



# TOWN OF LAKEVILLE REMOTE MEETING NOTICE/ AGENDA

Posted in accordance with the provisions of MGL Chapter 30A, §. 18-25

Name of Board, Committee or Commission:	<b>Zoning Board of Appeals</b>
Date & Time of Meeting:	<b>Tuesday, February 23, 2021 at 7:00 p.m.</b>
Location of Meeting:	<b>REMOTE MEETING</b>
Clerk/Board Member posting notice	<b>Cathy Murray</b>

## AGENDA

1. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the February 23, 2021, public meeting of the **Zoning Board of Appeals** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to facebook.com/lakecam (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>**
2. **Petition hearings (Votes to be taken)**
  - Bauer hearing – 4 Pilgrim Road** – request for a **Special Permit** under 6.3.2 & 7.4.6 to re-locate a pre-existing, non-conforming accessory structure within the setback and to construct and place an additional 14' x 20' accessory structure within the setback.
  - Furtado hearing – 17 South Avenue** – request for a **Special Permit** under 6.1.3 and 7.4 to construct a 12' x 26' deck on a pre-existing, non-conforming lot within the setbacks.
  - Cornell hearing – 15 Morrison Way** – request for a **Special Permit** under 6.1.3 & 7.4 to enclose an existing 12' x 20' deck for use as a three-season room.
  - Hoffman hearing – 5 Merigold Lane** – request for a **Special Permit** under 6.3.2 & 7.4.6 to construct a 10' x 16' shed within the side setback.
  - Boston Botanical, Inc. hearing – 475 Kenneth W. Welch Drive** – request for a **Special Permit** under 7.4.6 to operate an adult use marijuana establishment as both a marijuana cultivator and marijuana product manufacturer.
4. **Approve Meeting Minutes for November 19, 2020 and January 19, 2021**
5. **Old Business**
6. **New Business**
7. **Next meeting. . . Thursday, March 18, 2021**

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.

(TOWN OF LAKEVILLE SEAL)

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on TUESDAY, February 23, 2021, at 7:00 P.M. to hear the petition of **James Bauer**. A **Special Permit** under **6.3.2** and **7.4.6** is requested to re-locate a pre-existing, non-conforming accessory structure within the setback and to construct and place an additional 14' x 20' accessory structure within the setback, as provided by the Lakeville By-Laws. The property site is **4 Pilgrim Road**.

Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting. The Agenda found on the Town of Lakeville Zoning Board of Appeals web page will include instructions on accessing the virtual meeting and documents related to it.

John Olivieri, Jr., Chairman

February 4, 2021 & February 11, 2021





## *Town of Lakeville*

*Board of Health  
346 Bedford Street  
Lakeville, MA 02347*

Board of Health  
(508) 946-3473  
(508) 946-8805  
(508) 946-3971 fax

February 12, 2021

Town of Lakeville  
Zoning Board of Appeals  
Attn: John Olivieri, Chairman  
346 Bedford Street  
Lakeville, MA 02347

Re: Board of Health comments.

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 17 South Ave. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

*Bauer*  
We received a copy of the Petition for Hearing for 4 Pilgrim Road. The Board of Health regulation 2.6 states "No structure (like sonotubes, decks, sheds, etc.) shall be within 5 ft of any component." The proposed location for the shed appears to be within 3 ft of the leaching pit. Also none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if relocating sheds in the septic area.

We received a copy of the Petition for Hearing for 5 Merigold Lane. The Board of Health has no reason to recommend denial due to public health issues at this time, but caution that none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if installing sheds and drilling wells near the septic area.

We received a copy of the Petition for Hearing for 15 Morrison Way. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

We received a copy of the Petition for Hearing for 475 Kenneth Welch Drive. The Board of Health has no reason to recommend denial due to public health issues at this time, but would like to inform the owner that a Title 5 inspection will be required prior to occupancy.

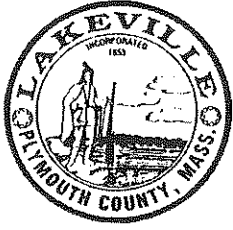
If you should have any further questions feel free to contact this office.

Sincerely yours,  
For the Board of Health

A handwritten signature in black ink, appearing to read 'Edward Cullen', written in a cursive style.

Edward Cullen  
Health Agent





## Town of Lakeville

PLANNING BOARD  
346 Bedford Street  
Lakeville, MA 02347  
508-946-8803

Mark Knox, Chairman  
Barbara Mancovsky, Vice Chairman  
Peter Conroy  
Jack Lynch  
Michele MacEachern

### MEMORANDUM

**TO:** Board of Appeals

**FROM:** Planning Board

**DATE:** February 18, 2021

**SUBJECT:** Petition Review for Bauer – 4 Pilgrim Road

At their Thursday, January 28, 2021, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had no comments regarding this petition.

Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

RECEIVED  
JAN 19 2020  
BOARD OF APPEALS

Name of Petitioner: JAMES BAUER

Mailing Address: 4 PILGRIM ROAD

Name of Property Owner: JAMES BAUER

Location of Property: 4 PILGRIM ROAD

Property is located in a  residential  business  industrial (zone)

Registry of Deeds: Book No. 51781 Page No. 188

Map 040 Block 006 Lot 003

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.)**

SPECIAL PERMIT REQUEST (ACCESSORY STRUCTURE;  
SHED) BEING PLACED ON A NON-CONFORMING LOT  
(SEE ATTACHED COVER LETTER)

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH  
REFERENCE TO THE ABOVE PETITION OR APPEAL. ALL OF THE INFORMATION ON  
THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE  
AND CONFORMS TO THE REQUIREMENTS ON THE BACK OF THIS PETITION FORM.

Petitioner: JAMES BAUER

Date: 15 JAN 2021

Signed: [Signature]

Telephone: 774-406-6011

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

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

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER  
INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes  No

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

To: Lakeville Zoning Board of Appeals  
From: James J. Bauer/Lisa J. Bauer (4 Pilgrim Road, Lakeville, MA 02347)  
Date: January 14, 2021  
Subject: **Special Permit/Variance Request (Accessory Structure on a Non-Conforming Lot)**

We are submitting this documentation as a Special Permit/Variance to present rationale for our property at 4 Pilgrim Road, Lakeville, MA. We recently learned that our property is deemed a non-conforming lot according to the Lakeville Building Dept. (Nathan Darling). This discussion was in relation to the building permit request that we had made back in October 2020 to place this accessory structure (Shed) on the property. Based on Nathan's guidance and recommendations, we are applying for a Special Permit/Variance that will be required to place this additional accessory structure on the current property.

Our immediate goal is to provide the appropriate documentation to the Zoning Board of Appeals so that we can adequately identify the need for having two accessory structures on the property. The first accessory structure is an existing structure that was located on the property when we purchased the property back in June 2020; it is a 10'x11' refurbished shed (110 sq. ft.). Our goal is to relocate the existing structure to the northeast side of the property (Bliss Road) to allow for the addition of a second accessory structure.

The proposed accessory structure is a new 14'x 20' shed (280 sq. ft.) that will be located outside of the normal zoning area of what is considered allowable according to town guidelines. In accordance to the 4 Pilgrim Road Assessors MAP 40 Block 6, the property map shows two accessory structures; one is currently existing and the second structure was non-existing when the property was purchased.

Based on the understanding that our property is classified as a non-conforming lot, we would like acquire approval from the Zoning Board of Appeals to utilize the accessory structure space depicted on MAP 40 Block 6 to place a second accessory structure on the property (See Attached Map/Plan). The setback distances related to placing this structure per the details provided would not conform to the current town/zoning guidelines.

The addition of the second accessory structure would provide us with additional storage space that is required based on our home not having a lower ground floor (Basement). Being able to grant relief to this request provides us with the required space needed for our family without putting a substantial detriment to the public good, our neighbors and/or public zoning district in which we live in.

Thank you for your consideration with our Special Permit/Variance request and we look forward to discussing the necessary information with the Lakeville Zoning Board of Appeals to gain this approval.

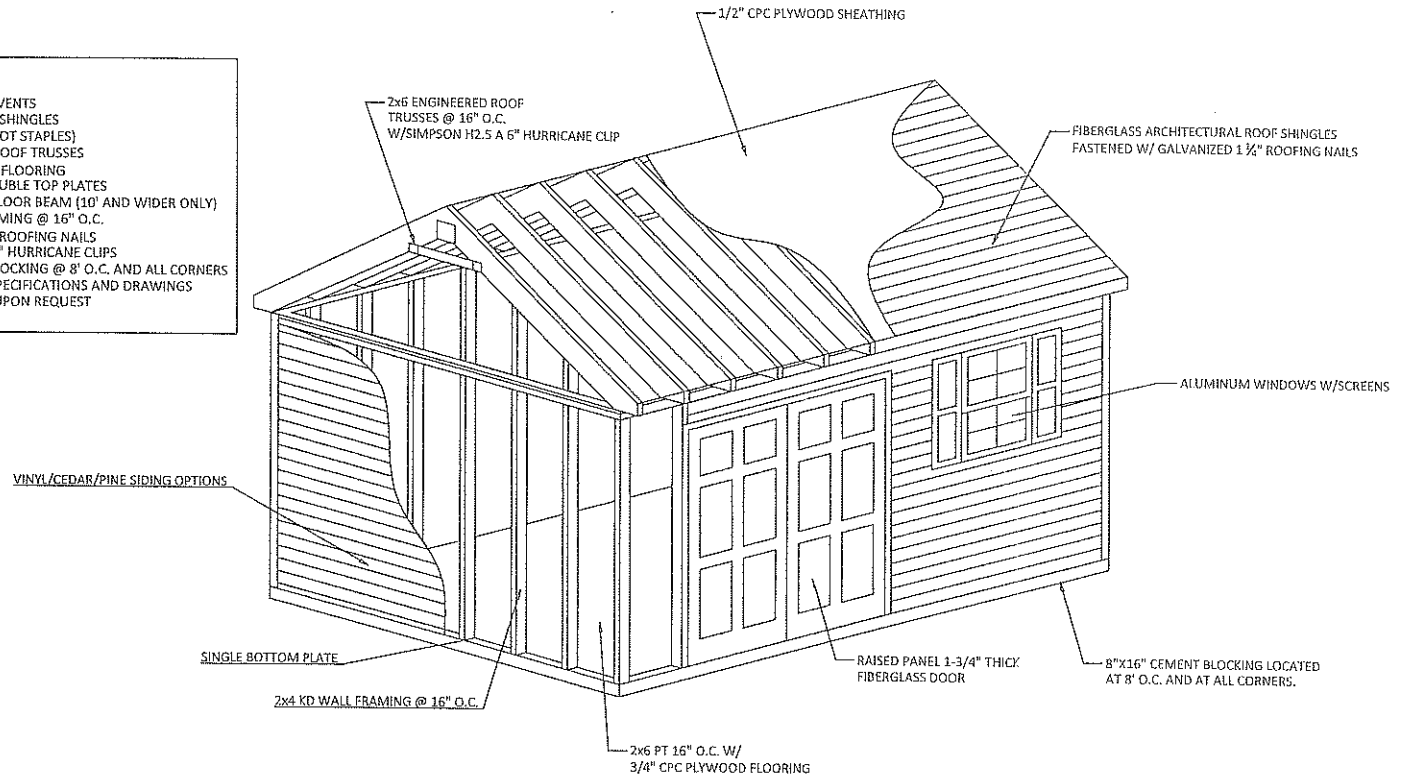
James & Lisa Bauer  
4 Pilgrim Road  
Lakeville, MA 02347  
774-406-6011



STANDARD FEATURES

VINYL/CEDAR/PINE SIDING OPTIONS  
 ALUMINUM WINDOWS W/SCREENS  
 ALUMINUM DRIP EDGE ON ALL SIDES  
 LOCKING DOOR HANDLE  
 FULL 1-3/4" THICK FIBERGLASS DOORS  
 DOUBLE 2x DOOR HEADERS W/ JACK STUDS  
 ALL PVC TRIM (VINYL SIDED ONLY)  
 6' 4 1/2" STANDARD WALL HEIGHT  
 ALL FLOORS 10' IN WIDTH (10'x12', 10'x14")  
 HAVE RIM JOIST AT 6'/4" SEAM  
 ALL FLOORS 12' IN WIDTH WITH A DOUBLE  
 JOIST AT THE 6' SEAM  
 ALL FLOORS WIDER WILL BE SEAMED AT 8'

SCREENED GABLE VENTS  
 FIBERGLASS ROOF SHINGLES  
 ROOFING NAILS (NOT STAPLES)  
 2x6 LOAD RATED ROOF TRUSSES  
 3/4" CPC PLYWOOD FLOORING  
 INTERLOCKING DOUBLE TOP PLATES  
 DOUBLE CENTER FLOOR BEAM (10' AND WIDER ONLY)  
 2x6 PT FLOOR FRAMING @ 16" O.C.  
 GALVANIZED 1 1/2" ROOFING NAILS  
 SIMPSON H2.5 A 6" HURRICANE CLIPS  
 8"x16" CEMENT BLOCKING @ 8' O.C. AND ALL CORNERS  
 TRUSS LOADING SPECIFICATIONS AND DRAWINGS  
 AVAILABLE UPON REQUEST



GREGSAK ENGINEERING, INC.



CIVIL AND STRUCTURAL  
 ENGINEERS  
 P.O. BOX 271  
 CHESTER, NEW HAMPSHIRE 03036  
 PH: (603) 887-6979  
 FAX: (603) 887-6636  
 www.gregsak.com

ISOMETRIC VIEW  
 POST WOODWORKING TYPICAL SHED DESIGN  
 163 KINGSTON ROAD  
 DANVILLE NH

PREPARED FOR:  
 POST WOODWORKING, INC.  
 163 KINGSTON ROAD  
 DANVILLE, NH 03819  
 (866) 794-7433

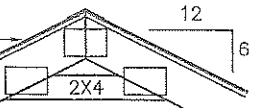
Scale: NTS  
 APRIL 18, 2016

FIBERGLASS ARCHITECTURAL ROOF  
SHINGLES FASTENED WITH GALVANIZED  
1-1/4" ROOFING NAILS

2x6 ENGINEERED ROOF TRUSSES  
@ 16" O.C. W/SIMPSON H2.5 A 6"  
HURRICANE CLIP

1/2" CPC PLYWOOD SHEATHING

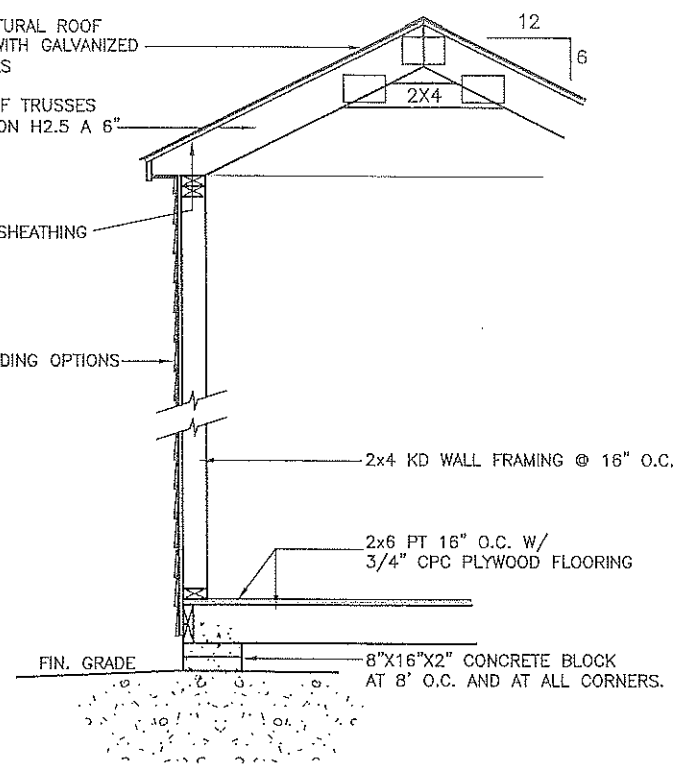
VINYL/CEDAR/PINE SIDING OPTIONS



2x4 KD WALL FRAMING @ 16" O.C.

2x6 PT 16" O.C. W/  
3/4" CPC PLYWOOD FLOORING

FIN. GRADE  
8"X16"X2" CONCRETE BLOCK  
AT 8' O.C. AND AT ALL CORNERS.



GREGSAK ENGINEERING, INC.

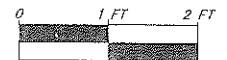


CIVIL AND STRUCTURAL  
ENGINEERS  
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CHESTER, NEW HAMPSHIRE 03036  
PH: (603) 887-6979  
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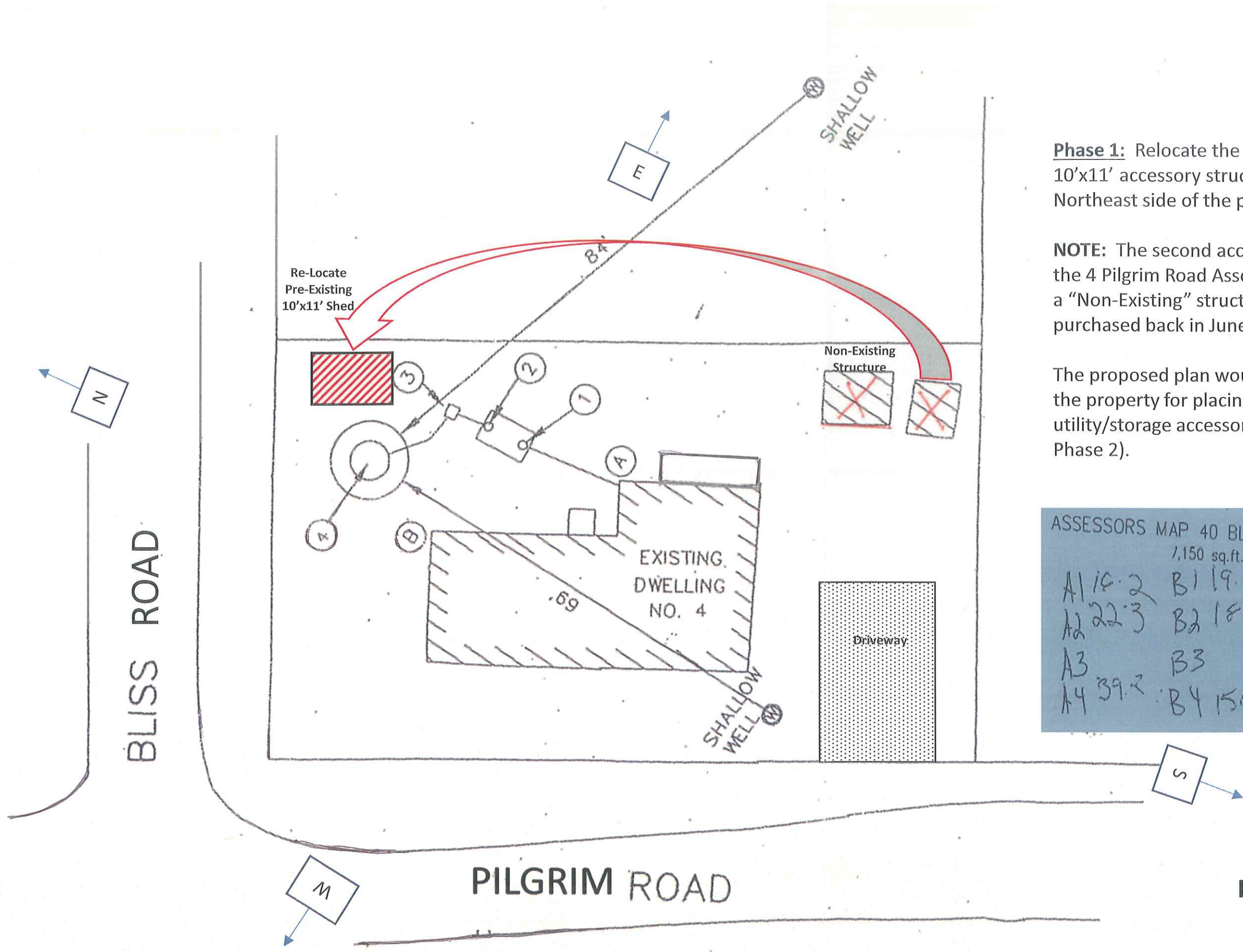
WALL SECTION  
POST WOODWORKING TYPICAL SHED DESIGN  
163 KINGSTON ROAD  
DANVILLE NH

PREPARED FOR:  
POST WOODWORKING, INC.  
163 KINGSTON ROAD  
DANVILLE, NH 03819  
(866) 794-7433

Scale: 3/4"=1'-0"



APRIL 18, 2016



**Phase 1:** Relocate the current pre-existing 10'x11' accessory structure (Shed) to the Northeast side of the property (Bliss Road).

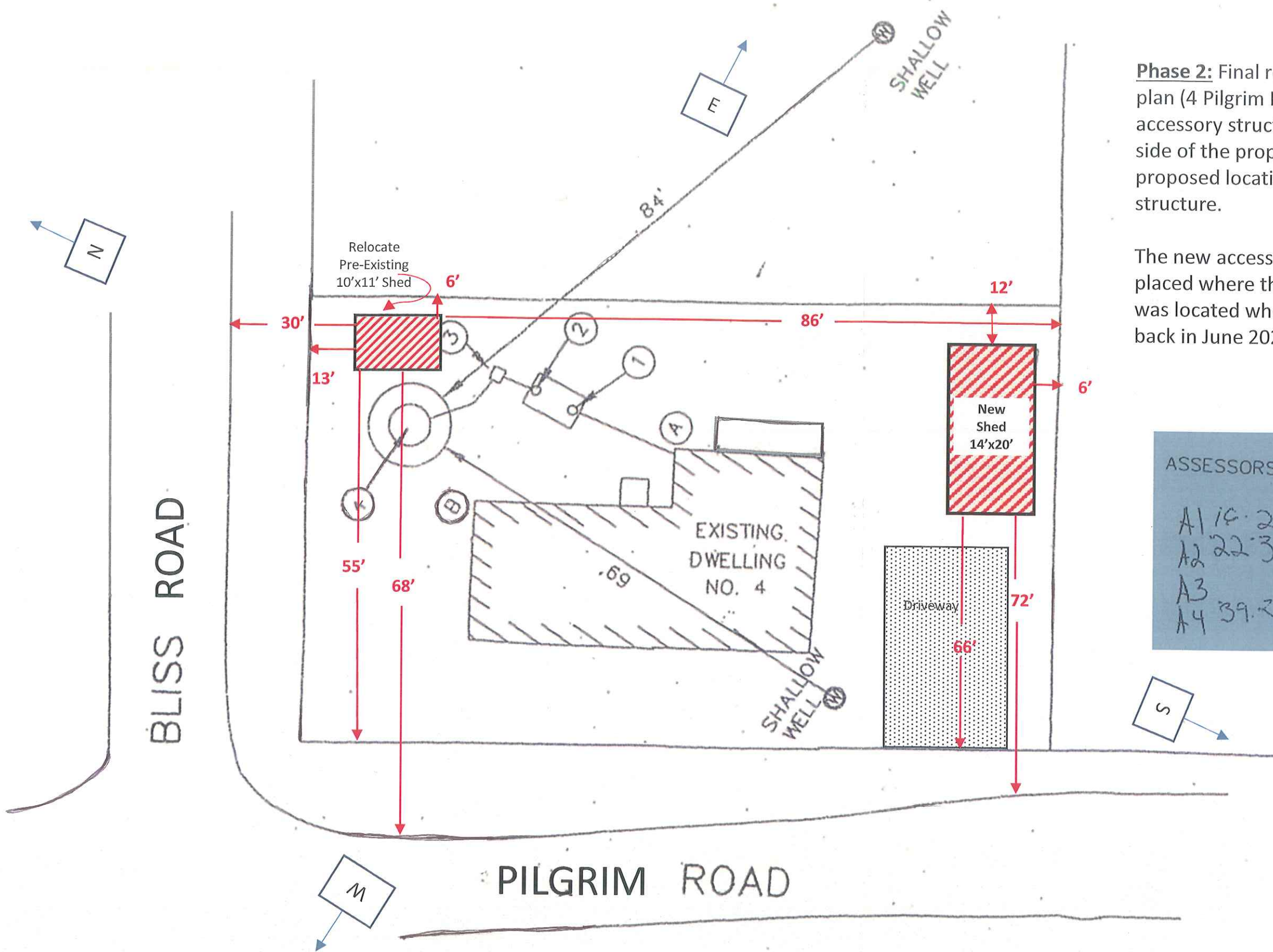
**NOTE:** The second accessory structure shown in the 4 Pilgrim Road Assessors MAP 40 Block 6 was a "Non-Existing" structure when the property was purchased back in June 2020.

The proposed plan would be to utilize this area of the property for placing a new 14'x20' utility/storage accessory structure (Reference Phase 2).

ASSESSORS MAP 40 BLOCK 6	
1,150 sq.ft.	
A1 16.2	B1 19.10
A2 22.3	B2 18.5
A3	B3
A4 39.2	B4 15.8

**Bauer**  
**4 Pilgrim Road**  
**Lakeville, MA 02347**





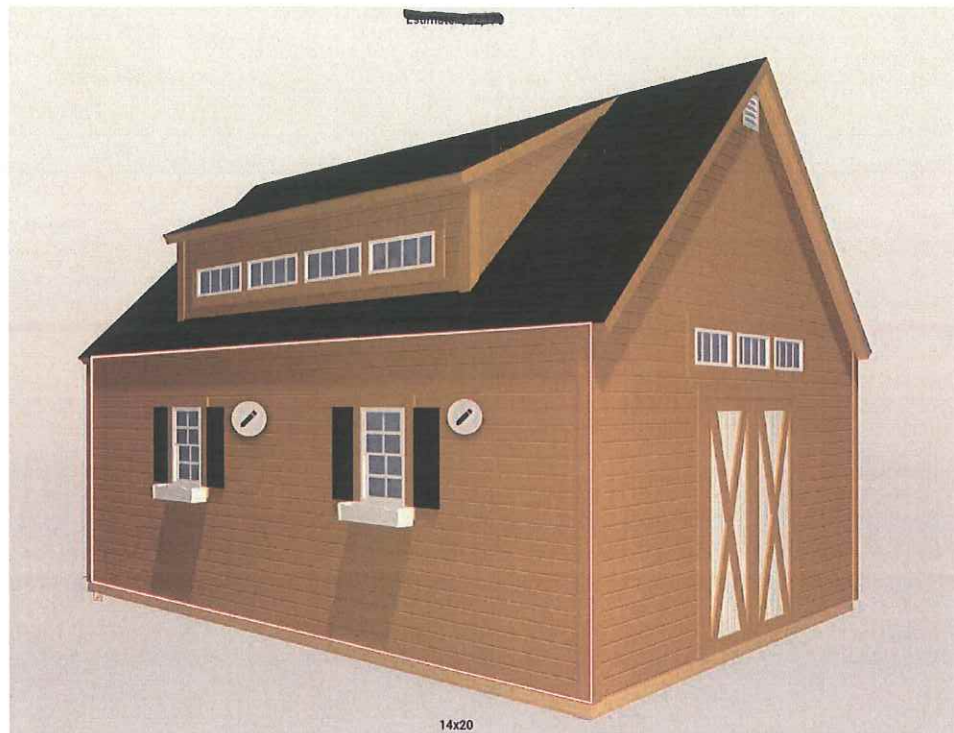
**Phase 2:** Final rendering of the proposed property plan (4 Pilgrim Road) with the pre-existing accessory structure relocated to the Northeast side of the property (Bliss Road) along with the proposed location for the new accessory structure.

The new accessory structure (14'x20') will be placed where the pre-existing accessory structure was located when the property was purchased back in June 2020 (Southeast side of property).

ASSESSORS MAP 40 BLOCK 6	
1,150 sq.ft.	
A1 18.2	B1 19.10
A2 22.3	B2 18.5
A3	B3
A4 39.2	B4 15.8

**Bauer**  
**4 Pilgrim Road**  
**Lakeville, MA 02347**

**Proposed Accessory Structure (Shed)**  
(14'W x 20'D x 14'H)



Front/Left Side View



Front/Right Side View



Rear/Left Side View

**Bauer**  
**4 Pilgrim Road**  
**Lakeville, MA 02347**

(TOWN OF LAKEVILLE SEAL)

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on TUESDAY, February 23, 2021, at 7:00 P.M. to hear the petition of **Stephen L. & Cheryl A. Furtado**. A **Special Permit** under **6.1.3** and **7.4** is requested to construct a 12' x 26' deck on a pre-existing, non-conforming lot within the setbacks, as provided by the Lakeville By-Laws. The property site is **17 South Avenue** and is owned by **Stephen L. & Cheryl A. Furtado, S & C Furtado Family Trust**.

Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting. The Agenda found on the Town of Lakeville Zoning Board of Appeals web page will include instructions on accessing the virtual meeting and documents related to it.

John Olivieri, Jr., Chairman

February 4, 2021 & February 11, 2021





*Town of Lakeville*  
*Board of Health*  
*346 Bedford Street*  
*Lakeville, MA 02347*

Board of Health  
(508) 946-3473  
(508) 946-8805  
(508) 946-3971 fax

February 12, 2021

Town of Lakeville  
Zoning Board of Appeals  
Attn: John Olivieri, Chairman  
346 Bedford Street  
Lakeville, MA 02347

Re: Board of Health comments.

Dear Chairman Olivieri:

*Furtado*  
We received a copy of the Petition for Hearing for 17 South Ave. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

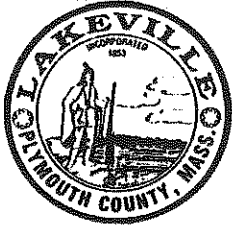
We received a copy of the Petition for Hearing for 4 Pilgrim Road. The Board of Health regulation 2.6 states "No structure (like sonotubes, decks, sheds, etc.) shall be within 5 ft of any component." The proposed location for the shed appears to be within 3 ft of the leaching pit. Also none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if relocating sheds in the septic area.

We received a copy of the Petition for Hearing for 5 Merigold Lane. The Board of Health has no reason to recommend denial due to public health issues at this time, but caution that none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if installing sheds and drilling wells near the septic area.

We received a copy of the Petition for Hearing for 15 Morrison Way. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

We received a copy of the Petition for Hearing for 475 Kenneth Welch Drive. The Board of Health has no reason to recommend denial due to public health issues at this time, but would like to inform the owner that a Title 5 inspection will be required prior to occupancy.

If you should have any further questions feel free to contact this office.



Mark Knox, Chairman  
Barbara Mancovsky, Vice Chairman  
Peter Conroy  
Jack Lynch  
Michele MacEachem

## Town of Lakeville

PLANNING BOARD  
346 Bedford Street  
Lakeville, MA 02347  
508-946-8803

### MEMORANDUM

**TO:** Board of Appeals

**FROM:** Planning Board

**DATE:** February 18, 2021

**SUBJECT:** Petition Review for Furtado – 17 South Avenue

At their Thursday, January 28, 2021, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had no comments regarding this petition.

Petition to be  
filed with Town Clerk

EXHIBIT "A"

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

RECEIVED  
JAN 25 2020  
BOARD OF APPEALS

Name of Petitioner: Stephen L. Furtado and Cheryl A. Furtado

Mailing Address: 19 Moynan Street, New Bedford, MA 02745

Name of Property Owner: Stephen L. Furtado and Cheryl A. Furtado, S & C Furtado Family Trust

Location of Property: 17 South Avenue, Lakeville, MA 02347

Property is located in a  residential  business  industrial (zone)

Registry of Deeds: Book No. 50337 Page No. 312

Map 042 Block 025 Lot 009

Petitioner is:  owner  tenant  licensee  prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 6.1.3 & 7.4 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 under 6.1.3 and 7.4 of the Lakeville Zoning By-Law to construct an approximately 12' X 26' deck on a pre-existing non-conforming lot. The deck will be no closer to the side property lines than the residential home that it will be attached to.

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: Stephen L. Furtado and Cheryl A. Furtado

Date: January 25, 2021

Signed: Cheryl A. Furtado  
Stephen L. Furtado

Telephone: 508-717-2689

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

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

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER INSTRUCTIONS IN FILING YOUR PETITION.)

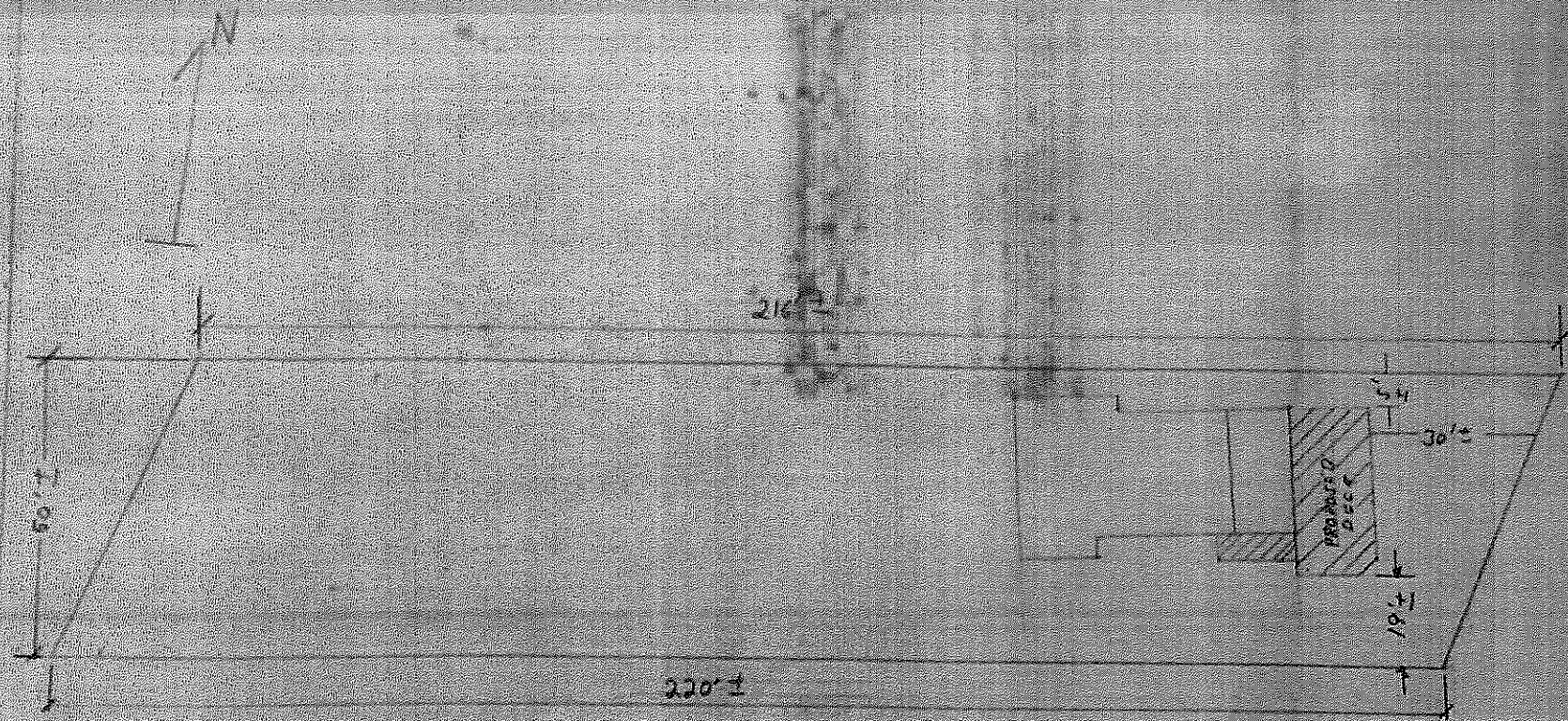
WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes  No

David Doyle

(Name and Title)

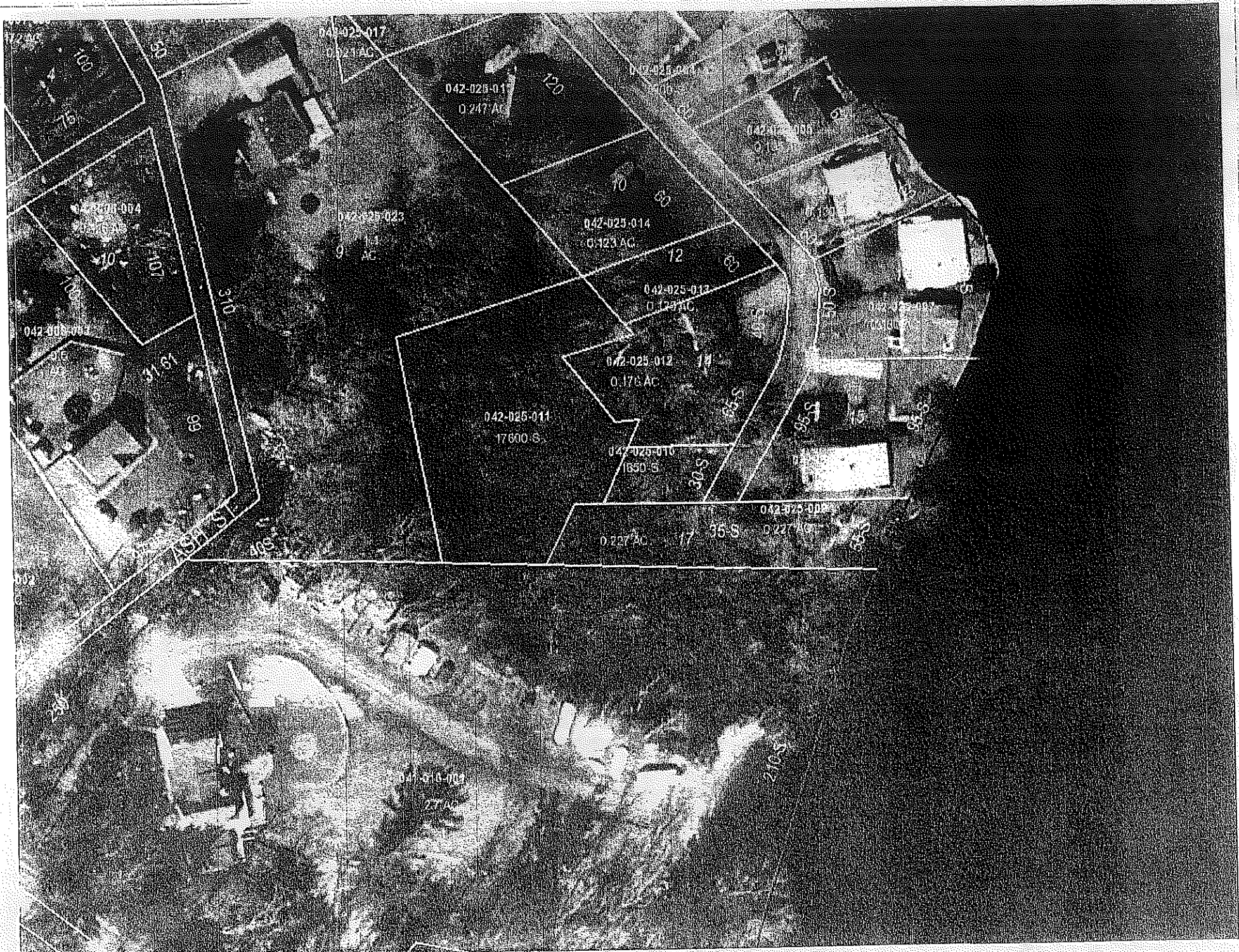




PLOT PLAN

QUATRO DEER  
17 SOUTH AVE  
SCALE 1" = 20'-0"





042-025-017  
0.247 AC

042-025-011  
0.247 AC

042-025-010  
0.165 AC

042-025-009  
0.165 AC

042-025-023  
0.14 AC

042-025-014  
0.123 AC

042-025-013  
0.133 AC

042-025-012  
0.176 AC

042-025-011  
17600 S

042-025-010  
1830 S

042-025-008  
0.227 AC

0.227 AC

0.227 AC

042-018-001  
2.744

172 AC

100

50

120

70

35

12

35

10

107

310

11

99

ASH ST

465

305

305

305

305

305

305

305

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305

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305

305

102

25

17

35 S

305

305

305

305

305

305

305

QUITCLAIM DEED

We, Stephen L. Furtado and Cheryl A. Furtado, of 19 Moynan Street, New Bedford, Massachusetts,

in full consideration of One Dollar (\$1.00)

grant to Stephen L. Furtado and Cheryl A. Furtado, of 19 Moynan Street, New Bedford, Massachusetts, Trustees of the S & C FURTADO FAMILY TRUST, under declaration of trust of even date, as evidenced by a Trustee Certificate to be recorded herewith,

with quitclaim covenants

The land in Lakeville, Plymouth County, Massachusetts, with the buildings and improvements thereon, bounded and described as follows:

PARCEL ONE:

Beginning at a point in the southwesterly corner of Lot #1004 as shown on plan of land hereinafter mentioned;

thence running WESTERLY one hundred twenty (120) feet, more or less, said course being parallel and the same as dividing line of land of New England Acres, Inc. and land now or formerly owned by Dellinger et ux;

thence running NORTHEASTERLY fifty (50) feet, more or less, said course running exactly parallel with the westerly boundary of said Lot #1004;

thence running SOUTHEASTERLY one hundred twenty (120) feet, more or less, to the northwesterly boundary of said Lot #1004; and

thence running SOUTHWESTERLY forty-seven and 15/100 (47.15) feet, along the west boundary of said Lot #1004 and the point of beginning.

Being shown on plan of land entitled "Plan of Indian Rock Shores, New England Acres, Inc., Prop., Long Pond, Lakeville, Mass., with additions and alterations to May 16, 1955, prepared by Benj. R. Evans, Surveyor, scale: 1" = 100'" filed with the Plymouth County Registry of Deeds in Plan Book 10, Page 413.

That portion of the above parcel which is the right of way known as South Avenue is subject to easement and rights of way or record.

Please Return To:  
Law Offices of Jane E. Sullivan  
624 Brayton Avenue  
Fall River, MA 02721-5211



Bk: 50337 Pg: 312 Page: 1 of 2  
Recorded: 09/27/2018 10:49 AM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

Property Address: 17 South Avenue, Lakeville, Massachusetts

PARCEL TWO:

NORTHWESTERLY: forty-seven and 15/100 (47.15) feet by South Avenue;  
NORTHEASTERLY: ninety-seven and 30/100 (97.30) feet by Lot #1003 as shown on said plan;  
SOUTHEASTERLY: fifty and 20/100 (50.20) feet by Long Pond; and  
SOUTHWESTERLY: by land of parties unknown, one hundred (100) feet according to said plan.

Being shown as Lot #1004 on plan of land entitled "Plan of Indian Rock Shores, New England Acres, Inc., Prop., Long Pond, Lakeville, Mass., with additions and alterations to May 16, 1955, prepared by Benj. R. Evans, Surveyor, scale: 1" = 100'" filed with the Plymouth County Registry of Deeds in Plan Book 10, Page 413.

Subject to all encumbrances of record, including easements, restrictions, and rights of way, if any, insofar as the same may be in force and applicable.

Being the same premises conveyed to these Grantors by deed of Frank Almeida, dated February 22, 2010, and recorded with Plymouth County Registry of Deeds in Book 38261, Page 296.

TITLE NOT EXAMINED.

Witness our hands and seals this 10<sup>th</sup> day of July, 2018.

Nancy Varasse  
Witness

Jeannette M. Shaker  
Witness

Stephen L. Furtado  
Stephen L. Furtado

Cheryl A. Furtado  
Cheryl A. Furtado

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss., Fall River

July 10, 2018

Then personally appeared the above-named Stephen L. Furtado and Cheryl A. Furtado, personally known to me to be the persons whose names are signed on the preceding document, and acknowledged that he/she/they signed it voluntarily for its stated purpose, before me,

Dinah L. Rose  
Notary Public: Dinah L. Rose

My Commission Expires: January 23, 2020

**17 SOUTH AV**

Location 17 SOUTH AV Mblu 042/025/009/1  
 Acct# 1903 Owner FURTADO STEPHEN L & CHERYL A  
 Assessment \$343,500 Appraisal \$343,500  
 PID 3111 Building Count 1

**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$97,900	\$245,600	\$343,500

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$97,900	\$245,600	\$343,500

**Owner of Record**

Owner FURTADO STEPHEN L & CHERYL A Sale Price \$1  
 Co-Owner S & C FURTADO FAMILY TRUST Certificate  
 Address 17 SOUTH AV Book & Page 50337/ 312  
 LAKEVILLE, MA 02347 Sale Date 09/27/2018  
 Instrument 1F

**Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
FURTADO STEPHEN L & CHERYL A	\$1		50337/ 312	1F	09/27/2018
FURTADO STEPHEN L & CHERYL A	\$110,000		38261/ 296	1A	02/23/2010
ALMEIDA FRANK & EUNICE M	\$1	1	15733/ 226	1F	12/16/1997
ALMEIDA FRANK & EUNICE M	\$0	0	11370/ 256	1F	10/28/1992
WILLIS A PETER & HILDA E	\$0	0	2443,2/ 413	1F	06/26/1955

**Building Information**

Building 1 : Section 1

Year Built: 1956  
 Living Area: 799  
 Replacement Cost: \$133,547

Building Photo



Building Percent Good: 73  
 Replacement Cost  
 Less Depreciation: \$97,500

Building Attributes	
Field	Description
Style	Ranch
Model	Residential
Grade:	80
Stories:	1
Occupancy	1
Exterior Wall 1	Wood Shingle
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Average
Interior Flr 2	
Heat Fuel	None
Heat Type:	None
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	0
Total Rooms:	4
Bath Style:	
Kitchen Style:	
Basement	Crawl



(http://images.vgsi.com/photos/LakevilleMAPhotos/0000024/H8.JPG)

**Building Layout**



(http://images.vgsi.com/photos/LakevilleMAPhotos/Sketches/3111\_3111.j)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	799	799
CRL	Crawl Space	799	0
FEP	Porch, Enclosed, Finished	300	0
		1,898	799

< >

**Extra Features**

Extra Features		Legend
No Data for Extra Features		

**Land**

**Land Use**

Use Code 1013  
 Description Sfr Water  
 Zone  
 Neighborhood 342  
 Alt Land Appr No  
 Category

**Land Line Valuation**

Size (Acres) 0.23  
 Frontage  
 Depth  
 Assessed Value \$245,600  
 Appraised Value \$245,600

Outbuildings

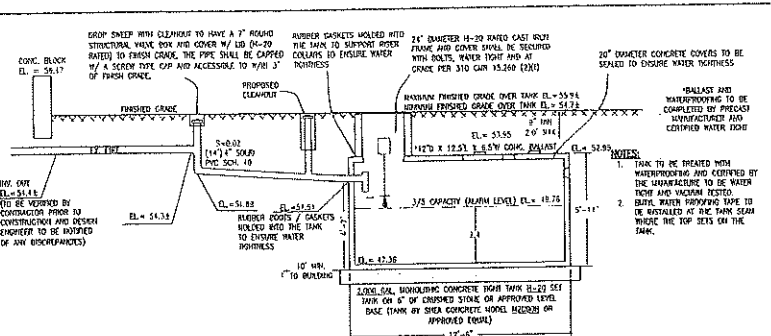
Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
SHD1	SHED FRAME			35 S.F.	\$400	1

Valuation History

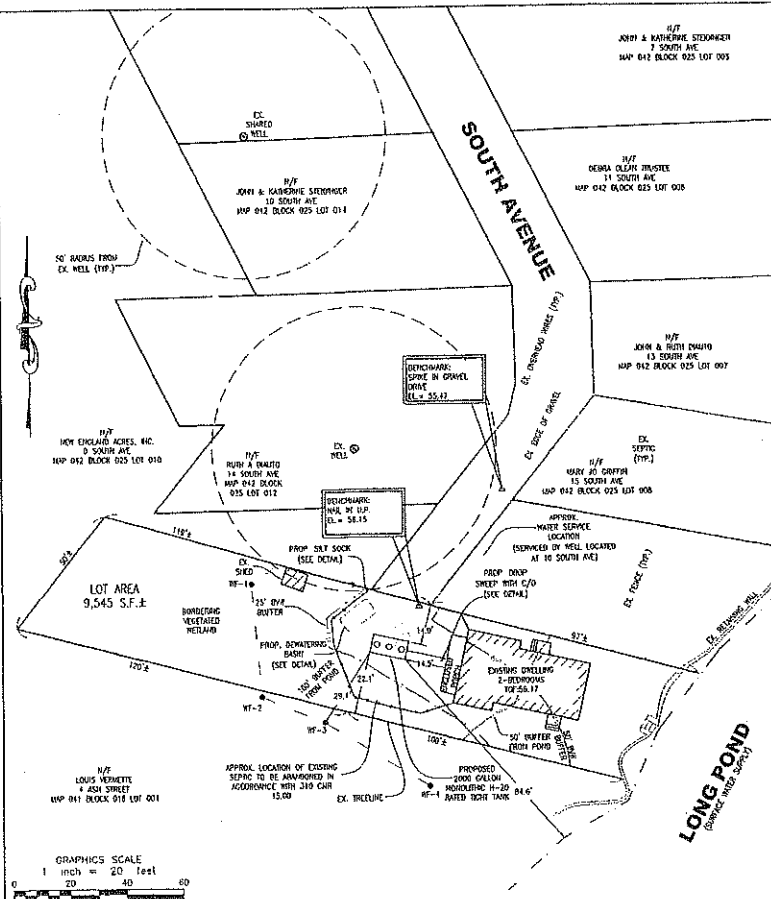
Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$97,900	\$245,600	\$343,500
2020	\$91,900	\$246,100	\$338,000
2019	\$85,100	\$199,800	\$284,900

Assessment			
Valuation Year	Improvements	Land	Total
2021	\$97,900	\$245,600	\$343,500
2020	\$91,900	\$246,100	\$338,000
2019	\$85,100	\$199,800	\$284,900

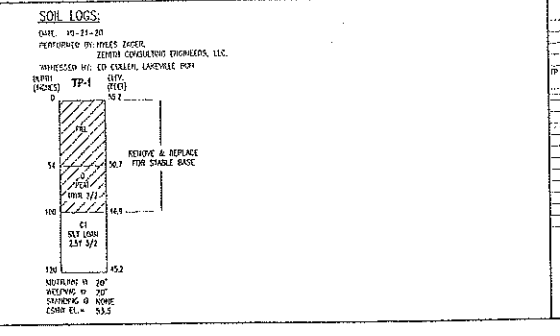
(c) 2021 Vision Government Solutions, Inc. All rights reserved.



**HIGH TANK**  
 17'-0" DIA.  
 20" DIA. CONCRETE COVER TO BE SEALED TO ENSURE WATER TIGHTNESS



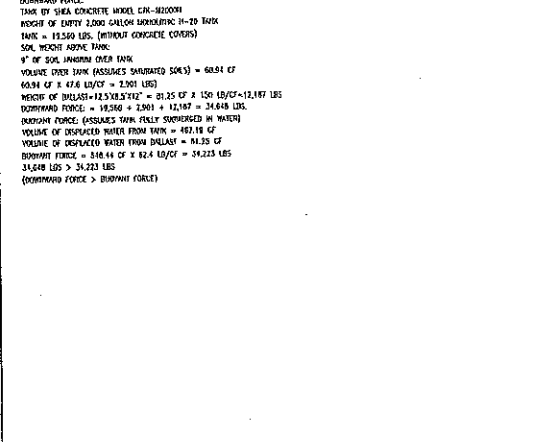
**LONG POND**  
 17'-0" DIA.  
 20" DIA. CONCRETE COVER TO BE SEALED TO ENSURE WATER TIGHTNESS



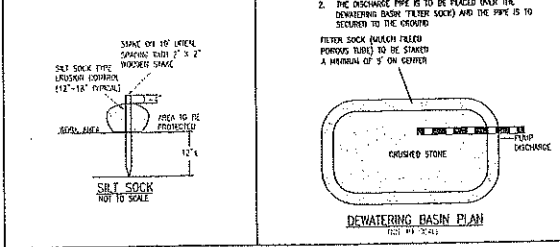
**SOIL LOGS**  
 DATE 10-21-20  
 PERFORMED BY: JAMES TACER  
 ZENITH CONSULTING ENGINEERS, LLC.

**REQUIRED VARIANCES:**  
 1. A VARIANCE FROM SECTION 310 CHM 15.211 (3) OF TITLE V WHICH REQUIRES THE DOME TANK TO BE AT LEAST 100" FROM A SURFACE WATER SUPPLY OR TRIBUTARY THEREIN, A REDUCTION FROM 100" TO 60" IS REQUESTED IN ACCORDANCE 310 CHM 15.419.  
 2. A VARIANCE FROM SECTION 310 CHM 15.211 (3) OF TITLE V WHICH REQUIRES THE HIGH TANK TO BE AT LEAST 100" FROM WETLANDS BORDERING A SURFACE WATER SUPPLY OR TRIBUTARY THEREIN, A REDUCTION FROM 100" TO 25" IS REQUESTED IN ACCORDANCE 310 CHM 15.419.  
 3. A VARIANCE FROM SECTION 310 CHM 15.222 (3) OF TITLE V WHICH REQUIRES THAT THE TANK AND OUTLET WATER ELEVATIONS BE AT LEAST 12" ABOVE THE HIGH GROUND WATER ELEVATION, A REDUCTION FROM 12" ABOVE TO BELOW HIGH GROUND WATER IS REQUESTED IN ACCORDANCE 310 CHM 15.419.

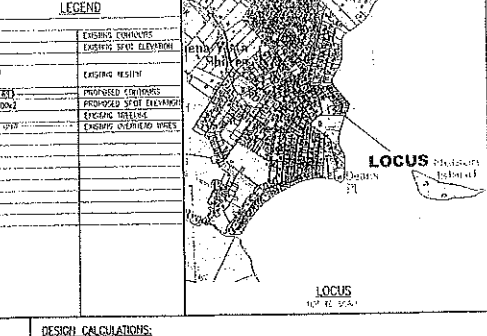
**LIQUIDITY CALCULATIONS 2,000 GALLON HYDROLOGIC SEEPING TANK**  
 H-20  
 DOWNWARD FORCE:  
 TANK BY SHEA CONCRETE MODEL CEM-2000M  
 HEIGHT OF ENTRY 2,000 GALLON HYDROLOGIC H-20 TANK  
 TANK = 15,260 LBS. (WITHOUT CONCRETE COVERS)  
 SOIL WEIGHT ABOVE TANK  
 9" OF SOIL (UNSATURATED SOIL)  
 VOLUME OVER TANK (ASSUMES SATURATED SOIL) = 60.94 CF  
 60.94 CF x 47.6 LB/CF = 2,901 LBS  
 WEIGHT OF DILAST = 12.5 X 8.5 X 14.2 = 15,125 CF x 120 LB/CF = 1,815 LBS  
 DOWNWARD FORCE = 15,260 + 2,901 + 1,815 = 24,976 LBS  
 UPLIFT FORCE (ASSUMES TANK FULL SUBMERGED IN WATER)  
 VOLUME OF DISPLACED WATER FROM TANK = 462.18 CF  
 DOWNWARD FORCE = 462.18 CF x 62.4 LB/CF = 28,858 LBS  
 28,858 LBS > 24,976 LBS  
 (DOWNWARD FORCE > UPLIFT FORCE)



**DEAERATING BASIN PLAN**  
 17'-0" DIA.  
 20" DIA. CONCRETE COVER TO BE SEALED TO ENSURE WATER TIGHTNESS



**DEAERATING BASIN PLAN**  
 17'-0" DIA.  
 20" DIA. CONCRETE COVER TO BE SEALED TO ENSURE WATER TIGHTNESS



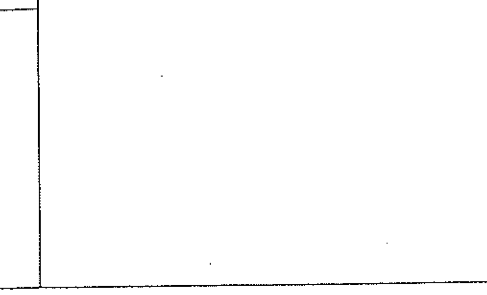
**LEGEND**  
 EXISTING CONDUITS  
 EXISTING SEWER ELEVATION  
 EXISTING MESHIN  
 PROPOSED CONDUITS  
 PROPOSED SEPTIC TANK  
 EXISTING WETLANDS  
 EXISTING UNSATURATED SOILS

**DESIGN CALCULATIONS:**  
 ESTIMATED DAILY FLOW:  
 1. ESTIMATED 2-BEDROOM DWELLING  
 2. BEDROOMS x 110 GPD/BEDROOM = 220 GPD (DETN RESTRICTION REDUCED)  
 TIGHT TANK REQUIREMENT  
 220 GPD x 5 = 1,100 GALLONS  
 A 2,000 GALLON TIGHT TANK (MINIMUM SIZE REQUIRED PER 310 CHM 15.200 (1)(a))  
 USE A 2,000 GALLON HYDROLOGIC H-20 PAVED FRONT TANK (SHEA MODEL CEM-2000M)

**NOTES:**  
 1. THE CONTRACTOR SHALL NOTIFY THE LOCAL BOARD OF HEALTH AND ZENITH CONSULTING ENGINEERS, LLC, AT LEAST 48 HOURS PRIOR TO REQUIRED INSPECTIONS. THE REQUIRED INSPECTIONS ARE AS FOLLOWS:  
 A. AFTER PLACEMENT OF TANK AND PRIOR TO BACKFILL.  
 B. AFTER 80 PERCENT WATER TIGHTNESS IS TO BE COMPLETED AFTER TANK IS BACKFILLED AND BACKFILLED.  
 C. FINAL INSPECTION AFTER TANK AND SEPTIC HAVE BEEN PLACED.  
 2. BEDROOMS: THE SET IN UNITS POOL, EL. = 56.15 x 5/8" STAIN STEEL IN GRAVEL GRADE, EL. = 55.41, HAVING BUILT-IN MEMBERSHIPS TO BE WORKED BY CONTRACTOR PRIOR TO CONSTRUCTION AND DESIGN ENGINEER TO BE ADVISED OF ANY DISCREPANCIES.  
 3. NO FIELD MODIFICATIONS TO THE SERVICE SYSTEM SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER AND THE LOCAL BOARD OF HEALTH.  
 4. LATEST ORDINANCES APPLICABLE TO CONSTRUCTION AND SYSTEM COMPONENTS SHALL COMPLY WITH CURRENT TITLE V OF THE STATE ENVIRONMENTAL CODE AND ANY APPLICABLE LOCAL RULES.  
 5. THE TIGHT TANK SHALL BE MANUFACTURED BY SHEA CONCRETE OR APPROVED EQUAL AND SHALL WITHSTAND 25-PSI LOADING CRITERIA AS DETAILED ON SEPTIC SYSTEM PROFILE.  
 6. A MEMBER ROOF / CASSET PACE SHALL BE WORKED INTO THE CONCRETE STRUCTURE BY THE MANUFACTURER TO PROVIDE A WEATHER SEAL.  
 7. OTHER THAN THOSE SHOWN, THERE ARE NO KNOWN WELLS WITHIN 50' OF THE PROPOSED HIGH TANK. OTHER THAN THE EXISTING FROM THAT IS TO BE DECOMMISSIONED, THERE ARE NO KNOWN SEPTIC SYSTEMS WITHIN 100' OF THE PROPOSED WELL. THE APPROXIMATE SEPTIC LOCATIONS WERE PROVIDED BY THE PROPERTY OWNER AND ADJACENT.  
 8. IN ACCORDANCE WITH 310 CHM 15.211, ALL SYSTEM COMPONENTS SHALL BE MARKED WITH WAREHOUSE MARKING INFO.  
 9. THE CONTRACTOR SHALL REMOVE DILAST AND SEED ALL AREAS INSTANTLY UPON COMPLETION.  
 10. LOCATION OF WELLS ARE CONSIDERED APPROXIMATE ONLY. THE CONTRACTOR SHALL VERIFY THE ACTUAL LOCATION AND DEPTHS OF WELLS IN THE FIELD PRIOR TO THE START OF CONSTRUCTION.  
 11. THE CONTRACTOR IS RESPONSIBLE UNDER MASSACHUSETTS STATE LAW FOR PROPERTY DAMAGE (INCLUDING SEPTIC) TO LOCATED UTILITIES IN THE PROJECT AREA A MINIMUM OF 72 HOURS PRIOR TO THE START OF EXCAVATION.  
 12. THE PROPERTY IS SERVED BY A PRIVATE WATER SUPPLY WELL.

**TIGHT TANK ALARM NOTES:**  
 1. AN ALARM AND VISUAL ALARM SHALL BE PROVIDED.  
 2. ALARM PANEL AND APPURTENANCES TO BE INSTALLED AND LOCATED ACCORDING TO MANUFACTURER'S INSTRUCTIONS AND LOCAL BOARDING AND MIDDLEBORO.  
 3. ALARM CONTROL PANEL TO BE LOCATED INSIDE EXISTING DWELLING AND IN CLEAR VIEW.  
 4. A SECTION WELL IS TO BE LOCATED OUTSIDE OF TIGHT TANK AND INSPECTED BY ELECTRICAL INSPECTOR.

**SITE INFORMATION:**  
 1. THE SITE IS SHOWN ON THE 100M OF AVENUE ASSESSORS MAP AS MAP 42 BLOCK 25 LOT 9.  
 2. PROPERTY LINE INFORMATION WAS TAKEN FROM:  
 2.1. FOR TITLE REFERENCE TO THE SUBJECT PROPERTY REFER TO BOOK 50127, PAGE 312 IN THE PLIMMOUTH COUNTY REGISTER OF DEEDS.  
 3. PROPERTY LINE AND ELEVATION INFORMATION TAKEN FROM A FIELD SURVEY BY ZENITH CONSULTING ENGINEERS, LLC IN OCTOBER 2020.  
 4. THE SUBJECT PROPERTY IS LOCATED BY 2024 4E-51 AS SHOWN FROM THE FLOOD INSURANCE RATE MAP (FIRM) OF PLIMMOUTH COUNTY, MAP NUMBER 22010202020M, EFFECTIVE DATE JULY 16, 2015.  
 5. THE SUBJECT PROPERTY IS ALSO LOCATED IN ZONE B.  
 6. THE SUBJECT PROPERTY IS ALSO LOCATED IN A FEMA (FEMA HEAD PROTECTION AREA).  
 7. THE SUBJECT PROPERTY IS LOCATED WITHIN A ZONE A OF A SURFACE WATER SUPPLY PROTECTION AREA.  
 8. THE SUBJECT PROPERTY IS PARTIALLY LOCATED IN A PROPERTY REPORT ON EXISTING RECORD AS SHOWN ON THE MASSACHUSETTS NATURAL HERITAGE ATLAS 14TH EDITION EFFECTIVE DATE AUGUST 1, 2017.  
 9. WETLAND FLAGS SHOWN WERE FIELD LOCATED BY ZENITH CONSULTING ENGINEERS, LLC, 04 OCTOBER 2020.



**DEAERATING BASIN PLAN**  
 17'-0" DIA.  
 20" DIA. CONCRETE COVER TO BE SEALED TO ENSURE WATER TIGHTNESS

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

**PROJECT INFORMATION:**  
 DATE: 10-21-20  
 PROJECT: SEPTIC TANK  
 DRAWING NO.: 2024-001  
 SHEET NO.: 1 OF 1  
 SCALE: 1" = 10'  
 SHEET NO.: 1 OF 1  
 TIGHT TANK DESIGN

**CLIENT INFORMATION:**  
 PROJECT SITE: 17 SOUTH AVE  
 TOWN: LAKEVILLE, MA 02347  
 CLIENT: STEPHEN & CHERYL FUERTADO  
 APPROVED BY: [Signature]  
 SHEET NO.: 1 OF 1

**DESIGNER INFORMATION:**  
 DATE: 10-21-20  
 PROJECT: SEPTIC TANK  
 DRAWING NO.: 2024-001  
 SHEET NO.: 1 OF 1  
 SCALE: 1" = 10'  
 SHEET NO.: 1 OF 1  
 TIGHT TANK DESIGN

(TOWN OF LAKEVILLE SEAL)

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on TUESDAY, February 23, 2021, at 7:00 P.M. to hear the petition of **Jeffrey C. & Mellissa S. Cornell**. A **Special Permit** under **6.1.3** and **7.4** is requested to enclose an existing 12' x 20' deck for use as a three-season room, as provided by the Lakeville By-Laws. The property site is **15 Morrison Way**.

Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting. The Agenda found on the Town of Lakeville Zoning Board of Appeals web page will include instructions on accessing the virtual meeting and documents related to it.

John Olivieri, Jr., Chairman

February 4, 2021 & February 11, 2021





*Town of Lakeville*  
*Board of Health*  
*346 Bedford Street*  
*Lakeville, MA 02347*

Board of Health  
(508) 946-3473  
(508) 946-8805  
(508) 946-3971 fax

February 12, 2021

Town of Lakeville  
Zoning Board of Appeals  
Attn: John Olivieri, Chairman  
346 Bedford Street  
Lakeville, MA 02347

Re: Board of Health comments.

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 17 South Ave. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

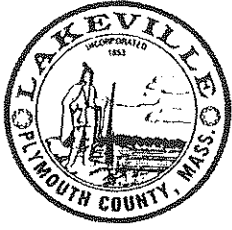
We received a copy of the Petition for Hearing for 4 Pilgrim Road. The Board of Health regulation 2.6 states "No structure (like sonotubes, decks, sheds, etc.) shall be within 5 ft of any component." The proposed location for the shed appears to be within 3 ft of the leaching pit. Also none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if relocating sheds in the septic area.

We received a copy of the Petition for Hearing for 5 Merigold Lane. The Board of Health has no reason to recommend denial due to public health issues at this time, but caution that none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if installing sheds and drilling wells near the septic area.

Cornell  
We received a copy of the Petition for Hearing for 15 Morrison Way. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

We received a copy of the Petition for Hearing for 475 Kenneth Welch Drive. The Board of Health has no reason to recommend denial due to public health issues at this time, but would like to inform the owner that a Title 5 inspection will be required prior to occupancy.

If you should have any further questions feel free to contact this office.



## Town of Lakeville

PLANNING BOARD  
346 Bedford Street  
Lakeville, MA 02347  
508-946-8803

Mark Knox, Chairman  
Barbara Mancovsky, Vice Chairman  
Peter Conroy  
Jack Lynch  
Michele MacEachern

### MEMORANDUM

**TO:** Board of Appeals  
**FROM:** Planning Board  
**DATE:** February 18, 2021  
**SUBJECT:** Petition Review for Cornell – 15 Morrison Way

At their Thursday, February 11, 2021, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had no comments regarding this petition.

Petition to be  
filed with Town Clerk

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

EXHIBIT "A"  
**RECEIVED**  
JAN 26 2020  
BOARD OF APPEALS

Name of Petitioner: Jeffrey C. Cornell and Mellissa S. Cornell

Mailing Address: 15 Morrison Way, Lakeville, MA 02347

Name of Property Owner: Jeffrey C. Cornell and Mellissa S. Cornell

Location of Property: 15 Morrison Way, Lakeville, MA 02347

Property is located in a  residential  business  industrial (zone)

Registry of Deeds: Book No. 45183 Page No. 41

Map 040 Block 003 Lot 005

Petitioner is:  owner  tenant  licensee  prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) 6.1.3 & 7.4 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 under 6.1.3 and 7.4 of the Lakeville Zoning By-Law to close in an existing 12' X 20' deck for use as a three season room.

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: Jeffrey C. Cornell and Mellissa S. Cornell

Date: January 26, 2021

Signed: *Jeffrey Cornell*

Telephone: 774-419-2782

Owner Signature: \_\_\_\_\_

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

(If not petitioner)

(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes  No

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

MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 01/29/2015 01:57 PM  
Ctrl# 079155 04497 Doc# 00006092  
Fee: \$752.40 Cons: \$165,000.00

**CANCELLED**



2015 00006092

Bk: 45183 Pg: 41 Page: 1 of 2  
Recorded: 01/29/2015 01:57 PM  
ATTEST: John R. Buckley, Jr. Register  
Plymouth County Registry of Deeds

## QUITCLAIM DEED

**Alan M. Hoffman and Kathy-Anne Hoffman, of 168 Pond Street, Avon, MA 02322**

IN CONSIDERATION OF: **One Hundred and Sixty Five Thousand Dollars  
(\$165,000.00)**

GRANTS TO: **Jeffrey C. Cornell and Mellissa S. Cornell husband and  
wife tenants by the entirety**

OF: 118 East Bacon Street, Plainville, MA 02762

### WITH QUITCLAIM COVENANTS

The land with the buildings thereon situated in Lakeville, Plymouth County, Massachusetts on the Southwesterly corner of Pilgrim Road and Holly Road, at a place known as Churchill Shores, bounded and described as follows:

Being Lot 75 as shown on a plan of R. Loring Hayward, Civil Engineer dated June 15, 1940 entitled "Land of Pierce, Churchill Shores, Long Pond, Lakeville, Mass." Duly recorded with the Plymouth County Registry of Deeds in Plan Book 6, Page 715.

Beginning at the Northeasterly corner of the described premises at the intersection of the southerly line of Pilgrim Road with the westerly line of Holly Road and running thence by the westerly line of Holly Road, South 32 degrees, 13' East, 114.84 feet;

Thence by Lot 76, South 57 degrees 47' West, 65 feet;

Thence by Lot 74, North 32 degrees 13' West 108.07 feet to the southerly line of Pilgrim Road;

Thence by the southerly line of Pilgrim Road, North 51 degrees, 50' east 65.35 feet to the point of beginning.

Said premises are conveyed subject to and together with the benefit of all rights, restrictions and easements of record, insofar as same may now be in force and applicable including the following restriction:

The property shall remain a year round (1) bedroom dwelling with no further expansion and no increase in flow to the septic system.

**LOCUS: 15 Morrison Way f/k/a 15 Holly Road, Lakeville, MA 02347**

The Grantors hereby release any Homestead rights in the subject property, and state that no other person(s) is / are entitled to claim the benefit of an existing estate of homestead in same.



For Title see Deed recorded at the Plymouth County (ND) Registry of Deeds in Book 25307, Page 215.

EXECUTED as a sealed instrument this <sup>13<sup>th</sup></sup> day of January, 2015.

Alan M. Hoffman

Alan M. Hoffman

Kathy-Anne Hoffman

Kathy-Anne Hoffman

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this <sup>13<sup>th</sup></sup> day of January, 2015 before me, the undersigned notary public personally appeared, Alan M. Hoffman and Kathy-Anne Hoffman proved to me through satisfactory evidence of identification, being

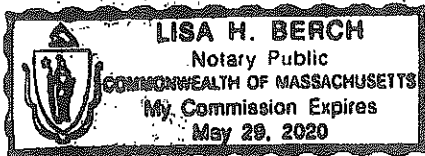
- driver's license or other state or federal government document bearing a photographic image,
- oath or affirmation of a credible witness known to me who knows the above signatory,
- my own personal knowledge of the identity of the signatory.

to be the person(s) whose name is /are signed on the preceding or attached document, and acknowledged to me that he/she /they signed it voluntarily for its stated purpose.

Lisa H Berch

Notary Public

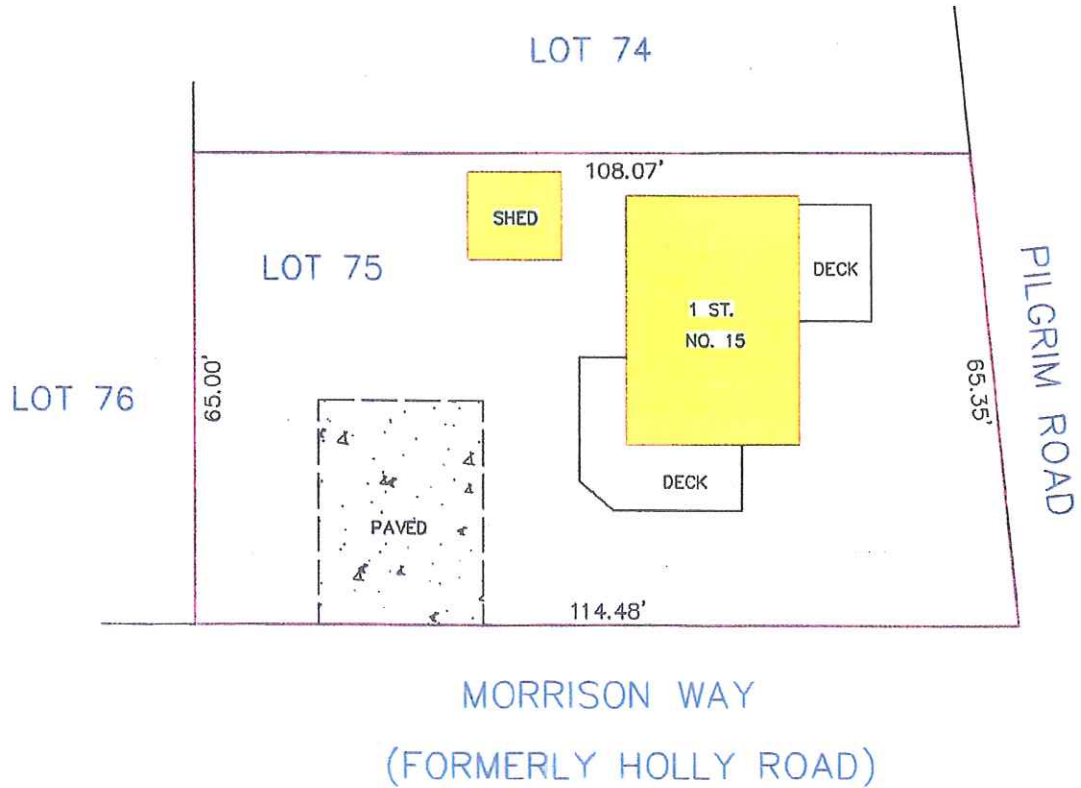
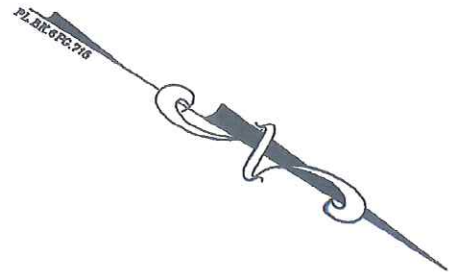
My Commission expires: 5/29/20



<b>File number:</b> 141218-6	<b>UNREGISTERED LAND</b>		
<b>Attorney:</b> LEPIZZERA & LAPROCINA	<b>Deed Book</b> 25307	<b>Page</b> 215	
<b>Lender:</b> RANDOLPH SAVINGS BANK	<b>Plan Book</b> 6	<b>Page</b> 715	<b>Lot(s)</b> 75
<b>Owner:</b> ALAN & KATHY-ANNE HOFFMAN	<b>REGISTERED LAND</b>		
	<b>Reg. Book</b>	<b>Sheet</b>	<b>Lot(s):</b>
<b>Date:</b> 12/22/2014	<b>Certificate of Title</b>		
<b>Assessor's Map</b> 40	<b>Blk:</b> 3	<b>Lot</b> 5	<b>Census Tract</b>

**MORTGAGE INSPECTION PLAN**  
**15 MORRISON WAY, Lakeville, MA**

Scale: 1"=25'



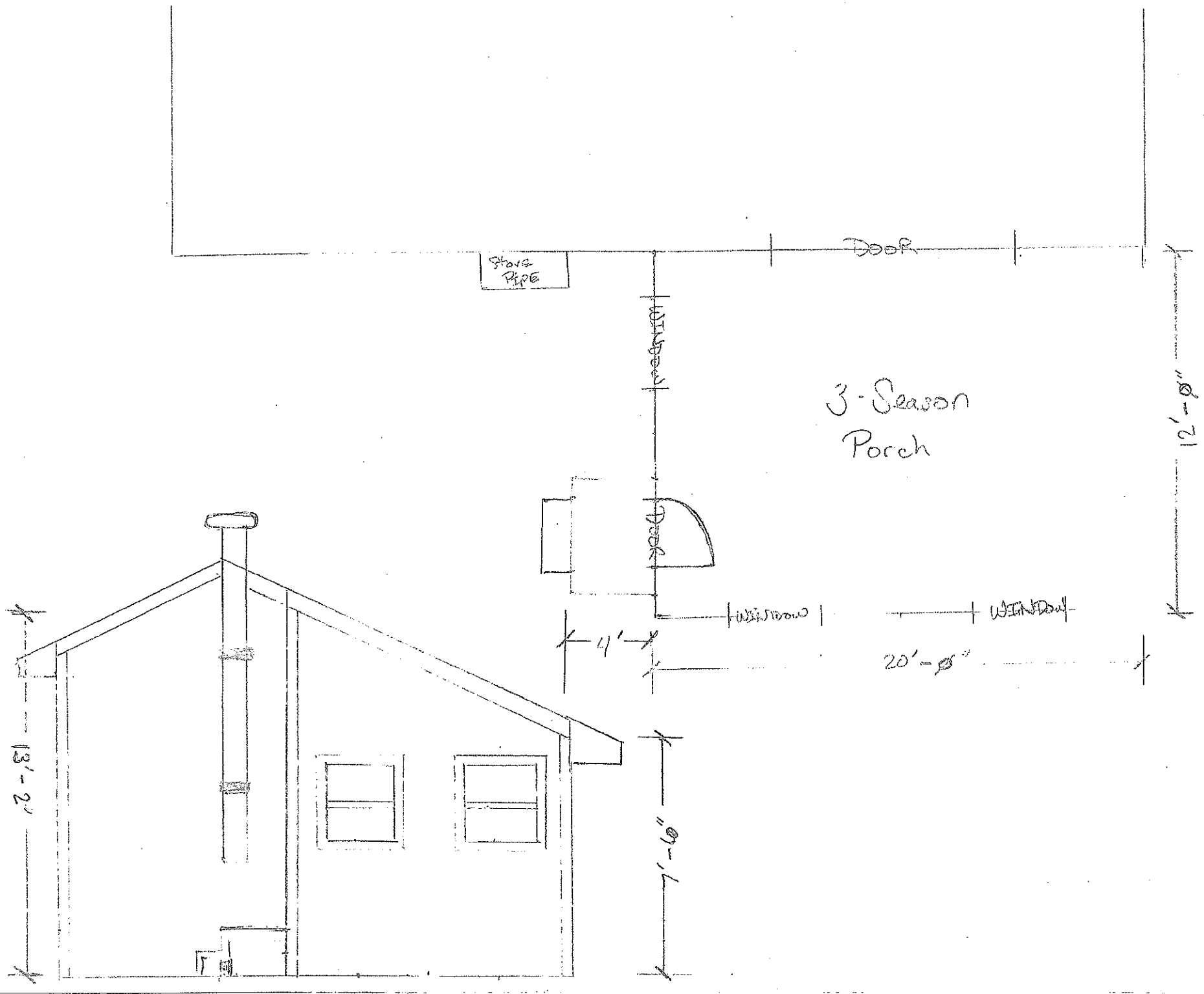
**CERTIFICATION**

I CERTIFY TO THE ABOVE ATTORNEY, BANK, AND THEIR TITLE INSURANCE COMPANY THAT THE MAIN BUILDING, FOUNDATION OR DWELLING WAS IN COMPLIANCE WITH THE LOCAL ZONING BYLAWS IN EFFECT WHEN CONSTRUCTED (WITH RESPECT TO STRUCTURAL SETBACK REQUIREMENTS ONLY) OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. GENERAL LAW TITLE VII, CHAPTER 40A, SECTION 7.

**FLOOD DETERMINATION**

BY SCALE, THE DWELLING SHOWN HERE DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD ZONE AS DELINEATED ON A MAP OF COMMUNITY # 25023C0437J AS ZONE X DATED 7-17-2012 BY THE NATIONAL FLOOD INSURANCE PROGRAM.











(TOWN OF LAKEVILLE SEAL)

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on TUESDAY, February 23, 2021, at 7:00 P.M. to hear the petition of **Alan & Kathy-Ann Hoffman**. A **Special Permit** under **6.3.2** and **7.4.6** is requested to construct a 10' x 16' shed within the side setback, as provided by the Lakeville By-Laws. The property site is **5 Merigold Lane**.

Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting. The Agenda found on the Town of Lakeville Zoning Board of Appeals web page will include instructions on accessing the virtual meeting and documents related to it.

John Olivieri, Jr., Chairman

February 4, 2021 & February 11, 2021



*Town of Lakeville*  
*Board of Health*  
*346 Bedford Street*  
*Lakeville, MA 02347*

Board of Health  
(508) 946-3473  
(508) 946-8805  
(508) 946-3971 fax

February 12, 2021

Town of Lakeville  
Zoning Board of Appeals  
Attn: John Olivieri, Chairman  
346 Bedford Street  
Lakeville, MA 02347

Re: Board of Health comments.

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 17 South Ave. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

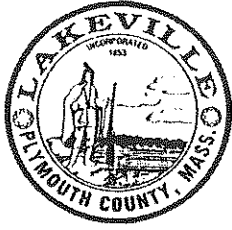
We received a copy of the Petition for Hearing for 4 Pilgrim Road. The Board of Health regulation 2.6 states "No structure (like sonotubes, decks, sheds, etc.) shall be within 5 ft of any component." The proposed location for the shed appears to be within 3 ft of the leaching pit. Also none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if relocating sheds in the septic area.

*Hoffman* We received a copy of the Petition for Hearing for 5 Merigold Lane. The Board of Health has no reason to recommend denial due to public health issues at this time, but caution that none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if installing sheds and drilling wells near the septic area.

We received a copy of the Petition for Hearing for 15 Morrison Way. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

We received a copy of the Petition for Hearing for 475 Kenneth Welch Drive. The Board of Health has no reason to recommend denial due to public health issues at this time, but would like to inform the owner that a Title 5 inspection will be required prior to occupancy.

If you should have any further questions feel free to contact this office.



Mark Knox, Chairman  
Barbara Mancovsky, Vice Chairman  
Peter Conroy  
Jack Lynch  
Michele MacEachern

## Town of Lakeville

PLANNING BOARD  
346 Bedford Street  
Lakeville, MA 02347  
508-946-8803

### MEMORANDUM

**TO:** Board of Appeals  
**FROM:** Planning Board  
**DATE:** February 18, 2021  
**SUBJECT:** Petition Review for Hoffman – 5 Merigold Lane

At their Thursday, February 11, 2021, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had no comments regarding this petition.

Petition to be  
filed with Town Clerk

TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS  
PETITION FOR HEARING

EXHIBIT "A"  
**RECEIVED**  
JAN 26 2020  
BOARD OF APPEALS

Name of Petitioner: Alan Hoffman and Kathy-Ann Hoffman

Mailing Address: 5 Merigold Lane, Lakeville, MA 02347

Name of Property Owner: Alan Hoffman and Kathy-Ann Hoffman

Location of Property: 5 Merigold Lane, Lakeville, MA 02347

Property is located in a  residential  business  industrial (zone)

Registry of Deeds: Book No. 41326 Page No. 63

Map 041 Block 016 Lot 004

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

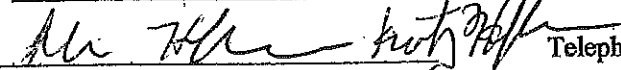
Date of Denial \_\_\_\_\_

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

We respectfully request a Special Permit to build a 10' X 16' Shed within the  
required setback as allowed under 6.3.2 and 7.4.6 of the Town of Lakeville  
Zoning By-Law. We propose to be no closer than 5' to the left (north) sideline.

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: Alan Hoffman and Kathy-Ann Hoffman Date: January 26, 2021

Signed:  Telephone: 508-243-8588

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

**(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER  
INSTRUCTIONS IN FILING YOUR PETITION.)**

**WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?**

Yes  No

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



\*\*\*\*\*  
MASSACHUSETTS EXCISE TAX  
Plymouth District ROD #11 001  
Date: 05/04/2012 10:44 AM  
Ctrl# 055967 14802 Doc# Plymouth County Regi:  
Fee: \$912.00 Cons: \$200,000.00  
\*\*\*\*\*

## QUITCLAIM DEED

I, **DEREK S. SALTZMAN**, an individual

OF: Lakeville, Plymouth County, Massachusetts,

FOR CONSIDERATION OF: **TWO HUNDRED THOUSAND and 00/100  
DOLLARS (\$200,000.00)**

GRANT TO: **ALAN HOFFMAN and KATHY-ANN HOFFMAN,**  
husband and wife as tenants by the entirety

OF: 168 Pond Street, Avon, MA 02322

with QUITCLAIM COVENANTS

The land with any buildings thereon, in Lakeville, Plymouth County,  
Massachusetts, bounded and described as follows:

### PARCEL ONE:

A certain parcel of land in said Lakeville, on Long Pond, being shown as "Parcel to be Conveyed" on a plan entitled "Plan of Land in Lakeville, Mass., Owned by Roger L. and Alice M. Hall, to be conveyed to Albert L. and Frances Andrews", by A.B. Wood, Surveyor, which plan is dated July, 1957 and is recorded at the Plymouth County Registry of Deeds in Book 2581, Page 445, and to which plan reference is hereby made for a more particular description of the subject premises.

Said premises are conveyed together with the right to use Dean Road, as shown on said plan, for all purposes for which streets and ways are commonly used in the Town of Lakeville, in common with others lawfully entitled thereto.

### PARCEL TWO:

A certain parcel of land in Lakeville, on the shore of Long Pond, being a part of Dean's Point and bounded and described as follows:

BEGINNING at an iron pipe in a retaining wall on the edge of Long Pond;

thence NORTH 66° 30' WEST, One Hundred Forty Six and 03/100 (146.03) feet to an iron pipe;

thence NORTHEASTERLY, Twenty Two and 00/100 (22.00) feet to a corner;

thence NORTHWESTERLY, Sixty Two and 00/100 (62.00) feet to an iron pipe in the center of Dean Road;

thence SOUTHERLY, Ten and 06/10 (10.6) feet along the middle of Dean Road to an iron pipe;

thence SOUTHEASTERLY, Two Hundred Thirty Seven (237.00) feet, more or less, to a retaining way at the edge of Long Pond;

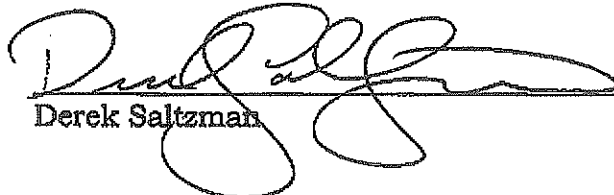
thence NORTHERLY, Forty Four (44.00) feet more or less along the retaining wall at the edge of Long Pond to the point of beginning.

BEING a portion of the premises shown on a plan of land entitled "Plan of Land in Lakeville, Mass. surveyed for Roger L. Hall", by A.B. Wood, Surveyor, which plan is dated October, 1957 and is recorded at the Plymouth County Registry of Deeds in Book 2612, Page 288.

For title, see Deed recorded at the Plymouth Registry of Deeds in Book 17760, Page 105.

Subject to all encumbrances of record, including easements, restrictions, and rights of way, if any, insofar as the same may be in force and applicable.

WITNESS my hand and seal this third day of May, 2012.

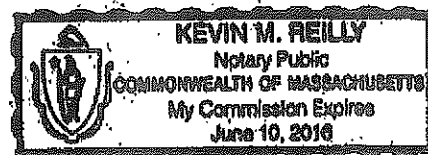
  
Derek Saltzman

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss:

On this third day of May, 2012 before me personally appeared Derek S. Saltzman, proved to me through satisfactory evidence of identification, which was a driver's license, to be the person whose name appears on the attached proceeding document and acknowledged to me that he signed it voluntarily for its stated purpose.

  
Notary Public: Kevin M. Reilly  
My Commission expires: 6/10/2016



**5 MERIGOLD LN**

**Location** 5 MERIGOLD LN

**Mblu** 041/ 016/ 004/ /

**Acct#** 2346

**Owner** HOFFMAN ALAN & KATHY-ANN

**Assessment** \$435,000

**Appraisal** \$435,000

**PID** 2833

**Building Count** 1

**Current Value**

Appraisal			
Valuation Year	Improvements	Land	Total
2020	\$184,000	\$251,000	\$435,000
Assessment			
Valuation Year	Improvements	Land	Total
2020	\$184,000	\$251,000	\$435,000

**Owner of Record**

**Owner** HOFFMAN ALAN & KATHY-ANN  
**Co-Owner**  
**Address** 5 MERIGOLD LN  
 LAKEVILLE, MA 02347

**Sale Price** \$200,000  
**Certificate**  
**Book & Page** 41326/ 63  
**Sale Date** 05/04/2012  
**Instrument** 1A

**Ownership History**

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
HOFFMAN ALAN & KATHY-ANN	\$200,000		41326/ 63	1A	05/04/2012
SALTZMAN DEREK S	\$167,000	1	17760/ 105	00	08/12/1999
DENIETOLIS JOHN	\$120,000	0	12323/ 78	1L	10/25/1993
FEDERAL NATIONAL MORTGAG	\$85,000	0	11594/ 180	00	01/21/1993
HORROCKS SANDRA G	\$0	0	10017/ 77	1F	11/01/1990

**Building Information**

**Building 1 : Section 1**

**Year Built:** 1988

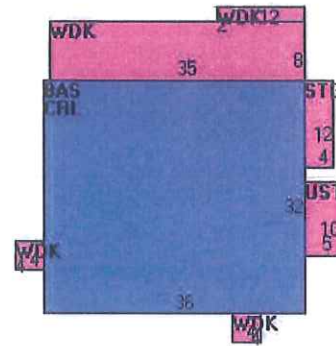
**Building Photo**

**Living Area:** 1,152  
**Replacement Cost:** \$209,031  
**Building Percent Good:** 88  
**Replacement Cost Less Depreciation:** \$183,900



(<http://images.vgsi.com/photos/LakevilleMAPhotos/\00\00\21\86.JPG>)

**Building Layout**



([http://images.vgsi.com/photos/LakevilleMAPhotos//Sketches/2833\\_2833.jj](http://images.vgsi.com/photos/LakevilleMAPhotos//Sketches/2833_2833.jj))

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	1,152	1,152	
CRL	Crawl Space	1,152	0	
STG	STORAGE	48	0	
UST	Utility, Storage, Unfinished	50	0	
WDK	Deck	336	0	
		2,738	1,152	

Building Attributes	
Field	Description
Style	Ranch
Model	Residential
Grade:	100
Stories:	1
Occupancy	1
Exterior Wall 1	Vinyl Siding
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F Gls/Cmp
Interior Wall 1	Drywall/Sheet
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	Carpet
Heat Fuel	Oil
Heat Type:	Hot Water
AC Type:	None
Total Bedrooms:	2 Bedrooms
Total Bthrms:	1
Total Half Baths:	1
Total Xtra Fixtrs:	0
Total Rooms:	4
Bath Style:	
Kitchen Style:	
Basement	Crawl

**Extra Features**

Extra Features	Legend
No Data for Extra Features	

**Land**

**Land Use**

**Land Line Valuation**



Use Code 1013  
 Description Sfr Water  
 Zone  
 Neighborhood 342  
 Alt Land Appr No  
 Category

Size (Acres) 0.33  
 Frontage  
 Depth  
 Assessed Value \$251,000  
 Appraised Value \$251,000

**Outbuildings**

Outbuildings						Legend
Code	Description	Sub Code	Sub Description	Size	Value	Bldg #
	SHED			1	\$ 100	1

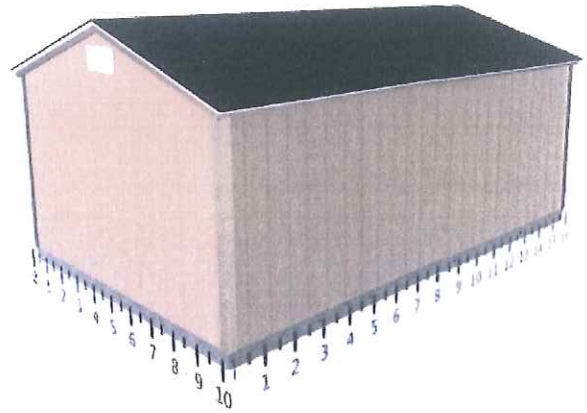
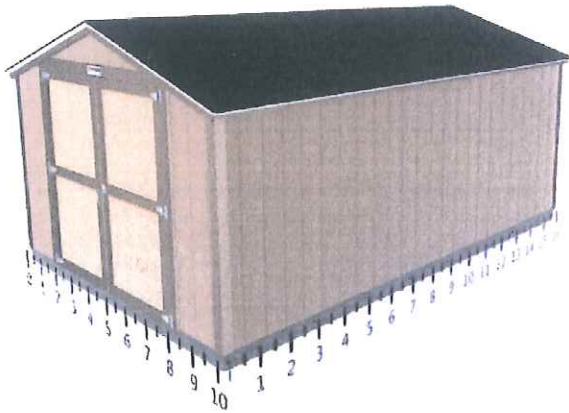
**Valuation History**

Appraisal			
Valuation Year	Improvements	Land	Total
2021	\$184,000	\$251,000	\$435,000
2020	\$172,800	\$251,600	\$424,400
2019	\$160,100	\$204,200	\$364,300

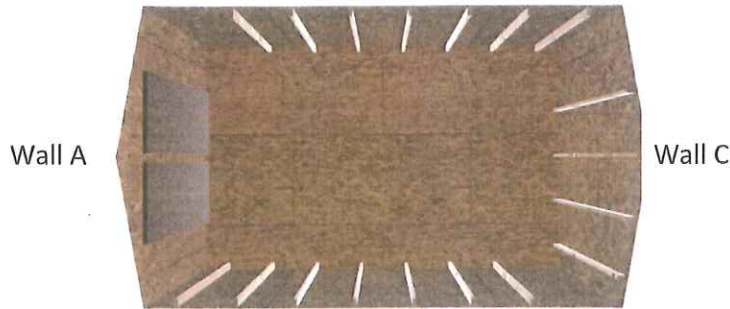
Assessment			
Valuation Year	Improvements	Land	Total
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2020	\$172,800	\$251,600	\$424,400
2019	\$160,100	\$204,200	\$364,300



Alan Hoffman  
5 Merigold Lane  
Lakeville MA 02347  
Q2675364-2668370



Wall D



Wall A

Wall C

Wall B

**Base Details**

**Building Size & Style**

SR-600 - 10' wide by 16' long

**Paint Selection**

Base: No Paint, Trim: No Paint

**Roof Selection**

Nickel Gray 3 Tab

**Drip Edge**

White

**Options Details**

**Doors**

3' x 6'2" Double Door (6')

**Vents**

16"x8" Wall Vent - White

**Jobsite/Installer Details**

Do you plan to insulate this building after Tuff Shed installs it?  
No

Is there a power outlet within 100 feet of installation location?  
Yes

The building location must be level to properly install the building. How level is the install location?  
Within 4" of level

Will there be 18" of unobstructed workspace around the perimeter of all four walls?  
Yes

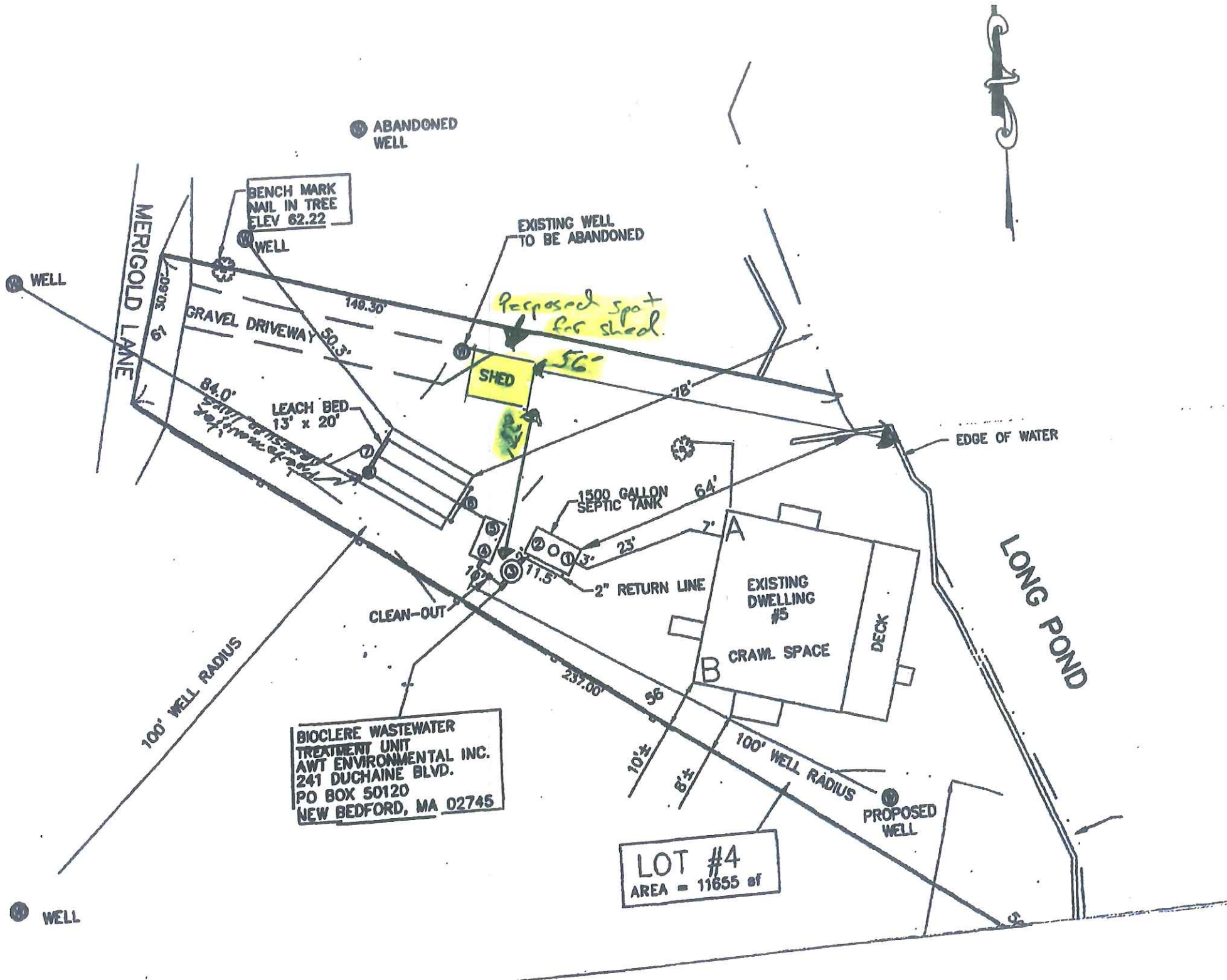
Can the installers park their pickup truck & trailer within approximately 200' of your installation site?  
Yes

Substrate Shed will be installed on?  
Dirt/Gravel

DocuSigned by:  
Signature: Alan Hoffman Date: 11/16/2020  
7D3E2EEA454B49E...







**BIACLERE WASTEWATER TREATMENT UNIT  
AWT ENVIRONMENTAL INC.  
241 DUCHAINE BLVD.  
PO BOX 50120  
NEW BEDFORD, MA 02745**

**LOT #4**  
AREA = 11655 sf



(TOWN OF LAKEVILLE SEAL)

The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on TUESDAY, February 23, 2021, at 7:00 P.M., to hear the petition of **Boston Botanical, Inc.** A **Special Permit** under **7.4.6** is requested to operate an adult use marijuana establishment as both a marijuana cultivator and marijuana product manufacturer at **475 Kenneth W. Welch Drive**, as provided by the Lakeville By-Laws. The property site is owned by **Louis Outor**.

Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting. The Agenda found on the Town of Lakeville Zoning Board of Appeals web page will include instructions on accessing the virtual meeting and documents related to it.

John Olivieri, Jr., Chairman

February 4, 2021 & February 11, 2021

## Cathy Murray, Appeals Board Clerk

---

**To:** mark knox  
**Cc:** Mancovsky Barbara; Nathan Darling, Building Commissioner & Zoning Enforcement Officer; Michael P. O'Brien, Fire Chief  
**Subject:** RE: ZBA marijuana application-Boston Botanical-475 Kenneth W. Welch Drive

**From:** mark knox <mjknox05@gmail.com>  
**Sent:** Tuesday, February 16, 2021 9:32 AM  
**To:** Cathy Murray, Appeals Board Clerk <cmurray@lakevillema.org>  
**Cc:** Mancovsky Barbara <bmancovsky@comcast.net>; Nathan Darling, Building Commissioner & Zoning Enforcement Officer <ndarling@lakevillema.org>; Michael P. O'Brien, Fire Chief <mobrien@lakevillema.org>  
**Subject:** Fwd: ZBA marijuana application-Boston Botanical-475 Kenneth W. Welch Drive

Cathy,

Please forward this email and Chief O'Brien's comments to the applicant of 475 Kenneth Welch drive. One condition of the PB approval was to satisfy Chief O'Brien's requirement for the access road.

At a minimum, plans should be provided with the changes for approval. Even though the changes were shown through screen sharing at the meeting, a copy (electronic or paper) should be provided for internal department review.

If the changes don't satisfy LFD, amended plans will be needed for approval.

Best Regards,  
Mark Knox  
Chairman  
Lakeville planning board

Sent from my iPhone

Begin forwarded message:

**From:** "Michael P. O'Brien, Fire Chief" <mobrien@lakevillema.org>  
**Date:** February 13, 2021 at 8:41:02 PM EST  
**To:** "Mark Knox (mjknox05@gmail.com)" <mjknox05@gmail.com>, Barbara Mancovsky <bmancovsky@comcast.net>  
**Subject:** Fwd: ZBA marijuana application-Boston Botanical-475 Kenneth W. Welch Drive

Hello Barbara and Mark,

Just watched the last meeting...

I have not received updated plans for 475 Kenneth Welch. I am not crazy about the geogrid fire lanes; they're never maintained (as you stated in the meeting Mark). The last phone conversation discussed a gravel lane capable of carrying our fire apparatus. The maintenance plan was in regard to the gravel lane. It should also be noted that I have provided relief to the applicant from the need for a cul-de-sac or hammer. Fire department access roads greater than 150ft in length require a turnaround.



## Town of Lakeville

Board of Health  
346 Bedford Street  
Lakeville, MA 02347

Board of Health  
(508) 946-3473  
(508) 946-8805  
(508) 946-3971 fax

February 12, 2021

Town of Lakeville  
Zoning Board of Appeals  
Attn: John Olivieri, Chairman  
346 Bedford Street  
Lakeville, MA 02347

Re: Board of Health comments.

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 17 South Ave. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

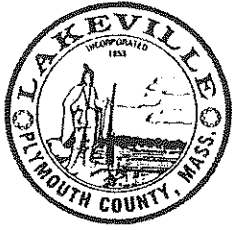
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We received a copy of the Petition for Hearing for 5 Merigold Lane. The Board of Health has no reason to recommend denial due to public health issues at this time, but caution that none of the septic components are designed to be driven over with equipment, so please inform the homeowner to use caution if installing sheds and drilling wells near the septic area.

We received a copy of the Petition for Hearing for 15 Morrison Way. The Board of Health request a sketch, that shows the location of the septic components in relation to the proposed deck, prior to making any comment.

*Boston Botanical*  
We received a copy of the Petition for Hearing for 475 Kenneth Welch Drive. The Board of Health has no reason to recommend denial due to public health issues at this time, but would like to inform the owner that a Title 5 inspection will be required prior to occupancy.

If you should have any further questions feel free to contact this office.



Mark Knox, Chairman  
Barbara Mancovsky, Vice Chairman  
Peter Conroy  
Jack Lynch  
Michele MacEachern

## Town of Lakeville

PLANNING BOARD  
346 Bedford Street  
Lakeville, MA 02347  
508-946-8803

### MEMORANDUM

**TO:** Board of Appeals

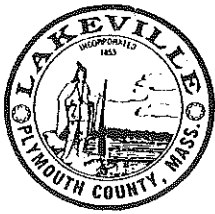
**FROM:** Planning Board

**DATE:** February 18, 2021

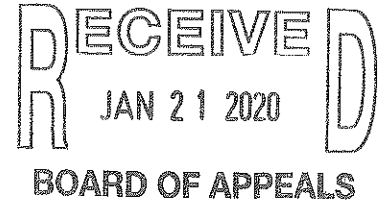
**SUBJECT:** Petition Review for Boston Botanical, Inc. – 475 Kenneth W. Welch Drive

At their Thursday, February 11, 2021, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board recommends either a fenced in area for vehicle loading or that sufficient security measures be implemented for parking lot loading.





Town of Lakeville  
Zoning Board of Appeals  
346 Bedford Street  
Lakeville, MA 02347  
508-946-3473



**Special Permit Application  
Petition for hearing  
Marijuana Uses only**

Name of Petitioner: Boston Botanical, Inc.

Mailing Address: 324 Reedsdale Road, Milton, MA 02186

Name of Property Owner: Louis Outor

Location of Property: 475 Kenneth Welch Drive, Lakeville, MA 02347

Registry of Deeds: Book No. 9460 Page No. 18

Map 24 Block \_\_\_\_\_ Lot 008

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

**Marijuana Use(s) applying for:**

- Marijuana Retailer
- Marijuana Research Facility
- Independent Testing Laboratory
- Marijuana Cultivator
- Registered Marijuana Dispensary (RMD)
- Craft Marijuana Cooperative
- Marijuana Product Manufacturer
- Craft Marijuana Cooperative
- Marijuana Transporter
- Microbusiness

\*(Must also complete Tiers of Marijuana Cultivator)

**Tiers of Marijuana Cultivator**

Each licensee (except a Craft Marijuana Cooperative) may have three licenses, but the total canopy authorized by the licenses added together may not exceed 100,000 square feet.

Please indicate all Tiers that are licensed (L) or are in process (✓) from the Cannabis Control Commission.

- Tier 1-up to 5,000 square feet
- Tier 2-5,001 to 10,000 sq. ft.
- Tier 3-10,001 to 20,000 sq. ft.
- Tier 4-20,001 to 30,000 sq. ft.
- Tier 5-30,001 to 40,000 sq. ft.
- Tier 6-40,001 to 50,000 sq. ft.
- Tier 7-50,001 to 60,000 sq. ft.
- Tier 8-60,001 to 70,000 sq. ft.
- Tier 9-70,001 to 80,000 sq. ft.
- Tier 10-80,001 to 90,000 sq. ft.
- Tier 11-90,001 to 100,000 sq. ft.

Please include a brief to the Board along with all documents required from the attached Special Permit Checklist with your application. Use additional paper if necessary.

---

Boston Botanical, Inc. is applying for a or a Marijuana Establishment Special Permit with the intention to operating an Adult Use Marijuana Cultivation & Manufacturing facility in the Industrial Zoning District. Please see the attached narrative, supporting documents, and Exhibits for additional information.

---

I HEREBY REQUEST A HEARING BEFORE THE ZONING BOARD OF APPEALS WITH REFERENCE TO THE ABOVE PETITION. ALL OF THE INFORMATION ON THIS PETITION, TO THE BEST OF MY KNOWLEDGE, IS COMPLETE AND ACCURATE AND CONFORMS TO THE REQUIREMENTS OF THE MARIJUANA USES SUBMITTAL CHECKLIST AND THE TOWN OF LAKEVILLE ZONING BY-LAW.

Petitioner: Boston Botanical, Inc.

Date: 1/19/21

Signed: *Edward Phipps*

Telephone: 617-827-9834

Email: ephipps@casco botanical.com

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

Owner Telephone: 508-951-0373

**WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?**

**Yes**       **No**

Phil Silverman, Counsel, Vicente Sederberg LLP  
**Name and Title**

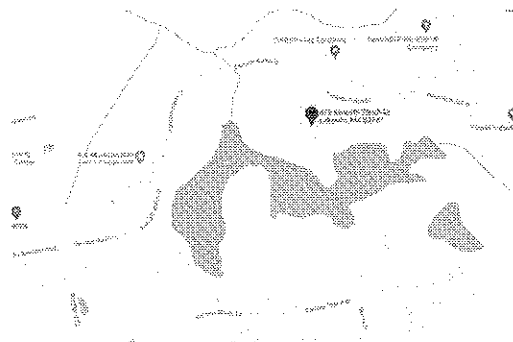
508-353-8570  
**Telephone**

ephipps@casco botanical.com  
**Email**

Boston Botanical, Inc. (“**Boston Botanical**”), seeks a Special Permit from the Lakeville Zoning Board of Appeals to operate an Adult Use Marijuana Cultivation and Product Manufacturing Facility (the “**ME**”) at 475 Kenneth Welch Drive in Lakeville (the “**Property**”). The Property is located within the Industrial Zoning District within the Marijuana Zoning Overlay. Pursuant to the Town of Lakeville Zoning Bylaw Section 7.4.6, such a use is permissible subject to a Special Permit from the Zoning Board of Appeals.

## **I. Project Context**

The Property is currently a 20,000 square foot industrial building that is located along Kenneth Welch Drive in close proximity to its intersection with Bedford Street. Please see the enclosed Site Plans and Floor Plans, attached hereto as **Exhibit A**, which were designed in full compliance with the standards set forth by the Lakeville Zoning Bylaw.



*1 Map View of Property and Surroundings*

## **II. Project Narrative**

With a focus on safe and efficient operations, Boston Botanical has identified the Property as an ideal location at which to operate an ME. The Property is located in an area designated by local zoning for the aforementioned use, allows for easy access employees off of a main road, and is located proximate to a number of other industrial parcels with similar use classifications.

### **A. Project Exterior**

*Parking & Loading:* Access to the Property may be obtained by a curb cut off of Kenneth Welch Drive towards the southern property line. A total of 34 parking spaces are available on site.

Marijuana and marijuana products will be securely transported to other Marijuana utilizing a secured shipping and receiving area as well as standard operating procedures consistent with Cannabis Control Commission’s regulations and in a manner approved by the Commission following review of such procedures and an on-site inspection to ensure site security. Similarly to other area retail uses, the ME will utilized armored cash transport to securely transport money to financial institutions.

*Signage and Lighting:* Facility signage will be discrete and utilized for employee and vendor wayfinding only. Boston Botanical will not utilize signs or printed materials advertising marijuana products or any logo or symbols with images of marijuana.

The applicant intends to utilize the existing lighting that affixed to the building and intended to illuminate the parking lot to ensure the safety of employees leaving the facility during evening hours. The lights are downward cast and do not result in light pollution to abutting properties. The

exterior security cameras utilize infrared capabilities and do not require external sources of light to operate effectively.

#### B. Project Interior

No members of the public will be granted access to Boston Botanical's ME. Employees, vendors, and visitors will be required to check in with security upon entry to the establishment. Employees will be required to provide their Agent ID card and other access badges which will grant them the ability to traverse only such portions of the facility that are necessary for their job function. Visitors such as contractors or vendors may only visit the facility for legitimate reasons and must obtain temporary badging and be escorted by a registered agent at all times.

#### C. Facility Operations

Please see the enclosed operational narratives, attached hereto as **Exhibit B**.

### III. Property Operations

#### A. Trash

*Marijuana Waste:* Absolutely no marijuana waste will be stored in the exterior of the site. All recyclables and waste, including organic waste composed of or containing finished marijuana and marijuana products, will be stored, secured, and managed in accordance with applicable state and local statutes, ordinances, and regulations.

Liquid waste containing marijuana or by-products of marijuana processing will be disposed of in compliance with all applicable state and federal requirements, including but not limited to, for discharge of pollutants into surface water or groundwater (Massachusetts Clean Waters Act, M.G.L. c. 21 §§ 26 through 53; 314 CMR 3.00: *Surface Water Discharge Permit Program*; 314 CMR 5.00: *Groundwater Discharge Program*; 314 CMR 12.00: *Operation Maintenance and Pretreatment Standards for Wastewater Treatment Works and Indirect Dischargers*; the Federal Clean Water Act, 33 U.S.C. 1251 *et seq.*, the National Pollutant Discharge Elimination System Permit Regulations at 40 CFR Part 122, 314 CMR 7.00: *Sewer System Extension and Connection Permit Program*), or stored pending disposal in an industrial wastewater holding tank in accordance with 314 CMR 18.00: *Industrial Wastewater Holding Tanks and Containers Construction, Operation, and Record Keeping Requirements*.

Organic material and recyclable material will be redirected from disposal in accordance with the waste disposal bans described at 310 CMR 19.017: *Waste Bans*. To the greatest extent feasible, any recyclable material as defined in 310 CMR 16.02: *Definitions* will be recycled in a manner approved by the Commission and any remaining marijuana waste will be ground and mixed with other organic material as defined in 310 CMR 16.02: *Definitions* such that the resulting mixture renders the marijuana unusable for its original purpose. Once such marijuana waste has been rendered unusable, the mixture may be composted or digested at an aerobic or anaerobic digester at an operation that is in compliance with the requirements of 310 CMR 16.00: *Site Assignment Regulations for Solid Waste Facilities*.



Solid waste containing marijuana may be ground up and mixed with other solid waste such that the resulting mixture renders any marijuana unusable for its original purpose. Once such marijuana has been rendered unusable, the resulting solid waste may be brought to a solid waste transfer facility or a solid waste disposal facility (e.g., landfill or incinerator) that holds a valid permit issued by the Department of Environmental Protection or by the appropriate state agency in the state in which the facility is located; or

No fewer than two agents will witness and document how the solid waste or organic material containing marijuana is handled on-site, including, but not limited to, the grinding up, mixing, storage and removal from the facility in accordance with 935 CMR 500.105(12). When marijuana products or waste is disposed or handled, the company will create and maintain a written or electronic record of the date, the type and quantity disposed or handled, the manner of disposal or other handling, the location of disposal or other handling, and the names of the two agents present during the disposal or other handling, with their signatures. Boston Botanical will keep these records for at least three years.

*Non Marijuana Waste:* Waste that does not contain marijuana will be stored in an exterior dumpster and picked up weekly by a commercial trash vendor. Although no marijuana will be present in this dumpster, it will remain locked until such time that the commercial trash pick up occurs.

#### B. Snow Removal

Snow removal will follow existing practices utilized by the property owner.

#### C. Loading

Product deliveries will leave from the facility on a regular basis in unmarked transport vans. Pursuant to 935 CMR 500.105, there will be no advertising, markings, or branding indicating that the vehicle is being used to transport marijuana. Routes and times used for the transportation of marijuana and marijuana products are randomized. Marijuana and marijuana products will be transported in secure, locked storage compartments that are a part of the vehicle transporting the marijuana products and cannot be easily removed. At least two agents will staff vehicles transporting marijuana. One agent will remain in the vehicle at all times, and the other will be accompanied by a staff member into the facility and through the receiving area.

An armored car service will pick up monetary instruments as needed each week.

#### D. Traffic and Parking

With 26 dedicated parking spaces located on site, Boston Botanical respectfully submits that there is ample parking to accommodate its employees and delivery vehicles. Boston Botanical anticipates hiring 30 employees, with a maximum of 25 on site at any given time. The company will take great care to develop, implement, and refine operational procedures that ensure that shifts overlap and will not result in congestion within the parking lot or the store. Operational procedures will be continually evaluated and adjusted as necessary to ensure optimal function of the facility.

The company respectfully submits that its proposed use of the Property will not disturb the existing right of way, pedestrian access, and will not cause a hazard to vehicle or pedestrian traffic. Traffic generated and patterns of access and egress will not cause congestion, hazard, or a substantial change to the neighborhood character.

E. Odor

Please see the enclosed Odor Control Plan, attached hereto as **Exhibit C**.

IV. **Compliance with Town of Lakeville Zoning Bylaw Section 7.4.6**

- A. **Section 7.4.6(B): Marijuana Uses shall not be located within 500 feet of a public or private school providing education in kindergarten or grades 1 through 12.**

The proposed ME is not located within 500 feet of a public or private school providing education in kindergarten or grades 1 through 12.

- B. **Section 7.4.6(D): Marijuana Uses shall be located only in a permanent building and not within any mobile facility, with the exception of the transporting of marijuana and marijuana products under a Marijuana Transporter license.**

The proposed ME is located within a permanent facility.

C. **Section 7.4.(E): Required Application Materials for Marijuana Use Special Permits**

1. **A detailed floor plan of the proposed Marijuana Use that identifies the square footage available and describes the functional areas of the facility.**

Please see the floor plan included as part of **Exhibit A**, which identifies the square footage available and describes the functional areas of the facility.

2. **Detailed Site Plans that include the following information:**

- a. **Compliance with the requirements for parking and loading spaces, for lot size, frontage, yards and heights and coverage of buildings, signage and all other provisions of this By-Law;**

Please see the site plan included as part of **Exhibit A**, which includes a compliance table outlining requirements as outlined above for the existing structure.

- b. **Convenience and safety of vehicular and pedestrian movement on the site to provide secure and safe access and egress to and from the site;**

Please see the site plan included as part of **Exhibit A**, which demonstrates the existing parking development which was previously designed to ensure convenience and safety of vehicular and pedestrian movement to the site to provide secure and safe access and egress to and from the site.

- c. Convenience and safety of vehicular and pedestrian movement off the site, if vehicular and pedestrian traffic off-site can reasonably be expected be substantially affected by on-site changes;**

Please see the site plan included as part of **Exhibit A**, which demonstrates the existing parking development which was previously designed to ensure convenience and safety of vehicular and pedestrian movement when accessing the site through multiple points of entry to the parking lot.

- d. Adequacy as to the arrangement and the number of parking and loading spaces in relation to the proposed use of the premises;**

Please see the site plan included as part of **Exhibit A**, which provides a parking table demonstrating satisfaction with parking requirements as outlined in the Lakeville Zoning Bylaws. Additionally, there is additional unused paved area that can facilitate additional parking spaces if needed.

- e. Site design such that it provides convenient, secure and safe access and egress for clients and employees arriving to and from the site.**

Please see the site plan included as part of **Exhibit A**, which was previously designed to provide convenient, secure and safe access and egress for clients and employees arriving to and from the site.

- f. Design and appearance of proposed buildings, structures, freestanding signs, screening and landscaping; and**

The applicant proposes minor wayfinding and parking signage in full compliance with all requirements set forth by the Town of Lakeville. No other exterior changes are proposed to the exterior of the structure or any nearby landscaping.

- g. Adequacy of water supply, surface and subsurface drainage and light.**

The changes proposed as part of this permit application would not necessitate modifications to the existing utilities provided as part of the building structure.

- 3. A copy of the Written Operating Procedures as required by 935 CMR 500.105 and/or 935 CMR 501.105, which shall include, at a minimum, the following:**

a. **Security measures in compliance with 935 CMR 500.110 and/or 935 CMR 501.110, to the extent such information may be made publicly available;**  
Please see **Exhibit B** which provides a security narrative outlining compliance with 935 CMR 500.110. Facility specific security materials can be made available upon request.

b. **Employee security policies;**

Please see **Exhibit C** which outlines employee security policies.

c. **Proposed hours of operation and after- hours contact information;** Boston

Botanical proposes the following hours of operation:

Monday – Friday: 8:00 am – 6:00 pm

Saturday - Sunday: 8:00 am – 6:00 pm

After hours contact: Edward Phipps, Chief Executive Officer, 617-827-9834

d. **Proposal for storage of marijuana;**

Please see **Exhibit D** which outlines marijuana storage procedures.

e. **Emergency procedures, including a disaster plan in case of fire or other emergencies;**

Please see **Exhibit E** which outlines emergency procedures, including a disaster plan in case of fire and other emergencies.

f. **Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;**

Please see **Exhibit F** which outlines policies and procedures to prevent the diversion of marijuana to individuals under the age of 21.

g. **Policies and procedures for energy efficiency and conservation in accordance with 935 CMR 500.105, and a plan for implementation of such policies;**

Boston Botanical has developed the following Energy Compliance Plan to ensure that its Cultivation and Manufacturing facility remains in compliance with the energy efficiency and conservation regulations codified in 935 CMR 500.103(1)(b), 500.105(1)(q), 500.105(15) and 500.120(11).

**Energy Efficiency and Equipment Standards**



Boston Botanical will maintain compliance at all times with the Commission's minimum energy efficiency and equipment standards and meet all applicable environmental laws, regulations, permits and other applicable approvals including, but not limited to, those related to water quality and quantity, wastewater, solid and hazardous waste management, and air pollution control, including prevention of odor and noise pursuant to 310 CMR 7.00: Air Pollution Control. Boston Botanical will adopt and use additional best management practices as determined by the Commission to reduce energy.

### **Building Envelope**

The building envelope for Boston Botanical's indoor cultivation and manufacturing facility, to the extent applicable, meets minimum Massachusetts Building Code requirements and all Massachusetts amendments (780 CMR: State Building Code), International Energy Conservation Code (IECC) Section C402 or The American Society of Heating, Refrigerating and Air-conditioning Engineers (ASHRAE) Chapters 5.4 and 5.5 as applied or incorporated by reference in 780 CMR: State Building Code.

### **Lighting**

Boston Botanical's lighting meets the compliance requirements for Horticulture Lighting Power Density will not exceed 50 watts per square foot.

In the event that Boston Botanical seeks to use horticultural lighting not included on the Horticultural QPL or other similar list approved by the Commission, Boston Botanical will seek a waiver pursuant to 935 CMR 500.850 and provide documentation of third-party certification of the energy efficiency features of the proposed lighting.

Regardless of compliance path, Boston Botanical will provide third-party safety certification by an OSHA NRTL or SCC-recognized body, which will certify that products meet a set of safety requirements and standards deemed applicable to horticultural lighting products by that safety organization.

Boston Botanical has established and documented safety protocols to protect workers (e.g., eye protection near operating Horticultural Lighting Equipment).

### **Strategies to Reduce Electric Demand**

Boston Botanical is considering the following strategies to reduce electric demand.

1. LED lighting
2. Lighting schedule implementation
3. Active load management and energy storage programs

4. Vegetation rooms will use half of the lighting compared to traditional layouts to achieve maximum efficiency.

As the need and opportunity for facility upgrades and maintenance arise in the future, Boston Botanical will continue to evaluate strategies to reduce electric demand.

### **Opportunities for Engagement with Energy Efficiency Programs**

Boston Botanical plans on engaging with the energy efficiency program offered by Mass Save and will coordinate with Lakeville officials to identify other potential energy saving programs and initiatives.

### **HVAC and Dehumidification**

Boston Botanical's Heating Ventilation and Air Condition (HVAC) and dehumidification systems will meet Massachusetts Building Code requirements and all Massachusetts amendments (780 CMR State Building Code), IECC Section C403 or ASHRAE Chapter 6 as applied or incorporated by reference in (780 CMR: State Building Code). As part of the documentation required under 935 CMR5 00.120(11)(b), Boston Botanical will provide a certification from a Massachusetts Licensed Mechanical Engineer that the HVAC and dehumidification systems meet Massachusetts building code as specified in 935 CMR 500.120(11)(c) and that such systems have been evaluated and sized for the anticipated loads of the facility.

#### **h. A copy of proposed waste disposal procedures.**

Please see the above narrative which outlines waste disposal procedures.

## **IV. Compliance with Town of Lakeville Zoning Bylaw Section 7.4.1**

1. **The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.**

Boston Botanical has demonstrated that it has taken great care to minimize any adverse impacts on abutters and parties of interest through thoughtful site design and the implementation of comprehensive standard operating procedures, including:

- The selection of a Property within the Marijuana Zoning Overlay which has been identified as an appropriate zone for ME uses and is not within 500 feet of any offending buffer uses;
- The design of a state-of-the-art facility that has been specifically developed to accommodate best practices for ME uses;

- On site to protect against congestion at the site;
- An odor control plan to protect against odor escape from the vault;
- Nuanced signage, exterior design, and screening to maintain a respectful streetscape façade; and
- A thoughtful operational plan for all facets of its operations.

**2. The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development which could occur if the special permit were denied.**

Boston Botanical has demonstrated that it has taken great care to minimize any adverse impacts on abutters and parties of interest through thoughtful site design and the implementation of comprehensive standard operating procedures, including:

- The selection of a Property within the Marijuana Zoning Overlay which has been identified as an appropriate zone for ME uses and is not within 500 feet of any offending buffer uses;
- The design of a state-of-the-art facility that has been specifically developed to accommodate best practices for ME uses;
- On site to protect against congestion at the site;
- An odor control plan to protect against odor escape from the vault;
- Nuanced signage, exterior design, and screening to maintain a respectful streetscape façade; and
- A thoughtful operational plan for all facets of its operations.

**3. The applicant has no reasonable alternative available to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood.**

Boston Botanical selected a parcel appropriately located within the Marijuana Overlay District, which was designed to be compatible with the surrounding neighborhood.

**Exhibit A**



# Site Plan in LAKEVILLE, MASS.

Hayes Engineering, Inc.  
Civil Engineers & Land Surveyors  
603 Salem Street  
Wakfield, MA 01880

Telephone: 781.246.2800  
Facsimile: 781.246.7596  
www.hayeseng.com

Scale: 1" = 40' January 18, 2021

## No. 475 Kenneth W. Welch Drive Proposed Adult Use Marijuana Establishment

### OWNER:

LOUIS S. OUTOR & VIRGINIA OUTOR  
PO BOX 114  
ROCHESTER, MASSACHUSETTS 02770

### APPLICANT:

BOSTON BOTANICAL INC.  
324 REEDSDALE ROAD  
MILTON, MASSACHUSETTS 02186

### ASSESSOR'S REFERENCE:

475 KENNETH W. WELCH DRIVE  
MAP 024 BLOCK 006 LOT 008

### DEED REFERENCE:

PLYMOUTH COUNTY REGISTRY OF DEEDS BOOK 9460 PAGE 18

### PLAN REFERENCE:

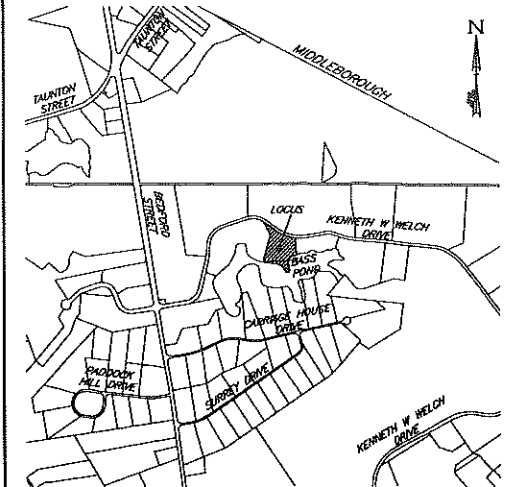
PLYMOUTH COUNTY REGISTRY OF DEEDS PLAN No. 1102 of 1987  
PLAN OF LOTS - KENNETH W. WELCH DRIVE,  
LAKEVILLE, MASSACHUSETTS DATED SEPTEMBER 4, 1987  
WILLIAM L. PHINNEY, PLS

### GENERAL NOTES:

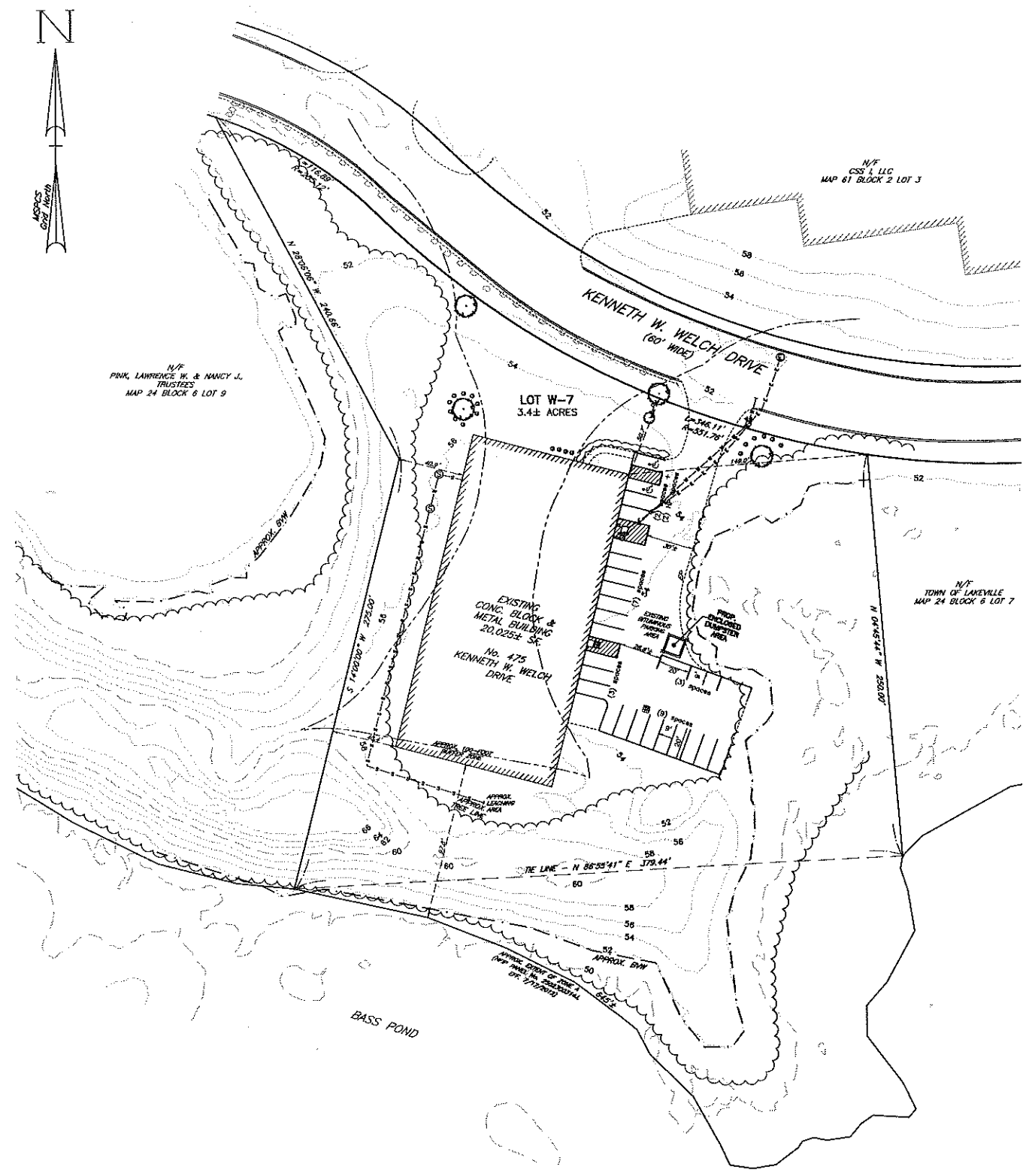
- BOUNDARY INFORMATION AND BUILDING LOCATION DEPICTED HEREON ARE THE RESULT OF AN ACTUAL FIELD SURVEY BY HAYES ENGINEERING, INC. ON JANUARY 16, 2021. THE HORIZONTAL DATUM IS THE MASSACHUSETTS STATE PLAN COORDINATE SYSTEM.
- TOPOGRAPHIC INFORMATION DEPICTED HEREON TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) LIDAR TOPOGRAPHY AS PROVIDED BY MASSGIS. THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED FROM FIELD SURVEY INFORMATION AND AVAILABLE EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING THE LOCATIONS, SIZES, AND ELEVATIONS OF ALL EXISTING UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS AND SHALL NOTIFY THE ENGINEER IN WRITING OF ANY UTILITIES INTERFERING WITH THE PROPOSED DESIGN AND THE APPROPRIATE REMEDIAL ACTION PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTORS ARE RESPONSIBLE FOR CONTACTING DIG SAFE AT (800) 322-4844 PRIOR TO THE START OF ANY CONSTRUCTION.
- THIS PLAN WAS PREPARED FOR REVIEW BY AND TO OBTAIN APPROVAL FROM PUBLIC AGENCIES AND IS NOT INTENDED AS CONSTRUCTION DOCUMENTS.

### RESOURCE AREA NOTES:

- THE SITE IS NOT LOCATED IN FLOOD ZONE A AS INDICATED ON FEMA NFIP FLOOD INSURANCE RATE MAP NUMBER 25023C0314J, DATED JULY 17, 2012.
- THE EXTENT OF THE BORDERING VEGETATED WETLAND DEPICTED HEREON IS APPROXIMATE ONLY AND WAS NOT FLAGGED IN THE FIELD BY HAYES ENGINEERING, INC. THE ONLY WORK PROPOSED WITHIN THE APPROXIMATE BUFFER ZONE TO THE BWM IS INSTALLATION OF FENCING AND PAVEMENT STRIPING.

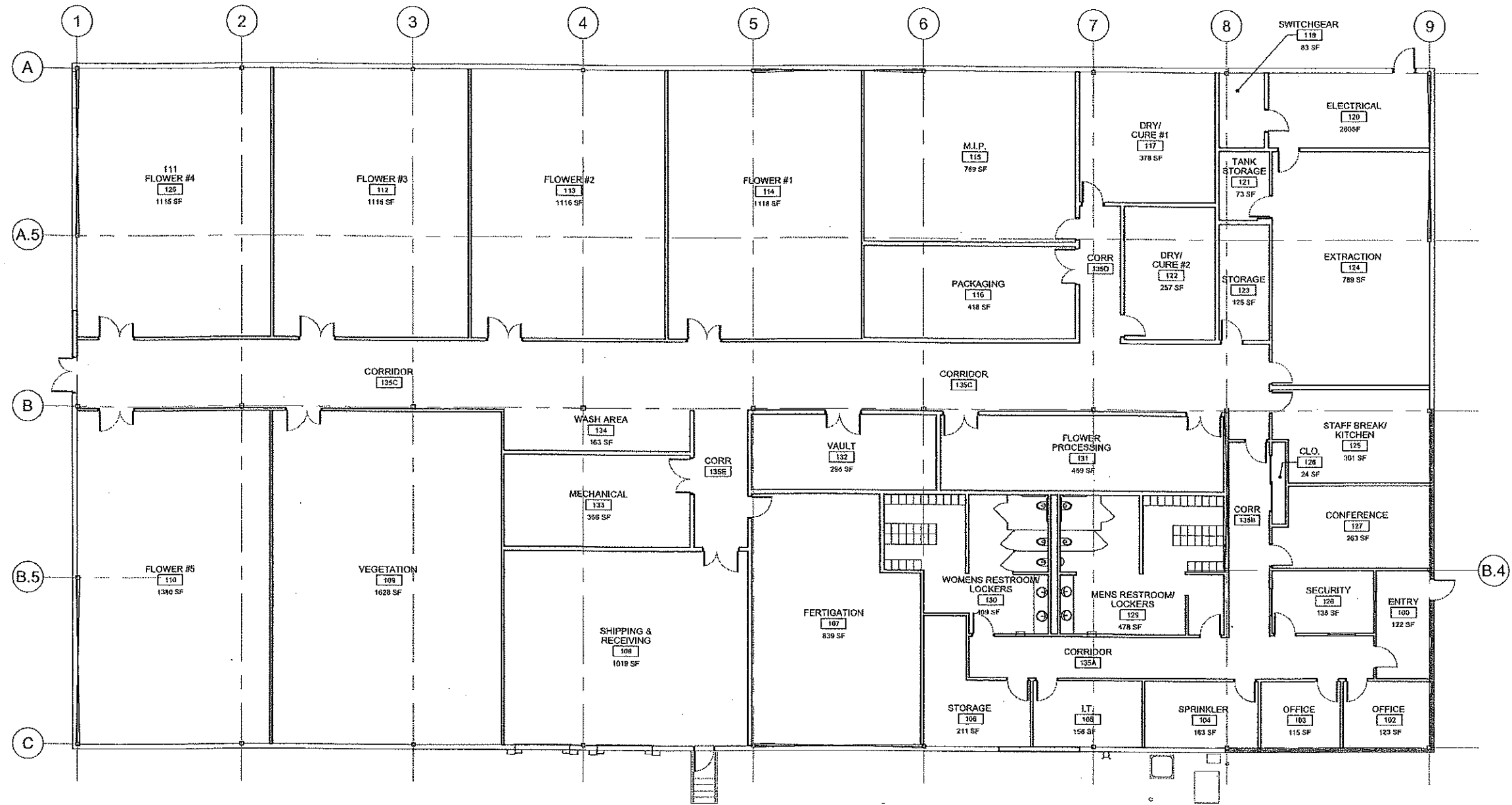


VICINITY MAP  
SCALE: 1"=1,000'±



**PROGRESS PRINT  
NOT FOR CONSTRUCTION**

ZONING TABLE		
ZONE	I (INDUSTRIAL DISTRICT)	
DIMENSIONAL CONTROLS	REQUIRED/ALLOWED	PROPOSED
FRONT YARD SETBACK	40 ft.	50.7 ft.
SIDE YARD SETBACK	40 ft.	40.4 ft.
REAR YARD SETBACK	40 ft.	97.8 ft.
MIN. FRONTAGE	175 ft.	463 ft.
MIN. LOT AREA	70,000 s.f.	148,105± s.f.
MAX. BUILDING HEIGHT	3 stories	1.5 stories
MAX. LOT COVERAGE (bldgs./paving)	50 %	22.3%
PARKING (see calculations)	25 spaces	26 spaces
PARKING CALCULATIONS		
REQUIRED INDUSTRIAL: 1 space per employee on maximum shift		
REQUIRED REGULAR: 25 employees x 1/employee = 25 spaces		
REQUIRED HANDICAPPED: for 26-50 Total Spaces = 2 Handicapped		
TOTAL SPACES PROVIDED: 24 (9'x20') + 2 (12'x20') = 26 spaces		
TOTAL HANDICAPPED PROVIDED: 2 spaces		



### Exhibit C: Employee Security

Boston Botanical will securely maintain personnel records, including registration status and background check records. Boston Botanical will keep, at a minimum, the following personnel records:

- Job descriptions for each employee and volunteer position, as well as organizational charts consistent with the job descriptions;
- A personnel record for each marijuana establishment agent;
- A staffing plan that will demonstrate accessible business hours and safe cultivation conditions;
- Personnel policies and procedures; and
- All background check reports obtained in accordance with 935 CMR 500.030.

#### Agent Personnel Records

In compliance with 935 CMR 500.105(9), personnel records for each agent will be maintained for at least twelve (12) months after termination of the agent's affiliation with Boston Botanical and will include, at a minimum, the following:

- All materials submitted to the Commission pursuant to 935 CMR 500.030(2);
- Documentation of verification of references;
- The job description or employment contract that includes duties, authority, responsibilities, qualifications, and supervision;
- Documentation of all required training, including training regarding privacy and confidentiality requirements, and the signed statement of the individual indicating the date, time, and place he or she received said training and the topics discussed, including the name and title of presenters;
- Documentation of periodic performance evaluations;
- A record of any disciplinary action taken;
- Notice of completed responsible vendor and eight-hour related duty training; and
- Results of initial background investigation, including CORI reports.

Personnel records will be kept in a secure location to maintain confidentiality and be only accessible to the agent's manager or members of the executive management team.

#### Agent Background Checks

- In addition to completing the Commission's agent registration process, all agents hired to work for Boston Botanical will undergo a detailed background investigation prior to being granted access to a Boston Botanical facility or beginning work duties.
- Background checks will be conducted on all agents in their capacity as employees or volunteers for Boston Botanical pursuant to 935 CMR 500.030 and will be used by the Director of Security, who will be registered with the Department of Criminal Justice Information Systems pursuant to 803 CMR 2.04: iCORI Registration and the Commission for purposes of determining the suitability of individuals for registration as a marijuana establishment agent with the licensee.

- For purposes of determining suitability based on background checks performed in accordance with 935 CMR 500.030, Boston Botanical will consider:
  - a. All conditions, offenses, and violations are construed to include Massachusetts law or like or similar law(s) of another state, the United States or foreign jurisdiction, a military, territorial or Native American tribal authority, or any other jurisdiction.
  - b. All criminal disqualifying conditions, offenses, and violations include the crimes of attempt, accessory, conspiracy, and solicitation. Juvenile dispositions will not be considered as a factor for determining suitability.
  - c. Where applicable, all look-back periods for criminal conditions, offenses, and violations included in 935 CMR 500.802 commence upon the date of disposition; provided, however, that if disposition results in incarceration in any institution, the look-back period will commence upon release from incarceration.
- Suitability determinations will be made in accordance with the procedures set forth in 935 CMR 500.800. In addition to the requirements established in 935 CMR 500.800, Boston Botanical will:
  - a. Comply with all guidance provided by the Commission and 935 CMR 500.802: Tables B through D to determine if the results of the background are grounds for Mandatory Disqualification or Presumptive Negative Suitability Determination.
  - b. Consider whether offense(s) or information that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802. In the event a Presumptive Negative Suitability Determination is made, Boston Botanical will consider the following factors:
    - i. Time since the offense or incident;
    - ii. Age of the subject at the time of the offense or incident;
    - iii. Nature and specific circumstances of the offense or incident;
    - iv. Sentence imposed and length, if any, of incarceration, if criminal;
    - v. Penalty or discipline imposed, including damages awarded, if civil or administrative;
    - vi. Relationship of offense or incident to nature of work to be performed;
    - vii. Number of offenses or incidents;
    - viii. Whether offenses or incidents were committed in association with dependence on drugs or alcohol from which the subject has since recovered;
    - ix. If criminal, any relevant evidence of rehabilitation or lack thereof, such as information about compliance with conditions of parole or probation, including orders of no contact with victims and witnesses, and the subject's conduct and experience since the time of the offense including, but not limited to, professional or educational certifications obtained; and
    - x. Any other relevant information, including information submitted by the subject.
  - c. Consider appeals of determinations of unsuitability based on claims of erroneous information received as part of the background check during the application process in accordance with 803 CMR 2.17: Requirement to Maintain a Secondary Dissemination Log and 2.18: Adverse Employment Decision Based on CORI or

Other Types of Criminal History Information Received from a Source Other than the DCJIS.

- All suitability determinations will be documented in compliance with all requirements set forth in 935 CMR 500 et seq. and guidance provided by the Commission.
- Background screening will be conducted by an investigative firm holding the National Association of Professional Background Screeners (NAPBS®) Background Screening Credentialing Council (BSCC) accreditation and capable of performing the searches required by the regulations and guidance provided by the Commission.
- References provided by the agent will be verified at the time of hire.
- As a condition of their continued employment, agents, volunteers, contractors, and subcontractors are required to renew their Program ID cards annually and submit to other background screening as may be required by Boston Botanical or the Commission.

Personnel Policies and Training

As outlined in Boston Botanical's Record Keeping Procedures, a staffing plan and staffing records will be maintained in compliance with 935 CMR 500.105(9) and will be made available to the Commission, upon request. All Boston Botanical agents are required to complete training as detailed in Boston Botanical's Qualifications and Training plan which includes but is not limited to Boston Botanical's strict alcohol, smoke and drug-free workplace policy, job specific training, Responsible Vendor Training Program, confidentiality training including how confidential information is maintained at the marijuana establishment and a comprehensive discussion regarding the marijuana establishment's policy for immediate dismissal. All training will be documented in accordance with 935 CMR 105(9)(d)(2)(d).

Boston Botanical will have a policy for the immediate dismissal of any dispensary agent who has:

- Diverted marijuana, which will be reported the Police Department and to the Commission;
- Engaged in unsafe practices with regard to Boston Botanical operations, which will be reported to the Commission; or
- Been convicted or entered a guilty plea, plea of *nolo contendere*, or admission to sufficient facts of a felony drug offense involving distribution to a minor in the Commonwealth, or a like violation of the laws of another state, the United States or a foreign jurisdiction, or a military, territorial, or Native American tribal authority.



### Exhibit D: Storage

Boston Botanical will ensure that all marijuana and marijuana products are stored in compliance with 935 CMR 500.105(11). Specifically, Boston Botanical will ensure the following:

- The facility will have adequate lighting, ventilation, temperature, humidity, space, and equipment, in accordance with applicable provisions of 935 CMR 500.105: *General Operational Requirements for Marijuana Establishments* and 500.110: *Security Requirements for Marijuana Establishments*;
- The facility will have separate areas for storage of marijuana that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, until such products are destroyed,
- All storage areas will be maintained in a clean and orderly condition;
- All storage areas will be free from infestation by insects, rodents, birds, and pests of any kind; and
- All storage areas will be maintained in accordance with the security requirements of 935 CMR 500.110 *Security Requirements for Marijuana Establishments*.

Per the requirements of 935 CMR 500.110, all finished marijuana products will be stored in a secure, locked safe or vault in such a manner as to prevent diversion, theft, and loss.

Furthermore, all safes, vaults, and any other equipment or areas used for the storage of marijuana or marijuana products, including prior to disposal, will be securely locked and protected from entry, except for the actual time required to remove or replace marijuana.

The storage of finished products will be under conditions that will protect them against physical, chemical, and microbial contamination as well as against deterioration of finished products or their containers, per the requirements of 935 CMR 500.105(3)(b)(15).

In accordance with 935 CMR 500.105(3)(c), Boston Botanical will comply with sanitary requirements. All edible products will be prepared, handled and stored in compliance with the sanitation requirements in 105 CMR 590.000: *State sanitary code chapter X: Minimum Sanitation Standards for Food Establishments*.

## Exhibit E: Emergency Protocol

Boston Botanical promotes workplace safety consistent with applicable standards set by the Occupational Safety and Health Administration, including plans to identify and address any biological, chemical or physical hazards. Policies and procedures include, at a minimum, a hazard communication plan, personal protective equipment assessment, a fire protection plan, and an emergency action plan. In accordance with 935 CMR 500.105(3)(c), Boston Botanical will ensure that all edible products will be prepared, handled and stored in compliance with the sanitation requirements in 105 CMR 590.000: *State sanitary code chapter X: Minimum Sanitation Standards for Food Establishments*.

### **Agent Health and Safety Program**

Eight basic components have been identified to help prevent accidents and injuries from occurring within the Facility, as well as to help deal effectively with any incidents that do occur. These components are:

- Hazard Identification & Risk Control—determine which hazards are present in the workplace and take steps to eliminate or minimize such hazard.
- Safe Work Procedures:
  - Dealing with wet surfaces;
  - Wearing proper personal protective equipment and clothing;
  - Handling solvents with use of protective gloves and proper ventilation; and
  - Using proper body mechanics when lifting heavy objects.
- Orientation, Education, Training & Supervision—properly prepare agents for job duties and ensure policies and procedures are consistently followed.
- Safety Inspections—regular safety inspections throughout the Facility, which will help identify workplace hazards so that Agents can be eliminated or controlled.
- Incident Investigation—determine cause of accident or injury and implement preventive measures.
- Health and Safety Meetings—regular meetings to provide an opportunity for agents and managers to communicate any concerns about health and safety.
- First Aid—determine what level of first aid is necessary on-site.
- Records & Statistics—maintain documentation to help identify recurring problems and ensure that hazardous conditions are corrected.

An annual Health and Safety Program review will be carried out to address current concerns.

### **Health and Safety Responsibilities**

All agents will complete mandatory safety training sessions. Boston Botanical agents and Boston Botanical management will have specific responsibilities to ensure health and safety at the Boston Botanical facility:

Health and Safety Responsibilities for Boston Botanical Management:

- Ensure the health and safety of all agents;
- Correct any workplace conditions that are hazardous to the health and safety of agents;
- Inform Cultivation Technicians about any remaining hazards;

- Make copies of the *Workers Compensation Act* and OSHA Regulations available by posting throughout the Facility;
- Ensure agents know their rights and responsibilities under OSHA Regulations and the Act and that Agents comply with them;
- Provide and maintain protective devices, equipment, and clothing, and ensure that agents use them;
- Provide agents with education, supervision, and training specific to the Facility and equipment used to cultivate, process and manufacture marijuana and marijuana products; and
- Perform ongoing reviews of policies and procedures and update as needed.

Health and Safety Responsibilities for Boston Botanical Agents:

- Take care to protect individual health and safety and the health and safety of others who may be affected by individual's actions;
- Comply with all regulations and other legal requirements;
- Follow established safe work procedures;
- Use the required personal protective equipment;
- Refrain from horseplay or similar conduct that may endanger others;
- Ensure individual ability to work safely is not impaired by drugs or alcohol;
- Report accidents and other incidents (including near misses) to management; and
- Report the following to their supervisor:
  - A hazard that might endanger Boston Botanical agents;
  - A problem with personal protective equipment or clothing; and
  - Any suggestions to improve workplace safety.

**Cleanliness & Sanitation Training**

Boston Botanical will combine its existing successful agent training program, supplemented with Commission rules and cannabis specific training to provide exhaustive training curricula to all agents. Boston Botanical' training will include USDA Good Handling Practices and Quality Systems, FDA Current Good Manufacturing Practices, and sickness or illness policies. Agents who handle cannabis will receive hygiene training with specific attention to preventing microbial contamination. All employees will receive, at a minimum, the following quality assurance and contamination prevention training:

- USDA Good Handling Practices and Quality Systems, including but not limited to 21 CFR part 110.
- Product care, inspection, and maintenance techniques.
- Company policies which prohibit employees showing signs of illness, open wounds, sores, or skin infections from handling cannabis or materials that come into contact with cannabis.
- Hygiene training for employees who handle cannabis with specific attention to preventing microbial contamination.
- Handwashing requirements, including washing hands with soap and hot water before beginning work, after using the bathroom, and after meal breaks.

- Quality assurance procedures and consequences of failing to follow the company's established processes.

### **Agent Hygiene Practices**

Boston Botanical' agents will follow thorough hygienic practices and will maintain adequate personal cleanliness. All Boston Botanical agents will wash their hands thoroughly before starting work, and at any other time when hands may have become soiled or contaminated. Hand-washing facilities will be placed conveniently within the Boston Botanical facility and will be equipped with running water, effective hand-cleaning and sanitizing preparations, suitable drying devices, and sufficient storage for all cleaning and sanitation materials. All Boston Botanical agents will also wear food grade disposable gloves when handling marijuana and in the creation of marijuana products.

Any agent who, by medical examination or supervisory observation, is shown to have, or appears to have, an illness, open lesion (e.g., boils, sores, infected wounds), or any other abnormal source of microbial contamination for which there is a reasonable possibility of contact with cannabis shall be excluded from any operations that may be expected to result in microbial contamination until the condition is corrected.

### **Biological, Chemical and Physical Hazards**

Boston Botanical will conduct a comprehensive hazard assessment to identify any physical and health hazards within the facility or on premises. The hazard assessment will evaluate all work areas or work situations, finding all potential hazards an employee may encounter while performing the job. The entire layout of the facility will be inspected and a summary recorded identifying any issues. The assessment will follow U.S. Department of Labor's OSHA Job Hazard Analysis guidelines (OSHA 3071). The Chief Operating Officer, in coordination with managers and the safety committee, will conduct the hazard assessment. The assessment will include, at minimum, identification of the following hazard sources:

- High temperatures that could result in injury, including burns, eye injury, ignition of equipment, or heat stress.
- Cold temperatures that could result in injury, including frostbite, lack of coordination, or cold stress.
- Harmful dust or particulates.
- Light radiation.
- Sources of falling objects, potential for dropping objects, rolling objects that could crush or pinch the feet.
- Sharp objects that may pierce the feet or cut the hands.
- Electrical hazards.
- Chemical exposure, including airborne or skin contact that would have the potential for splash on the skin or eyes, or the potential to breathe vapors or mists.
- Layout of the workplace and the location of employees to avoid collision with other employees or objects.
- Equipment that is malfunctioning, in poor condition, or in need of maintenance.

- Any other identified potential hazard.

The safety committee chair or a manager will complete and sign the PPE Hazard Assessment Certification. This certification will be kept with the Job Hazard Analysis log.

Any hazards identified as not properly controlled will be documented in the Job Hazard Analysis Log. The hazard will be abated immediately or as soon as possible by the appropriate personnel. Once abatement is complete, it will be documented in the Job Hazard Analysis Log.

### **Hazard Communication Plan**

Boston Botanical' Hazard Communication policies and procedures shall ensure Boston Botanical is compliant with applicable Occupational Safety and Health Administration (OSHA) requirements and all applicable state and local laws, regulations, ordinances, and other requirements. All levels of supervision shall be held accountable for the safety of those employees under their direction. Copies of the Boston Botanical' Hazard Communication policies and procedures shall be given to all employees and be available for all to review, upon request.

Boston Botanical' Hazard Communication policies and procedures shall, at a minimum, address the following:

- Informing employees of hazardous chemicals used at Boston Botanical.
- Use of labels and other forms of warning.
- Use of Material Safety Data Sheets (MSDS).
- Procedure with respect to hazardous non-routine tasks.
- Maintaining a list of known hazardous chemicals used by employees and independent contractors.
- Communication of hazards.
- Training of employees and independent contractors.

Boston Botanical Facility Manager and the Chief Executive Officer shall maintain, review, and update the Hazard Communication policies and procedures and be responsible for:

- Implementation of the Boston Botanical' Hazard Communication policies and procedures.
- Ensure that OSHA records are maintained at all times.
- Train all Boston Botanical employees and visiting independent contractors.
- Provide documentation of all training and communications to the Human Resources Manager.

### **Personal Protective Equipment ("PPE")**

Boston Botanical' personal protective equipment (PPE) policies and procedures have been developed to identify work situations that require the use of PPE and to determine the proper selection and use of PPE. PPE will be selected and used to protect employees from the hazards and potential hazards that they are likely to encounter. Employees will wear appropriate PPE at all times.

All managers, will implement all aspects of Boston Botanical' PPE policies and procedures, including:



- Understanding of the applicable federal, state and local laws, regulations, ordinances, and other requirements, as well as best practice safety standards.
- Reviewing hazard assessments to determine the need for PPE.
- Acquiring the correct PPE.
- Training employees on the use of PPE.
- In coordination with the Human Resources Manager, documenting and maintaining employee PPE training.
- Ensuring PPE is available, provided and documented.
- Conducting hazard specific training for the use of PPE.
- Establishing inspections, maintenance and replacement procedures to make sure damaged PPE is not used.

All Managers will:

- Ensure all employees wear the appropriate PPE.
- Ensure that all employees have completed PPE training.
- Contact the Chief Operating Officer when a hazard or process has changed which may render previously used PPE ineffective.
- Comply with PPE policies as required and support the PPE program as necessary.
- Participate in quarterly training for the use and maintenance of PPE.
- Replace all damaged PPE.

Employees will:

- Inspect PPE before use, and ensure proper maintenance.
- Wear all assigned PPE and conduct assigned tasks in a safe manner.
- Notify a manager when PPE is damaged and needs to be replaced.
- Participate in quarterly training for the use and maintenance of PPE.
- Comply with PPE policies as required and support the PPE program as necessary.

### **Assessment**

For each hazard identified during the hazard assessment, PPE will be selected to protect the employee by creating a barrier against the workplace hazard. PPE will be selected to protect against any hazard that is present or likely to be present. PPE selections will be compliant with all applicable federal (excepting federal laws related to marijuana), state and local laws, regulations, ordinances, and other requirements.

All managers will choose PPE based on characteristics such as design, reliability, and suitability for the hazardous task. Managers will ensure the PPE selected offers a level of protection greater than the minimum required to protect employees from the identified hazards.

Upgraded PPE will be immediately provided if any change in facility status results in dangerous exposures to employees.

### **Fire Protection Plan**

All Boston Botanical employees, supervisors, and managers are expected to follow the procedures outlined in this plan to ensure that employees and consumers are protected. The Facility Manager

and the Chief Executive Officer are responsible for the control of accumulation of flammable or combustible waste materials. In addition, the Facility Manager is responsible for maintenance of equipment and systems installed to prevent or control ignitions of fires (ex. Fire Extinguishers, fire hoses, etc.)

All Boston Botanical will be trained on and are responsible for understanding the following Safe Code of Work Practices:

- Flammables, including data sheets, books, rags, clothing, flammable liquids or trash shall not be placed or stored near heaters or their vents, any electrical appliance, or other potential sources of ignition.
- Sources of actual or potential heat such as hot plates or electric coffee pots shall not be placed near flammable materials. Portable space heaters and candles are prohibited.
- Care must be taken not to block potential escape routes, particularly with flammable materials.
- Each individual is personally responsible for assuring that extension cords and multiple plugs are in good condition. Cords that are missing the grounding prong, are spliced together, or that are missing their protective sheath shall not be used.

Additionally, fire control measures installed or available in work areas include installed and monitored sprinkler systems, fire extinguishers and fire alarms systems. The Facility has numerous Fire Extinguishers throughout the facility.

### **Emergency Action Plan**

The Boston Botanical emergency action plan serves to outline procedures for handling of emergency situations. This SOP shall apply to all employees. These protocols ensure the safety of all personnel in an emergency situation. The Compliance Officer will oversee policy compliance for personnel under his or her supervision. Facility managers are responsible for oversight of all the employees and all emergency procedures. All Boston Botanical employees will adhere to the policies and SOPs in this manual. All employees will have proper training in emergency preparedness as a condition of employment.

#### *Response to a Medical Emergency*

Medical problems may range from minor, isolated events such as a fall down the stairs to the significant events involving many people. All employees will be trained in the following responses to medical emergencies:

- They should assess the situation.
- If the person is conscious, Agents should ask him or her to tell them if anything hurts. If unconscious, Agents should gently inspect the person for obvious signs of injury.
- Agents should not move the person (especially if he or she indicates any pain) unless Agents are in imminent danger of further injury, e.g., an approaching fire.
- Agents should ask someone else to call 911 if Agents are helping an injured person.

- Agents should also call the manager if he or she is not present and inform them of the situation, the location, etc.
- Agents may render first aid if Agents are knowledgeable and willing, but if possible should wait for qualified personnel to deliver medical attention.
- Agents should ask someone else to recover the first aid kit to utilize during the emergency and avoid coming in contact with blood, vomit, or other bodily fluids without the use of rubber gloves.
- Agents should not provide or administer any medicines and defer to emergency personnel once Agents arrive.
- Agents should limit their conversation with the person to reassurances and not discuss their injury, the accident, or what circumstances might have contributed to its cause, if possible.
- After the person has been given first aid and the incident is over, Agents should provide police or other emergency personnel with any details that Agents know.
- After the medical emergency is over, the injured person, witness, and/or supervisor should formally document the incident and maintain a record of it.

#### Response to a Fire Emergency

- Activate nearest fire alarm (if installed)
- Notify the local fire department by calling 911
- If no fire alarm is available notify on-site personnel via:
  - Voice communication
  - Phone paging
  - Radio
- Fight the fire ONLY if:
  - The fire department has been notified
  - The fire is small and not spreading to other areas
  - Escaping the area is possible by backing up to the nearest exit
  - The fire extinguisher is in working condition and personnel are trained to use it
- Upon being notified of a fire emergency, occupants must:
  - Leave the building using designated escape routes
  - Assemble in the designated area
  - Remain outside until the competent authority (Designated Official or designee) announces that it is safe to re-enter.
- The Compliance Officer shall designate employees as emergency responders who shall:
  - Disconnect utilities and equipment unless doing so jeopardizes his/her safety
  - Coordinate an orderly evacuation of personnel
  - Perform an accurate headcount of personnel reported to the designated area
  - Determine a rescue method to locate missing personnel
  - Provide fire department personnel with the necessary information about the facility

#### Extended Power Loss

In the event of an extended power loss to this facility, precautionary measures should be taken including but not limited to:

- Unnecessary electrical equipment and instruments should be turned off if power restoration causes a surge that could damage electronics and sensitive equipment.

If the power loss causes freezing temperatures within the building the following measures should be taken:

- Emergency eyewash station should be drained of water to avoid freezing and cracking of pipes.
- Equipment that contains fluids that can freeze due to long-term exposure should be drained of all such fluids.
- Propylene-glycol may be added to drains to prevent traps from freezing.

Upon restoration of power (and heat):

- Electronic equipment should be brought up to ambient temperatures before energizing to prevent condensate from forming in circuitry.
- Water pipes should be checked for leaks after heat has been restored to prevent flooding.

### Chemical Spill

Spill containment and equipment to secure the area is located in the spill containment kit. Personal Protective Equipment (PPE) is located on supply shelves. Safety Data Sheets (SDS) are available online and printed versions are located in the Fertigation department, the Lab, and the Trim hallway.

When a large chemical spill (>4L) has occurred:

- Immediately notify the designated official and the emergency coordinator.
- Wear proper PPE such as gloves and eye protection.
- Contain the spill with available equipment (e.g. pads, brooms, absorbent powder, etc.)
- Secure the area and alert other personnel on site.
- Do not attempt to clean the spill up unless otherwise trained to do so.
- If anyone is injured, alert medically trained staff and call 911, if necessary.
- Call local spill cleanup company or fire department to perform cleanup on spill or for hazardous chemicals such as mercury.
- Evacuate building as necessary.
- In the event the spill is greater than 4L, the fire department or local spill cleanup company should be notified immediately.
- Dispose of all marijuana waste in a manner that is in accordance with the SDS and Disposal SOPs.

When a small chemical spill has occurred (<4L):

- Notify the emergency coordinator and/or supervisor.
- If toxic fumes are present secure the area to prevent other personnel from entering.
- Deal with spill in accordance with instruction in SDS.
- Wear proper PPE such as gloves and eye protection.
- Dispose of all waste in a manner that is in accordance with the SDS and Disposal SOPs.

### Bomb Threat

In the event of a bomb threat made in person or over the phone:

- Be calm and listen,
- Do not interrupt the caller,
- Record your name, time, and date,
- Record the following about the caller's identity:
  - Sex (Male or female)
  - Adult or juvenile
  - Origin of call (local, long distance, telephone booth):
  - Voice characteristics: loud/soft, high pitch/deep, raspy/pleasant, intoxicated, other
  - Accent: local/not local, foreign/regional, race
  - Speech: fast/slow, distinct/distorted, stutter/slurred/nasal
  - Manner: calm/angry, rational/irrational, coherent/incoherent  
deliberate/emotional, righteous/laughing
  - Language: excellent, good, fair, poor, foul
  - Background noises: factory, trains, machines, animals, music, quiet, office, voices, airplanes, street, party, traffic, atmosphere
- If told, record all the following facts:
  - When will it go off
  - Where is it located
  - What kind of bomb
  - What kind of package
- While on the phone or handling the person deploy the silent alarm button nearest your position.
- If the threat is made by phone, signal personnel to evacuate the facility immediately.
- As soon as possible call 911 and all company emergency contacts.

### Flood

- Stay calm and await instructions from designate emergency personnel or first responders.
- Shut down all utilities and equipment if it is safe to do so.
- Follow the recommended primary or secondary evacuation routes.

### Blizzard

- Stay calm and await instructions from designate emergency personnel or first responders.
- Stay indoors.
- If there is no heat:
  - Close off unneeded rooms or areas
  - Stuff towels or rags in cracks under doors
  - Cover windows
  - Eat and drink. Food provides the body with energy and heat. Fluids prevent dehydration.
  - Wear layers of loose-fitting, lightweight warm clothing, if available.



### Armed Robbery

All employees will be trained on how to respond to an armed robbery. Agents will receive initial training as a component of onboarding, re-fresher training annually and as needed throughout the year:

- 1) If a firearm is displayed, Agents should assume it is real and loaded.
- 2) Agents should not do anything that would jeopardize their safety or the safety of others.
- 3) Agents should remain calm and not make any sudden moves. If Agents must put their hands into a pocket or make any other moves, explain the action before doing it. If the robber(s) have a weapon, they will likely use it if provoked.
- 4) Agents should activate alarms ONLY if Agents can do so safely and without detection.
- 5) Agents should follow the directions of the robber(s), but not volunteer to anything more than asked.
- 6) If the robber hands them a note, Agents should drop it on the floor or place it out of sight to retain as evidence.
- 7) Agents should study the robber(s) as carefully as possible without being obvious, noting height, weight, race, age, clothing, jewelry, sex, speech characteristics, scars, tattoos, physical characteristics, gait, and method of operation.
- 8) Agents should note the number of accomplices and where they stood, paying special attention to the way the robbers address each other because under stress, they may use real names.
- 9) Agents should note the type of weapon used by the robber and where he or she carried it.
- 10) Agents should note the direction in which the robber(s) departed and how they carried the money or cannabis away (sack, bank bag, etc.).
- 11) Agents should try to remember exactly what the robber(s) said.
- 12) Agents should prioritize their safety and the safety of others because money or cannabis can be recovered or replaced but a life cannot.

After an armed robbery, any employee can call 911 to report the robbery and provide their name and location. Agents should not leave the phone until they have answered all of the operator's questions. If injury occurred, Agents should advise the police if an ambulance is needed. The person who actually dealt with the robber(s) should be near the person designated to telephone the police to assist in answering any questions.

As soon as the robbery has been reported to the police, the employees should lock all doors, ask all witnesses to remain, and allow no one to enter until officers arrive. Agents should not touch anything. All persons who dealt with the robber or were present during the robbery should immediately begin writing all they can remember of the incident but not discuss the robbery with anyone until after Agents have given their information to the police.

### Active Shooter

The U.S. Department of Homeland Security defines an active shooter as "an individual actively engaged in shooting or attempting to shoot people in a confined and populated area." Boston Botanical will teach all employees the DHS-recommended procedures of Run.Hide.Fight. if they find themselves in an area with an active shooter:

- 1) **Evacuate (RUN):** If employees are in the building where an active shooter is present, they should look and listen for indications of where the threat is. If they see people fleeing from a particular area, they know that the threat is in that area and could be coming toward them. They can try to evacuate the building if the nearest route is away from the active shooter or move to a room that can be locked (safe room). If they cannot evacuate or move to a safe room, they should move away from the threat and away from the noise and commotion.
- 2) **Lockdown and Shelter-in-Place (HIDE):** If they cannot safely evacuate the area, the best option is for the employees to find a room with a door that locks from the inside. If the door does not lock, they should barricade it with large heavy objects such as desks, tables, file cabinets, furniture, and books to make entry as difficult as possible. They should locate an area with ballistic cover, not just visual concealment, because cover stops and slows bullets while concealment does not. If for some reason the employees are caught in an open area such as a hallway or reception area, they can try to hide, remain as quiet and calm as possible, or “play dead” to avoid detection.

Employees should also:

- Cover windows and draw blinds
- Turn off radios and computer monitors
- Keep out of sight
- Silence cell phones and remain as quiet as possible

**Confront the Shooter (FIGHT):** If the employees come face to face with the assailant, as a last resort and because no single procedure can be recommended in this situation, they should attempt to quickly overpower the individual with force in the most violent manner possible. If the employees are with other people they should work as a collective group to overcome the shooter by yelling “Gun!”, throwing items at the shooter’s head to distract him or her, grabbing the weapon, or holding the shooter for police. They should remember that in most cases, the attacker will continue to shoot victims unless he or she is stopped.

### **Emergency Training**

Boston Botanical will prioritize frequent training so all employees are familiar with the contents of the emergency management plan. Boston Botanical will plan and schedule the emergency exercises to minimize disruption of normal business operations and maximize participation of employees and management. Due to the severity of many emergencies, Boston Botanical will conduct semiannual emergency training exercises including bomb threat, fire, active shooter, armed robbery, and medical emergency drills and maintain a record of all training, noting any issues during these drills, so that solutions will be implemented before the next drill. Training will include the emergency evacuation plan, including regular evacuation drills that practice varying escape routes in the event the designated evacuation route is not available.

## Exhibit F: Prevention of Diversion

Boston Botanical's operating policies and procedures ensure prevention of diversion, theft, and illegal or unauthorized conduct pursuant to the Commission's Adult Use of Marijuana regulations codified in 935 CMR 500.000. Considerations regarding diversion prevention measures include, but are not limited to, marijuana establishment agent and consumer accountability, and identifying, recording, and reporting diversion, theft, or loss. Marijuana in the process of transport, analysis, or retail sale is to be stored and tracked in a manner that prevents diversion, theft, or loss.

More specifically, diversion measures include policies and procedures requiring that:

- Employees are made aware of crime prevention techniques pursuant to 935 CMR 500.105(1)(b).
- Any marijuana establishment agent who has diverted marijuana will be immediately dismissed, which will be reported to law enforcement and to the Commission pursuant to 935 CMR 500.105(1)(m).
- All employees involved in the handling and sale of marijuana for adult use will complete a responsible vendor training program with a curriculum covering diversion prevention and prevention of sales to minors and will comply with all other marijuana establishment agent training requirements under 935 CMR 500.105(2).
- Boston Botanical will only engage in reasonable marketing, advertising, and branding practices that do not promote the diversion of marijuana and that comply with all other marketing and advertising requirements under 935 CMR 500.105(4).
- Warning statements required by the Commission's regulations will be affixed to all applicable products, and Boston Botanical's labels will comply with all other labeling of marijuana and marijuana products requirements under 935 CMR 500.105(5).
- Tamper or child-resistant packaging will be used for applicable marijuana products, and Boston Botanical's products will comply with all other packaging of marijuana and marijuana products requirements under 935 CMR 500.105(6).
- Boston Botanical will maintain real-time inventory and will track and tag all marijuana seeds, clones, plants, and marijuana products, using Metrc as the seed-to-sale methodology in a form and manner to be approved by the Commission.
- Records will be kept for inventory, seed-to-sale tracking for all marijuana products, personnel (including documentation of the completion of required training), and waste disposal, and Boston Botanical will comply with all other record keeping requirements under 935 CMR 500.105(9).
- Marijuana that is outdated, damaged, deteriorated, mislabeled, or contaminated, or whose containers or packaging have been opened or breached, will be stored in a separate area, until such products are destroyed; and Boston Botanical will comply with all other storage requirements under 935 CMR 500.105(11).
- Two or more marijuana establishment agents will witness and document how the marijuana waste is disposed or otherwise handled, and Boston Botanical will comply with all other waste disposal requirements under 935 CMR 500.105(12).
- All transported marijuana products will be linked to Metrc; all vehicles transporting marijuana will be staffed with a minimum of two marijuana establishment agents; and any

vehicle accidents, diversions, or other reportable incidents that occur during transport will be reported to the Commission and law enforcement within 24 hours. Boston Botanical will comply with all other transportation requirements under 935 CMR 500.105(13).

- All security requirements under 935 CMR 500.110 will be followed, including:
  - Implementing sufficient safety measures to deter theft of marijuana and marijuana products and prevent unauthorized entrance into areas containing marijuana and marijuana products at Boston Botanical' adult-use marijuana establishment location to protect the premises, employees, Boston Botanical' agents, consumers, and the general public;
  - Adopting procedures to prevent loitering and to ensure that only individuals engaging in activity expressly or by necessary implication permitted by the Commission's regulations and its enabling statute are allowed to remain on the premises;
  - Storing all finished marijuana products in a secure, locked safe or vault in such a manner as to prevent diversion, theft, and loss;
  - Restricting access to employees, agents or volunteers specifically permitted by Boston Botanical, agents of the Commission, state and local law enforcement and emergency personnel, and all other limited access areas requirements under 935 CMR 500.110(4);
  - Implementing an adequate security system to prevent and detect diversion, theft or loss of marijuana, notifying law enforcement and the Commission within 24 hours of a diversion, theft or loss of any marijuana product, and all other security and alarm requirements under 935 CMR 500.110(5); and
  - Obtaining, at Boston Botanical' own expense, a security system audit by a vendor approved by the Commission, and all other security audits requirements under 935 CMR 500.110(10).

**Zoning Board of Appeals  
Lakeville, Massachusetts  
Minutes of Meeting  
January 19, 2021  
Remote meeting**

On January 19, 2021, the Zoning Board held a remote meeting. It was called to order by Chairman Olivieri at 7:00. LakeCam was recording, and it was streaming on Facebook Live.

**Members present:**

John Olivieri, Jr., Chair; Jeffrey Youngquist, Vice-Chair; Nora Cline, Clerk; Gerald Noble, Associate Clerk; Chris Carmichael, Member; Christopher Campeau, Associate; Christopher Sheedy, Associate

**Also present:**

Jamie Bissonnette, Zenith Consulting Engineers (ZCE); Louis Vermette, applicant; Christopher Chapin, applicant; Martin Levin, Dennis Brienzo, Mellisa and Jeff Cornell, abutters

**Agenda item #1**

Mr. Olivieri read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

**Bedford Holdings hearing - 33 Bedford Street**

Mr. Olivieri opened the Bedford Holdings hearing at 7:00 and read the legal ad into the record. Mr. Jamie Bissonnette from Zenith Consulting Engineers was present for the applicant. He then shared his screen to display the Site Plan. He advised that several months back the sign was hit and the base and pole structure were damaged. From what he understood, the Mobil sign on top was also broken. A sign company was brought in to try to repair the sign but because of the damage to the pole a new pole and structure would be required. Mobil, who has the rights to the distribution of gas at the site, provided them with their smallest sign. Mr. Bissonnette said that was part of their application which is essentially to replace, in the same place, this new proposed sign which will meet the ten-foot setback, be completely on site, but going over the square footage allowed by right under the bylaw. He then shared a picture of the proposed sign. Mr. Bissonnette explained the sign would have the Mobil and Synergy technology. It would also display regular price, the diesel price, and beer and wine. He was not sure if



the bottom portion would say lottery or convenience store. He was happy to answer any questions at this time.

Mr. Olivieri said it appears that the only digital aspect to the sign is the price of the gas. Mr. Bissonnette said that was correct. Mr. Olivieri then read the correspondence from the various Town Boards into the record. The January 13, 2021, letter from the Conservation Commission said there were no wetland issues with the project. The Planning Board memo of January 19, 2021, recommended the application not be approved unless the size of the sign is reduced and complies with the bylaw. The Board of Health email indicated they had no issue with the petition.

Ms. Cline asked Mr. Bissonnette if he knew the size of the current sign. He replied that he did not have an exact measurement on that sign. He noted that the sign for the Mobil was up now but he had been told it had been difficult to find a replacement. He then displayed what was currently there but the Mobil sign was now on top. Ms. Cline said in her opinion there was not a need to go beyond the current sign size and allow a larger size than what their bylaws currently permit. Mr. Bissonnette said that in regards to this structure, where the vehicle actually hit the pole is what is causing the entire structure to have to be replaced. In order to recreate the present sign, it would be a custom sign. The Mobil sign that was in front of them is a standard sign that is at the majority of Mobil stations. He noted the sign is comparable but a little smaller than the one approved by the Zoning Board located at the Shell/Seasons which is approximately 65 square feet.

Ms. Cline asked if they planned on pulling out the shrubbery that is now there. Mr. Bissonnette said they are planning to revegetate the entire island. They will remove what is there and replace it with new low growth shrubbery allowing you to see the sign while enhancing the vegetative ground cover. Mr. Carmichael said he agreed with Ms. Cline and thought the size of the sign was a little too large. Would the new shrubbery increase or decrease the sight line and would that new sign impede traffic pulling in and out of the site? Mr. Bissonnette replied it would not do either as they were going to use low growth vegetation. He noted the edge of the closest part of the sign would be ten feet off of the property line and the right of way is even further. Cars will have plenty of sight visibility. Mr. Carmichael said his suggestion would be to combine beer, wine, and lottery as one line of the sign. Mr. Bissonnette said that is something they could consider if that was what the Board was looking for.

Mr. Youngquist said he noticed the sign was larger than the original but the Shell sign was larger. He did not have a problem with it. Mr. Sheedy asked if there was any information on the original sign. Mr. Bissonnette said that it was old. He believed it had been permitted just through the Building Department. Mr. Noble asked if there was any documentation from Mobil indicating that was the smallest sign available. Mr. Bissonnette replied when he was on site with the owner of the station who explained what he was looking for, they called the sign people for Mobil and they had emailed him a larger sign. He explained to them he felt that square footage would be difficult to approve which resulted in them sending him the smaller sign.

Mr. Noble also asked if it was necessary to have the multiple lines beyond the fuel pricing which was necessary. Mr. Bissonnette said he has spoken with the owner and at a bare minimum he does need at least one panel because there is a convenience store inside. He didn't know if it would say beer and wine and lottery or the convenience store's name. The owner felt that because the Shell station was given a larger sign with multiple sign lines, he shouldn't have a problem. However, he could forego having one of those panels, and his client would be amenable to that.

Mr. Campeau asked if the maximum height and width was the same as the old sign. It appeared that the usable space might be a little more. Mr. Bissonnette replied that this sign is off to one side so the pole instead of being a center mounted sign, it's a side mounted sign. In perspective, he didn't think the overall height would be much different. This sign is not that tall and it is not as tall as the Shell sign which is somewhere around 22 feet above grade. This sign was at 17.3 feet. He would estimate they were in the same range within possibly a foot or two of what is there now. He noted that he tries to take this Board's recommendations to heart as he moves forward and advises his clients, but he did want them to be cognizant that a sign was approved for a competitor within the past few years. They would just want to be treated in the same light.

Mr. Olivieri asked if there were any questions or comments from anyone participating in the meeting. Mr. Carmichael noted the bylaw allows 32 square feet for a sign so this is almost twice that at 59 square feet. He didn't have that much of a problem with it but thought the bottom panel should go. He asked what the square footage of that panel was. He would be willing to make a motion to that effect. Mr. Olivieri said he knew the Shell station had been granted a Special Permit, and although the Board doesn't set precedent, he would be inclined to allow a sign no larger than that sign. He hesitates to grant relief to a certain degree for one property owner and not do the same for another.

Ms. Cline said she would agree with that comment. She was not aware of the other sign's size and that it had been approved by a previous Board. She thought Mr. Bissonnette had done a good job in keeping the sign smaller and in good taste. Her concern would be that someone else will then want to increase the size of their sign. Mr. Carmichael agreed. He felt they should stay within the general feeling of the bylaw and its intent to keep signs smaller.

Mr. Noble agreed but said that he disagreed with the idea of holding steady to the precedent set in the past. Mr. Olivieri agreed and said they do not set precedent and the Board can make any decision or determination they want. His personal feeling is these are duplicate businesses. Mr. Sheedy said as far as the competitive nature of it, he was not really seeing that argument. These are two gas stations but on opposite ends of the Town. He thought they had to adhere more strictly to the bylaw. As you go beyond the necessary fuel signage, it becomes more of a wish list of what type of message you want to convey as to what kind of business is inside. Mr. Youngquist then asked what the square footage of the bottom panel was. Mr. Bissonnette said it was approximately 7.9 square feet. That would then be 51.82 or 52 square feet.

Mr. Carmichael then made the motion, seconded by Mr. Youngquist, to approve the petition with the following restriction:

1. The sign will be no larger than 51.83 square feet.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Ms. Cline-Aye, Mr. Olivieri – Aye, Mr. Noble-Nay The motion passes.

Ms. Murray explained the timing of the filings, the appeal period, etc.

The hearing closed at 7:30.

**Documents distributed for the hearing:**

Petition packet

Legal ad

Conservation Commission correspondence of January 13, 2021

Planning Board correspondence of January 19, 2021

**Vermette hearing – 5 Ash Street**

Mr. Olivieri opened the Vermette hearing at 7:31. Ms. Murray then read the legal ad into the record. Mr. Olivieri said the Conservation Commission letter of January 13, 2021, indicates there is no hearing scheduled. Demolition of a structure would require a Request for Determination and new construction and/or a septic system upgrade may require a Notice of Intent. He stated the Board of Health had no issue with removing the seasonal deed restriction based on an email received from the Health Agent. The Planning Board memo of January 15, 2021, stated the Board had no comments regarding the petition.

Mr. Vermette explained that originally, he had a seasonal home property. He bought the lot behind it which had a two-bedroom dwelling located on it. According to the approval of the new septic design, he had to remove that dwelling and could not increase the flow. The lot size went from 10,000 square feet to over 21,000 square feet. It now has a fairly new house, septic system, and well. There is currently a three-bedroom deed restriction on this property. He would like to remove the seasonal restriction and have it as a year-round home. Mr. Olivieri noted that if the Board approved the request, Mr. Vermette would still have to go before the Board of Health and have a Title V inspection. The Board of Health would also have to remove their seasonal restriction as both Boards have it on there. Mr. Olivieri said he thought the seasonal deed restrictions more appropriately belong with the Board of Health as they are usually put on because of septic issues and capacity. If the Board of Health was in favor of it, then he was in favor of it. They do need to make sure that if they allow it, there is a condition that it would be contingent upon the Board of Health removing their restriction as well. Mr. Vermette said he had done a Title V and everything had passed.

Mr. Carmichael then read into the record the definition of seasonal residence. It is a dwelling with a substandard septic design not meeting minimum Title V requirements for a year-round residence. If Mr. Vermette has a new septic system, it doesn't qualify for that definition anymore so he would be in favor. Mr. Olivieri agreed. He asked if Board members had any questions or comments. There were none.

Mr. Olivieri said he would entertain a motion to remove the seasonal deed restriction contingent upon the Board of Health removing their deed restriction. Mr. Youngquist made that motion. It was seconded by Mr. Noble. Mr. Vermette said he thought the Board of Health had already removed the restriction. Mr. Olivieri replied he was going by the latest information that he had which was today's email from the Health Agent.

Mr. Carmichael then suggested amending the motion to remove the seasonal deed restriction pending Board of Health sign off. Mr. Youngquist agreed and made that amendment. Mr. Noble seconded it.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Ms. Cline-Aye, Mr. Noble -Aye, Mr. Olivieri – Aye

Ms. Murray explained the timing of the filings, the appeal period, etc.

The hearing closed at 7:41.

**Documents distributed for the hearing:**

- Petition packet
- Legal ad
- Board of Health email of January 19, 2021
- Conservation Commission correspondence of January 13, 2021
- Planning Board correspondence of January 19, 2021

**Chapin hearing – 41 Clark Road**

Mr. Olivieri opened the Chapin hearing at 7:42 and read the legal ad into the record. Mr. Olivieri asked Mr. Chapin to explain what he was doing. Mr. Chapin advised he had purchased a pre-existing, two-bedroom home in the fall. It is a smaller home so he was just looking to expand the space. There is a pre-existing deck that is in place so he would like to enclose it to add to the square footage of the property. The property is currently 794 square feet and this would add 180 square feet. The lot coverage would increase from 14.2% to 17.4%. He noted this would not encroach any further into the setbacks.

Mr. Olivieri then read the January 13, 2021, letter from the Conservation Commission into the record. There were no wetland concerns at this property. The January 15, 2021, memo from the Planning Board stated they had no comment on the petition. Mr. Olivieri asked if there had been any comments from the Board of Health. Ms. Murray replied it

was on the Board of Health's agenda for an upgrade to the system. Mr. Olivieri stated if they were to move forward, they would probably condition it on Board of Health approval.

Mr. Olivieri asked if there were any comments or questions from Board members. Mr. Youngquist asked if they were just enclosing the existing deck. Mr. Chapin said that was correct. He noted that sometimes they then turn into bedrooms. Mr. Chapin said there would be two bedrooms, and they were only making the existing space larger. Mr. Olivieri said he would leave that in the purview of the Board of Health as bedrooms are a component of septic. Mr. Chapin would have to go in front of the Board of Health for approval.

Mr. Carmichael made a motion, seconded by Mr. Noble, to approve the petition as submitted with the following condition:

1. Board of Health and Building Department approval will also be required.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Ms. Cline-Aye, Mr. Noble -Aye, Mr. Olivieri – Aye

Ms. Murray explained the timing of the filings, the appeal period, etc.

The hearing closed at 7:50.

**Documents distributed for the hearing:**

Petition packet

Legal ad

Conservation Commission correspondence of January 13, 2021

Planning Board correspondence of January 15, 2021

**Chapin hearing – 31 Pilgrim Road**

Mr. Olivieri open the Chapin hearing at 7:50 and read the legal ad into the record. Mr. Chapin advised he was expanding the foot print in this petition but he was expanding an existing bedroom. He was pushing the wall out but maintaining the setback from the septic system and leaving space between the existing shed/carport. Mr. Olivieri then read the January 13, 2021, letter from the Conservation Commission into the record. It stated there was no hearing scheduled but the proposed construction in areas adjacent to the wetland would require a Request for Determination of Applicability (RDA) at a minimum. The January 15, 2021, memo from the Planning Board stated they had no comment on the petition. The Board of Health also had no issue with the petition. Mr. Olivieri asked if Board members had any comments or questions. There were none.

Ms. Cline then made the motion to grant the request to increase the size of the existing bedroom by 90 square feet on a pre-existing non-conforming dwelling located on a non-

conforming lot. Mr. Youngquist seconded the motion. Mr. Noble noted that it was actually 91 square feet. Ms. Cline amended her motion to approve the petition as applied for. Mr. Youngquist seconded the amended motion.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Ms. Cline-Aye, Mr. Noble -Aye, Mr. Olivieri – Aye

The hearing closed at 7:50.

**Documents distributed for the hearing:**

- Petition packet
- Legal ad
- Conservation Commission correspondence of January 13, 2021
- Planning Board correspondence of January 15, 2021

**Meeting minutes**

Ms. Cline made a motion, seconded by Mr. Youngquist, to approve the minutes from the December 15, 2020, meeting.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Ms. Cline-Aye, Mr. Campeau-Aye, Mr. Sheedy- Aye, Mr. Olivieri – Aye  
Mr. Noble -Abstain

**Adjourn**

Ms. Cline made a motion, seconded by Mr. Youngquist, to adjourn the meeting.

**Roll Call Vote:** Mr. Youngquist-Aye, Mr. Carmichael-Aye, Mr. Noble-Aye, Ms. Cline-Aye, Mr. Sheedy- Aye, Mr. Campeau-Aye, Mr. Olivieri – Aye

Meeting adjourned at 7:57.