

TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp
received & posted:

K. DeCoy

LAKEVILLE TOWN CLERK
RCUD 2023 MAY 5 AM 8:05

48-hr notice effective
when time stamped

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

Name of Board or Committee:	Zoning Board of Appeals
Date & Time of Meeting:	Thursday, May 18, 2023 at 7:00 p.m.
Location of Meeting:	Lakeville Public Library 4 Precinct Street, Lakeville, MA 02347
Clerk/Board Member posting notice:	Cathy Murray

Cancelled/Postponed to: _____ (circle one)

Clerk/Board Member Cancelling/Postponing: _____

A G E N D A

1. **Thompson hearing – 4 Hollis Avenue**– request for a **Special Permit** under **6.1.3** and **7.4** to expand an existing deck located in the side setback on a pre-existing, non-conforming lot.
2. **Darling hearing – 13 Dunbar Road**– request for a **Special Permit** under **7.4.6** to construct a garage that would be within the setbacks located on a pre-existing, non-conforming lot.
3. **Bell hearing – 113 Staples Shore Road**– request for a **Special Permit** under **6.1.3** and **7.4** to raze a pre-existing, non-conforming dwelling and construct a new dwelling located on a pre-existing, non-conforming lot.
4. **Lakeville Nursery Redevelopment LLC, hearing – 5 Harding Street** - request for a **Special Permit** under **4.1.2** and **7.4** to allow the use of auto service on the site.
5. **Approve Meeting Minutes for March 30, 2023.**
6. **Correspondence**
7. **Next meeting . . . Thursday, June 15, 2023 at the Lakeville Public Library.**
8. **Adjourn**

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

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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, May 18, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Mark Thompson**. A **Special Permit** is requested under **6.1.3** and **7.4** for a 12' x 12' expansion to an existing deck which is located in the side setback on a pre-existing non-conforming structure located on a pre-existing, non-conforming lot. The property site is **4 Hollis Avenue** and is owned by **Mark R. and Beth A. Thompson**.

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

John Olivieri, Jr., Chairman

May 4, 2023 & May 11, 2023



Town of Lakeville

Board of Health
241 Main Street
Lakeville, MA 02347

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

May 10, 2023

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

Re: 4 Hollis Avenue

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 4 Hollis Avenue. The Board of Health has reviewed the "Plot Plan Proposed Deck" dated 4/11/23 for 4 Hollis Av, which shows the existing septic tank 3 ft from the proposed deck. The plan does not show the location of the footings to support the deck. Please either provide a location of the footings or ensure that the footings are greater than 5 ft from the tank. The Lakeville Board of Health regulation 2.4 requires that

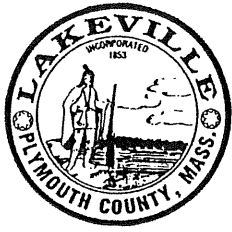
No structure (like sonotubes, decks, sheds, etc.) shall be within 5 feet of any component.

The applicant needs to confirm that no footings or sonotubes will be within 5 ft of the existing septic tank prior to building, or request a waiver from the Board of Health.

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

Sincerely
For the Board of Health

Edward Cullen
Health Agent



Town of Lakeville

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

Mark Knox, Chairman
Michele MacEachem, Vice Chairman
John Cabral
Nora Cline
Jack Lynch

MEMORANDUM

TO: Board of Appeals
FROM: Planning Board
DATE: May 12, 2023
SUBJECT: Petition Review for Thompson – 4 Hollis Avenue

At their Thursday, May 11, 2023, 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
APR 14 2023

BOARD OF APPEALS

Name of Petitioner: Mark Thompson

Mailing Address: 4 Hollis Ave, Lakeville MA, 02347

Name of Property Owner: Mark + Beth Thompson

Location of Property: 4 Hollis Ave, Lakeville MA 02347

Property is located in a residential business industrial (zone)

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

Map 42 Block 6 Lot 7

Petitioner is: owner tenant licensee prospective purchaser

Nature of Relief Sought:

Special Permit under Section (s) _____ of the Zoning Bylaws

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

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

_____ Date of Denial

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

I am requesting variance to add a 12' x 12'
deck to my existing side entrance porch area.
The deck will attach to rear of house 8'
along rear wall.

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: Mark Thompson

Date: 4-13-2023

Signed: Mark Thompson

Telephone: 781-831-4058

Owner Signature: _____
(If not petitioner)

Owner Telephone: same

Email: bnm6164@comcast.net

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

_____ Yes No

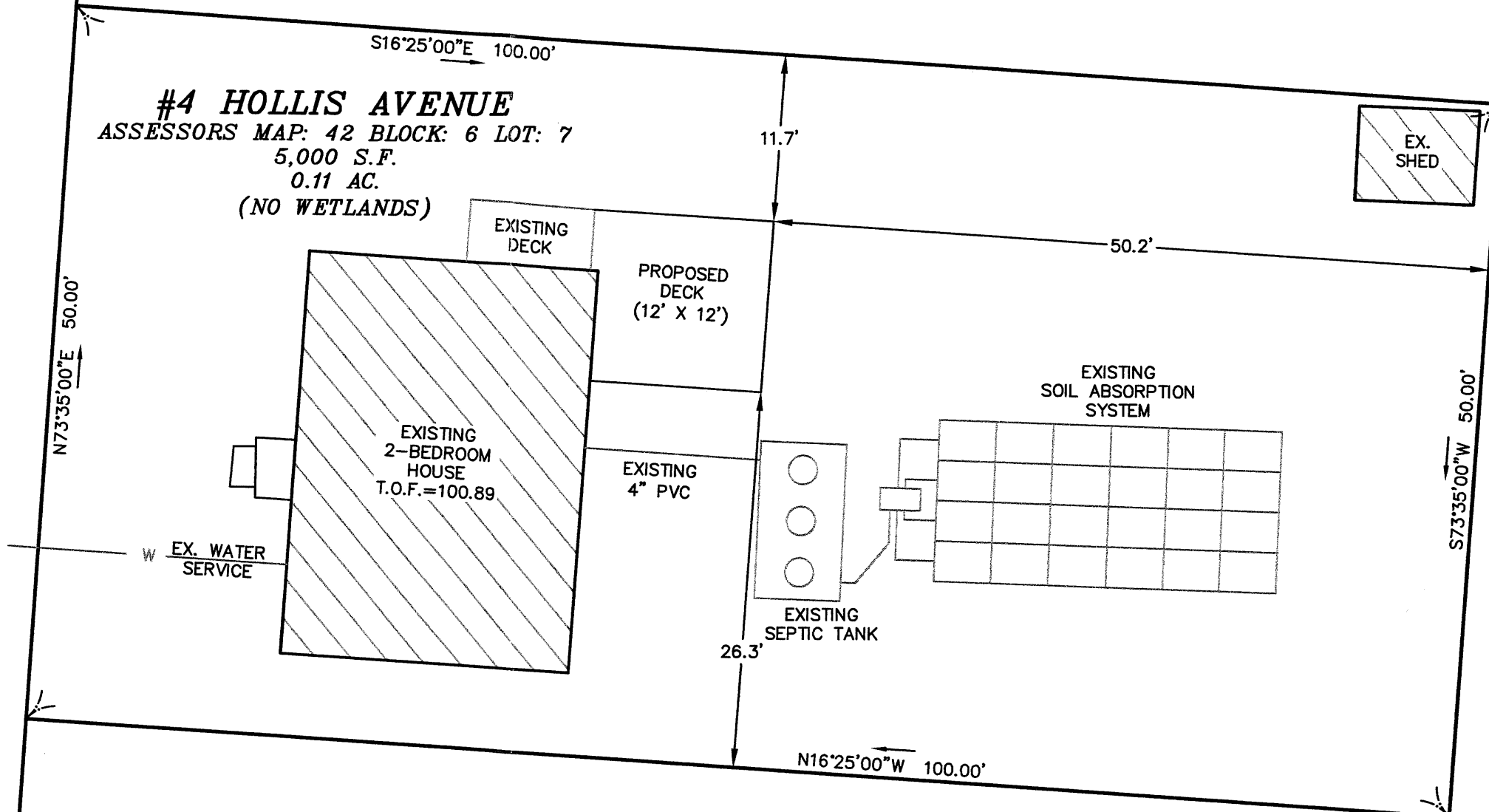
(Name and Title)

HOLLIS AVENUE
(GRAVEL ROAD)

N/F
CARTER, THOMAS J. & COLLEEN M.
"#6 HOLLIS AVENUE"
ASSESSORS MAP: 42 BLOCK: 6 LOT: 6

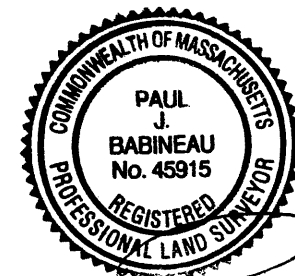
N/F
DIRICO, WENDY L.
"#8 ASH STREET"
ASSESSORS MAP: 42 BLOCK: 6
LOT: 2

#4 HOLLIS AVENUE
ASSESSORS MAP: 42 BLOCK: 6 LOT: 7
5,000 S.F.
0.11 AC.
(NO WETLANDS)



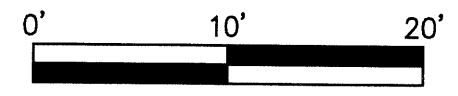
N/F
DANIEL M LAING & BRITTANEY N FOSTER
"#41 CLARK ROAD"
ASSESSORS MAP: 42 BLOCK: 6 LOT: 9
(NO WELL, ON TOWN WATER)

N/F
MACHADO, EMANUEL
"#2 HOLLIS AVENUE"
ASSESSORS MAP: 42 BLOCK: 6 LOT: 8



4-11-23

PLOT PLAN
PROPOSED DECK
AT
4 HOLLIS AVENUE
IN
LAKEVILLE
MASSACHUSETTS



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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, May 18, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Ronald W. Darling**. A **Special Permit** is requested under **7.4.6** to construct a 12' x 20' garage that would be within the setbacks and would be located on a pre-existing, non-conforming lot. The property site is **13 Dunbar Road** and is owned by **Ronald W. Darling** and **Patricie Grady**.

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

John Olivieri, Jr., Chairman

May 4, 2023 & May 11, 2023



Town of Lakeville
Board of Health
241 Main Street
Lakeville, MA 02347

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

May 10, 2023

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

Re: ZBA meeting May 18

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 13 Dunbar Ln, and the Board of Health has reviewed the "Special Permit Plan dated 12/8/22 for 13 Dunbar Ln. Providing that there is no living space in the proposed 1 car garage, then the Board of Health has no objections to the proposed garage.

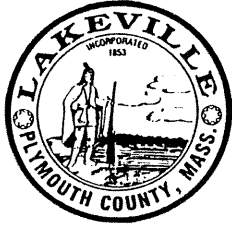
We received a copy of the Petition for Hearing for 113 Staples Shore Rd. The Board of Health has reviewed the "Plan to accompany a ZBA petition" dated 4/26/23 for 113 Staples Shore Rd and the architectural plans from South Coast and Associates dated 8/23/22. The architectural plans are for a dwelling that would be defined as a 4-bedroom dwelling according to the Title 5 definition, because the "Den/Office" on sheet A.3 is considered a bedroom. The septic system is designed for a 3-bedroom dwelling. Therefore, the proposed house would not be compliant with the existing septic system. The Board of Health recommends to redesign the proposed house for a 3-bedroom dwelling.

We received a copy of the Petition for Hearing for 5 Harding Street. The Board of Health has reviewed the "Site Plan for Lot 1 part of 5 Harding and 39 Cross St". revised 10/21/19, which shows a proposed commercial building, that will be connected to municipal water on Harding St. The upland area on the lot is sufficient to install a septic system for the commercial building. Thus, the Board of Health has no objections to the proposed commercial building.

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

Sincerely
For the Board of Health

Edward Cullen
Health Agent



Town of Lakeville

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

Mark Knox, Chairman
Michele MacEachem, Vice Chairman
John Cabral
Nora Cline
Jack Lynch

MEMORANDUM

TO: Board of Appeals

FROM: Planning Board

DATE: May 12, 2023

SUBJECT: Petition Review for Darling – 13 Dunbar Road

At their Thursday, May 11, 2023, 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

EXHIBIT "A" RECEIVE APR 27 2023

ZONING BOARD OF APPEALS PETITION FOR HEARING

BOARD OF APPEALS

Name of Petitioner: Ronald w Darling RONAFD@COMCAST.NET

Mailing Address: 12 Dunbar Rd

Name of Property Owner: Ronald w Darling

Location of Property: 13 Dunbar Rd

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

Registry of Deeds: Book No. 47374 Page No. 239

Map 39 Block 5 Lot 12

Petitioner is: X owner tenant licensee prospective purchaser

Nature of Relief Sought:

X Special Permit under Section (s) 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.)

I am requesting to build a 1 car garage in the location shown on the submitted plan. The building is in place of one torn down to work on case # 17-01 permitted house replacement.

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: Ronald w Darling

Date: 12/8/2022

Signed: Ronald w Darling

Telephone: 508 254-4865

Owner Signature: (If not petitioner)

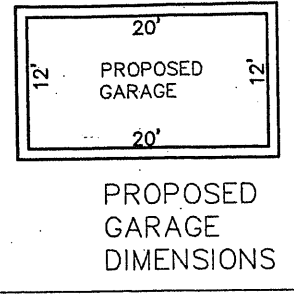
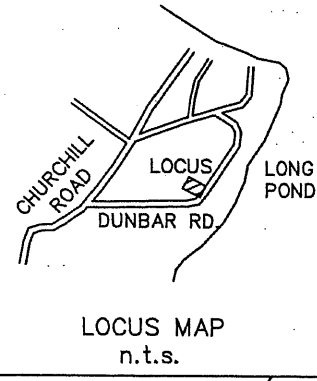
Owner Telephone: Same

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

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

Yes X No

(Name and Title)



39-5-10
n/f R. & J. GROSS

39-5-11
n/f G. GROSS &
C. PERRY

39-5-14

39-5-13
n/f R. GONCALVES

39-5-25
n/f R. GONCALVES

39-5-26
n/f A. SCAFFIDI &
W. BAKER

DUNBAR ROAD

DUNBAR ROAD

ROAD

EDGE OF RIGHT OF WAY

MAP 39, BLOCK 5, LOT 12
6,156 S.F.±

NOTES:

THE PURPOSE OF THIS PLAN IS TO REQUEST A SPECIAL PERMIT UNDER SECTION 7.4.6 OF THE TOWN OF LAKEVILLE ZONING BY-LAWS TO ALLOW FOR THE CONSTRUCTION OF AN ACCESSORY BUILDING OR STRUCTURE (A GARAGE) LOCATED WITHIN THE REQUIRED SIDE OR REAR SETBACK ON A PREEXISTING NONCONFORMING LOT.

THE PROPOSED GARAGE WILL BE 1.0' AND 9.0' FROM TWO SIDELINES, INSTEAD OF THE REQUIRED 20'.

THE PROPOSED GARAGE WILL EXCEED THE SETBACK REQUIREMENTS FOR THE FRONT AND NORTH SIDE.

THE LOCATION OF THE DWELLING FOUNDATION COMPLIES WITH THE SETBACKS ALLOWED BY THE SPECIAL PERMIT GRANTED (CASE #17-01) BY THE ZONING BOARD OF APPEALS.

OWNER: RONALD W. DARLING & PATRICE GRADY-DARLING
247 NORTH WASHINGTON STREET
NORTH ATTLEBORO, MA 02760
DEED BOOK 47374, PAGE 239

LOCUS: 13 DUNBAR ROAD
ASSESSOR'S MAP 39, BLOCK 5, LOT 12

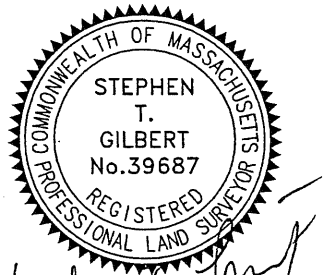
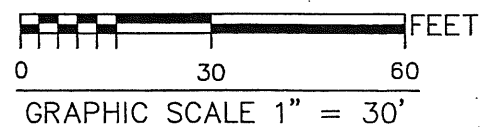
A SPECIAL PERMIT PLAN
IN LAKEVILLE, MA
FOR RONALD DARLING

DATE: DECEMBER 8, 2022

SENNA FITZGERALD GILBERT ASSOC.
SFG ASSOCIATES, INC.
28 MAIN STREET LAKEVILLE, MA 02347
(508) 946-5258 (508) 947-1090

LEGEND

- DEEP OBSERVATION HOLE
- EXISTING CONTOUR
- PROPOSED CONTOUR
- WELL
- WATER SERVICE
- UTILITY POLE
- OVERHEAD UTILITIES
- FENCE



Stephen T. Gilbert

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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, May 18, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Jeffrey Bell, trustee** and **Lori Bakirakis-Bell, trustee**. A **Special Permit** is requested under **6.1.3** and **7.4** to raze a pre-existing, non-conforming dwelling and construct a new dwelling on a new foundation located on a pre-existing, non-conforming lot. The property site is **113 Staples Shore Road** and is owned by **Jeffrey C. Bell Living Trust** and **Lori A. Bakirakis-Bell Living Trust**.

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

John Olivieri, Jr., Chairman

May 4, 2023 & May 11, 2023



Town of Lakeville
Board of Health
241 Main Street
Lakeville, MA 02347

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

May 10, 2023

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

Re: ZBA meeting May 18

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 13 Dunbar Ln, and the Board of Health has reviewed the "Special Permit Plan dated 12/8/22 for 13 Dunbar Ln. Providing that there is no living space in the proposed 1 car garage, then the Board of Health has no objections to the proposed garage.

We received a copy of the Petition for Hearing for 113 Staples Shore Rd. The Board of Health has reviewed the "Plan to accompany a ZBA petition" dated 4/26/23 for 113 Staples Shore Rd and the architectural plans from South Coast and Associates dated 8/23/22. The architectural plans are for a dwelling that would be defined as a 4-bedroom dwelling according to the Title 5 definition, because the "Den/Office" on sheet A.3 is considered a bedroom. The septic system is designed for a 3-bedroom dwelling. Therefore, the proposed house would not be compliant with the existing septic system. The Board of Health recommends to redesign the proposed house for a 3-bedroom dwelling.

We received a copy of the Petition for Hearing for 5 Harding Street. The Board of Health has reviewed the "Site Plan for Lot 1 part of 5 Harding and 39 Cross St". revised 10/21/19, which shows a proposed commercial building, that will be connected to municipal water on Harding St. The upland area on the lot is sufficient to install a septic system for the commercial building. Thus, the Board of Health has no objections to the proposed commercial building.

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

Sincerely
For the Board of Health

Edward Cullen
Health Agent



Town of Lakeville

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

Mark Knox, Chairman
Michele MacEachem, Vice Chairman
John Cabral
Nora Cline
Jack Lynch

MEMORANDUM

TO: Board of Appeals

FROM: Planning Board

DATE: May 12, 2023

SUBJECT: Petition Review for Bell – 113 Staples Shore Road

At their Thursday, May 11, 2023, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had no comments regarding this petition.

TOWN OF LAKEVILLE MASSACHUSETTS

ZONING BOARD OF APPEALS PETITION FOR HEARING

RECEIVED APR 27 2023 BOARD OF APPEALS

Name of Petitioner: Jeffrey Bell, trustee and Lori Bakirakis-Bell, trustee

Mailing Address: 12 Crest Drive Middleboro, MA 02346

Name of Property Owner: Jeffrey C. Bell Living Trust and Lori A. Bakirakis-Bell Living Trust

Location of Property: 113 Staple Shore Road Lakeville, MA 02347

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

Registry of Deeds: Book No. 56479 Page No. 87

Map 064 Block 003 Lot 021

Petitioner is: XX owner tenant licensee prospective purchaser

Nature of Relief Sought:

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

Variance from Section (s) of the Zoning Bylaws.

Appeal from Decision of the Building Inspector/Zoning Enforcement Officer

Date of Denial

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

The applicant proposes to raze the existing dwelling and construct a new dwelling on a new foundation.

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 Bell, Trustee

Date: 4/26/23

Signed: [Signature]

Telephone: 781-249-9529

Owner Signature: (If not petitioner)

Owner Telephone:

Email: mrrootersma@gmail.com

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

XX Yes No

Jamie Bissonnette, Engineer (Name and Title)

EXISTING SITE CONDITIONS

The locus site, 113 Staple Shore Road, is located on the southerly side of Staple Shore Road. The site is comprised of approximately 8,474+/- square feet of land that includes a residential dwelling and accessory building.

PROPOSED SITE IMPROVEMENTS

The applicant is proposing to raze the existing 3-bedroom dwelling and construct a new residential 3-bedroom dwelling. Per Section 6.1.3, pre-existing non-conforming structures or uses may be changes, extended, or altered by special permit from the board of appeals.

SPECIAL PERMIT CONDITIONS

The client already has permitted and installed an advanced treatment onsite sewage disposal system onsite. The applicant is proposing to raze the existing structure and construct a new dwelling as shown on plan. The improvements, as proposed, will not negatively impact the neighborhood and will, in our opinion, enhance the aesthetics.

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



The LAKEVILLE ZONING BOARD OF APPEALS, acting in accordance with MASS GENERAL LAWS CHAPTER 40A, as amended, will conduct a public hearing on Thursday, May 18, 2023, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Lakeville Nursery Redevelopment LLC**, who is proposing an auto service use which requires a **Special Permit** under **4.1.2** and **7.4**. The property site is **5 Harding Street** and is located in the Business Zone.

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

John Olivieri, Jr., Chairman

May 4, 2023 & May 11, 2023



Town of Lakeville
Board of Health
241 Main Street
Lakeville, MA 02347

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

May 10, 2023

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

Re: ZBA meeting May 18

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 13 Dunbar Ln, and the Board of Health has reviewed the "Special Permit Plan dated 12/8/22 for 13 Dunbar Ln. Providing that there is no living space in the proposed 1 car garage, then the Board of Health has no objections to the proposed garage.

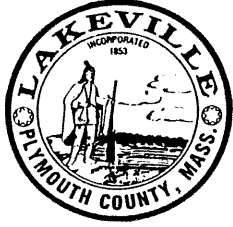
We received a copy of the Petition for Hearing for 113 Staples Shore Rd. The Board of Health has reviewed the "Plan to accompany a ZBA petition" dated 4/26/23 for 113 Staples Shore Rd and the architectural plans from South Coast and Associates dated 8/23/22. The architectural plans are for a dwelling that would be defined as a 4-bedroom dwelling according to the Title 5 definition, because the "Den/Office" on sheet A.3 is considered a bedroom. The septic system is designed for a 3-bedroom dwelling. Therefore, the proposed house would not be compliant with the existing septic system. The Board of Health recommends to redesign the proposed house for a 3-bedroom dwelling.

We received a copy of the Petition for Hearing for 5 Harding Street. The Board of Health has reviewed the "Site Plan for Lot 1 part of 5 Harding and 39 Cross St". revised 10/21/19, which shows a proposed commercial building, that will be connected to municipal water on Harding St. The upland area on the lot is sufficient to install a septic system for the commercial building. Thus, the Board of Health has no objections to the proposed commercial building.

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

Sincerely
For the Board of Health

Edward Cullen
Health Agent



Town of Lakeville

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

Mark Knox, Chairman
Michele MacEachem, Vice Chairman
John Cabral
Nora Cline
Jack Lynch

MEMORANDUM

TO: Board of Appeals

FROM: Planning Board

DATE: May 12, 2023

SUBJECT: Petition Review for Lakeville Nursery – 5 Harding Street

At their Thursday, May 11, 2023, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Board had some concerns regarding this petition and recommended the following:

- There should be no public access to the back of the building.
- Parking for automotive repair customers should be clearly designated for safety purposes.
- The site should have adequate signage which indicates the above.

Petition to be filed with Town Clerk

TOWN OF LAKEVILLE MASSACHUSETTS

ZONING BOARD OF APPEALS PETITION FOR HEARING

EXHIBIT 'A' RECEIVE APR 27 2023 BOARD OF APPEALS

Name of Petitioner: Lakeville Nursery ReDevelopment LLC.

Mailing Address: 1 Lakeville Business Park Drive, Suite 2A, Lakeville, MA 02347

Name of Property Owner: Lakeville Nursery Redevelopment LLC.

Location of Property: 5 Harding Street Lakeville

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

Registry of Deeds: Book No. 50199 Page No. 334

Map 022 Block 002 Lot 009

Petitioner is: XX owner tenant licensee prospective purchaser

Nature of Relief Sought:

XX Special Permit under Section (s) 4.1.2 & 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.) See attached

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

Petitioner: Robert Poillucci Mather Date: 4-27-23

Signed: [Signature] Telephone: 946-6953

Owner Signature: (If not petitioner) Owner Telephone:

Email:

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

XX Yes No

Robert Mather Attorney and/or rep from Zenith Consulting Engineers, LLC (Name and Title)

EXISTING SITE CONDITIONS

The locus site, 5 Harding Street, is located on the southerly side of Harding Street also known as RTE 44. The site is comprised of approximately 24.3+/- acres of land that includes a number of buildings that are proposed to be razed.

PROPOSED SITE IMPROVEMENTS

The applicant is proposing to raze the existing buildings and construct a new commercial building with associated parking, grading and utilities. Per Section 4.1.2, a property located in a business district requires a special permit for auto service use. In section 7.4, the zoning regulations indicate that the board of appeals is the special permit granting authority for this special permit.

SPECIAL PERMIT CONDITIONS

The client has designed and permitted a site plan through the Lakeville Planning Board, Conservation and MassDOT. The site plan showed contractor bays that the applicant would like to now utilize as auto service. It is our opinion that the proposed use, will not negatively impact the neighborhood and will, in fact, fit in with the businesses along RTE 44.

SITE NOTES:

1. THE SITE IS SHOWN ON THE TOWN OF LAKEVILLE ASSESSOR MAP 022 IN BLOCK 002 AS PART OF LOTS 006 & 009.
2. FOR TITLE TO THE PROPERTY SEE BOOK 50199 PAGE 334-336 IN THE PLYMOUTH COUNTY REGISTRY OF DEEDS.
3. THE SUBJECT PROPERTY IS SHOWN IN A BUSINESS DISTRICT AND RESIDENTIAL DISTRICT ON THE TOWN OF LAKEVILLE ZONING MAP SIGNED 10-11-2010 BY THE LAKEVILLE TOWN CLERK.
4. PROPERTY LINE SURVEY COMPLETED BY ROMANELLI ASSOCIATES, INC.
5. TOPOGRAPHIC INFORMATION TAKEN FROM A FIELD SURVEY BY ROMANELLI ASSOCIATES, INC. AND ZENITH CONSULTING ENGINEERS, LLC. AND ELEVATIONS SHOWN ARE ON NAVD 88 DATUM.
6. THE PROJECT IS NOT LOCATED WITHIN AN AREA OF CRITICAL ENVIRONMENTAL CONCERN (ACEC).
7. THE PROJECT IS NOT LOCATED WITHIN A SURFACE WATER SUPPLY.
8. THE PROJECT IS NOT LOCATED WITHIN A ZONE A OF A SURFACE WATER SUPPLY.
9. THE PROJECT IS NOT LOCATED WITHIN A ZONE I, ZONE II OR WPA OF A PUBLIC WATER SUPPLY WELL.
10. THE MAJORITY OF THE SUBJECT PROPERTY IS LOCATED WITHIN A NATURAL HERITAGE ESTIMATED AND PRIORITY HABITAT ACCORDING TO THE LATEST ON-LINE MAPS. (NHESP FILE NO. 08-24387)
11. THE SUBJECT PARCEL IS LOCATED IN BOTH ZONES A AND ZONE X AS INDICATED ON THE F.E.M.A. FLOOD INSURANCE RATE MAP FOR PLYMOUTH COUNTY, MASSACHUSETTS, PANEL 313 OF 650 MAP NUMBER 25023C03613K WITH A MAP REVISED DATE OF JULY 16, 2015.
12. SITE IS TO BE SERVICED BY MUNICIPAL WATER, AND ON-SITE SANITARY DISPOSAL SYSTEM.
13. A HPOES FILING MUST BE SUBMITTED FOR THIS PROJECT PRIOR TO CONSTRUCTION.
14. WETLANDS LINE SHOWN WAS RE-FLAGGED BY OUTBACK ENGINEERING INC. AS DEPICTED BY AN ANRAD PLAN DATED JULY 25, 2008 PREPARED BY SITEC, INC.

CONSTRUCTION NOTES:

1. CONTRACTOR TO VERIFY BENCHMARKS FOR CONSISTENCY PRIOR TO CONSTRUCTION AND SHALL NOTIFY ZENITH CONSULTING ENGINEERS, LLC. OF ANY DISCREPANCIES.
2. CONTRACTOR SHALL VERIFY WATER TABLE ELEVATIONS AND NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES FROM THE PLAN.
3. IT IS THE CONTRACTORS RESPONSIBILITY TO CONTACT DIG SAFE (1-888-DIG SAFE) PRIOR TO THE COMMENCEMENT OF WORK AND ALL UNDERGROUND UTILITY COMPANIES TO CONFIRM LOCATIONS AND ELEVATIONS.
4. SITE IS TO BE SERVICED BY AN ONSITE WELL AND ON-SITE SANITARY DISPOSAL SYSTEM.
5. ALL PAVEMENT MARKING AND SIGNAGE SHALL CONFORM TO MUTCD STANDARDS.
6. PROPOSED UTILITIES AND CONSTRUCTION METHODS UNDER AREAS SUBJECT TO TRAFFIC LOADING SHALL BE INSTALLED TO WITHSTAND H-20 LOADING TRAFFIC STANDARDS. CONTRACTOR SHALL VERIFY THAT ALL STRUCTURES COMPLY TO THIS STANDARD.
7. IF APPLICABLE, CONCRETE STRUCTURES INTERCEPTING SEASONAL HIGH GROUNDWATER TABLE SHALL BE SEALED WITH WATERPROOF SEALER BY THE CONTRACTOR.
8. ALL RETAINING WALLS SHALL BE DESIGNED BY A MASSACHUSETTS REGISTERED PROFESSIONAL STRUCTURAL ENGINEER. ALL WORK SHALL CONFORM TO THE TOWN OF LAKEVILLE PLANNING BOARD RULES AND REGULATIONS AND THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION SPECIFICATIONS FOR HIGHWAY AND BRIDGES, MOST CURRENT VERSION OF PLAN SET.

SCHEDULE OF DRAWINGS

DRAWING NUMBER	PLAN TITLE	LATEST REVISION DATE
C1	COVER SHEET	10-21-2019
E1	EXISTING CONDITIONS PLAN	10-21-2019
E2	EXISTING CONDITIONS PLAN	10-21-2019
E3	EXISTING CONDITIONS PLAN	10-21-2019
L1	LAYOUT PLAN	10-21-2019
G1	GRADING AND DRAINAGE PLAN	10-21-2019
W1	EROSION CONTROL/RESOURCE ARE IMPACT PLAN 1	10-21-2019
W2	EROSION CONTROL/RESOURCE ARE IMPACT PLAN 2	10-21-2019
P1	LIGHTING PLAN	10-21-2019
D1	DETAIL SHEET 1	10-21-2019
D2	DETAIL SHEET 2	10-21-2019

SITE PLAN FOR LOT 1 (PART OF 5 HARDING ST. AND 39 CROSS ST.) LAKEVILLE, MASSACHUSETTS



**LOCUS PLAN
SCALE: 1"=200'**

LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019
 ENDORSED:
 [Signatures: Dean J. Hoeg, Barbara H. Conroy, Rita M. Cuy]



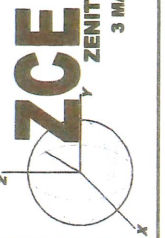
P.E. STAMP

APPLICANT
LAKEVILLE NURSERY REDEVELOPMENT, LLC
 1 LAKEVILLE BUSINESS PARK DR.
 LAKEVILLE, MA 02347

OWNER (5 HARDING STREET)
LAKEVILLE NURSERY REDEVELOPMENT, LLC
 1 LAKEVILLE BUSINESS PARK DR.
 LAKEVILLE, MA 02347

OWNER (39 CROSS STREET)
39 CROSS STREET REALTY TRUST
 1 LAKEVILLE BUSINESS PARK DR.
 LAKEVILLE, MA 02347

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



EXISTING	DESCRIPTION	PROPOSED
	CONTOURS	
	CONCRETE BOUND	■
	GRANITE BOUND	□
●	DRILL HOLE	● DH
○	IRON ROD	○ IR
	TEST PIT	
	SPOT GRADE	+98.5
	WETLAND SYMBOL	
WF-16 ●	WETLAND FLAG AND NUMBER	
	25' BWV BUFFER	
	50' BWV BUFFER	
	100' BWV BUFFER	
W	WELL	W
	DRAIN LINE	— D —
	DRAIN MANHOLE	⊙
	CATCH BASIN	⊙
	FLARED END SECTION	▲
	RIP RAP AREA	▨
	EROSION CONTROL MEASURES	
	UNDERGROUND ELECTRIC/TELEPHONE/CABLE	— ETC — ETC
	RETAINING WALL	
	OVERHEAD WIRES	— OHW — OHW
	UTILITY POLE	⊙
	LIGHT POLE	☆
	STONEWALL	—
	GUARD RAIL	—
	SINGLE POLE SIGN	—
	CHAIN LINK FENCE	—
	STREET TREE	⊙

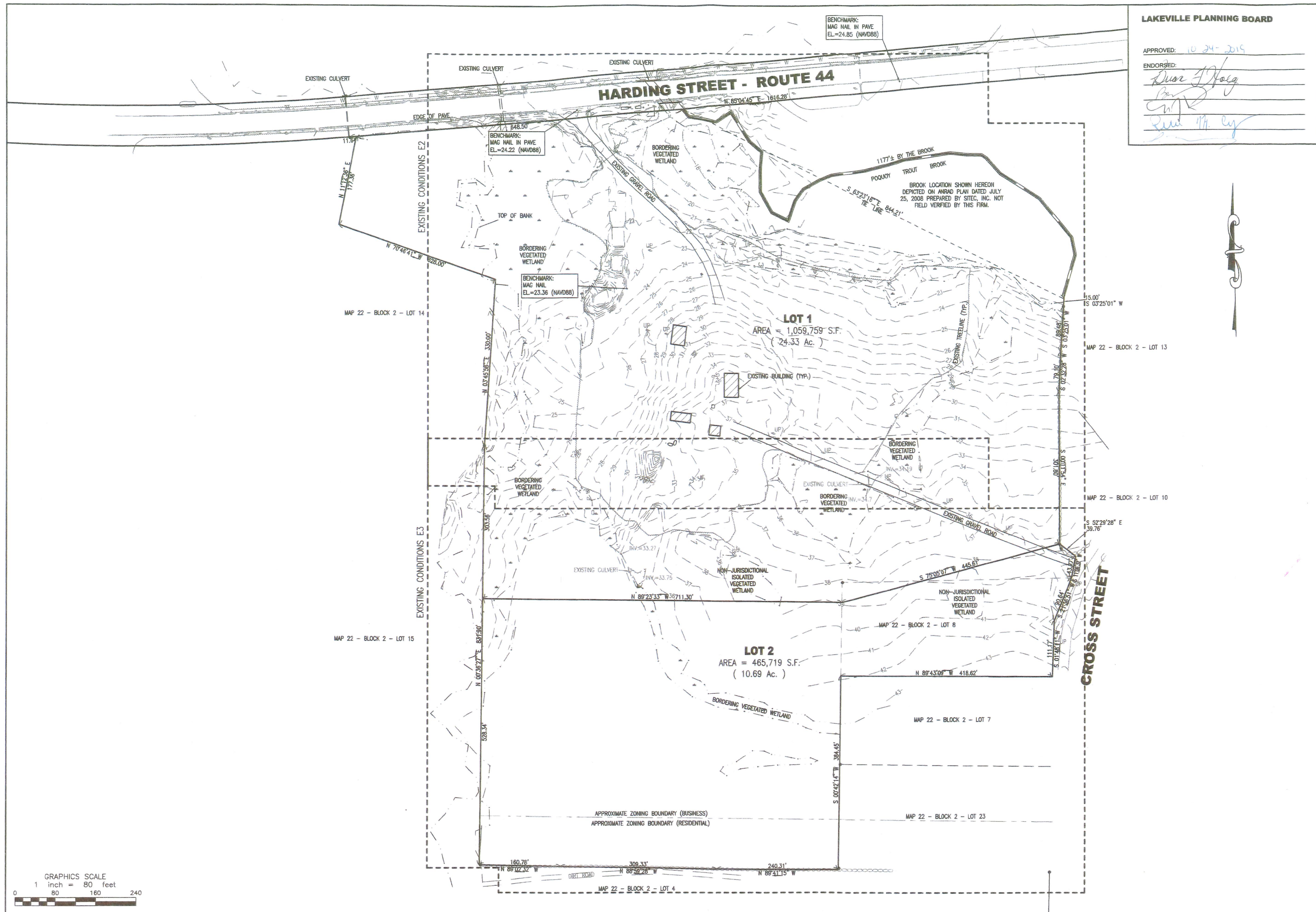
REVISED OCTOBER 21, 2019

REV.	DATE	DESCRIPTION	BY	APP.
1	8/20/2019	OVERALL SITE CHANGE	JLB/RMF	
2	10/28/19	GENERAL REVISION	RMF/RMF	
3	10/21/19	REVISIONS PER CON COM	RMF/RMF	

DATE:	8/20/2019	SHEET ID:	C1
PROJECT NUMBER:	0143-04-01	DRAWING SCALE:	VARIES
DESIGNED BY:	JLB/RMF	CHECKED BY:	NCZ
APPROVED BY:	JLB		

COVER SHEET
 PROJECT SITE: **LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)**
 LAKEVILLE, MASSACHUSETTS
 CLIENT INFO: **LAKEVILLE NURSERY REDEVELOPMENT, LLC**
 1 LAKEVILLE BUSINESS PARK DRIVE
 LAKEVILLE, MASSACHUSETTS

S:\Civil Engineering Projects\Lakeville\Harding Street\5 Harding Street\Site Plan Base_one building option.dwg

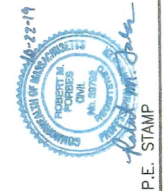


LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

ENDORSED:

[Signatures]

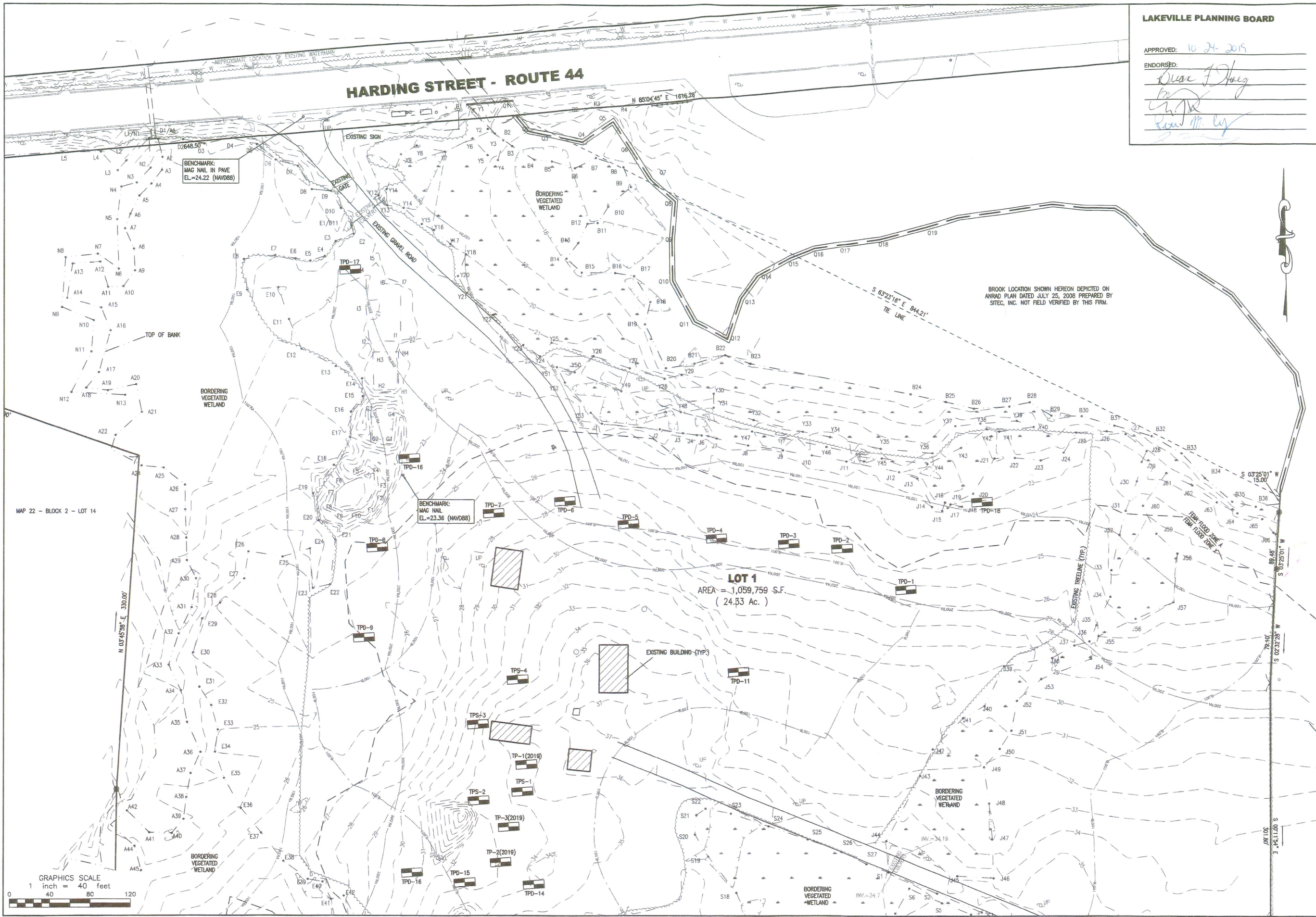


ZCE
ZENITH CONSULTING ENGINEERS, LLC
3 MAIN STREET LAKEVILLE, MA 02347
PHONE: (508) 947-4208

DATE	DESCRIPTION	BY	APP.
8/20/2019 <td>OVERALL SITE CHANGE <td>JLB <td>JLB</td> </td></td>	OVERALL SITE CHANGE <td>JLB <td>JLB</td> </td>	JLB <td>JLB</td>	JLB
9/23/19 <td>GENERAL REVISION <td>JLB <td>JLB</td> </td></td>	GENERAL REVISION <td>JLB <td>JLB</td> </td>	JLB <td>JLB</td>	JLB
10/9/19 <td>REVISIONS PER CON COM <td>JLB <td>JLB</td> </td></td>	REVISIONS PER CON COM <td>JLB <td>JLB</td> </td>	JLB <td>JLB</td>	JLB
10/21/19 <td>REVISIONS PER CON COM <td>JLB <td>JLB</td> </td></td>	REVISIONS PER CON COM <td>JLB <td>JLB</td> </td>	JLB <td>JLB</td>	JLB

DATE:	8/20/2019	REV:	1	DATE:	9/23/19	DESCRIPTION:	OVERALL SITE CHANGE	BY:	JLB	APP.	JLB
PROJECT NUMBER:	0143-04-01	REV:	2	DATE:	10/9/19	DESCRIPTION:	GENERAL REVISION	BY:	JLB	APP.	JLB
DRAWING SCALE:	1" = 80'	REV:	3	DATE:	10/21/19	DESCRIPTION:	REVISIONS PER CON COM	BY:	JLB	APP.	JLB
SHEET ID:	E1	APPROVED BY:	JLB								

EXISTING CONDITIONS PLAN
LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)
LAKEVILLE, MASSACHUSETTS
CLIENT INFO: LAKEVILLE NURSERY REDEVELOPMENT, LLC
1 LAKEVILLE BUSINESS PARK DRIVE
LAKEVILLE, MASSACHUSETTS



LAKEVILLE PLANNING BOARD

APPROVED: *10/24/2019*

ENDORSED:

Deane J. Deig

[Signature]

[Signature]



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



REV.	DATE	DESCRIPTION	BY	APP.
1	8/20/2019	OVERALL SITE CHANGE	RMF	RMF
2	9/23/19	GENERAL REVISION	RMF	RMF
3	10/9/19	REVISIONS PER CON COM	RMF	RMF
	10/21/19	REVISIONS PER CON COM	RMF	RMF

DATE:	8/20/2019	DRAWING SCALE:	1" = 40'
PROJECT NUMBER:	0143-04-01	SHEET ID:	E2
DESIGNED BY:	RMF/ALB		
CHECKED BY:	NCZ		
APPROVED BY:	JLB		

SHEET NAME:	EXISTING CONDITIONS PLAN
PROJECT SITE:	LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)
CLIENT INFO:	LAKEVILLE NURSERY REDEVELOPMENT, LLC 1 LAKEVILLE BUSINESS PARK DRIVE LAKEVILLE, MASSACHUSETTS

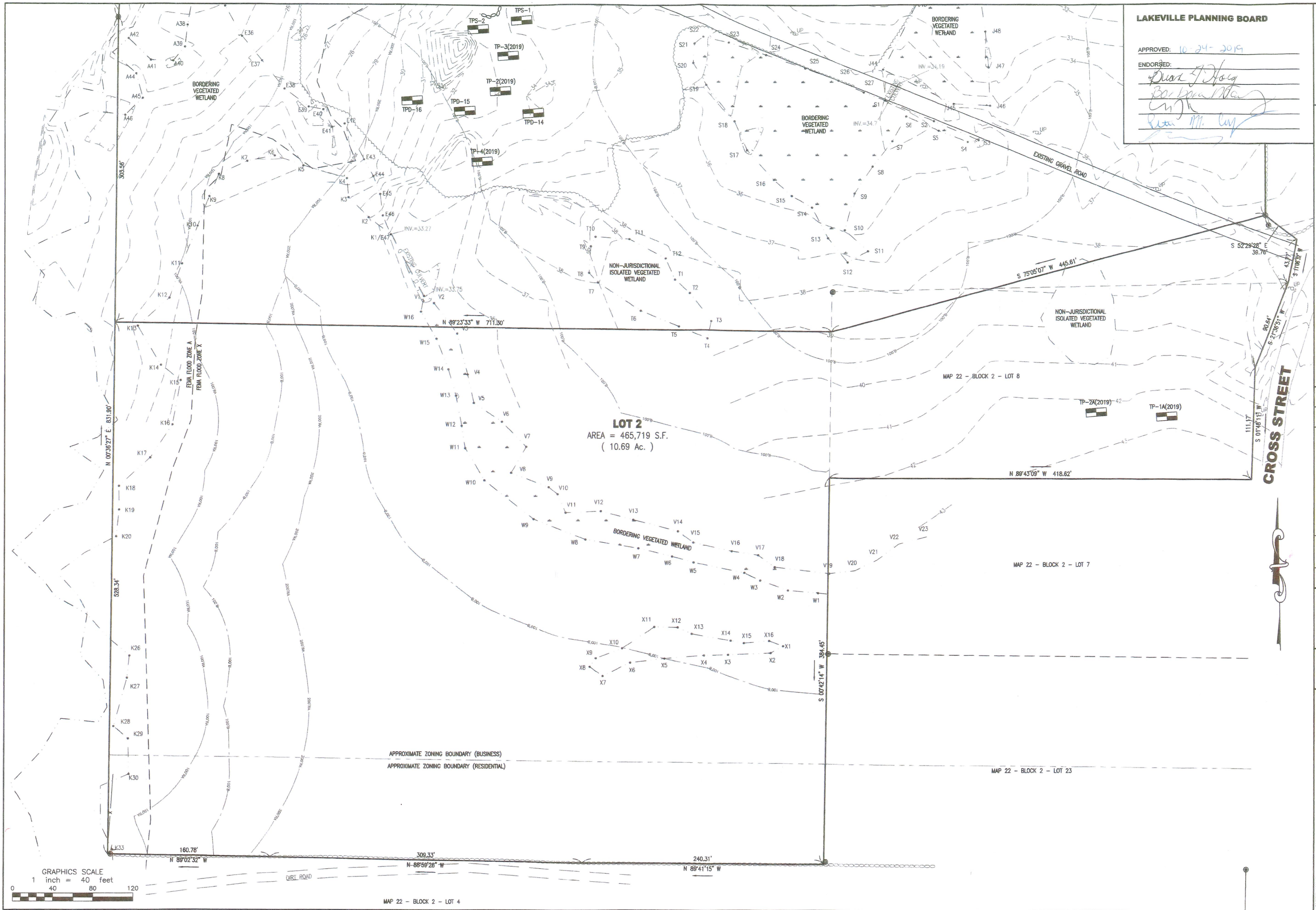
MAP 22 - BLOCK 2 - LOT 14

GRAPHICS SCALE
 1 inch = 40 feet

BENCHMARK:
 MAG NAIL IN PAVE
 EL.=23.36 (NAVD88)

BENCHMARK:
 MAG NAIL IN PAVE
 EL.=24.22 (NAVD88)

LOT 1
 AREA = 1,059,759 S.F.
 (24.83 Ac.)



LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

ENDORSED:

Diana J. Harg

Barbara M. ...

... M. ...



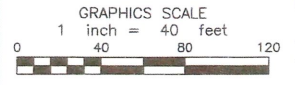
ZCE
ZENITH CONSULTING ENGINEERS, LLC
 3 MAIN STREET LAKEVILLE, MA 02347
 PHONE: (508) 947-4208



REV.	DATE	DESCRIPTION	BY	APP.
1	8/20/2019	OVERALL SITE CHANGE	RMF	RMF
2	9/23/19	GENERAL REVISION	RMF	RMF
3	10/18/19	REVISIONS PER CON COM	RMF	RMF
	10/21/19			

EXISTING CONDITIONS PLAN
LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)
 LAKEVILLE, MASSACHUSETTS

LAKEVILLE NURSERY REDEVELOPMENT, LLC
 1 LAKEVILLE BUSINESS PARK DRIVE
 LAKEVILLE, MASSACHUSETTS



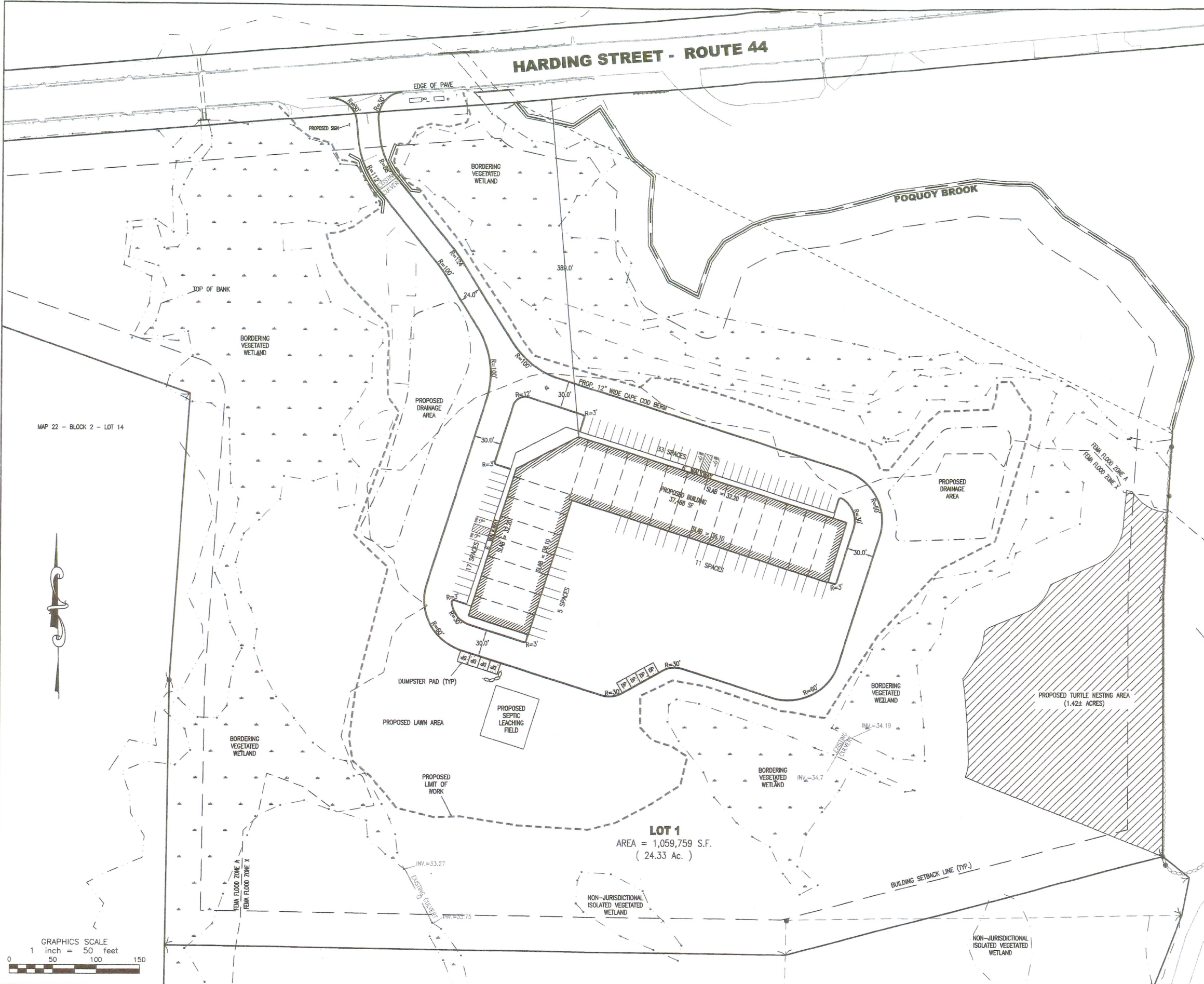
MAP 22 - BLOCK 2 - LOT 4

MAP 22 - BLOCK 2 - LOT 23

MAP 22 - BLOCK 2 - LOT 7

MAP 22 - BLOCK 2 - LOT 8

LOT 2
 AREA = 465,719 S.F.
 (10.69 Ac.)



LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

ENDORSED:

[Signatures]

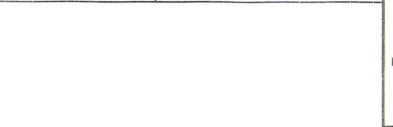


ZONING DISTRICT: BUSINESS

	REQUIRED	PROVIDED
LOT AREA	70,000 SF	1,444,161 SF
LOT FRONTAGE	175 FT.	648.5 FT.
FRONT YARD SETBACK	40 FT.	40+ FT.
SIDE YARD SETBACK	40 FT.	40+ FT.
REAR YARD SETBACK	40 FT.	40+ FT.
MAXIMUM HEIGHT	35 FT.	<35 FT.
MAXIMUM IMPERVIOUS AREA	50%	24.2%

IMPERVIOUS COVER
(PER LAKEVILLE ZONING SECTION 5.2.2.1:)

TOTAL LOT AREA	1,059,760 SF
WETLAND AREA	418,599 SF
PROPOSED DRAINAGE BASIN & BERM	28,737 SF
ADJUSTED AREA FOR IMPERVIOUS CALCULATION:	612,424 SF
PROPOSED ROOF AND PAVEMENT AREA	147,984 SF
IMPERVIOUS AREA = 147,984± SF	= 24.2%
ADJUSTED AREA = 612,424 SF	



REV.	DATE	DESCRIPTION	BY	APP.
1	9/23/19	OVERALL SITE CHANGE	RMF/RMF	
2	10/9/19	GENERAL REVISION	RMF/RMF	
3	10/21/19	REVISIONS PER CON. COM.	RMF/RMF	

PARKING SUMMARY

OFFICE:
ZONING REGULATION 6.5.3.3 - 1 SPACE / 300 SF
MINIMUM REQUIRED: 18,625 SF / 300 SF = 63 SPACES

TOTAL SPACES REQUIRED: 63 SPACES
PROVIDED: 66 SPACES

HANDICAPPED PARKING
ADA STANDARDS FOR ACCESSIBLE DESIGN 28 CFR PART 36
MINIMUM REQUIRED: 4 FOR PARKING LOT BETWEEN 51 AND 75 SPACES
PROVIDED: 4 HC SPACES (ALL VAN ACCESSIBLE)

DATE	PROJECT NUMBER	PROJECT NAME	DRAWING SCALE	SHEET ID
8/20/2019	0143-04-01	LAKEVILLE NURSERY REDEVELOPMENT, LLC	1" = 50'	L1

SITE LAYOUT NOTES:

1. ALL PAVEMENT MARKING AND SIGNAGE SHALL CONFORM TO MUTCD STANDARDS.

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

LAYOUT PLAN
PROJECT SITE: LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)
LAKEVILLE, MASSACHUSETTS
CLIENT INFO: LAKEVILLE NURSERY REDEVELOPMENT, LLC
1 LAKEVILLE BUSINESS PARK DRIVE
LAKEVILLE, MASSACHUSETTS

GRAPHICS SCALE
1 inch = 50 feet

MAP 22 - BLOCK 2 - LOT 14

LOT 1
AREA = 1,059,759 S.F.
(24.33 Ac.)

HARDING STREET - ROUTE 44

LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

ENDORSED:

Quinn J. Day
Barbara Moran
Eric M. Ly



P.E. STAMP

ZCE

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

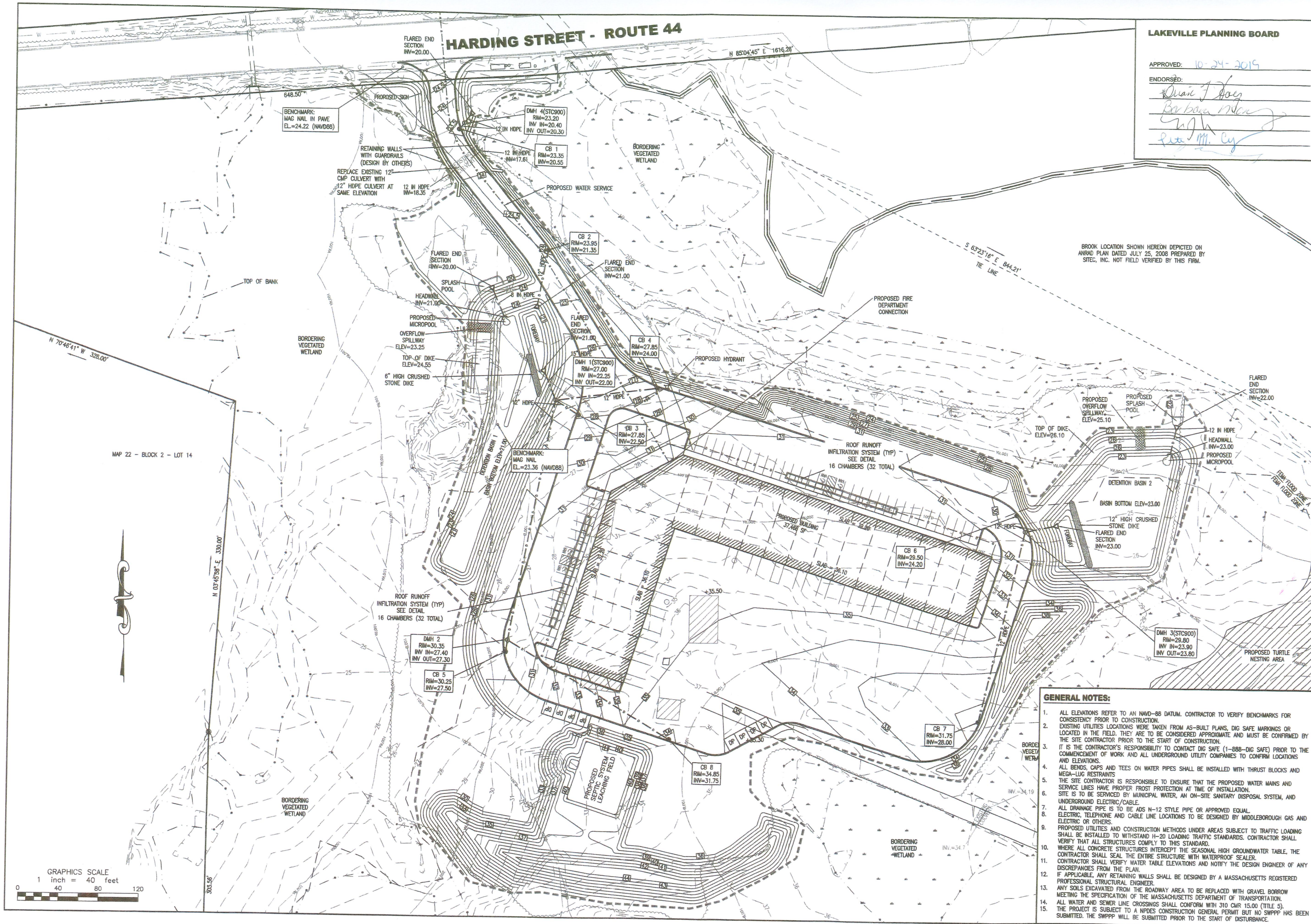
REV.	DATE	DESCRIPTION
1	9/23/19	OVERALL SITE CHANGE
2	10/19/19	GENERAL REVISION
3	10/21/19	REVISIONS PER CON. COM.

DATE:	8/20/2019	PROJECT NUMBER:	0143-04-01	DRAWING SCALE:	1" = 40'	SHEET ID:	G1
DESIGNED BY:	JLB/RMF	CHECKED BY:	NCZ	APPROVED BY:	JLB		
PROJECT SITE:	GRADING AND DRAINAGE PLAN LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.) LAKEVILLE, MASSACHUSETTS						
CLIENT INFO:	LAKEVILLE NURSERY REDEVELOPMENT, LLC 1 LAKEVILLE BUSINESS PARK DRIVE LAKEVILLE, MASSACHUSETTS						

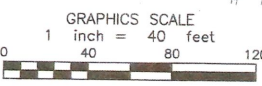
BROOK LOCATION SHOWN HEREON DEPICTED ON ANRAD PLAN DATED JULY 25, 2008 PREPARED BY STEC, INC. NOT FIELD VERIFIED BY THIS FIRM.

GENERAL NOTES:

- ALL ELEVATIONS REFER TO AN NAVD-88 DATUM. CONTRACTOR TO VERIFY BENCHMARKS FOR CONSISTENCY PRIOR TO CONSTRUCTION.
- EXISTING UTILITIES LOCATIONS WERE TAKEN FROM AS-BUILT PLANS, DIG SAFE MARKINGS OR LOCATED IN THE FIELD. THEY ARE TO BE CONSIDERED APPROXIMATE AND MUST BE CONFIRMED BY THE SITE CONTRACTOR PRIOR TO THE START OF CONSTRUCTION.
- IT IS THE CONTRACTOR'S RESPONSIBILITY TO CONTACT DIG SAFE (1-888-DIG SAFE) PRIOR TO THE COMMENCEMENT OF WORK AND ALL UNDERGROUND UTILITY COMPANIES TO CONFIRM LOCATIONS AND ELEVATIONS.
- ALL BENDS, CAPS AND TEES ON WATER PIPES SHALL BE INSTALLED WITH THRUST BLOCKS AND MEGA-LUG RESTRAINTS.
- THE SITE CONTRACTOR IS RESPONSIBLE TO ENSURE THAT THE PROPOSED WATER MAINS AND SERVICE LINES HAVE PROPER FROST PROTECTION AT TIME OF INSTALLATION.
- SITE IS TO BE SERVED BY MUNICIPAL WATER, AN ON-SITE SANITARY DISPOSAL SYSTEM, AND UNDERGROUND ELECTRIC/CABLE.
- ALL DRAINAGE PIPE IS TO BE ADS N-12 STYLE PIPE OR APPROVED EQUAL.
- ELECTRIC, TELEPHONE AND CABLE LINE LOCATIONS TO BE DESIGNED BY MIDDLEBOROUGH GAS AND ELECTRIC OR OTHERS.
- PROPOSED UTILITIES AND CONSTRUCTION METHODS UNDER AREAS SUBJECT TO TRAFFIC LOADING SHALL BE INSTALLED TO WITHSTAND H-20 LOADING TRAFFIC STANDARDS. CONTRACTOR SHALL VERIFY THAT ALL STRUCTURES COMPLY TO THIS STANDARD.
- WHERE ALL CONCRETE STRUCTURES INTERCEPT THE SEASONAL HIGH GROUNDWATER TABLE, THE CONTRACTOR SHALL SEAL THE ENTIRE STRUCTURE WITH WATERPROOF SEALER.
- CONTRACTOR SHALL VERIFY WATER TABLE ELEVATIONS AND NOTIFY THE DESIGN ENGINEER OF ANY DISCREPANCIES FROM THE PLAN.
- IF APPLICABLE, ANY RETAINING WALLS SHALL BE DESIGNED BY A MASSACHUSETTS REGISTERED PROFESSIONAL STRUCTURAL ENGINEER.
- ANY SOILS EXCAVATED FROM THE ROADWAY AREA TO BE REPLACED WITH GRAVEL BORROW MEETING THE SPECIFICATION OF THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION.
- ALL WATER AND SEWER LINE CROSSINGS SHALL CONFORM WITH 310 CMR 15.00 (TITLE 5).
- THE PROJECT IS SUBJECT TO A NPDES CONSTRUCTION GENERAL PERMIT BUT NO SWPPP HAS BEEN SUBMITTED. THE SWPPP WILL BE SUBMITTED PRIOR TO THE START OF DISTURBANCE.



MAP 22 - BLOCK 2 - LOT 14



HARDING STREET - ROUTE 44

LAKEVILLE PLANNING BOARD

APPROVED: 10-21-2019

ENDORSED:

Don J. Hoag
Ben
Pete M. Coy

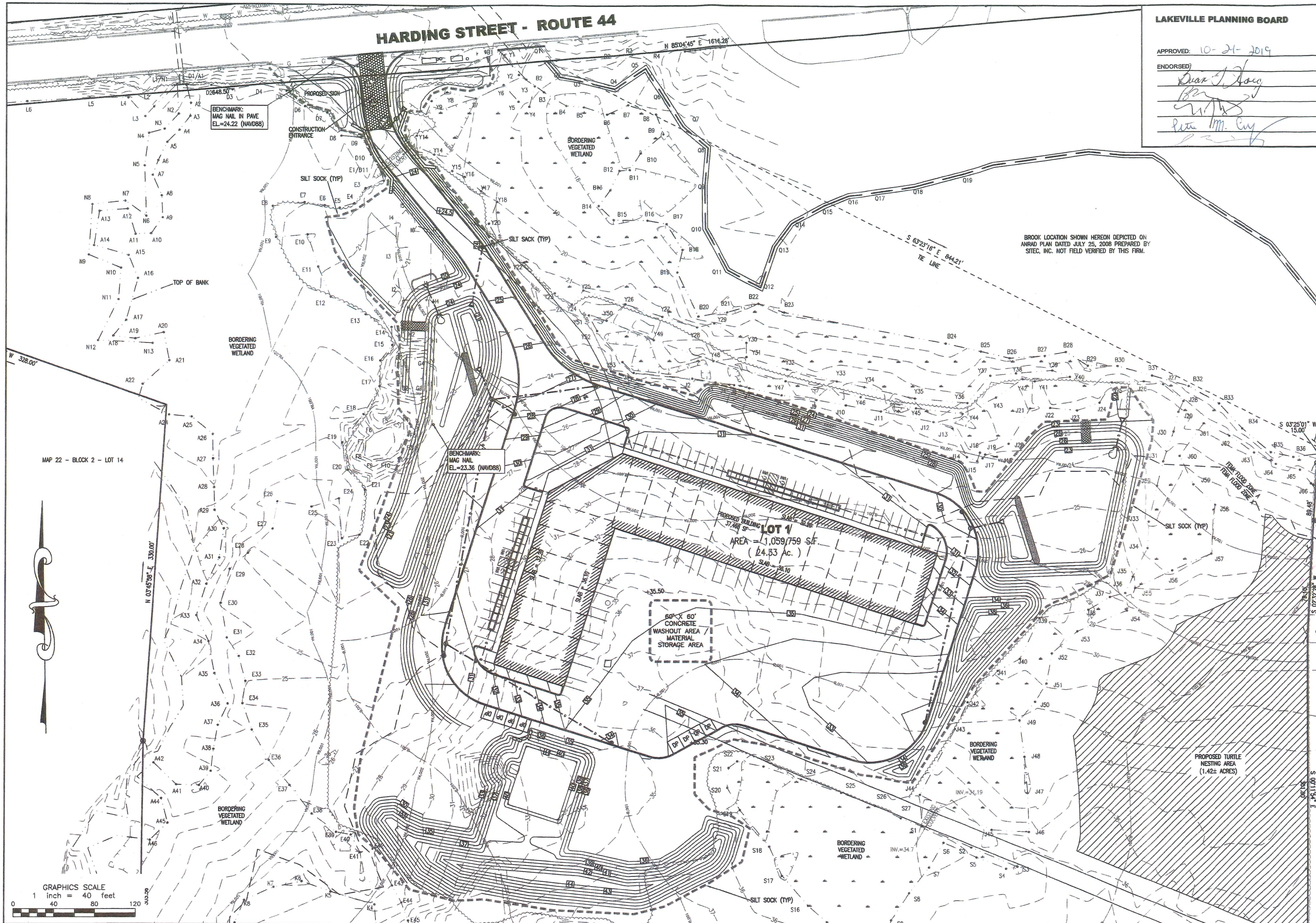


P.E. STAMP

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



BROOK LOCATION SHOWN HEREON DEPICTED ON ANRAD PLAN DATED JULY 25, 2008 PREPARED BY SITEC, INC. NOT FIELD VERIFIED BY THIS FIRM.



MAP 22 - BLOCK 2 - LOT 14

BENCHMARK: MAG NAIL EL=23.36 (NAVD88)

BENCHMARK: MAG NAIL IN PAVE EL=24.22 (NAVD88)

LOT 1
 AREA = 1,059,759 S.F.
 (24.53 Ac.)

60' x 60' CONCRETE WASHOUT AREA MATERIAL STORAGE AREA

PROPOSED TURTLE NESTING AREA (1.42± ACRES)

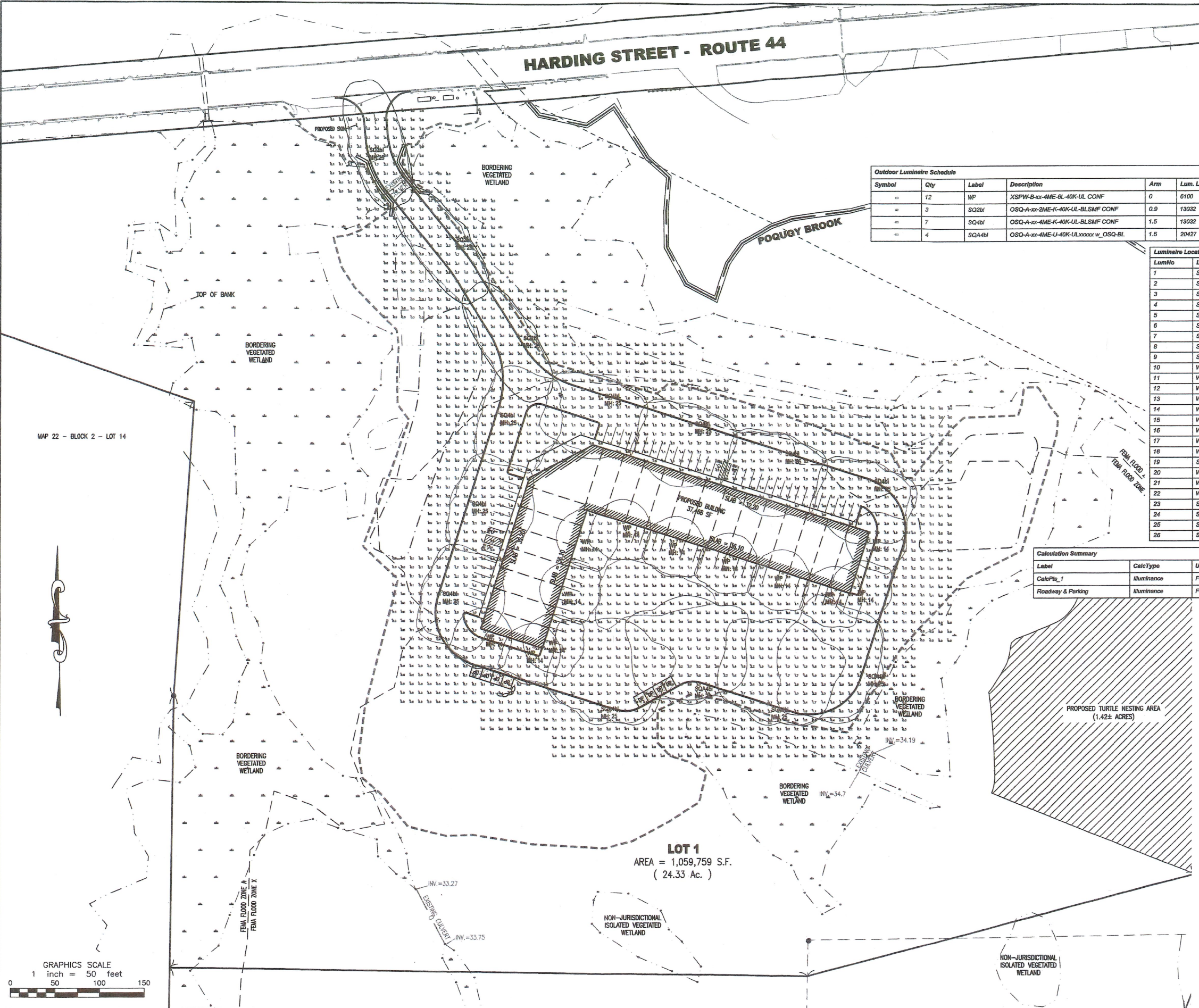


GRAPHICS SCALE
 1 inch = 40 feet
 0 40 80 120

DATE	REV.	DESCRIPTION	BY	APP.
8/20/2019	1	OVERALL SITE CHANGE	RMF	
10/28/19	2	GENERAL REVISION	RMF	
10/21/19	3	REVISIONS PER CON COM	RMF	

DATE	DRWN BY	DESIGNED BY	CHECKED BY	INCH	NO.	APPROVED BY	SHEET ID
8/20/2019	JLB/RF	RF/ALB	RF/ALB	VARIES		JLB	W1

SHEET NAME: EROSION CONTROL/RESOURCE AREA IMPACT PLAN 1
 PROJECT SITE: LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)
 LAKEVILLE, MASSACHUSETTS
 CLIENT INFO: LAKEVILLE NURSERY REDEVELOPMENT, LLC
 1 LAKEVILLE BUSINESS PARK DRIVE
 LAKEVILLE, MASSACHUSETTS



LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

ENDORSED:

David D. Grogan

Robert M. Cyr

Outdoor Luminaire Schedule

Symbol	Qty	Label	Description	Arm	Lum. Lumens	LLF	Filename
=	12	WP	XSPW-B-xx-4ME-6L-40K-UL CONF	0	6100	0.900	XSPW-B-WM-4ME-6L-40K-UL_CONFIGURED.iss
=	3	SQ2bl	OSQ-A-xx-2ME-K-40K-UL-BLSMF CONF	0.9	13032	0.900	OSQ-A-xx-2ME-K-40K-UL-XXXXX W_OSQ-BLSMF_CON
=	7	SQ4bl	OSQ-A-xx-4ME-K-40K-UL-BLSMF CONF	1.5	13032	0.900	OSQ-A-xx-4ME-K-40K-UL-XXXXX W_OSQ-BLSMF_CON
=	4	SQ4Ml	OSQ-A-xx-4ME-U-40K-UL-XXXXX W_OSQ-BL	1.5	20427	0.900	OSQ-A-xx-4ME-U-40K-UL-XXXXX W_OSQ-BL.SLF_CON

Luminaire Location Summary

LumNo	Label	X	Y	Z	Orient	Tilt
1	SQ2bl	1117698.37	2638621	25	17.01	0
2	SQ2bl	1117795.87	2638521.87	25	216.411	0
3	SQ2bl	1117871	2638413.37	25	212.242	0
4	SQ4bl	1117981.5	2638349.12	25	252.362	0
5	SQ4bl	1117845.12	2638327.12	25	342.412	0
6	SQ4bl	1118062.25	2638317.5	25	252.362	0
7	SQ4bl	1118163.62	2638284.5	25	252.362	0
8	SQ4bl	1118263.5	2638253.62	25	252.362	0
9	SQ4bl	1117813.87	2638228.37	25	342.412	0
10	WP	1117987.37	2638203.75	14	252.337	0
11	WP	1117938.75	2638188.75	14	342.357	0
12	WP	1118261.87	2638185.87	14	342.357	0
13	WP	1118047.25	2638184.87	14	252.337	0
14	WP	1118106.5	2638166.12	14	252.337	0
15	WP	1118165.87	2638147.37	14	252.337	0
16	WP	1118245.75	2638131.25	14	342.357	0
17	WP	1117920.12	2638129.75	14	342.357	0
18	WP	1118225	2638126.75	14	252.337	0
19	SQ4bl	1117781.5	2638127	25	342.412	0
20	WP	1117833.37	2638082	14	252.337	0
21	WP	1117901.62	2638071.12	14	342.357	0
22	WP	1117887.87	2638064.75	14	252.337	0
23	SQ44bl	1118257	2638035.5	25	162.762	10
24	SQ44bl	1118063	2638021.5	25	93.88	10
25	SQ44bl	1117988.5	2637999.12	25	72.291	10
26	SQ44bl	1118148.5	2637998.5	25	72.291	10

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
CalcPts_1	Illuminance	Fc	0.26	5.2	0.0	N.A.	N.A.
Roadway & Parking	Illuminance	Fc	1.55	5.2	0.2	7.80	26.00

OMNI-LITE, INC.
283 WINN STREET BURLINGTON, MA 01803
PH # 781-272-2300, FAX # 781-272-0758 www.omnilite.com

PROJECT: **5 Harding St. Lakeville**

CLIENT:

SCALE: FEET FILE:

DATE: 09/21/2019 SALES PERSON: Paul Abdella

THESE DRAWINGS ARE FOR CONCEPTUAL USE ONLY AND ARE NOT INTENDED FOR CONSTRUCTION. VALUES REPRESENTED ARE AN APPROXIMATION GENERATED FROM DATA SUPPLIED BY LAMP MFG. AND TESTING LABS.



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



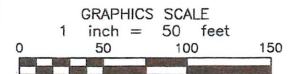
REV.	DATE	DESCRIPTION	BY	APP.
1	9/23/19	OVERALL SITE CHANGE	RMF	RMF
2	10/8/19	GENERAL REVISION	RMF	RMF
3	10/21/19	REVISIONS PER CON COM	RMF	RMF

DATE	DRWN BY	DATE	DESIGNED BY	DATE	CHECKED BY	DATE	APPROVED BY
8/20/2019	JLB	09/21/2019	RMF	09/21/2019	NZ	09/21/2019	JLB

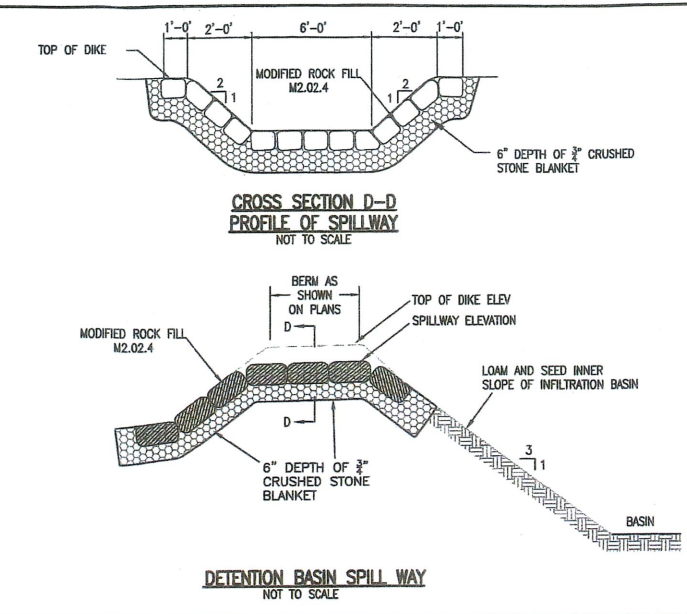
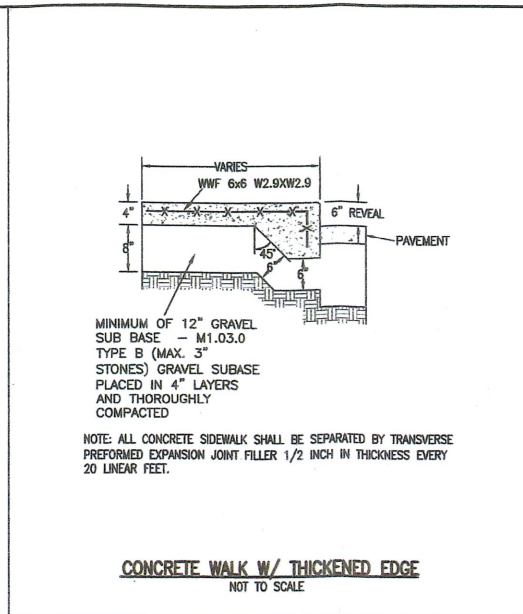
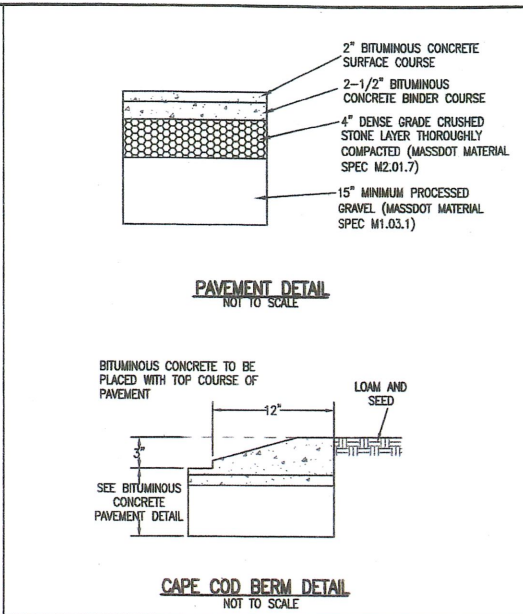
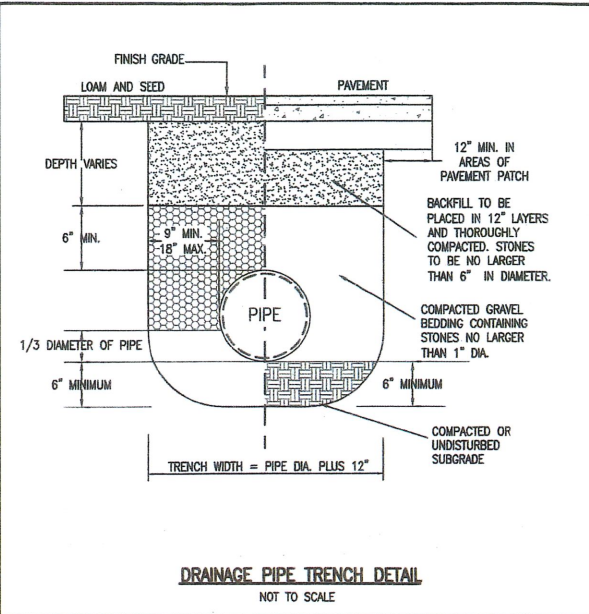
LIGHTING PLAN

PROJECT SITE: **LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.)**
LAKEVILLE, MASSACHUSETTS

CLIENT INFO: **LAKEVILLE NURSERY REDEVELOPMENT, LLC**
1 LAKEVILLE BUSINESS PARK DRIVE
LAKEVILLE, MASSACHUSETTS



LOT 1
AREA = 1,059,759 S.F.
(24.33 Ac.)



LAKEVILLE PLANNING BOARD

APPROVED: 10-24-2019

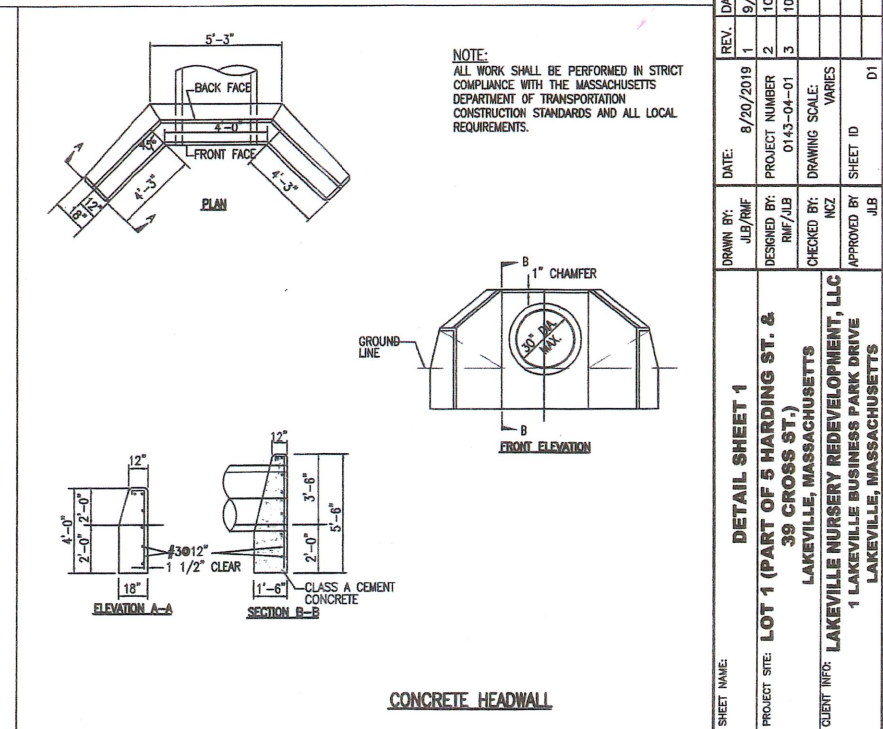
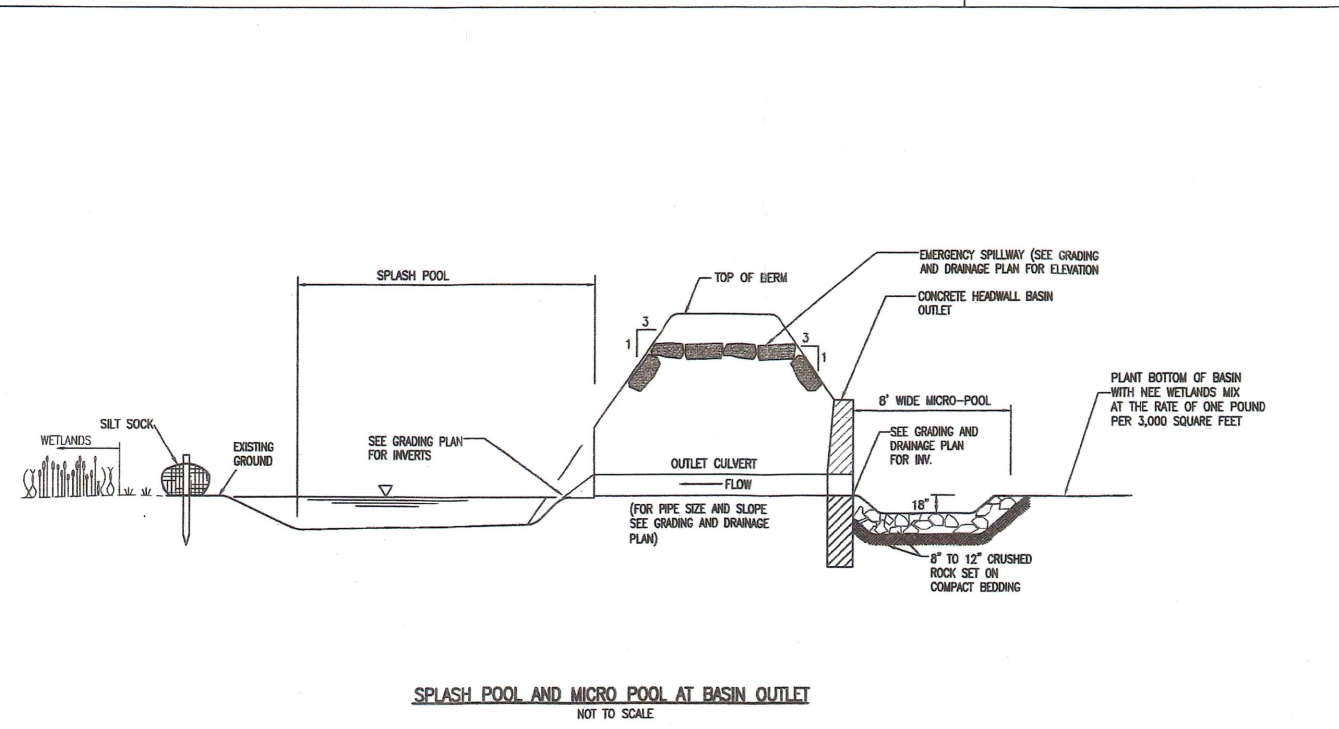
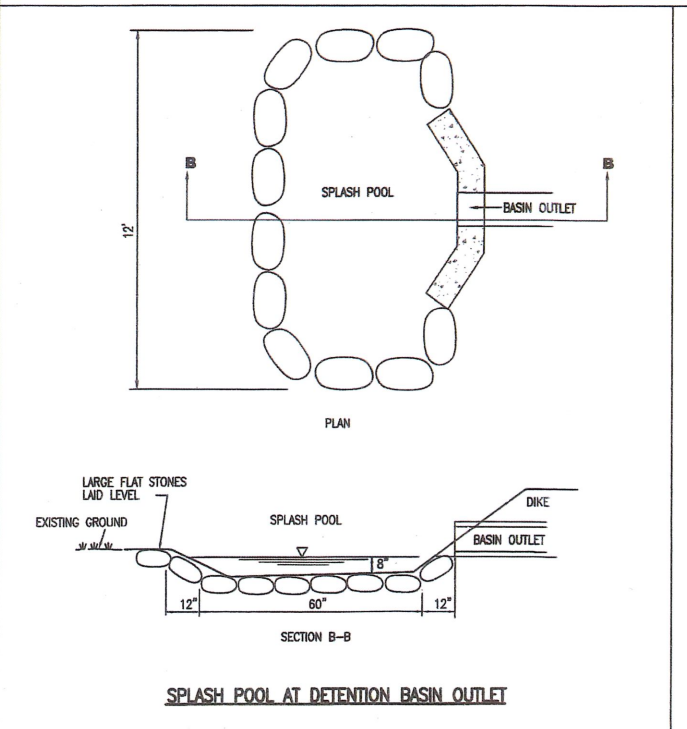
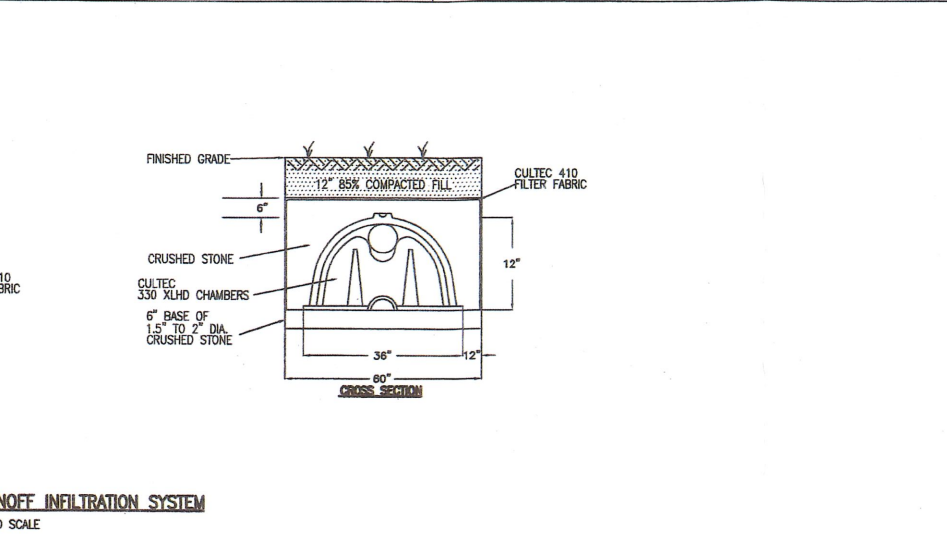
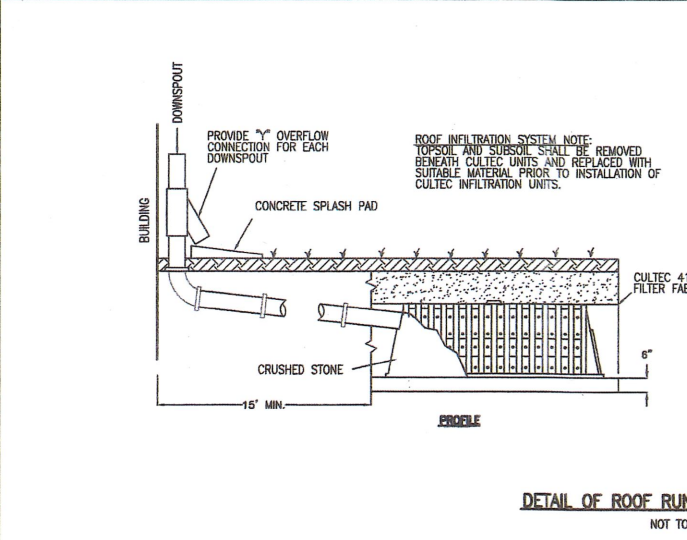
ENDORSED:

NOTES:

- UNLESS OTHERWISE NOTED, ALL MATERIAL AND CONSTRUCTION SHALL CONFORM TO THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION CONSTRUCTION STANDARD DETAILS AND THE MASSACHUSETTS STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.
- WATER SUPPLY LINES SHALL HAVE A MINIMUM OF 5 FEET OF COVER AND SHALL CONFORM TO THE CITY OF TAUNTON DEPARTMENT OF PUBLIC WORKS RULES AND REGULATIONS.
- THE BRAND, TYPE AND SPECIFICATIONS OF ALL WATER GATES, FITTINGS, PIPE MATERIALS AND WATER SYSTEM COMPONENTS SHALL BE APPROVED BY THE TAUNTON DIRECTOR OF PUBLIC WORKS, THE LAKEVILLE DPW DEPARTMENT AND THE FIRE CHIEF PRIOR TO INSTALLATION.
- UNLESS OTHERWISE NOTED, ALL DRAINAGE PIPE IS TO BE ADS 11-12 STYLE PIPE.

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

P. E. STAMP



DETAIL SHEET 1

PROJECT SITE: **LOT 1 (PART OF 5 HARDING ST. & 39 CROSS ST.) LAKEVILLE, MASSACHUSETTS**

CLIENT INFO: **LAKEVILLE NURSERY REDEVELOPMENT, LLC**
 1 LAKEVILLE BUSINESS PARK DRIVE
 LAKEVILLE, MASSACHUSETTS

DATE: 8/20/2019
 PROJECT NUMBER: 0143-04-01
 DRAWING SCALE: VARIES
 SHEET ID: D1

REVISIONS:

REV.	DATE	DESCRIPTION
1	9/23/19	OVERALL SITE CHANGE
2	10/9/19	GENERAL REVISION
3	10/21/19	REVISIONS PER CON COM

**Zoning Board of Appeals
Lakeville, Massachusetts
Minutes of Meeting
March 30, 2023**

On March 30, 2023, the Zoning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Chairman Olivieri at 7:04 p.m. LakeCam was making a video recording.

Members present:

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

Others present:

Atty. Amy Kwesell; Town Counsel; Marc Resnick, Town Planner

I.D. Sign Group hearing – 15 Main Street

Mr. Olivieri opened the I.D. Sign Group at 7:05 p.m. and read the legal ad into the record. Mr. Bob Crisafulli, from I.D. Sign Group was present. He stated that they were requesting a Special Permit to illuminate a monument sign that is going into True Value Storage at 15 Main Street. Mr. Olivieri then read the March 24, 2023, memo from the Planning Board into the record. The Planning Board requested the sign bylaw as written be followed. Mr. Olivieri then asked members for comments.

Mr. Youngquist said he had some concerns as they had previously denied applicants for the same thing. He asked if this complied with the new sign bylaw. Ms. Murray replied that the size did comply. However, a Special Permit is now required for any illuminated sign. Mr. Sheedy asked if there would be any illuminated signage added to the interior of the building where they have all of the glass. Mr. Crisafulli replied there will be a non-illuminated sign that is going on the building, but this is the only sign that would be lit on the property. There were no other comments or questions from the Board or any audience member.

Mr. Noble made a motion, seconded by Mr. Sheedy, to approve the Special Permit for the illumination of the sign and the manual changeable message board section underneath. The **vote was unanimous for.**

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

The hearing closed at 7:10.

Documents distributed for the hearing:

- Petition packet
- Legal ad
- Planning Board memo of March 24, 2023

Garbitt/Pike hearing – 29 Staples Shore Road

Mr. Olivieri opened the Garbitt/Pike hearing at 7:11 and read the legal ad into the record. Mr. Jamie Bissonnette from Zenith Consulting Engineers was present. He displayed the plan and stated Mr. Pike and Ms. Garbitt live in the existing house with her mother. They would like to take down the front portion of the house and keep the remaining back box as the in-law portion. They will construct a new portion in the front. He has worked with their architect to fit something that would not go beyond the existing non-conformities. They were able to come up with something that has a nice balance. It has been presented to the Building Commissioner. Mr. Bissonnette did not think he had much of a concern as they were becoming more conforming as far as the side setback. They scaled back the size of the porch so that it would meet the existing front setback and were now requesting a Special Permit to begin this project.

Mr. Olivieri then then read comments from the Town Boards into the record. The March 24, 2023, memo from the Planning Board had no comment regarding the petition. The March 28, 2023, letter from the Board of Health advised they had recently approved plans for a four-bedroom septic system and a new well was also installed. Therefore, they had no objection to the proposed project providing it will have four bedrooms or less. Mr. Olivieri asked members if they had any questions. There were none. He then asked if anyone in the audience had any questions or comments. No one spoke.

Mr. Zucco then made a motion, seconded by Mr. Youngquist, to approve the Special Permit as applied for. The **vote** was **unanimous for**.

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

The hearing closed at 7:15.

Documents distributed for the hearing:

- Petition packet
- Legal ad
- Board of Health letter of March 28, 2023
- Planning Board memo of March 24, 2023

North Bedford Crossing LLC hearing – 109 Bedford Street - continued

Mr. Olivieri turned over the Chair position for this hearing to Mr. Youngquist. Mr. Jamie Bissonnette from Zenith Consulting Engineers was present. He advised that he had not been present at the last meeting but there had been some items that were brought up by Beals & Thomas. They have replied to those items and sent in revised plans, which the Board should also have. Beals & Thomas has come back with what he would a call a relatively clean letter. He then discussed the changes that had been made.

Mr. Bissonnette said they have worked with the neighbor to the south who have the horses with their fence and the encroachments. In the front portion, they will be given an easement so their existing gas line, driveway, and utility can stay where it is. They have moved the roadway so the grading can accommodate that. In the back, they are also doing an easement to accommodate their

horse fence. They will still have to change a portion of it so the road can be constructed with the grading, but there are parts of it which will remain and parts of it which will be modified. He noted they had met with the owners on site, who he described as seeming pleased with what they were able to do.

Mr. Bissonnette said they had also been asked to provide some vegetation to the north from an abutter and fencing in the back. They have added the fencing which he indicated on the plan. He also showed on the landscaping plan the additional trees and screening. Regarding the fencing, Mr. Bissonnette said they are proposing it one foot onto the neighbor's property who will then own it. The Attorney will come up with an agreement so they can construct it or pay to have it constructed on their property and it will be theirs. If they don't want that, they would have to report back to the Board.

Mr. Bissonnette said they have also added a plan called the building blocks plan. The reason for that is to help them avoid future problems. They show houses for the building themselves on each lot with zoning requirement waivers. They then took a plan and put the building boxes because someone might ask for an eight-foot porch instead of ten or twelve feet, etc. They just wanted to have some flexibility to be able to work within the constraints of the lot if potential purchasers want to customize. This plan shows the Board the parameters of what they can build based on the waivers they have requested. When asked, Mr. Bissonnette further explained that a building box is when they are taking an offset from the proposed property lines and placing a box where anything within that box can be built. They also have to meet the area that they have for the drainage design for for each of those lots.

Mr. Youngquist asked for further information regarding the fence. Mr. Bissonnette replied the fence goes for the two lots that have houses on them. There are two vacant lots further down where they were not proposing fencing. He displayed where the fence would start on the property line of Mr. Reed and would end at Mr. Hainley's house. Mr. Hainley, of 5 Paddock Hill Drive, then spoke. He advised that he currently had a stockade type fence and if possible, he would like the proposed fence to match. Mr. Bissonnette replied that he thought they were proposing a six-foot wooden stockade style fence. It would be one foot on Mr. Hainley's property so he would own it. Mr. Hainley then asked how many houses would be behind him, and if they would have elevated decks. Mr. Bissonnette said there would two and a half homes behind him. He did not believe there would-be two-story decks, but it could happen. He noted that those lots would all have a 20-foot setback.

Mr. Youngquist then asked if any other abutter had any questions or comments. Mr. Matt Cote, from Beals & Thomas, the peer review engineer then spoke. He advised they had offered initial correspondence in February and most recently on March 10th. As the applicant indicated, the letter came back fairly clean. There are some things in there for the Board's consideration relative to the waivers and other things they are asking for, but nothing that they see as troubling or too concerning. One thing is, they are showing some snow storage areas adjacent to the stormwater basin. They would prefer they move that away from the basin, so there are no impacts from contaminants from the plowing operations. Other waivers requested were not what they would consider deal breakers, but were at the discretion of the Board.

Atty. O'Shaughnessy stated that they had been asked to provide a plan for the affordable units, which he distributed to Board members.

Mr. Noble then made a motion seconded by Mr. Sheedy, to accept the affordable unit plan into the record. Mr. Youngquist, Mr. Noble, Mr. Campeau, Mr. Sheedy, Mr. Zucco-**Aye**;
Mr. Olivieri-**Abstain**

It was noted by Atty. O'Shaughnessy that the affordable units were proposed on Lots one, four, and eight. They would be indistinguishable from the market rate units. He advised they had no additional information to present tonight and would like to talk about any conditions the Board might want so they could move this along to a Decision. Mr. Noble asked what the process had been to identify the affordable units. Atty. O'Shaughnessy replied if the Board was not amenable to the locations, they are willing to shift them, but they were placed every third or fourth unit which is typical.

Mr. Hainley then asked again that the fence be of good quality and be something that would last. He believed his was spruce, and he would like something similar to it. Atty. O'Shaughnessy replied he thought they could take a look at the fence and match it up the best they could. Mr. Zucco said in regards to the Beals & Thomas recommendation on snow storage, he would like some signs at the end of the road that state 'no snow storage here.' He felt that anyone plowing would put the snow where ever easier and not know the plan. Mr. Bissonnette said they had been in front of the Conservation Commission this week. They had received an Order of Conditions for the project and not having the snow plowed into the basin was one of the conditions. Mr. Bissonnette said he did not think they would be opposed to a sign at the end. Mr. Youngquist then asked if there were any additional questions. No one spoke.

Mr. Sheedy made a motion, seconded by Mr. Zucco, to close the hearing.
Mr. Youngquist, Mr. Noble, Mr. Campeau, Mr. Sheedy, Mr. Zucco-**Aye**; Mr. Olivieri-**Abstain**

Atty. O'Shaughnessy said they would work out the Decision details with Mr. Resnick and Atty. Kwesell. It was also indicated that there were no requested changes to the revised plan set that had been presented. It was suggested to have everything completed by the next meeting of the Board on April 20th.

Meeting minutes

Mr. Zucco made a motion, seconded by Mr. Youngquist, to approve the meeting minutes from the February 16, 2023, meeting.

Mr. Youngquist, Mr. Campeau, Mr. Sheedy, Mr. Zucco, Mr. Olivieri – **Aye**; Mr. Noble-**Abstain**

The Residences at LeBaron Hills, LLC hearing – continued

Mr. Jeffrey Youngquist left the meeting. Mr. Olivieri asked for an update on the project. Atty. Robert Mather was present for the petitioner. He reviewed they were here for a modification to Phase 5. The plans had been reviewed, and he had put together a summary of the items that had been raised by the peer review. Some have been adequately addressed, some are in regards to the Conservation Commission, some are deferred to the ZBA, Fire Department, and other miscellaneous items.

Mr. Jason Youngquist, engineer from Outback Engineering, then updated the Board in regards to where they stand with the Conservation Commission. He advised they had been in front of the Conservation Commission on Tuesday to go over the revised plans. He noted that most of the engineering items had been addressed through the review from Beals and Thomas, and that the Commission would also be hiring Beals and Thomas to review the project from a wetland's standpoint. This would be more of the Notice of Intent filing, the wetland line, and a wet area up on top of the field that they wanted to discuss. That hearing has been continued until that review is complete.

Atty. Mather stated if the Board is so inclined to move forward today, they would suggest and accept the condition that it would be subject to the final receipt of all permits and approvals from the Conservation Commission. He noted there were several comments that were deferred to the ZBA. One was the waiver request which has since been submitted to the Board. Mr. Cody had pointed out that he was not a traffic review engineer, but he had reviewed the traffic and was okay with it. Atty. Mather advised that the traffic review had been done when they were contemplating both Phase 5 and Phase 6 and increasing the number of units, but that is not the case at this point. The original traffic report that was approved years ago was for 386 units, so they are still well under that amount.

Atty. Mather continued that there was also a request for clarification of the design intent for the site lighting. He noted they are just expanding Phase 5 and putting up three buildings. They will look just like the other buildings that are there including the parking and lighting. If the Board would like additional information, they would be happy to provide that. Atty. Mather said that there were a few comments that had been deferred to the Fire Department. Everything sent to the Fire Department has been reviewed, and they have not heard any comments from them. However, they do recognize that the applicant will have to comply with any conditions imposed by the Fire Department, especially the items mentioned by Mr. Cote, which were the adequacy of the emergency access and the adequacy of the fire fighting provisions.

Atty. Mather said Mr. Cote suggested conditions in several of the items and mentioned items five and eight where the applicant should document full Mass Architectural Access Board and ADA compliance during the building permit process, and they would expect that. Item 10 is that the applicant should document and confirm that adequate capacity is available in the water distribution network during the building permit process, and Item 21 that the applicant should provide a storm water pollution prevention plan prior to construction. In the miscellaneous category, there was a mention of the parking requirements and the architectural plans. Atty. Mather said they have not submitted the final architectural plans because Mr. Itani wanted to know that the Board was okay with the concept before proceeding with the final plans. In this case, they know what the buildings are going to look like, and they will have to submit those architectural plans before they get their building permit. Atty. Mather said that is a summary of the review.

Mr. Cote then advised the Board as the applicant has indicated, this is an accurate summary of where they stood after their letter of March 23rd. The one outstanding comment they had was the clarification on the parking. It was not clear how many spots there were, where the spots were, and where those handicap spaces are being placed in relation to the layout of the parking. Other than that, these things are going to be addressed or going to be no waivers at the discretion of the Board. In regards to the parking, Mr. Youngquist advised they were providing more spaces than what is required. Each unit has its own spot in the garage and a spot out front. There is an extra

spot in front, and they have provided additional parking within the central island for visitor parking. There is also handicap parking in those visitor spots.

Mr. Itani, the developer for the project, then addressed the Board. He said regarding the parking, it is typically policed by the Homeowners Association. Visitor parking cars are not allowed to be there for more than three days, otherwise they would have to get a Special Permit from the Association. If somebody decides to use their garage as storage, they would only have one additional parking spot. They cannot use the visitors parking as this is expressly for visitors. Mr. Itani then noted on the rendering how each unit gets a garage and two more spots outside the garage door. After consulting the plan, Atty. Kwesell said she was not seeing where there were double spaces. She also asked for the total amount of spaces.

Mr. Itani replied there are 10 units to a building with 18 parking spots outside of the building and 10 garages that belong to that building. Each building will have 28 parking spots. In addition, they added 22 visitor parking spots. Atty. Kwesell said it appears that three of the affordable units are end units and they do not have the three spaces. Mr. Itani said one of the spots out there will be allocated to the corner units. Atty. Kwesell clarified that from the 22 spaces, there will be 14 visitor spaces and 4 of those will be handicap. Mr. Itani said that is correct. Atty. Kwesell said there would be a condition that each end unit would have an allocated spot.

Mr. Olivieri asked if anyone on behalf of LeBaron had any additional comments. There were none. He asked if there were any additional questions from the Board. Mr. Zucco asked if this section of Phase 5 was age restricted. Mr. Itani said it was not. Ms. Donna Carraher from LeBaron Estates asked for clarification of the location. Atty. Kwesell indicated on the plan where the buildings would be.

Atty. Kwesell then questioned under outline number three that the Conservation Commission was deferring a waiver to the ZBA under the Wetlands Protection. Atty. Mather replied Mr. Cote had pointed out that there were no specific requests for waivers, so they had them prepared under Exhibit A. She noted that they did have a traffic report, although it is geared toward a larger project, she had not seen any concerns in the report's conclusions. When asked regarding lighting for the site, Mr. Youngquist said that it would all be dark sky compliant. Atty. Kwesell stated that she agreed with the suggested conditions from Beals & Thomas.

Mr. Olivieri asked if they were comfortable with a review of the conditions and sending the attorneys to draft a decision and to come back with it for a final approval. Atty. Mather said that has been the policy for the last modifications. They would like the Board to approve the concept subject to the approval of the conditions. Atty. Kwesell was not comfortable with approving this tonight as a Decision would then need to be filed within 14 days. Regarding the drafting of the Decision, they would incorporate all of the conditions that are in the Beals & Thomas review letter of March 23, 2023, and their standard conditions with regard to timing, a preconstruction meeting, all end units must have an allocated or dedicated spot, etc. She would also need to see the existing HOA documents to determine if they have to make any conditions based on those.

The peer review for the Conservation Commission was also discussed. Mr. Itani said the old line had expired. He did not think there were any changes, and that it was in the same location and would not impact them. Atty. Kwesell stated if the applicant wanted to close this tonight, they would be in a tough spot if Conservation made them move something. Mr. Itani reiterated that he

did not feel anything would change. Mr. Olivieri noted if that was the applicant's decision, it was at their own peril.

Mr. Noble made the motion, seconded by Mr. Zucco, to close the hearing. The **vote** was **unanimous for**.

Next meeting

The next meeting is scheduled for April 20, 2023, at 7:00 p.m. at the Lakeville Public Library.

Adjourn

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

Meeting adjourned at 8:10.