draft bylaw

Mr. Resnick advised that the version that was sent out in the packets is the version that had been reviewed with Conservation. It included the adjustments they had requested from a year ago and the adjustments from the Board of Health. The Board of Health's main concern had been with the suitability of small lots having enough room for well and septic setbacks. In order to alleviate that, the requirement will be there has to be a public water supply or a shared septic system. This way the lots will all have either all water or all septic.

Mr. Resnick advised the concerns of Conservation have also been addressed. They were concerned with accepting small pieces of open space, so he has included a minimum lot size of 20 acres. It can be smaller if the open space abuts an adjacent parcel of protected open space. The other concern was to ensure the open space was restricted by Article 97, which would require going to the Legislature to remove it from conservation purposes. The last thing was regarding procedure. The process begins with a very informal meeting with the Planning Board. When they get to the preliminary stage, they would have to have more developed plans and the concern was that the wetlands should then be properly mapped. He has added that the applicant must file A Notice of Resource Area Delineation (ANRAD.) The wetland line must be approved so when the Board is looking at the preliminary layout, they can be assured that those lots can be developed.

Mr. Resnick said the issue that came up with the Board of Health is they wanted all the lots to have at least one test hole dug even on the ones that would be located in the open space land. They could do that with a smaller machine so they would not create too much of any impact. They wanted to make sure that all of the lots shown on the standard preliminary plan were buildable. Mr. Resnick said for the final stage, when they file for the definitive, all of the lots that would be getting individual systems will have to be perced. If it is a shared system, the area for the system must be perced.

Ms. MacEachern said that she liked the improvements, but would like to see something more like possibly 10% senior housing. She is still concerned that this will allow a large parcel to be developed that maybe couldn't. Mr. Knox suggested reducing the open space with the tradeoff being a guarantee of 15% or 20% age restricted housing. Mr. Resnick said that he has had some discussion with Town Counsel regarding this. There are some new rulings about age restricted housing that they were still trying to clarify. He said it might be easier to build in an affordability component. The process for this was then discussed. Mr. Knox asked Mr. Resnick if he felt he had enough time to do the research to place this on the September 14th meeting agenda. He did. Ms. MacEachern wanted to make sure that the other Committees were on board with this draft. She did not want to bring it to Town Meeting and then have another Board or Committee member not be in favor of it.

Mr. Resnick said two minor changes were mentioned that would be included. The Board of Health and ConComm wanted to be notified about the informal pre-application meeting, as they are involved more in the next step, the regular filing for the preliminary plan. The other addition was to add 'drainage basins shall be excluded from the open space land area calculations. This is a clarification as it does exist in another location. He has sent this revised draft to the Health Agent for review. It was discussed submitting this version to the Select Board, which could be revised if necessary or pulled before Town Meeting.

Mr. Knox then made a motion, seconded by Mr. Lynch, to request the Select Board include the OSRD bylaw on the Warrant for the fall Town Meeting. The **vote** was unanimous for.

Site Plan Review – 156 Rhode Island Road, continued

Bob Rego, engineer from Riverhawk, and Tyler Sikorski, applicant, were present. Mr. Knox said that they had received a new set of plans, which he has not yet reviewed. The only change was the reduction of the opening on Rhode Island Road to 54 feet, which meets the bylaw. Mr. Rego added that the Board had asked for a plan that showed both lots combined that could be recorded at the Registry. The amended plan shows that with the deed references. They also have the 81X plan which will be recorded tomorrow.

Review of the draft approval then began. Mr. Sikorski had some concerns with some of the following proposed conditions:

- The screening of loam, gravel or other materials shall not take place on the property.
 - Mr. Sikorski's concern was that this is his business right now, although he has agreed to stop. Once his drainage is in, he would not be able to operate, but right now he did not have anywhere to move this. The amended condition will read "Once the drainage basins and structures are in place, then screening of loam, gravel or other materials shall not take place on the property."
- There shall be no outside work on vehicles or construction equipment.
 - Mr. Sikorski advised that right now none of his equipment fits into the existing building. He also asked if this would include routine maintenance such as checking the oil. Mr. Resnick said that would not be considered working on a vehicle. After discussion, members agreed that general maintenance is not a major repair. It will be changed to "There shall be no major mechanical repairs of vehicles or construction equipment outside after issuance of occupancy permit."
- There shall be no outdoor storage of construction or landscaping materials.
 - Mr. Sikorski said this is rather broad. Does it mean he couldn't have anything delivered and leave it outside? Board members discussed what types of materials that could be, and how they should be stored. The amended condition will be "There shall be no outdoor storage of loose or non-packaged construction or landscape materials after occupancy."
- The applicant shall return to the Planning Board for site plan review should they want to make any site changes or expand the use onto the newly acquired abutting property.
 - Mr. Knox clarified that Mr. Sikorski was allowed to clean that property up and maintain it. He couldn't use it for the expansion of the business for additional parking, etc., and impact the lot coverage.
- The drainage system shall be functional (re: soil stabilized, rip-rap installed, basins grassed, etc.) prior to an occupancy permit being issued for the structure. The applicant shall install oil & grease traps in the catch basins.
 - Mr. Sikorski was concerned about the grass, depending on the season and not being able to obtain occupancy. Mr. Resnick said they should be holding a performance guarantee to make sure that happens. After it's complete, it would be returned. Mr. Knox then stated that if Mr. Sikorski can't grow grass, he will return to the Board, who will ask him for \$5,000. That will be held until the grass grows.
- All Site work must be completed within twelve (12) months of the issuance of a Building Permit.
 - This might be a stretch with ongoing supply chain problems. Mr. Knox said that as long as progress is shown, there should be some type of mechanism for an extension. Mr. Resnick said they could add, "The applicant shall return to the Board with a schedule for completion."

Mr. Sikorski had no additional concerns. The Planning Board had no additional questions.

Mr. Knox made a motion, seconded by Ms. MacEachern to close the public hearing for the Site Plan Review at 156 Rhode Island Road, and to approve the Site Plan Approval document to be

filed with the Town Clerk with the amended changes to Condition #5, 6, 7, 12, &16. The Chair will be the only member to sign the document. The **vote** was **unanimous for**.

Discussion regarding Sign By-Law and Commercial Zoning Districts

Ms. MacEachern had made some changes, which she then discussed. She kept the Special Permit Granting Authority (SPGA) with the Zoning Board as long as they had more comprehensive and allowable reasons for a Special Permit to be granted. The addition to the bylaw for changeable copy signs, electronic message board signs, and internally illuminated signs was as follows: It requires a business to have an unusual requirement for a sign to be lit by any other means than exterior illumination. It must not be adjacent to any residential use, and it will not be detrimental to the character of the neighborhood.

Mr. Resnick said of the three items listed in the sentence, only the first one is not a standard and is kind of broad. Every business could argue why they needed this sign. Some areas such as on Main Street or Bedford Street have these signs, even though they are adjacent to residential areas. Ms. MacEachern said the goal is to get away from these electronic signs and not encourage anymore. She thought the language of the new sign bylaw was going to be strong enough to prevent seeing more of them, which wasn't the case. She is now looking for language that will actually get that done.

Mr. Resnick said that one of the things they could do, is create an overly area in the community where those types of signs are prohibited. They have smaller commercial districts, where they may have one or two signs which would then become pre-existing, non-conforming. They also have areas like the end of Main Street and Route 44 that are highly developed, and have many signs they may want to still permit. What did they want to allow? Members then discussed the various options. Mr. Resnick said he could speak with SRPEDD about creating an overlay district map and possibly have something preliminary for them to review at their first September meeting.

Ms. MacEachern said that if they were not going to send something to Town Meeting, her concern is the longer they wait to put something more stringent in place, the more they will come in beforehand. Mr. Knox said he thought it was a two-part thing, and they need to do both. Ms. MacEachern asked if there was language that anybody else would rather use for this first sentence to give it more strength. Mr. Resnick said they could also enact a temporary moratorium for the issuance of internally illuminated and changeable copy signs. That would give them time to work on it. The law allows a temporary moratorium for a specific purpose with a specific timeline to complete something.

Mr. Knox said they could then amend the language in the existing bylaw and create a zoning overlay map to prohibit these signs in some areas and allow them only in certain areas. The allowed ones would then have to comply with the new standards. Mr. Resnick said an Article would then have to be written for the Warrant. After discussion, Mr. Knox noted that voting for a moratorium had not been specifically included in the agenda. Mr. Resnick agreed the language was not there, and suggested he draft something up and they have a brief meeting before the end

of the month. After discussion, Mr. Knox called for a Zoom meeting to be held on August 17th at 6:00 p.m. The only agenda item would be to vote on a possible sign moratorium on the changeable copy and internally illuminated message board signs.

Correspondence

There was no correspondence to review.

Adjourn

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

Meeting adjourned at 8:20.