

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

K. DeCunha

LAKEVILLE TOWN CLERK
ROJD 2023-OCT-18 PM 2:53

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, October 19, 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. **NSA Property Holdings, LLC hearing – 156 County Street, continued**– request to modify a Special Permit under 7.4 to add three (3) additional storage buildings.
2. **Benatti hearing, continued** – Appeal from Decision of the Building Inspector/Zoning Enforcement Officer relative to business activity in the residential district at 434 Bedford Street
 - Accept request to continue
3. **Approve Meeting Minutes for September 21, 2023.**
4. **Updating of the ZBA Rules and Regulations**
 - Application
5. **Correspondence**
6. **Next meeting . . . Thursday, November 16, 2023 at the Lakeville Public Library.**
7. **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*



Lakeville Fire Department

346 Bedford Street

Lakeville, Massachusetts 02347

TEL 508-947-4121

FAX 508-946-3436

MICHAEL O'BRIEN
FIRE CHIEF
mobrien@lakevillema.org

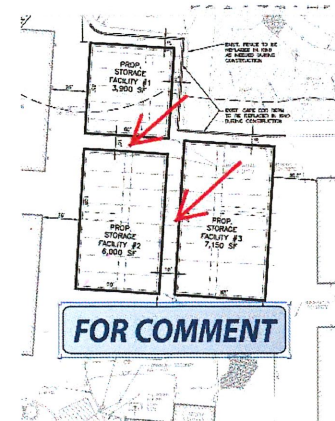
PAMELA GARANT
DEPUTY CHIEF
pgarant@lakevillema.org

To: Zoning Board of Appeals
From: Michael O'Brien, Fire Chief
RE: 156 County Street
Date: June 23, 2023

This document has been prepared as comment on the proposed construction project located at 156 County Street.

The Department requests that the ZBA assist the Fire Department with the enforcement of the following fire code requirements.

1. Fire code requires that the fire department has access to the proposed buildings such that no portion of the facility or exterior wall be more than 150 ft. from an access road. A fire department access road is no less than 20 feet wide and is always kept unobstructed. The expansion of the two laneways from 10 ft width to 20 ft would be acceptable.
 - a. 527 CMR 1:00 18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46m) from fire department access roads as measured by an approved route around the exterior of the building or facility.
 - b. 527 CMR 1:00 18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 feet (6.1 m). Fire department access roads constructed in the boulevard-style shall be allowed where each lane is less than 20, but not less than 10. when they do not provide access to a building or structure.
 - c. 527 CMR 1:00 18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).
 - d. 527 CMR 1:00 18.2.3.4.1.2.1 Vertical clearance shall be permitted to be reduced, provided such reduction does not impair access by fire apparatus, and approved signs are installed and maintained indicating the established vertical clearance when approved.
 - e. 527 CMR 1:00 18.2.3.4.1.2.2 Vertical clearances or widths shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.
 - f. 527 CMR 1:00 18.2.3.4.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.



2. Relief from the above requirement would be permitted, should the applicant have installed a code compliant automatic fire sprinkler system throughout the buildings.
 - a. *527 CMR 1:00 18.2.3.2.2.1 When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, the distance in 18.2.3.2.2 shall be permitted to be increased 250 ft.*

3. If the applicant is able to establish that the listed code requirements are not possible due to property features, alternative improvements may be approved by this AHJ. The proposed project location lacks fire hydrant protection or a proximate static water sources for drafting. The construction of an approved fire protection cistern(s), accessible for use for any nearby building and of a size that provides adequate fire protection water is an example of a significant fire protection improvement.
 - a. *527 CMR 1:00 18.2.3.1.4 When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features. permitted to accept alternatives proposed by the owner of the building to allow additional fire protection features, up to and including the installation of an approved fire sprinkler system installed in accordance with the Building Code, cistern(s), additional fire hydrant(s), or similar devices or systems.*

4. The proposed gate must utilize a fire department approved system for allowing fire apparatus entry onto the property.
 - a. *18.2.4.2.2 Where required, gates and barricades shall be secured in an approved manner.*

Cathy Murray, Appeals Board Clerk

From: Michael P. O'Brien, Fire Chief
Sent: Friday, July 28, 2023 9:17 AM
To: Cathy Murray, Appeals Board Clerk
Cc: Pamela Garant, Fire Deputy Chief
Subject: RE: 156 County Road
Attachments: Right Space Storage Lakeville MA - PSP #2 - DRAFT 7-21-23.pdf

Dear Cathy,

Please see the revised plan (attached) that was submitted in response to my previous comments.

The creation of the 20' fire lanes between the structures does address my concerns. Please let me know if anything else is required of the fire department.

Thank you,

Mike

Michael P. O'Brien

FIRE CHIEF
LAKEVILLE FIRE DEPARTMENT

From: Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>
Sent: Friday, June 23, 2023 7:56 PM
To: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Cc: Pamela Garant, Fire Deputy Chief <pgarant@lakevillema.org>
Subject: Re: 156 County Road

Cathy,

The applicant did meet with the department but our concerns were not communicated to the ZBA. Please see the attached document listing our concerns with the proposed project.

Please let me know if any follow-up is required.

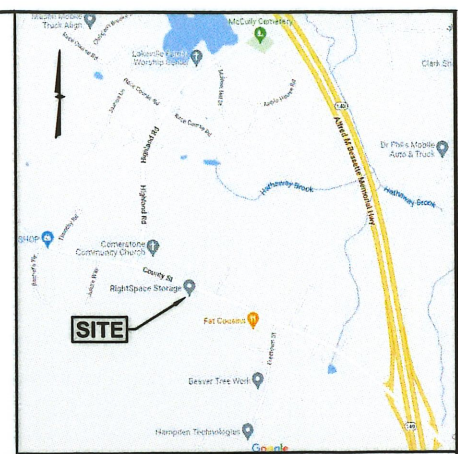
Michael P. O'Brien

Fire Chief
Lakeville Fire Department

346 Bedford Street
Lakeville, MA 02347

PH 508-947-4121

From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Friday, June 23, 2023 12:48 PM
To: Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>



LOCATION MAP
 (NOT TO SCALE)

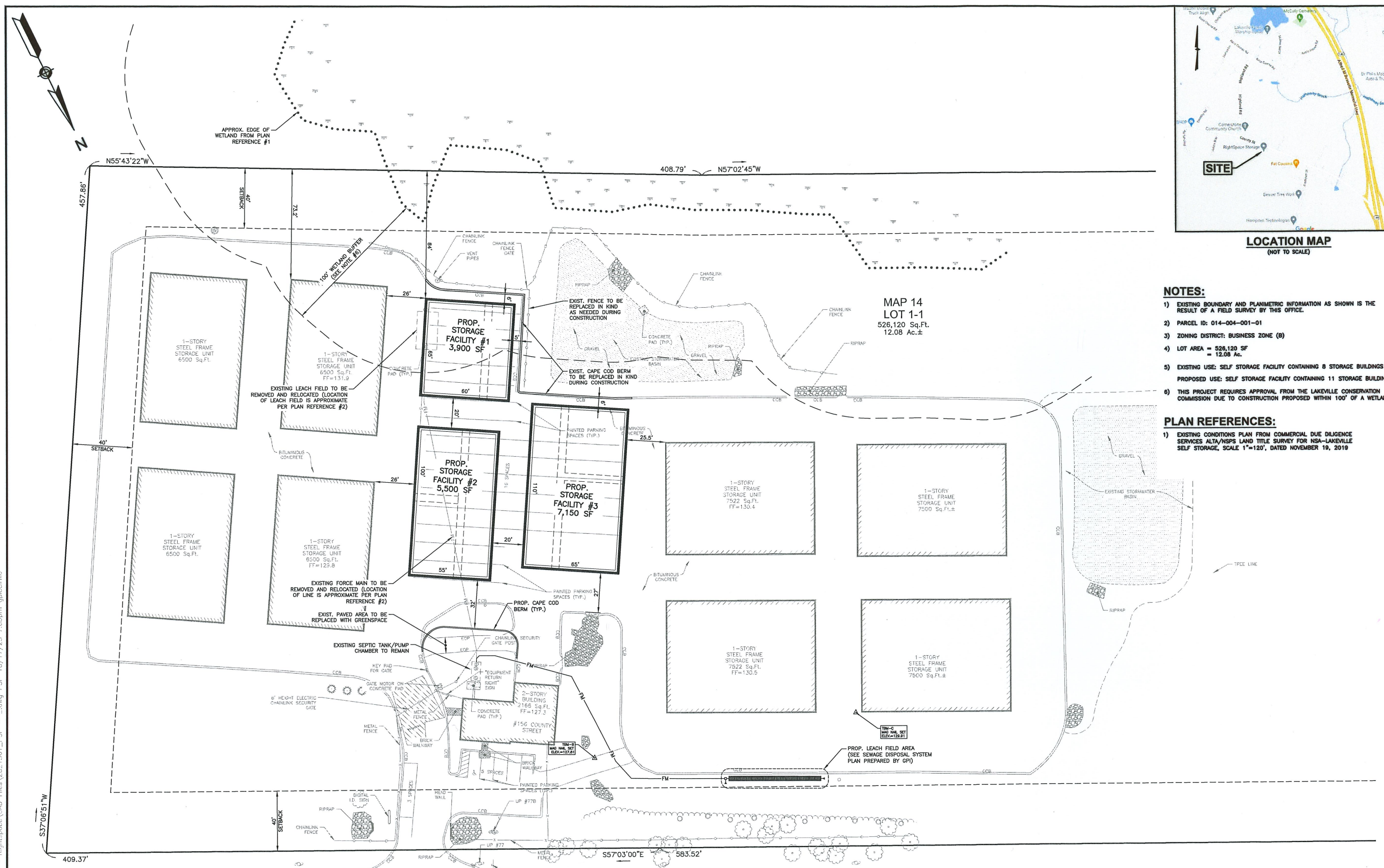
PROPOSED SITE IMPROVEMENTS
ASSESSOR'S MAP 14 BLOCK 4 LOT 1-1
156 COUNTY STREET
LAKEVILLE, MASSACHUSETTS

NOTES:

- EXISTING BOUNDARY AND PLANIMETRIC INFORMATION AS SHOWN IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE.
- PARCEL ID: 014-004-001-01
- ZONING DISTRICT: BUSINESS ZONE (B)
- LOT AREA = 526,120 SF = 12.08 Ac.
- EXISTING USE: SELF STORAGE FACILITY CONTAINING 8 STORAGE BUILDINGS
 PROPOSED USE: SELF STORAGE FACILITY CONTAINING 11 STORAGE BUILDINGS
- THIS PROJECT REQUIRES APPROVAL FROM THE LAKEVILLE CONSERVATION COMMISSION DUE TO CONSTRUCTION PROPOSED WITHIN 100' OF A WETLAND.

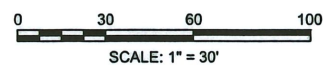
PLAN REFERENCES:

- EXISTING CONDITIONS PLAN FROM COMMERCIAL DUE DILIGENCE SERVICES ALTA/NSPS LAND TITLE SURVEY FOR NSA-LAKEVILLE SELF STORAGE, SCALE 1"=120', DATED NOVEMBER 19, 2019



MAP 14
 LOT 1-1
 526,120 Sq.Ft.
 12.08 Ac.±

COUNTY STREET
 (PUBLIC - VARIABLE WIDTH)



REVISIONS		
NO.	REVISION	DATE
1	REVISE LAYOUT & SEPTIC LOCATION	10/18/23
MAY 22, 2023		
DRAWN/DESIGN BY		CHECKED BY
GMP		DRJ

PRELIMINARY SITE PLAN

SCALE: 1"=30'

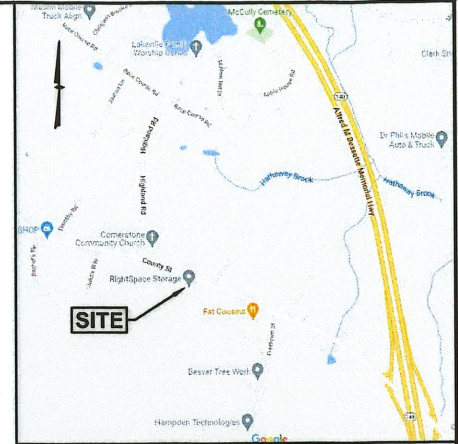
PROJECT NO. NEX-2021361

1 OF 2

OWNER OF RECORD:
 NSA PROPERTY HOLDINGS, LLC
 8400 EAST PRENTICE AVENUE
 GREENWOOD VILLAGE, CO 80111
 BOOK 52241 PAGE 309

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LOCATION MAP
(NOT TO SCALE)

NOTES:

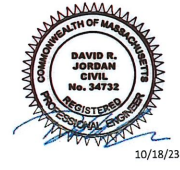
- 1) EXISTING BOUNDARY AND PLANIMETRIC INFORMATION AS SHOWN IS THE RESULT OF A FIELD SURVEY BY THIS OFFICE.
- 2) SEE PRELIMINARY SITE PLAN PREPARED BY GPI FOR ADDITIONAL INFORMATION.

PLAN REFERENCES:

- 1) EXISTING CONDITIONS PLAN FROM COMMERCIAL DUE DILIGENCE SERVICES ALTA/NSPS LAND TITLE SURVEY FOR NSA-LAKEVILLE SELF STORAGE, SCALE 1"=120', DATED NOVEMBER 19, 2019

PROPOSED SITE IMPROVEMENTS

ASSESSOR'S MAP 14 BLOCK 4 LOT 1-1
156 COUNTY STREET
LAKEVILLE, MASSACHUSETTS



REVISIONS

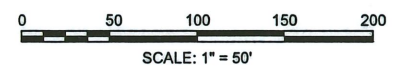
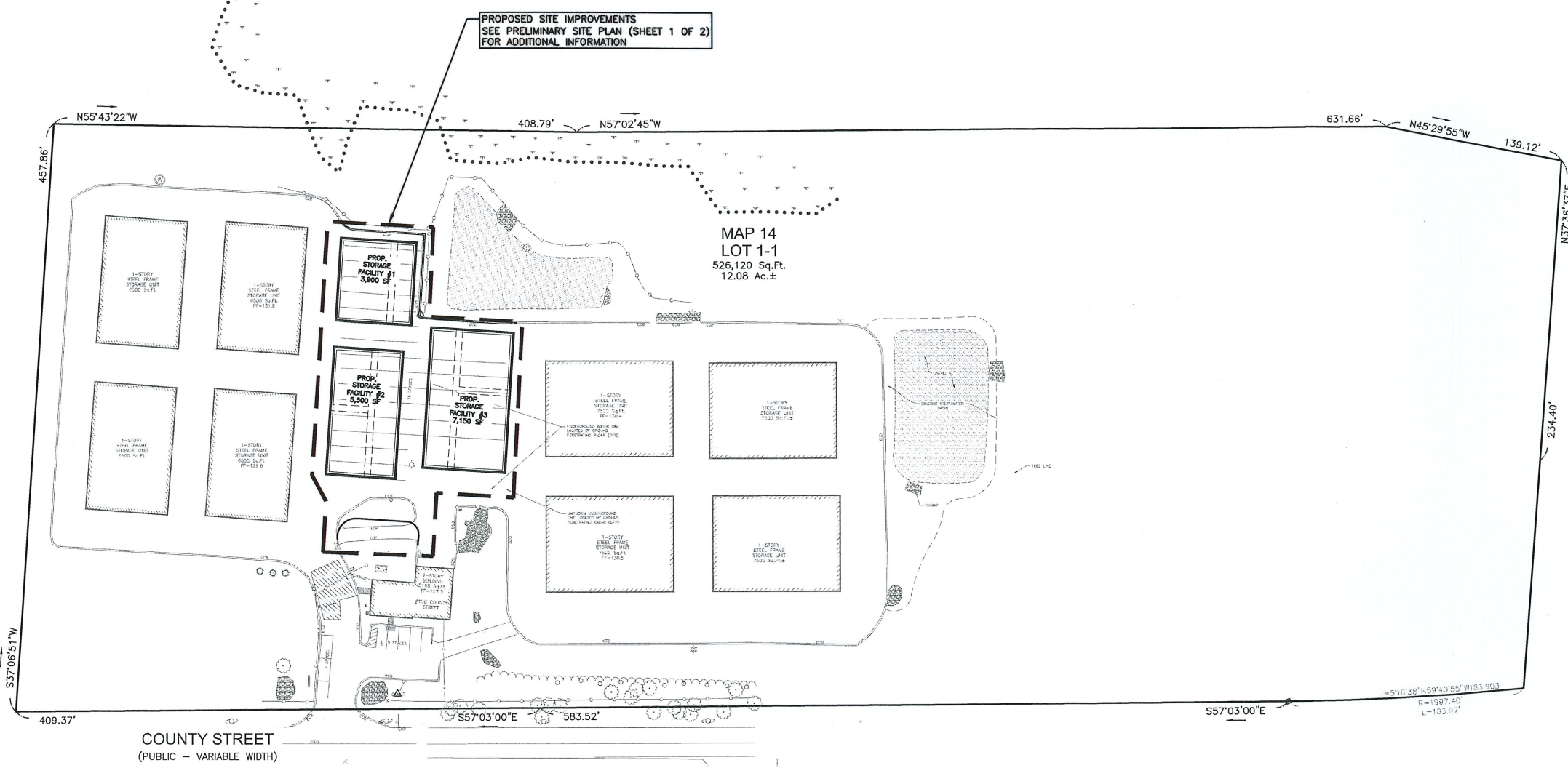
NO.	REVISION	DATE
1	REVISE LAYOUT & SEPTIC LOCATION	10/18/23

MAY 22, 2023

DRAWN/DESIGN BY	CHECKED BY
GMP	DRJ

SITE PLAN OVERVIEW

SCALE: 1"=50'
PROJECT NO. NEX-2021361
2 OF 2



OWNER OF RECORD:
NSA PROPERTY HOLDINGS, LLC
8400 EAST PRENTICE AVENUE
GREENWOOD VILLAGE, CO 80111
BOOK 52241 PAGE 309

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Cathy Murray, Appeals Board Clerk

From: John Benatti <jpsd1105@msn.com>
Sent: Thursday, October 12, 2023 5:17 PM
To: Cathy Murray, Appeals Board Clerk
Subject: Re: ZBA APPEAL JOHN B

Sorry for the late reply. I would like to continue to the following month please. Thank you. John B

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November 16, 2023

From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Wednesday, October 11, 2023 3:00:52 PM
To: John Benatti <jpsd1105@msn.com>
Subject: RE: ZBA APPEAL JOHN B

Hi Mr. Benatti,

The ZBA meeting for this month is October 19th. I just wanted to check to see if you were planning to attend.

Thank you

Cathy

From: Cathy Murray, Appeals Board Clerk
Sent: Thursday, September 14, 2023 11:49 AM
To: John Benatti <jpsd1105@msn.com>
Subject: RE: ZBA APPEAL JOHN B

Hi Mr. Benatti,

You are welcome to attend the meeting, but it is not required for you to be there for the Board to accept the continuance.

Cathy

From: John Benatti <jpsd1105@msn.com>
Sent: Thursday, September 14, 2023 8:49 AM
To: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Subject: Re: ZBA APPEAL JOHN B

Hi. I don't need to be there do I? John B

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From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Wednesday, September 13, 2023 2:35:07 PM
To: John Benatti <jpsd1105@msn.com>
Cc: John Olivieri, Advisor <JohnOlivieri@worldinsurance.com>; Nathan Darling, Building Commissioner & Zoning

**Zoning Board of Appeals
Lakeville, Massachusetts
Minutes of Meeting
September 21, 2023**

On September 21, 2023, the Zoning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Vice-Chairman Youngquist at 7:00 p.m. LakeCam was making a video recording.

Members present:

Jeff Youngquist, Vice-Chair; Gerald Noble, Clerk; Christopher Campeau, Member; Anthony Zucco, Associate Member

NSA Property Holdings, LLC hearing, continued – 156 County Street

Mr. Youngquist opened the continued NSA Property Holdings, LLC hearing at 7:01. He advised the applicant had submitted an email requesting the hearing be continued to the October hearing.

Mr. Noble made a motion, seconded by Mr. Zucco, to continue the NSA Property Holdings, LLC hearing until October 19, 2023. The time would be at 7:00 p.m. The **vote** was **unanimous for**.

The hearing closed at 7:02.

Benatti hearing, continued – an appeal related to 434 Bedford Street

Mr. Youngquist opened the continued Benatti hearing at 7:02. He advised the applicant had submitted an email requesting the hearing be continued to the October hearing.

Mr. Noble made a motion, seconded by Mr. Zucco, to continue the Benatti hearing until October 19, 2023. The time would be at 7:00 p.m. The **vote** was **unanimous for**.

The hearing closed at 7:03.

Meeting minutes

Mr. Noble made a motion, seconded by Mr. Zucco, to approve the meeting minutes from the August 17, 2023, meeting. The **vote** was **unanimous for**.

Next meeting

The next meeting is scheduled for October 19, 2023, at 7:00 p.m. at the Lakeville Public Library.

Adjourn

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

Meeting adjourned at 7:04.

TOWN OF LAKEVILLE
MASSACHUSETTS

ZONING BOARD OF APPEALS
PETITION FOR HEARING

Name of Petitioner: _____

Mailing Address: _____

Name of Property Owner: _____

Location of Property: _____

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

Registry of Deeds: Book No. _____ Page No. _____

Map _____ Block _____ Lot _____

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.)

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: _____

Date: _____

Signed: _____

Telephone: _____

Owner Signature: _____
(If not petitioner)


Owner Telephone: _____

Email: _____

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

_____ Yes _____ No

(Name and Title)

Appeal Number:	 Town of Lakeville ZONING BOARD OF APPEALS 346 Bedford Street Lakeville, MA 02347 774-776-4350	Received by Town Clerk
Hearing Date:		
EXHIBIT "A"		

ZONING BOARD OF APPEALS APPLICATION
PETITION FOR HEARING

Property Address: _____

Zoning District: _____ residential _____ business _____ industrial

Map _____ Block _____ Lot _____

Registry of Deeds: Book No. _____ Page No. _____

Applicant (Petitioner)		Owner
Applicant's Name:		Owner's Name:
Applicant's Address:		Owner's Address:
City, State, ZIP:		City, State, ZIP:
Phone:		Phone:
Email:		Email:
Engineer (If any)		
Name:		Phone:
Mailing Address:		Email:
Representative (If any)		
Name:		Phone:
Mailing Address:		Email:

Nature of Relief Sought:

_____ Special Permit(s) under Section(s) _____ of the Zoning Bylaw.

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

_____ Appeal from Decision of the Building Inspector/Zoning Enforcement Officer.

_____ Date of Denial

Lot area: _____ Frontage: _____

Setback	Required*	Existing	Proposed
Front Setback			
Rear Setback			
Right Side Setback			
Left Side Setback			
Lot Coverage	Maximum allowed	Existing	Proposed

*See Lakeville Zoning Bylaw-Section 5.1-Intensity Regulations

Description of Proposal and/or Decision Being Appealed. Please attach separate narrative if additional space is needed. _____

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 OF THE ZONING BOARD OF APPEALS OF THE TOWN OF LAKEVILLE.

Applicant's Signature:	*Owner's Signature:
	<i>*Must be signed if not the applicant</i>