



TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

K. Murray

LAKEVILLE TOWN CLERK
KATHY MURRAY

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, December 21, 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

Petition hearings (votes to be taken)

1. **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**
2. **Sepersky hearing – 311 Pond Lane** – request for a **Variance** under **5.1** and **8.2.2** to construct a mudroom and two-car garage within the side setback on a pre-existing, non-conforming lot.
3. **Town of Lakeville – 2/28 Precinct St.** – request for a **Special Permit** under **6.3.2** and **7.4.6** to place a 20' x 28' accessory structure (pavilion) within the side setback
4. **Approve Meeting Minutes for November 16, 2023.**
5. **Approve 2024 meeting dates.**
6. **Correspondence**
7. **Next meeting . . . Thursday, January 18, 2024 at the Lakeville Public Library.**
8. **Adjourn**

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

Cathy Murray, Appeals Board Clerk

From: John Benatti <jpsd1105@msn.com>
Sent: Thursday, December 14, 2023 9:00 AM
To: Cathy Murray, Appeals Board Clerk
Subject: Re: RE ZBA meeting

Thanks you can call me John. I'd like to carry on after the holidays. I need to get down there and talk to Nate about a few technical things. I know I have to deal with this but just trying to get caught up and see that all is in order. Thank you.

Get [Outlook for Android](#)

January 18, 2025

From: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Sent: Tuesday, December 12, 2023 2:07:31 PM
To: John Benatti <jpsd1105@msn.com>
Subject: RE ZBA meeting

Hi Mr. Benatti,

Just wanted to check in with you. Your continued hearing is scheduled for December 21st. Were you going to be able to attend this hearing?

Cathy

From: Cathy Murray, Appeals Board Clerk
Sent: Thursday, November 9, 2023 11:59 AM
To: John Benatti <jpsd1105@msn.com>
Cc: John Olivieri, Advisor <JohnOlivieri@worldinsurance.com>
Subject: RE: J Benatti

Hi Mr. Benatti,

No problem continuing your hearing. Sorry to hear that you have going through a difficult time.

The next meeting is scheduled for December 21st

Cathy

From: John Benatti <jpsd1105@msn.com>
Sent: Thursday, November 9, 2023 6:59 AM
To: Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>
Subject: J Benatti

Good Morning, I'm sorry to ask you this again, but I'd like to request another continuance. My wife's been having health issues and has had two hospitalizations in the last 2 months. Things have been very much up in the air and I haven't been able to focus any energy on the hearing at this time. I hope you will understand. Thank you. John B.

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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, December 21, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Sepersky Family Investment Trust, Robert & Kyle Marie Sepersky Trustees**. A **Variance** is requested under **5.1 and 8.2.2** to construct a 996 square foot mudroom and two-car garage, within the side setback on a pre-existing, non-conforming lot, as provided by the Lakeville By-Laws. The garage will include a bedroom and bathroom. The property site is **311 Pond Lane**.

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

John Olivieri, Jr., Chairman

December 7, 2023 & December 14, 2023

Cathy Murray, Appeals Board Clerk

From: Bob <rjbouchard@verizon.net>
Sent: Monday, December 18, 2023 9:21 AM
To: Cathy Murray, Appeals Board Clerk
Subject: 311 Pond Lane

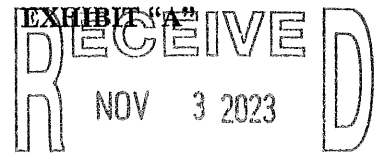
Hi Cathy,

This project will require a full Notice of Intent.

Bob

Petition to be filed with Town Clerk

TOWN OF LAKEVILLE MASSACHUSETTS



ZONING BOARD OF APPEALS PETITION FOR HEARING

BOARD OF APPEALS

Name of Petitioner: SEPERSKY FAMILY INVESTMENT TRUST ROBERT A & KYLY MARIE SEPERSKY TRUSTEES

Mailing Address: 3511 CREEKVIEW DR, BONITA SPRINGS, FL 34134-1634

Name of Property Owner: SAME AS PETITIONER

Location of Property: 311 POND LANE

Property is located in a [checked] residential [] business [] industrial (zone)

Registry of Deeds: Book No. 42288 Page No. 0329

Map 047 Block 003 Lot 003

Petitioner is: [checked] owner [] tenant [] licensee [] prospective purchaser

Nature of Relief Sought:

[] Special Permit under Section (s) [] of the Zoning Bylaws

[checked] Variance from Section (s) 5.1 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.)

To Construct Mudroom and 2 car garage with Primary Bedroom and Bathroom above.

I respectfully request a variance under section 8.2.2. of the LAKEVILLE Zoning Bylaws to construct a mudroom/2 car garage addition within the required rightside setback

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: ROBERT A. SEPERSKY * Date: 10-23-23

* Signed: [Signature] * Telephone: 508-243-0965

Owner Signature: [] Owner Telephone: [] (If not petitioner)

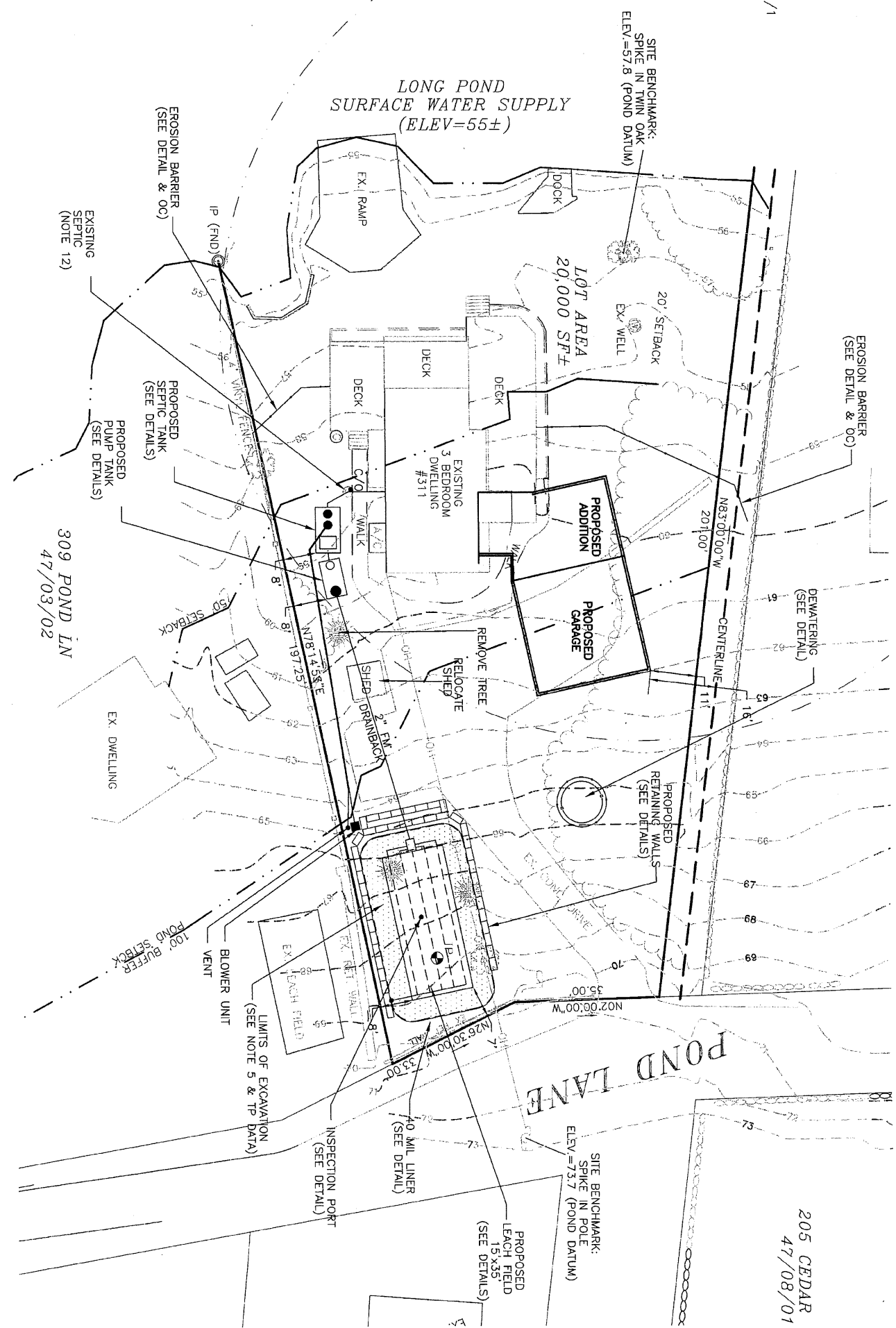
* Email: robsepersky@gmail.com

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

[checked] Yes [] No

LEO BISIO, PRESIDENT OF BISIO & SON CONSTRUCTION (Name and Title)

LONG POND
SURFACE WATER SUPPLY
(ELEV=55±)



309 POND LN
47/03/02

205 CEDAR
47/08/01

SITE BENCHMARK:
SPIKE IN POLE
ELEV=73.7 (POND DATUM)

SITE BENCHMARK:
SPIKE IN TWIN OAK
ELEV=57.8 (POND DATUM)



2023 00046919

Bk: 58125 Pg: 180 Page: 1 of 16
Recorded: 07/25/2023 01:59 PM
ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds



**Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands**

WPA Form 5 – Order of Conditions

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:
SE192-896
MassDEP File #

eDEP Transaction #
Lakeville
City/Town

A. General Information

Please note:
this form has
been modified
with added
space to
accommodate
the Registry
of Deeds
Requirements

1. From: Lakeville
Conservation Commission

2. This issuance is for (check one):
a. Order of Conditions b. Amended Order of Conditions

3. To: Applicant:

a. First Name: Sepersky Family Investment Trust
b. Last Name: _____
c. Organization: _____
3511 Creekview Drive
d. Mailing Address: _____
Bonita Springs
e. City/Town: _____
f. State: FL g. Zip Code: 34134

4. Property Owner (if different from applicant):

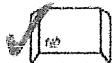
a. First Name: _____
b. Last Name: _____
c. Organization: _____
d. Mailing Address: _____
e. City/Town: _____
f. State: _____
g. Zip Code: _____

5. Project Location:

311 Pond Lane
a. Street Address: _____
047
b. City/Town: Lakeville
c. Assessors Map/Plat Number: _____
d. Parcel/Lot Number: 003/003

Latitude and Longitude, if known: d m s d m s
d. Latitude e. Longitude

Important:
When filling
out forms on
the
computer,
use only the
tab key to
move your
cursor - do
not use the
return key.



FORESIGHT ENGINEERING INC.

518 County Road
(Wishbone Way)
West Wareham, MA 02576
508-245-2148

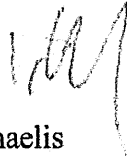
October 19, 2023

RE: Building Addition @ 311 Pond Ln

To Whom It May Concern:

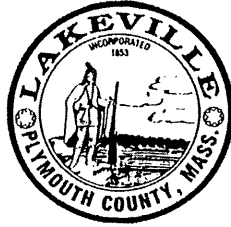
On behalf of the property owner, Sepersky Family Investment Trust, we are requesting the Zoning Board to consider a property line variance. The setback of 11' will be to an access easement (10' wide) to the pond for all residents in the neighborhood. The garage meets the current setback to the abutting residential property line an existing stone wall (21'). By rights, we own to the center of the easement so the setback is 16' to that centerline. With the location of the proposed raised septic system and existing driveway, we have tried to limit the amount of site disturbance for the addition being in close proximity to the resource area (Long Pond). Placing it over an already paved area to eliminate some tree removal and keep the drainage pattern similar to existing. In no way will the addition affect the access easement. Thank you for your consideration.

Sincerely,



Darren Michaelis
EIT, CSE, CSI

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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, December 21, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of the **Town of Lakeville**. A **Special Permit** is requested under **6.3.2 and 7.4.6** to place a 20' x 28' accessory structure (pavilion), within the side setback as provided by the Lakeville By-Laws. The property site is **2 Precinct Street and 28 Precinct Street**.

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

John Olivieri, Jr., Chairman

December 7, 2023 & December 14, 2023

Petition to be
filed with Town Clerk

TOWN OF LAKEVILLE
MASSACHUSETTS
ZONING BOARD OF APPEALS
PETITION FOR HEARING

EXHIBIT "A"
RECEIVED
NOV 30 2023
BOARD OF APPEALS

Name of Petitioner: Town of Lakeville

Mailing Address: 346 Bedford Street, Lakeville, MA 02347

Name of Property Owner: Town of Lakeville

Location of Property: 2 Precinct Street & 28 Precinct Street

Property is located in a residential business industrial (zone)

Registry of Deeds: Book No. 1814 Page No. 560 & Bk7272 Pg61

Map 030 Block 005 Lot 001 & Map: 027 Block: 002 Lot: 028

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 6.3.2 & 7.4.6 of the Zoning Bylaws

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

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial _____

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

We respectfully request a Special Permit to place an accessory structure (pavilion) within the required setbacks as allowed under sections 6.3.2 and 7.4.6 of the Lakeville Zoning By-Law and shown on the plan provided.

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: Town of Lakeville

Date: November 30, 2023

Signed: 

Telephone: 508-946-8803

Owner Signature: _____
(If not petitioner)

Owner Telephone: _____

Email: asky@lakevillema.org

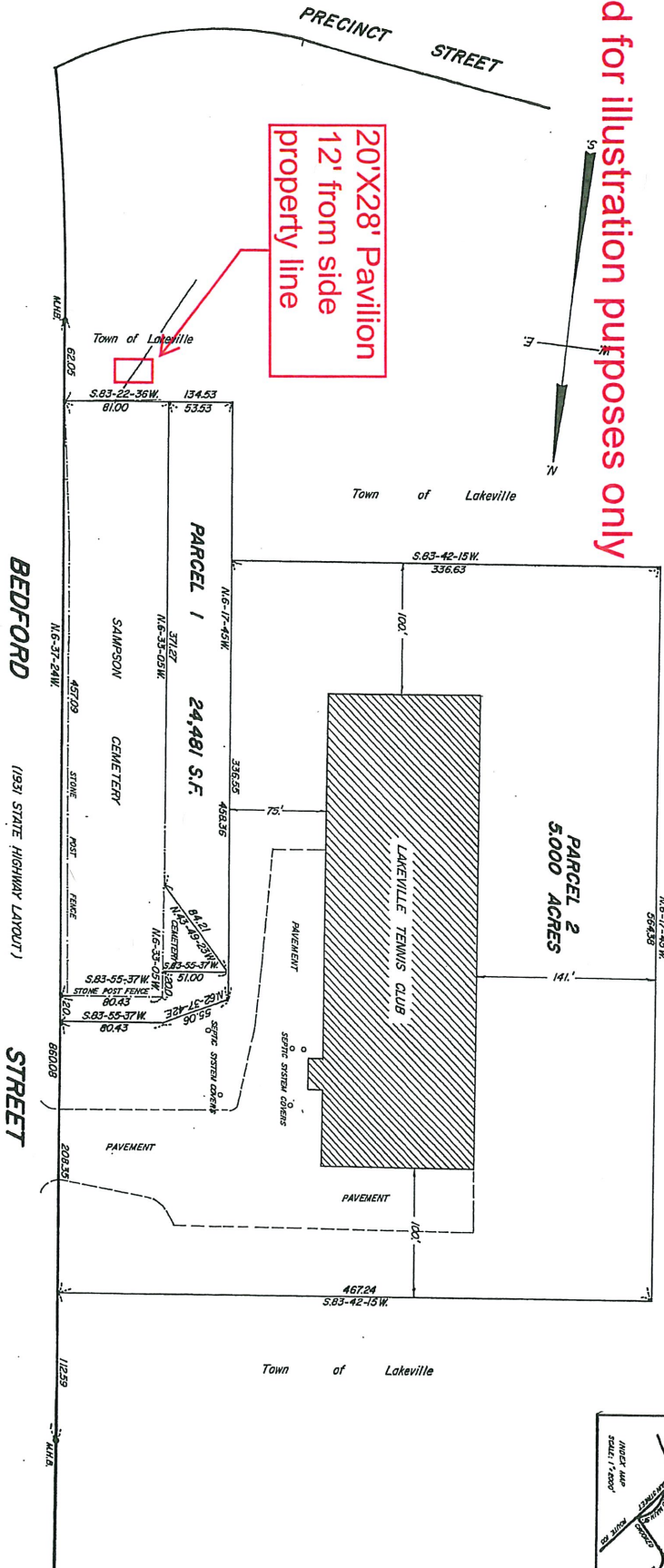
WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes No

Marc Resnick, Town Planner
(Name and Title)

Pavilion location not part of this endorsed ANR Plan

Intended for illustration purposes only



Note:
Parcel 1 is not to be considered a building lot.

PROCESSED FOR CONFORMANCE PURPOSES ONLY

Land is in the Business District.

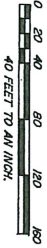
APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED LAKEVILLE PLANNING BOARD

David Woodhouse
Plan by J. J. Wang

DATE: 5/15/89

WILLIAM L. PHINNEY
REGISTERED LAND SURVEYOR
MIDDLEBOROUGH, MASSACHUSETTS

PREPARED FOR:
TOWN OF LAKEVILLE



PLAN OF LAND
BEDFORD STREET
LAKEVILLE, MASSACHUSETTS
MAY 3, 1989

FOR REGISTRY USE ONLY

I certify that this plan conforms with the rules and regulations of the Register of Deeds.



Regional Copy Building of Plans
PLAN BOOK 23 FROM 228



90-156



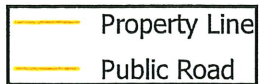
Town of Lakeville, MA

1 inch = 150 Feet

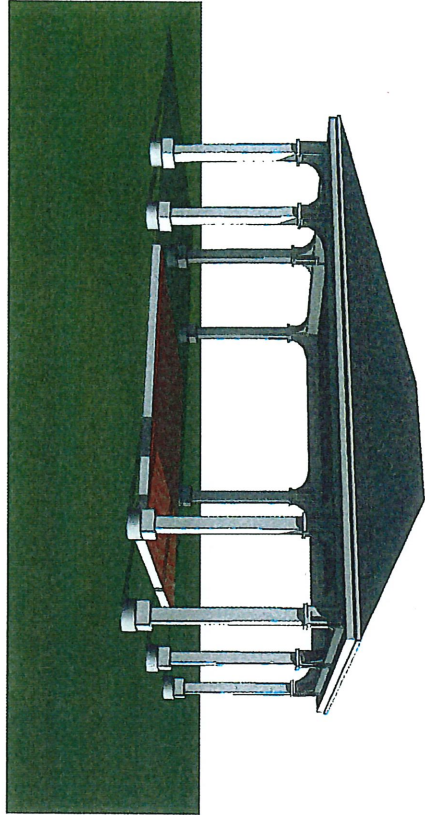


www.cai-tech.com

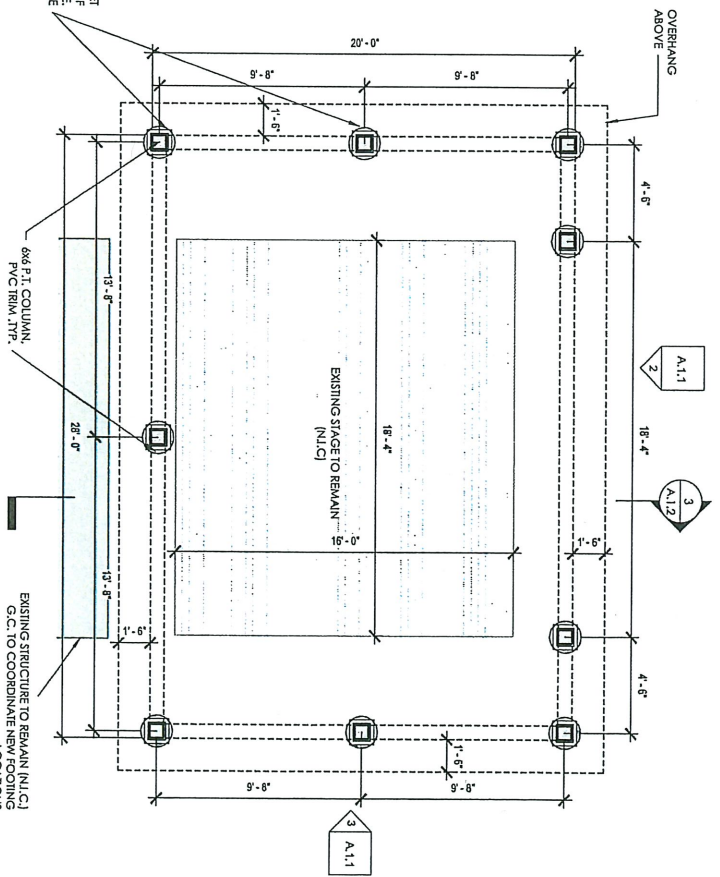
December 6, 2023



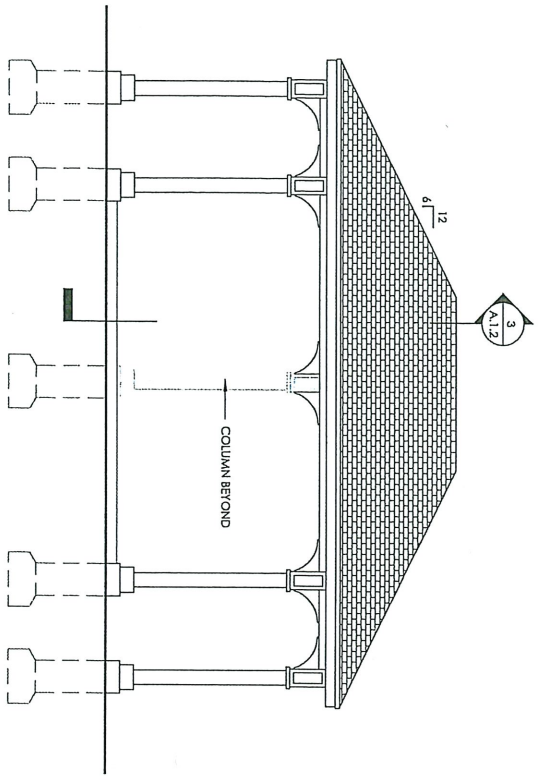
Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



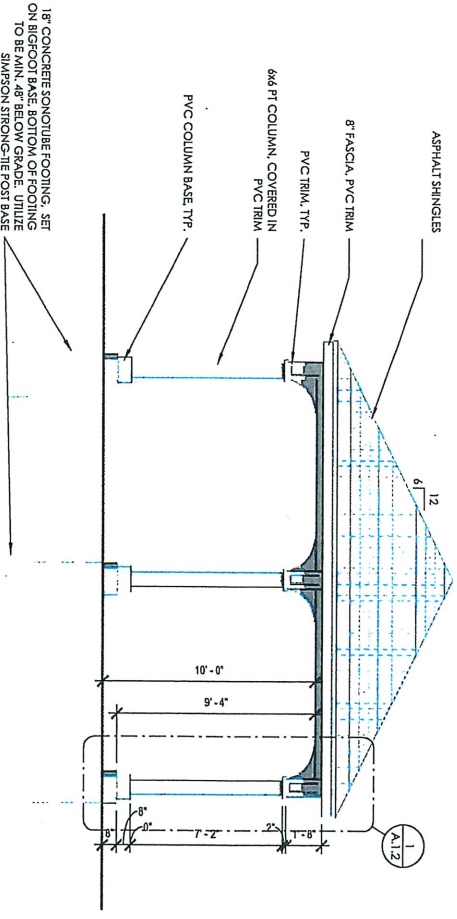
18" CONCRETE SONOTUBE FOOTING, SET ON BIGFOOT BASE, BOTTOM OF FOOTING TO BE MIN. 48" BELOW GRADE. UTILIZE SIMPSON STRONG-TIE POST BASE



① LAKEVILLE PAVILION FLOOR PLAN
1/4" = 1'-0"



② FRONT ELEVATION
1/4" = 1'-0"



③ SIDE ELEVATION
1/4" = 1'-0"

18" CONCRETE SONOTUBE FOOTING, SET ON BIGFOOT BASE, BOTTOM OF FOOTING TO BE MIN. 48" BELOW GRADE. UTILIZE SIMPSON STRONG-TIE POST BASE

FLOOR PLAN AND ELEVATIONS

LAKEVILLE PAVILION, LAKEVILLE, MA

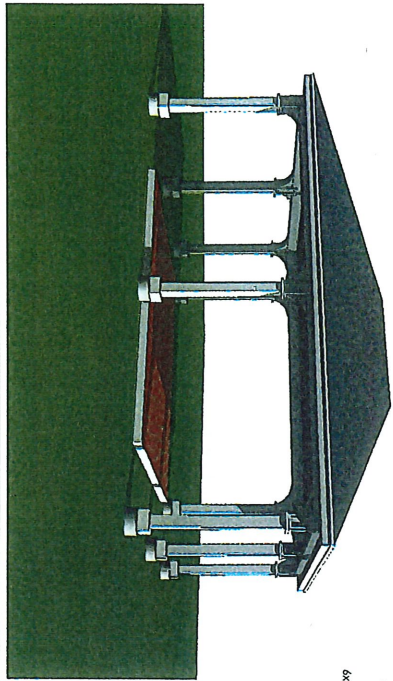


RTA
ARCHITECTS + OPM
12 Cross Neck Road
Marion, MA 02738
Tel: 508-726-0811
Email: jorge@rt-architecture.com

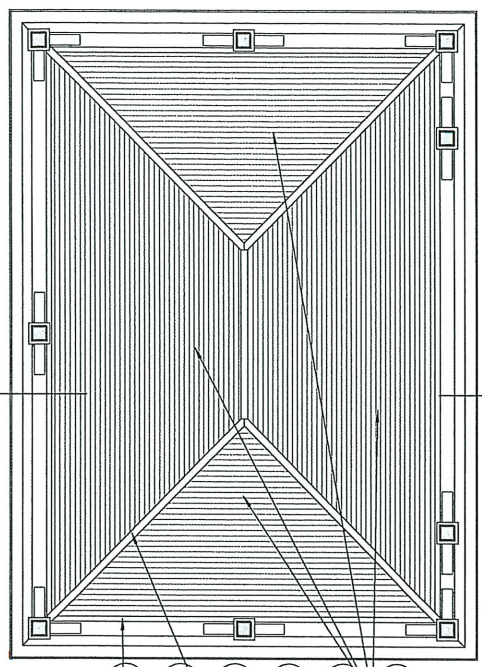
A.1.1

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

02/16/23



5 REFLECTED CEILING PLAN
1/4" = 1'-0"

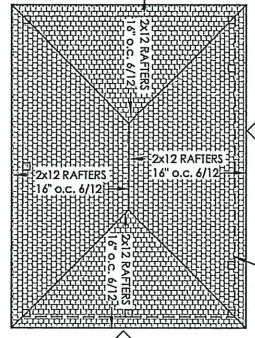


5/8" TYP PVC READ BOARD, TYP.
-WORK OF ALTERNATE 1

PVC CENTER BOARD, TYP.
-WORK OF ALTERNATE 1

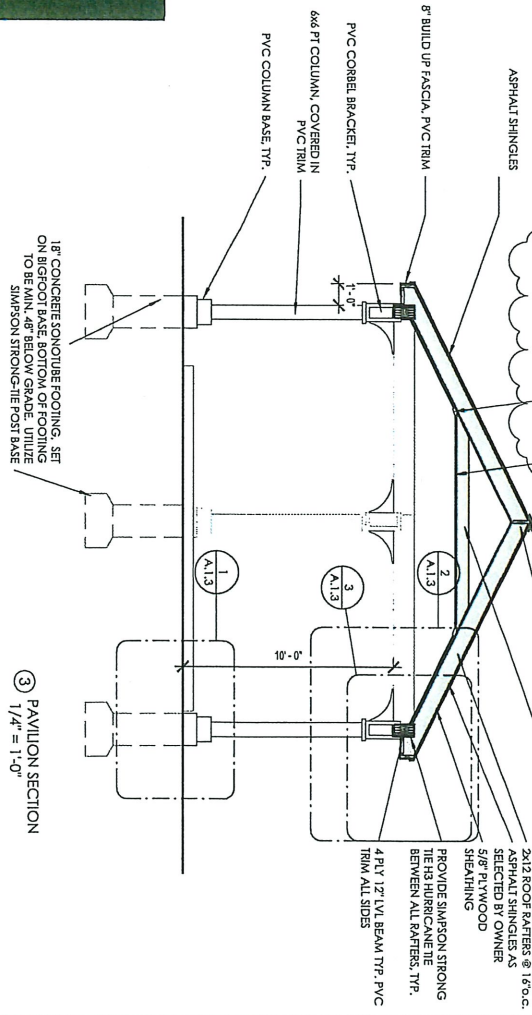
PVC END BOARD, TYP.
-WORK OF ALTERNATE 1

3 A.1.2

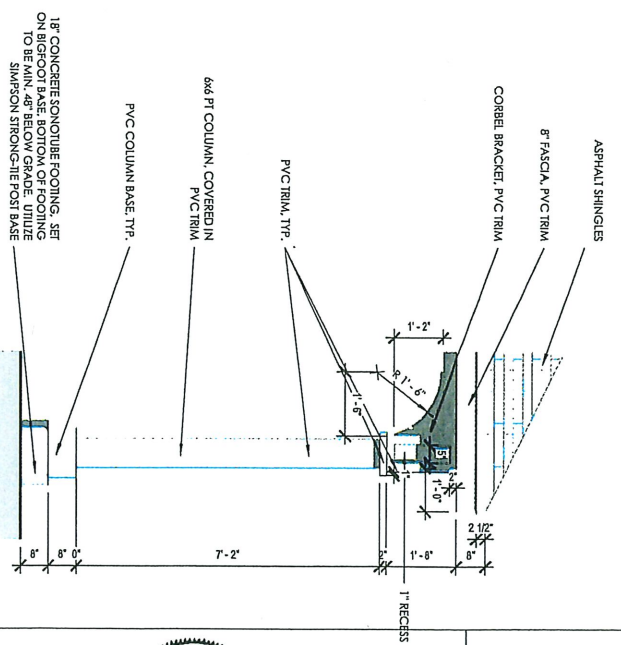


2 ROOF PLAN
1/8" = 1'-0"

A.1.1
2
PROVIDE SIMPSON STRONG-TIE H3 HURRICANE TIE BETWEEN ALL RAFTERS, TYP.



1 TYPICAL COLUMN
1/2" = 1'-0"



3 PAVILION SECTION
1/4" = 1'-0"

RCP, SECTION, DETAILS AND ROOF PLAN

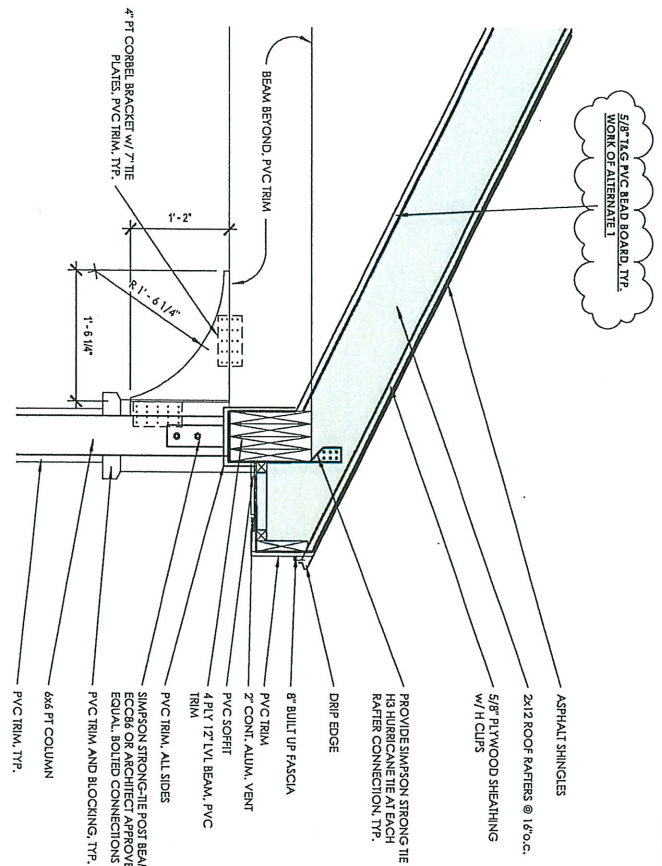
LAKEVILLE PAVILION, LAKEVILLE, MA



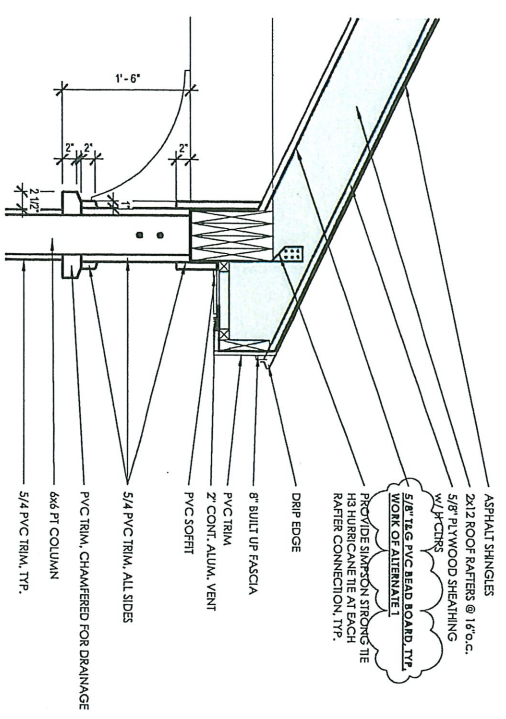
A.1.2

scale: As indicated

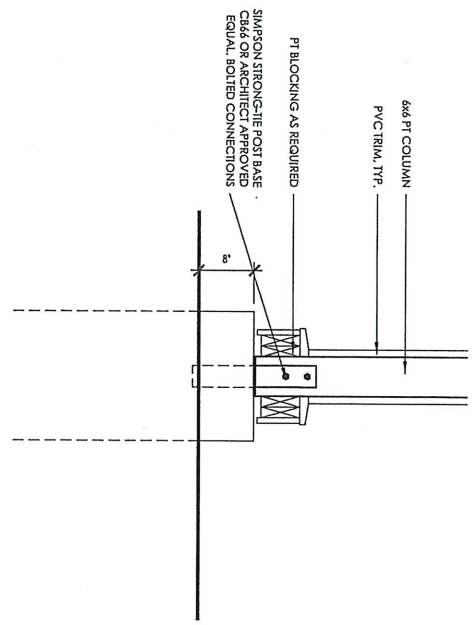
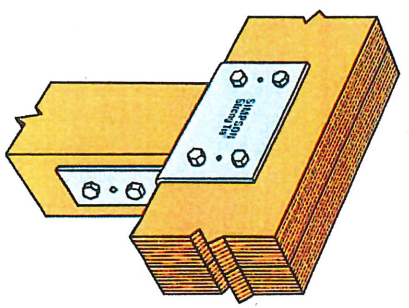
02/16/23



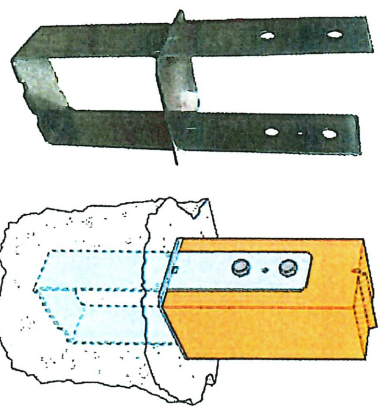
② HEADER DETAIL
1" = 1'-0"



③ COLUMN DETAIL
1" = 1'-0"



① BASE DETAIL
1" = 1'-0"



ZONING BY-LAW

Town of Lakeville

- 6.3.2 No accessory building or structure shall be located within the required front, side or rear setback unless a Special Permit is granted by the Zoning Board of Appeals. Where a Special Permit is sought under Section 7.4.6 for an accessory building or structure within the setback on a lawfully pre-existing, nonconforming lot, the Zoning Board of Appeals shall additionally make a finding that the accessory building or structure shall not be substantially more detrimental to the neighborhood than the existing nonconformity.
(Underlined- Adopted at STM November 13, 2017; approved by Attorney General February 9, 2018)

7.4.6 Specific Uses by Special Permit

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

Accessory building or structure located within the required front, side or rear setback

SPGA-Board of Appeals; All Districts

The Board of Appeals may impose certain restrictions including but not limited to size, height and/or number of buildings or structures.

(Adopted STM November 13, 2017; Approved by Attorney General February 9, 2018)

RECEIVED
NOV 02 2023
BUILDING DEPT



November 1, 2023

Zoning Board of Appeals
346 Bedford Street
Lakeville, MA 02347

Dear Zoning Board of Appeals Members,

The Arts Council voted at our October 16 meeting to write the ZBA in support of the Historical Commission's request with Nate Darling's assistance, for a variance to move the stage from its current location, with the intent of having a structure built over it, within the setback from the property line of Sampson Cemetery. Water pipes recently discovered located under the stage in its current location could cause future issues for the stage and makes it unfeasible for a structure to be built over it.

The stage was built by the Arts Council with the Historical Commission approval in 2014. Since then it has been used for our annual Arts & Music Festival and summer concert series in July, as well as by the children's librarian for several programs throughout the years.

Moving forward with a permanent structure over the stage, it will give a greater number of community groups the ability to also make use of this "Pavilion" such as COA programs, Historical Commission programs, and additional library programs besides children programs. The Arts Council would like to hold more summer concerts, radio plays and who knows what else.

When the structure is added over the stage it will give Lakeville a real center with a purpose of community for all.

Thank you for your thoughtful consideration in the matter.

Sincerely,


Joanne Corrieri-Upham
Arts Council, Chair

Cc: Nate Darling, Building Commissioner & Zoning Enforcement Officer
Ari Sky, Town Administrator
Mark Resnick, Town Planner
Select Board
Historical Commission
Library Trustees

**Zoning Board of Appeals
Lakeville, Massachusetts
Minutes of Meeting
November 16, 2023**

On November 16, 2023, the Zoning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Chairman Olivieri at 7:03 p.m. The meeting was not video recorded.

Members present:

John Olivieri, Jr., Chair; Jeff Youngquist, Vice-Chair; Gerald Noble, Clerk; Christopher Campeau, Member; Christopher Sheedy, Member

Others present:

Marc Resnick, Town Planner

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

Mr. Olivieri opened the continued Benatti hearing at 7:03. He advised the applicant had submitted an email requesting the hearing be continued to their December meeting.

Mr. Youngquist made a motion, seconded by Mr. Noble, to continue the Benatti hearing until December 21, 2023. The time would be at 7:00 p.m. The **vote** was **unanimous for**.

The hearing closed at 7:03.

Meeting minutes

Mr. Youngquist made a motion, seconded by Mr. Campeau, to approve the meeting minutes from the October 19, 2023, meeting. The **vote** was **unanimous for**.

Next meeting

The next meeting is scheduled for December 21, 2023, at 7:00 p.m. at the Lakeville Public Library.

Adjourn

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

Meeting adjourned at 7:04.