



# TOWN OF LAKEVILLE MEETING POSTING & AGENDA

Town Clerk's Time Stamp  
received & posted:

LAKEVILLE TOWN CLERK  
FOUD 2022 JUN 2 PM 12:27

*[Signature]*  
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:	<b>Zoning Board of Appeals</b>
Date & Time of Meeting:	<b>Thursday, June 16, 2022 at 7:00 p.m.</b>
Location of Meeting:	<b>Lakeville Public Library 4 Precinct Street, Lakeville, MA 02347</b>
Clerk/Board Member posting notice:	<b>Cathy Murray</b>

Cancelled/Postponed to: \_\_\_\_\_ (circle one)

Clerk/Board Member Cancelling/Postponing: \_\_\_\_\_

## A G E N D A

1. Petition hearings (Votes to be taken)

**Solana hearing continued – 29 Pilgrim Road** – request for a **Special Permit** under 6.1.3 and 7.4 to add a garage that would be within the required setbacks on a pre-existing, non-conforming lot.

**Dixon hearing – 36 Main Street** – request for a **Special Permit** under 6.1.3 and 7.4 to extend an existing steel building to accommodate a 15' x 44' nap room for daycare dogs on a pre-existing, non-conforming lot.

**TAC VEGA MA Owner, LLC hearing – 310 Kenneth W. Welch Drive** – request for a **Variance** under 5.1 and 8.2.2 to allow the lot coverage to exceed the maximum allowed with a density bonus of 70% by 3%, for a total of 73%.

2. Approve Meeting Minutes for May 19, 2022.
3. Old Business
4. New Business
5. Next meeting . . . Thursday, July 21, 2022
6. 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

## **McKinnon & Keese Engineering**

Civil Engineers, Land Surveyors, & Soil Analysts  
23 Looks' Mill La.  
Rochester, MA. 02770  
Tel. & Fax (508)763-3854; cell (508)287-0531  
email: [mckk21@verizon.net](mailto:mckk21@verizon.net)

Zoning Board of Appeals  
Town of Lakeville  
346 Bedford Street  
Lakeville, MA 02347

May 23, 2022

Re: Review for ZBA case for 29 Pilgrim Rd., Lakeville, MA  
Proposed Garage

Members of the Board;

It has been brought to my attention that a plan has been submitted to the Board proposing a new garage attached to the dwelling of 29 Pilgrim Rd. Lakeville, MA. Said plan appears to have my signed and sealed civil engineering seal on it.

I hereby inform the Board that the submitted plan was a copy of a septic as-built plan for 29 Pilgrim Rd. Lakeville, MA in which a third party added the proposed garage to the plan without my knowledge or review. Therefore, I must insist that the Board refrain from using said plan in its deliberations and final decisions that the Board may conclude about the application for 29 Pilgrim Rd.

To act on the above plan submitted would be entirely inappropriate as only a Registered Land Surveyor may certify the distance from a structure to a property line as per 250 CMR.

If you have any questions, please contact me at 508-369-4783

Very truly yours;

*Anthony Esposito*

Anthony A. Esposito, PE

Cc:Sandy Keese, CSE

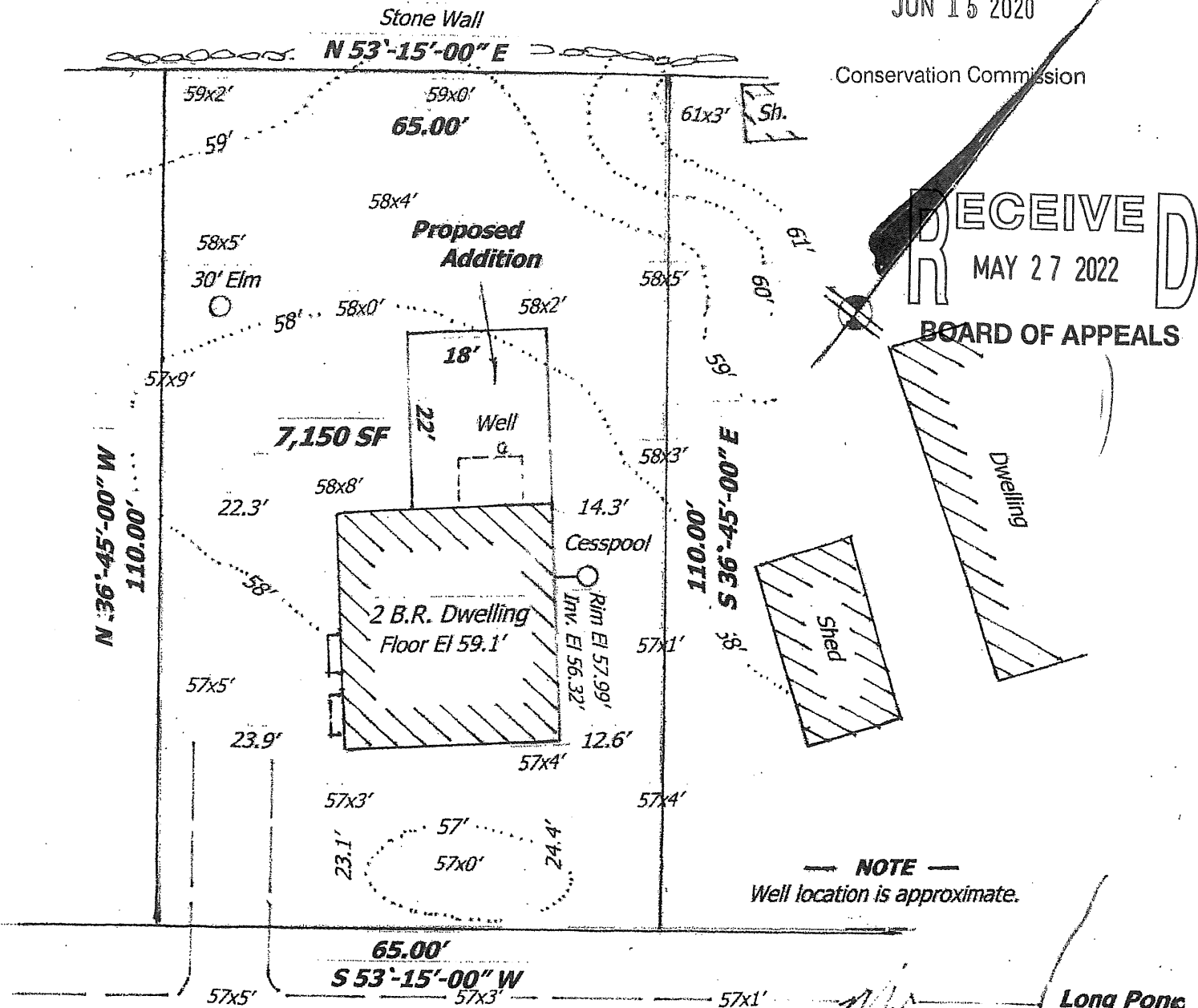
RECEIVED

JUN 15 2020

Conservation Commission

RECEIVED  
MAY 27 2022

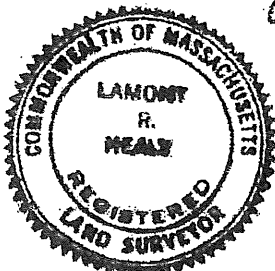
BOARD OF APPEALS



### Pilgrim Road

I certify that this plan was prepared from an instrument survey and that the structures shown are located on the ground as depicted.

*James R. Healy*  
Registered Land Surveyor #17702



Certified Location Plan

29 Pilgrim Road

Lakeville, Massachusetts

Owner/Applicant

Leonardo Solana, Jr. Et Ux

Scale 1" = 20'

September 16, 2019

from the office of

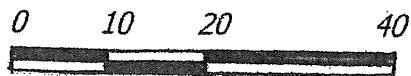
J. L. Francis Associates

Surveyors - Engineers - Land Planners

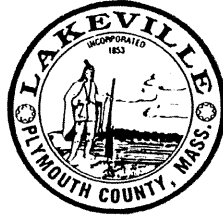
60 Summer St. Kingston, MA 02364

(781) 582-8200

DEED REFERENCE  
Bk. 49443, Page 330



**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, June 16, 2022, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **Julia Dixon**. A **Special Permit** under **6.1.3** and **7.4**. is requested to extend the existing steel building to accommodate a 15' x 44' nap room for daycare dogs on a pre-existing, non-conforming lot, as provided by the Lakeville By-Laws. The property site is **36 Main Street**.

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

John Olivieri, Jr., Chairman

June 2, 2022 & June 9, 2022



*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

June 6, 2022

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

Re: 36 Main St and 310 Kenneth Welch Dr

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 36 Main Street. Since the addition does not contain any plumbing or sewer, and the owner claims she is not increasing the number of dogs, the addition will not affect the septic system. Thus, the Board of Health has no objections to the proposed addition.

We received a copy of the Petition for Hearing for 310 Kenneth Welch Drive and are concerned with the grading in the parking area over the leaching area. A Grading Plan dated 2/3/22 proposes to remove more than 1.58 feet over the leaching field. This would render the leaching field unusable. The Board of Health requests that the applicant submit a plan showing the elevation of the existing septic system and the proposed grading to ensure the existing septic system is not altered. The Board of Health objects to any change that would alter the existing septic system.

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*  
*Conservation Commission*  
*346 Bedford St.*  
*Lakeville, MA 02347*

*Phone: (508) 946-8823 FAX: (508) 946-0112*

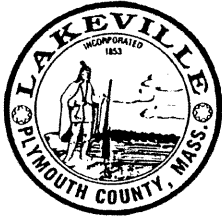
To: Zoning Board of Appeals  
From: Conservation Commission  
Date: June 13, 2022

Subject: Dixon, 36 Main St.

The Conservation Commission has reviewed this application for a 15'x14' addition. There are no impacts to any wetlands in this area. Therefore, the Commission has no objection to this project.

Sincerely,

Robert Bouchard  
Conservation Agent



Mark Knox, Chairman  
Peter Conroy, Vice Chairman  
Nora Cline  
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:** June 13, 2022  
**SUBJECT:** Petition Review for Dixon – 36 Main Street

At their Thursday, June 9, 2022, 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" RECEIVE D MAY 24 2022 BOARD OF APPEALS

5/29

Name of Petitioner: JULIA DIXON

Mailing Address: 5 PARKWOOD DRIVE WAREHAM MA 02571

Name of Property Owner: JULIA DIXON

Location of Property: 36 MAIN STREET LAKEVILLE MA 0234

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

Registry of Deeds: Book No. 14855 Page No. 141

Map 062 Block 001 Lot 010

Petitioner is: [checked] owner tenant licensee prospective purchaser

Nature of Relief Sought:

[checked] Special Permit under Section (s) 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.)

I am applying for a special permit to extend the existing steel building to accommodate a naproom for our daycare dogs. 15' x 44'

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: Julia Dixon

Date: 5/19/22

Signed: Julia Dixon

Telephone: 508 946 3647 508 572 2886

Owner Signature: (If not petitioner)

Owner Telephone: 508 572 2886 cell

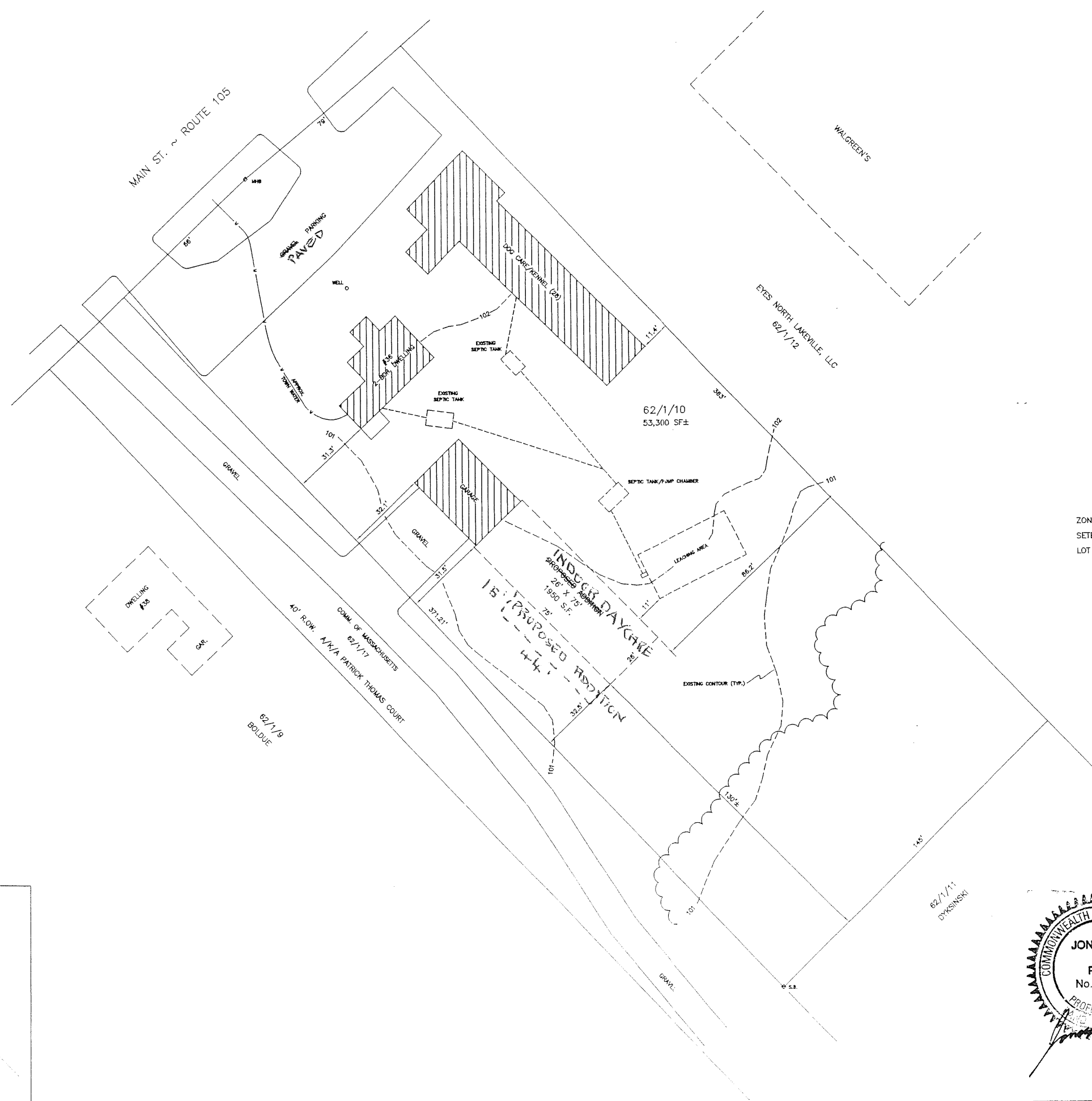
(REFERENCE THE REVERSE SIDE OF THIS APPLICATION FOR FURTHER INSTRUCTIONS IN FILING YOUR PETITION.)

WILL YOU HAVE A REPRESENTATIVE OTHER THAN YOURSELF?

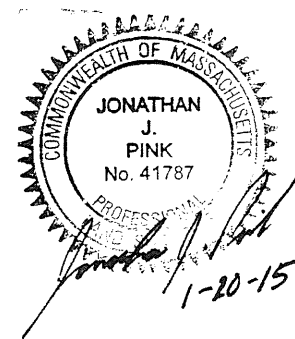
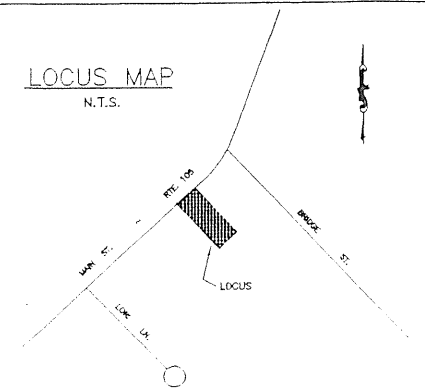
Yes [X] No

(Name and Title)





ZONING: BUSINESS  
 SETBACKS: FRONT, REAR & SIDE - 40'  
 LOT COVERAGE: PROPOSED (21%) ALLOWED (50%)



<b>SITE PLAN</b>					
PREPARED FOR:		JULIA DIXON			
LOCATED AT:		#36 MAIN ST. LAKEVILLE, MASSACHUSETTS			
DATE	SCALE	DRAWN	CHKD	JOB NO.	
1/20/15	1"=20'	JJP	SC	214-145	
<b>AZOR</b> LAND SCIENCES INC. CIVIL ENGINEERS & LAND SURVEYORS 328 BEDFORD ST. LAKEVILLE, MA 02847 TEL. (508) 946-5427 AZORS28@VERIZON.NET					

**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, June 16, 2022, at 7:00 P.M. in the LAKEVILLE PUBLIC LIBRARY, 4 PRECINCT STREET, upon the petition of **TAC VEGA MA Owner, LLC**. A **Variance** under **5.1** and **8.2.2** is requested to allow the lot coverage to exceed the maximum allowed with the density bonus of 70%, by 3%, for a total of 73%. The property site is **310 Kenneth W. Welch Drive**.

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

June 2, 2022 & June 9, 2022



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

Board of Health  
(508) 946-3473  
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June 6, 2022

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

Re: 36 Main St and 310 Kenneth Welch Dr

Dear Chairman Olivieri:

We received a copy of the Petition for Hearing for 36 Main Street. Since the addition does not contain any plumbing or sewer, and the owner claims she is not increasing the number of dogs, the addition will not affect the septic system. Thus, the Board of Health has no objections to the proposed addition.

We received a copy of the Petition for Hearing for 310 Kenneth Welch Drive and are concerned with the grading in the parking area over the leaching area. A Grading Plan dated 2/3/22 proposes to remove more than 1.58 feet over the leaching field. This would render the leaching field unusable. The Board of Health requests that the applicant submit a plan showing the elevation of the existing septic system and the proposed grading to ensure the existing septic system is not altered. The Board of Health objects to any change that would alter the existing septic system.

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*  
*Conservation Commission*  
*346 Bedford St.*  
*Lakeville, MA 02347*

*Phone: (508) 946-8823 FAX: (508) 946-0112*

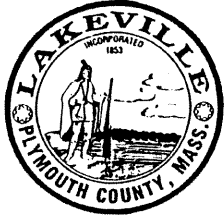
To: Zoning Board of Appeals  
From: Conservation Commission  
Date: June 13, 2022

Subject: 310 Kenneth Welch Drive - TAC Vega

The applicant has proposed changes in the parking areas for this site. A small amount of impervious coverage is proposed. Due to the extensive wetland areas within the 100' buffer zone and the nature and extent of disturbed area, the Commission will require the submittal of a Request for Determination of Applicability.

Sincerely,

Robert Bouchard  
Conservation Agent



Mark Knox, Chairman  
Peter Conroy, Vice Chairman  
Nora Cline  
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:** June 13, 2022

**SUBJECT:** Petition Review for TAC Vega MA Owner, LLC  
310 Kenneth W. Welch Drive

At their Thursday, June 9, 2022, meeting, the Planning Board reviewed the above referenced Petition for Hearing from the Board of Appeals. The Planning Board recommends the Zoning Board continue the 310 Kenneth W. Welch Drive petition until after the Planning Board has received and reviewed a satisfactory site and landscape plan.

Please see attached for additional information that the Planning Board would like to have distributed to the Zoning Board.

## Cathy Murray, Appeals Board Clerk

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**From:** Michele MacEachern <shell42880@gmail.com>  
**Sent:** Friday, June 10, 2022 9:23 AM  
**To:** Cathy Murray, Appeals Board Clerk  
**Cc:** Marc Resnick; mjknnox05@gmail.com  
**Subject:** Fwd: Assistance Request - Follow Up  
**Attachments:** 310 Kenneth Welch.pdf

Good morning Cathy,

Would you forward the below and attached information to the ZBA? The Planning Board agreed this information pertaining to 310 Kenneth Welch should be shared with them.

Contained:

1. plans received by PB dated 8/23/21 showing parking area in rear right portion of the site.
2. plans received by PB dated 2/3/22 showing tractor-trailer sized gas generator offload in the same rear right portion of the lot
3. ZBA Special Permit dated 9/2/21 referencing the 8/23/21 revised Plans (but not the more recent 2/3/22 plans)
4. Email sent to the Cannabis Control Commission regarding the gas generators location within a flood zone and proximity to Rt 495, Commuter rail, Middleboro, wetlands, and residential neighborhood all within a quarter mile
5. Reference to the MA 935 CMR 500.105 - which is also referenced in Lakeville Zoning Bylaws Special Permit for Marijuana, regarding energy conservation and renewable energy options to be pursued
6. Email response from CCC Investigations Manager stating that Jushi will be receiving their Second Notice of Deficiency

Also, the Planning Board voted to send a letter to the Selectboard requesting "No Parking" signs across the street from the 310 Kenneth Welch building, and to request that the ZBA continue the Variance Hearing until after the PB has a chance to review a landscape plan, which would determine whether the applicant has sufficiently gained the 10% Density bonus to reach the 70% lot coverage.

Thank you!  
Michele

Sent from my iPhone

Begin forwarded message:

**From:** Michele MacEachern <shell42880@gmail.com>  
**Date:** May 26, 2022 at 4:38:03 PM EDT  
**To:** Katherine Binkoski <Katherine.Binkoski@cccmass.com>  
**Cc:** Kyaire J Wynn <Kyaire.Wynn@cccmass.com>, Mark Knox <mjknnox05@gmail.com>, Marc Resnick <mresnick@lakevillema.org>, ndarling@lakevillema.org  
**Subject:** Re: Assistance Request - Follow Up

Thank you for looking into this matter and following up Katherine!

I have included the Planning Board chair and Town Planner and Zoning Enforcement officer on this reply to make everyone aware of the current status for 310 Kenneth Welch.

Thanks again for your help,  
Michele

Sent from my iPhone

On May 26, 2022, at 4:10 PM, Katherine Binkoski <Katherine.Binkoski@cccmass.com> wrote:

Good afternoon, Michele – thank you for sending this over.

I watched the meeting, and thank you for bringing up to the company that these changes also require them to update us/submit a structural change request for this.

Our records indicate the only Structural Change request we received was back in October/November 2021 for work on the second floor of facility which was for employee break room space amongst other things. We conducted an unannounced inspection of the facility in December and found that that space they were requesting to utilize in the Structural Change had already been completed and was being used, so they received a Notice of Deficiency.

Another Structural Change request was submitted by the company on May 6, 2022 with no documents. Our team followed up with the company requesting the documents in pdf format and has yet to receive any response as of today. I am unsure if the 5/6 submission is inclusive of the retroactive permitting which was spoken about in the meeting.

The Licensee will be receiving another Notice of Deficiency for failing to comply with local ordinances.

Thank you,  
Katherine

<image001.png>

**Katherine Binkoski**, *Investigations Manager*  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(C) 617.721.0163  
[Katherine.Binkoski@CCCMass.com](mailto:Katherine.Binkoski@CCCMass.com)

[www.Mass-Cannabis-Control.com](http://www.Mass-Cannabis-Control.com)

[<image002.png>](#)

[<image003.png>](#)

[<image004.png>](#)

[<image005.png>](#)

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**From:** Michele MacEachern <shell42880@gmail.com>  
**Sent:** Thursday, May 26, 2022 11:41 AM  
**To:** Kyaire J Wynn <Kyaire.Wynn@cccmass.com>  
**Cc:** Katherine Binkoski <Katherine.Binkoski@cccmass.com>  
**Subject:** Re: Assistance Request - Follow Up

Hi Kyaire,

Just to follow up on this item. The applicant, Jushi, did have representatives present at the 5/12/22 Planning Board meeting and the issue of the Permit for those gas generators was brought up.

It seems that those gas generators were added to the site without the proper permits in place.

I have attached video of the meeting and here is the link if you would like to view the presentation, starting at time stamp 1:30:02

[https://fb.watch/dfl\\_mtHUOQ/](https://fb.watch/dfl_mtHUOQ/)

This morning I heard from our Zoning Enforcement Officer, Nate Darling, who said he will reach out to you to discuss.

Hopefully that will help with this issue.

Thanks again,  
Michele MacEachern

Sent from my iPhone

On May 2, 2022, at 3:14 PM, Kyaire J Wynn  
<[Kyaire.Wynn@cccmass.com](mailto:Kyaire.Wynn@cccmass.com)> wrote:



Thank you for the response. Can you follow up with them? Also, can you see if they're also available for the call? I would love to speak to all of you if needed, so we're all on the same page. My Investigations Manager, Katherine Binkoski, will be present as well. Thank you.

<image001.png>

**Kyair Wynn, Investigator**

Pronouns: He, Him

Cannabis Control Commission

Union Station

2 Washington Square

Worcester, MA 01604

(O) 774.337.2109 | (C) 617.894.6710

[Kyair.Wynn@CCCMass.com](mailto:Kyair.Wynn@CCCMass.com)

[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

<image002.png>

<image003.png>

<image004.png>

<image005.png>

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**From:** Michele MacEachern <[shell42880@gmail.com](mailto:shell42880@gmail.com)>

**Sent:** Monday, May 2, 2022 2:25 PM

**To:** Kyair J Wynn <[Kyair.Wynn@cccmass.com](mailto:Kyair.Wynn@cccmass.com)>

**Subject:** Re: Assistance Request - Follow Up

Hi Kyair,

I have forwarded your response to the Planning Board chairman and also to our Town Planner. I was hoping to find out if there were additional permits needed as you had referenced in your prior email.

I can be available for a phone call either Wednesday or Thursday after 4pm. My cell phone is (774) 222-0518

Thanks again,  
Michele

Sent from my iPhone

On May 2, 2022, at 1:56 PM, Kyaire J Wynn  
<[Kyaire.Wynn@cccmass.com](mailto:Kyaire.Wynn@cccmass.com)> wrote:

Hello Michele,  
Just following up on the email I sent below.  
Additionally, I wanted to see what days/times this  
week you're available for a call. (30 minutes max)  
Thank you.

<image001.png>

**Kyaire Wynn, Investigator**  
Pronouns: He, Him  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(O) 774.337.2109 | (C) 617.894.6710  
[Kyaire.Wynn@CCCMass.com](mailto:Kyaire.Wynn@CCCMass.com)

[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

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**From:** Kyaire J Wynn  
**Sent:** Friday, April 22, 2022 3:09 PM  
**To:** Michele MacEachern <[shell42880@gmail.com](mailto:shell42880@gmail.com)>  
**Cc:** Katherine Binkoski  
<[Katherine.Binkoski@cccmass.com](mailto:Katherine.Binkoski@cccmass.com)>  
**Subject:** RE: Assistance Request - Follow Up

Good morning Michele,

My apologies for the delay. I was out of the office  
for a few days.

Are the proposed addition of the generators  
something the Licensee would be expected to pull  
permits for? If so, then they would also need to

apply for a structure change request with us as well before conducting any work. This SC request process would involve us speaking with involved stakeholders, usually the local building department, to ensure they were aware of the proposed plan and were in compliance with the municipality.

<image001.png>

**Kyair Wynn, Investigator**  
Pronouns: He, Him  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(O) 774.337.2109 | (C) 617.894.6710  
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[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

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**From:** Michele MacEachern <[shell42880@gmail.com](mailto:shell42880@gmail.com)>  
**Sent:** Thursday, April 7, 2022 3:43 PM  
**To:** Kyair J Wynn <[Kyair.Wynn@cccmass.com](mailto:Kyair.Wynn@cccmass.com)>  
**Subject:** Re: Assistance Request - Follow Up

Good afternoon Kyair,

Attached are screen shots of the paper plans:

1. Information on the plans states that this property is located in a flood zone but that it was removed in 2012.
2. The plans on record differ from what is depicted on the proposed plans as "existing" which refers to 3 added natural gas generators (each the size of a tractor trailer).  
HOWEVER, these were never included on plans previously approved by Planning Board.
3. This location is less than a mile from: Interstate Route 495, 86 feet the Commuter rail, the neighboring town of

Middleboro, wetlands, and residential neighborhoods are within a quarter of a mile as well.

Under 935 CMR 500.105:

" (q) Policies and procedures for energy efficiency and conservation that shall include: 1. Identification of potential energy use reduction opportunities (including, but not limited to, natural lighting, heat recovery ventilation and energy efficiency measures), and a plan for implementation of such opportunities; 935 CMR: CANNABIS CONTROL COMMISSION 500.105: continued 2. Consideration of opportunities for renewable energy generation including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable; 3. Strategies to reduce electric demand (such as lighting schedules, active load management and energy storage); and 4. Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants."

My main concern is with these large natural gas generators and the fact that renewable energies do not appear to have been considered. Lakeville is considered a "Green Community" and there are better renewable alternatives available like solar or wind. I am hoping for guidance from the state on how best to proceed.

Another concern I have is in regards to safety, not only for our residents but for anyone traveling on Rt 495 if there were to be mishap of some sort (i.e. explosion) considering this location is within a flood zone. Also close proximity to the Commuter Rail and residential neighborhoods which abut the industrial park.

Any guidance or assistance your office may be able to provide would be greatly appreciated.

Thank you,  
Michele MacEachern  
Lakeville, MA

<image006.png>

Sent from my iPhone  
<image007.jpg>  
<image008.jpg>  
<image009.jpg>  
Sent from my iPhone

On Mar 31, 2022, at 2:55 PM, Kyaire J Wynn <[Kyaire.Wynn@cccmass.com](mailto:Kyaire.Wynn@cccmass.com)> wrote:

Hello Michele,

I am unable to call you today. Can you provide a synopsis about what the planning board's issues are?  
Thank you,

<image001.png>

**Kyaire Wynn, Investigator**  
Pronouns: He, Him  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(O) 774.337.2109 | (C) 617.894.6710  
[Kyaire.Wynn@CCCMass.com](mailto:Kyaire.Wynn@CCCMass.com)

[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

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**From:** Michele MacEachern  
<[shell42880@gmail.com](mailto:shell42880@gmail.com)>  
**Sent:** Thursday, March 31, 2022 10:41 AM  
**To:** Kyaire J Wynn

[<Kyair.Wynn@cccmass.com>](mailto:Kyair.Wynn@cccmass.com)

Cc: Katherine Binkoski

[<Katherine.Binkoski@cccmass.com>](mailto:Katherine.Binkoski@cccmass.com)

Subject: Re: Assistance Request - Follow  
Up

Yes, I am!

Thanks again,  
Michele

Sent from my iPhone

On Mar 31, 2022, at  
10:15 AM, Kyair J  
Wynn

[<Kyair.Wynn@cccmass.com>](mailto:Kyair.Wynn@cccmass.com) wrote:

Good morning  
Michele,  
Are you available  
after 4PM today work  
as well?

<image001.png>

**Kyair Wynn, Investigator**  
Pronouns: He, Him  
Cannabis Control Commission  
Union Station  
2 Washington Square  
Worcester, MA 01604  
(O) 774.337.2109 | (C) 617.894.6710  
[Kyair.Wynn@CCCMass.com](mailto:Kyair.Wynn@CCCMass.com)

[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

<image002.png>

<image003.png>

<image004.png>

<image005.png>

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**From:** Michele  
MacEachern  
<[shell42880@gmail.com](mailto:shell42880@gmail.com)>  
**Sent:** Wednesday,  
March 30, 2022 2:35  
PM  
**To:** Kyaire J Wynn  
<[Kyaire.Wynn@cccmass.com](mailto:Kyaire.Wynn@cccmass.com)>  
**Subject:** Re: Assistance  
Request - Follow Up

Hi Kyaire,

Thank you for reaching  
out! I work until 4pm,  
so anytime after that  
works for me.

My cell #774-222-0518

I look forward to  
hearing from you,  
Michele

Sent from my iPhone

On Mar  
30,  
2022,  
at 9:33  
AM,  
Kyaire J  
Wynn  
<[Kyaire.Wynn@cccmass.com](mailto:Kyaire.Wynn@cccmass.com)>  
>  
wrote:

Good  
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Thank  
you.

<image001.png>

**Kyair Wynn, Investigator**

Pronouns: He, Him

Cannabis Control Commission

Union Station

2 Washington Square

Worcester, MA 01604

(O) 774.337.2109 | (C) 617.894.6710



[Kyaire.Wynn@CCCMass.com](mailto:Kyaire.Wynn@CCCMass.com)

[www.MassCannabisControl.com](http://www.MassCannabisControl.com)

<image002.png>

<image003.png>

<image004.png>

<image005.png>

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and to  
lead the  
moveme  
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toward  
building  
a more  
resilient  
world.  
To find  
out  
more,  
visit our  
website.

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TOWN OF LAKEVILLE  
MASSACHUSETTS

ZONING BOARD OF APPEALS

SPECIAL PERMIT DECISION – APPROVED WITH CONDITIONS

Decision Date: September 2, 2021

Name/Address of Applicant: Nature's Remedy of Massachusetts, Inc. and  
Jushi MA, Inc.  
69 Milk Street, Suite 110  
Westborough, MA 01581

Name/Address of Property Owner: CSS I, LLC  
310 Kenneth W. Welch Drive  
Lakeville, MA 02347

Location: 310 Kenneth W. Welch Drive  
Lakeville, MA 02347

Assessors' Reference: Map 61, Block 2, Lot 3

Zoning District: Industrial District

PROJECT DESCRIPTION: Nature's Remedy of Massachusetts, Inc. ("Nature's Remedy") and Jushi, Inc. ("Jushi") filed an application for a modification and/or granting of special permits that were previously approved by the Lakeville Zoning Board of Appeals (the "ZBA" or "Board") for the construction and development of an approximately 50,000 square foot registered marijuana dispensary ("RMD") and by the Lakeville Planning Board for an adult use marijuana cultivator and product manufacturing establishment (collectively, the "Establishment") located within a portion of an industrial building at 310 Kenneth W. Welch Drive, Lakeville, Massachusetts (the "Property").

On June 21, 2018, the ZBA granted a special permit to Nature's Remedy for the sales of medical marijuana and associated paraphernalia along with the cultivation, testing, packaging and storage of medical marijuana at the Property. On February 28, 2019, the Planning Board granted a special permit to Nature's Remedy for the use and operation of an adult use marijuana cultivator and product manufacturing use, and also approved the definitive site plan.

Nature's Remedy and Jushi seek to add approximately 10,000 s.f. of accessory office, locker room and break room area to the Establishment and complete interior renovations. Additionally, 25 parking spaces that were previously designated for use by other occupants of the building are now designated for Nature's Remedy and Jushi's use, resulting in a total of 68 parking spaces for Nature's Remedy and Jushi, which complies with minimum parking space requirements. There are no proposed changes with respect to the existing footprint of the building, parking or driveway layout, loading, stormwater management or other site features. Moreover, there are no proposed changes with respect to the security plan, operation and management plan or

## PROCEDURAL HISTORY:

1. On July 21, 2021 an application for a Special Permit of which a true copy marked "A" is made a part of this record was presented to the Appeals Board and filed with the Town Clerk.
2. Thereupon, an advertisement, a true copy of which marked "B" is made a part of this record, was published in the Middleboro Gazette a newspaper published in Middleboro, MA on 8/5/21 and on 8/12/21.  
(Date) (Date)
3. Notice of the hearing, a copy of which marked "C" is made a part of this record, were mailed postpaid to the petitioner, abutter, and owners of the land within 300 feet of the property line, being the same persons named in the Assessors certificate which was a part of the petition heretofore referred to and marked "A", and to the Board of Selectmen, Building Inspector, and the planning boards of every abutting municipality.
4. On August 19, 2021, a hearing was held pursuant to the to the provisions allowed by Chapter 20 of the Acts of 2021, signed by the Governor on June 16, 2021, by Zoom – a virtual platform, at which opportunity was given to all those interested, those to be heard in favor or opposition to said petition, application, or appeal. The public hearing was closed, and the application was voted on August 19, 2021.

## INDEX OF DOCUMENTS SUBMITTED TO THE BOARD:

The following materials were submitted as part of the Application for Special Permit:

- a. Special Permit application package
- b. August 10, 2021, correspondence from the Town Administrator
- c. August 13, 2021, correspondence from the Fire Chief
- d. August 17, 2021, correspondence from the Planning Board
- e. August 18, 2021, correspondence from the Conservation Commission
- f. Site Plan, dated 8/12/21, revised 8/19/21, and 8/23/2, prepared by Zenith Consulting Engineers, LLC.

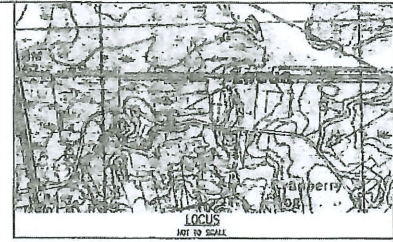
## FINDINGS:

The Board found the proposed use of the Property as an Adult Use Registered Marijuana Dispensary ("RMD") and Marijuana Cultivator and Marijuana Product Manufacturing Establishments pursuant to Section 7.4.6 of the Zoning Bylaw is in harmony with the general purpose and intent of the Bylaw based on the following findings:

1. The application seeks to modify the two existing special permits by modifying the name of the special permit holder and add approximately 10,000 s.f. of accessory space and 25 parking spaces.
2. The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.

LAKEVILLE PLANNING BOARD

APPROVED \_\_\_\_\_  
 ENDORSED \_\_\_\_\_



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



8-13-2021

Plans Dated 8/23/21

LOT AREA  
 13.07 ACRES  
 569,357 S.F.

FIRE ACCESS:  
 A INSPECTOR IS TO BE COMPLETED ANNUALLY BY THE OCCUPANT OF THE FACILITY AND VEGETATION IS TO BE TRIMMED TO ENSURE SAFE VEHICULAR ACCESS. AT A MINIMUM, ACCESS IS TO BE MAINTAINED IN ITS EXISTING STATE.

SPACES TO BE STRIPPED SEE SITE PLAN BY AZOR LAND SERVICES, INC. DATED 1-21-2020

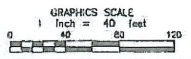
**PARKING REQUIREMENTS FOR NATURES REMEDY ONLY:**  
 OFFICE, 10,000 SF @ 1 SPACE/200 SF = 50 SPACES  
 MANUFACTURE: 1 PER EACH EMPLOYEE ON THE LARGEST SHIFT  
 25 EMPLOYEES X 1 SPACE = 25 SPACES  
 TOTAL PARKING REQUIRED FOR NATURES REMEDY = 47 SPACES  
 TOTAL PARKING PROVIDED = 64 SPACES

**PLAN PURPOSE:**  
 1. THE PURPOSE OF THIS PLAN IS TO SHOW THE LOCATION OF PARKING SPACES FOR THE TRANSFER OF 10,000 SF OF OFFICE AREA TO NATURES REMEDY OF MASSACHUSETTS, INC.  
 2. THIS PLAN IS NOT PROPOSING ANY GRADING, PAVING, DRAINAGE OR EARTH DISTURBANCE, AND IS BASED UPON THE CONDITIONS ON 8-11-2021.

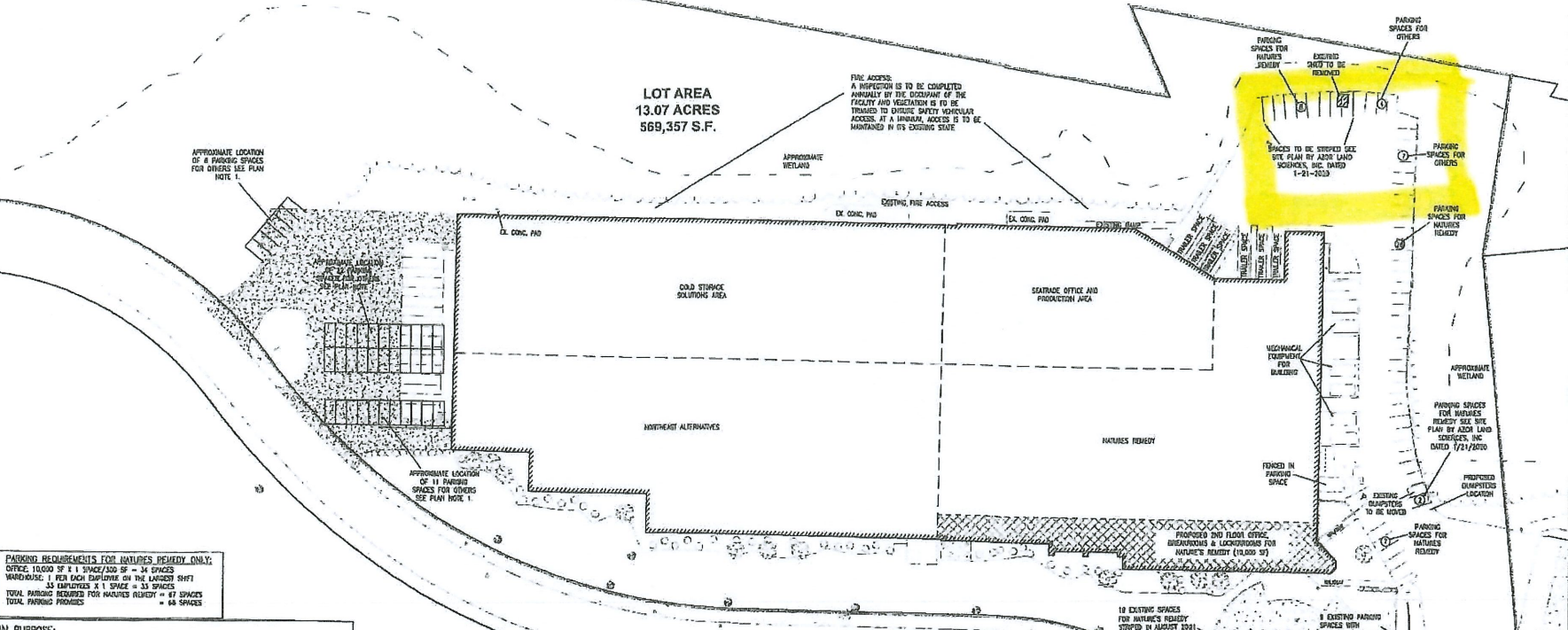
**PLAN NOTE:**  
 1. THE LAKEVILLE PLANNING BOARD REQUESTED AT ITS MEETING ON 8-12-2021 THAT THE PARKING SPACES ON THE WEST SIDE OF THE BUILDING AS SHOWN ON THE SITE PLAN BY AZOR LAND SERVICES, INC. DATED 1/21/2020 AND ENDORSED BY THE LAKEVILLE PLANNING BOARD ON 2-13-2020 BE ADDED TO THIS SITE PLAN. IT WAS DISCUSSED AND UNDERSTOOD THAT THESE SPACES ARE NOT YET STRIPPED AND THAT ZENTH CONSULTING ENGINEERS, LLC HAS NOT EVALUATED THESE SPACES OR LOCATIONS. THESE SPACES ARE BEING DISPLAYED ON THIS PLAN AT THE PLANNING BOARD'S REQUEST AND IT SHALL BE UNDERSTOOD THAT THEY ARE SHOWN APPROXIMATELY.  
 2. PARKING SPACES FOR NATURES REMEDY TO BE MARKED ON THE ASPHALT AS DESIGNATED FOR NATURES REMEDY FOR PARKING BOARD REQUEST.

**SITE INFORMATION:**  
 1. THE SITE IS SHOWN ON THE TOWN OF LAKEVILLE ASSESSORS AS BLOCK 002 LOT 003 ON MAP 001  
 2. FOR THE REFERENCE TO THE SUBJECT PROPERTY REFER TO BOOK 42352 PAGE 259 IN THE PLYMOUTH COUNTY REGISTRY OF DEEDS.  
 3. FOR PLAN REFERENCE:  
 3.1. SEE SITE SURVEY PLAN BY MOUNT HOPE ENGINEERING, INC. PLYMOUTH COUNTY REGISTRY OF DEEDS PLAN BOOK 43 PAGE 178.  
 3.2. SEE SITE SURVEY PLAN BY S & B LAND SURVEYING, INC. PLYMOUTH COUNTY REGISTRY OF DEEDS PLAN BOOK 29 PAGE 035.  
 3.3. SEE CONSTRUCTION SITE PLAN BY AZOR LAND SERVICES, INC. PLYMOUTH COUNTY REGISTRY OF DEEDS PLAN BOOK 62 PAGE 558.  
 3.4. SITE PLAN BY AZOR LAND SERVICES, INC. DATED 1/21/2020.  
 WETLAND LOCATION HAS BEEN TAKEN FROM AZOR LAND SERVICES, INC. SITE PLAN DATED 1/21/2020.

LEGEND	
	EXISTING CONTOUR
	PROPOSED CONTOUR
	CONCRETE BOUNDARY
	TEST PIT
	WETLAND SYMBOL
	35' BUFFER
	100' BUFFER
	GROUND SWINDLE
	CATCH BASIN
	UTILITY POLE
	LIGHT POLE



KENNETH WELCH DRIVE



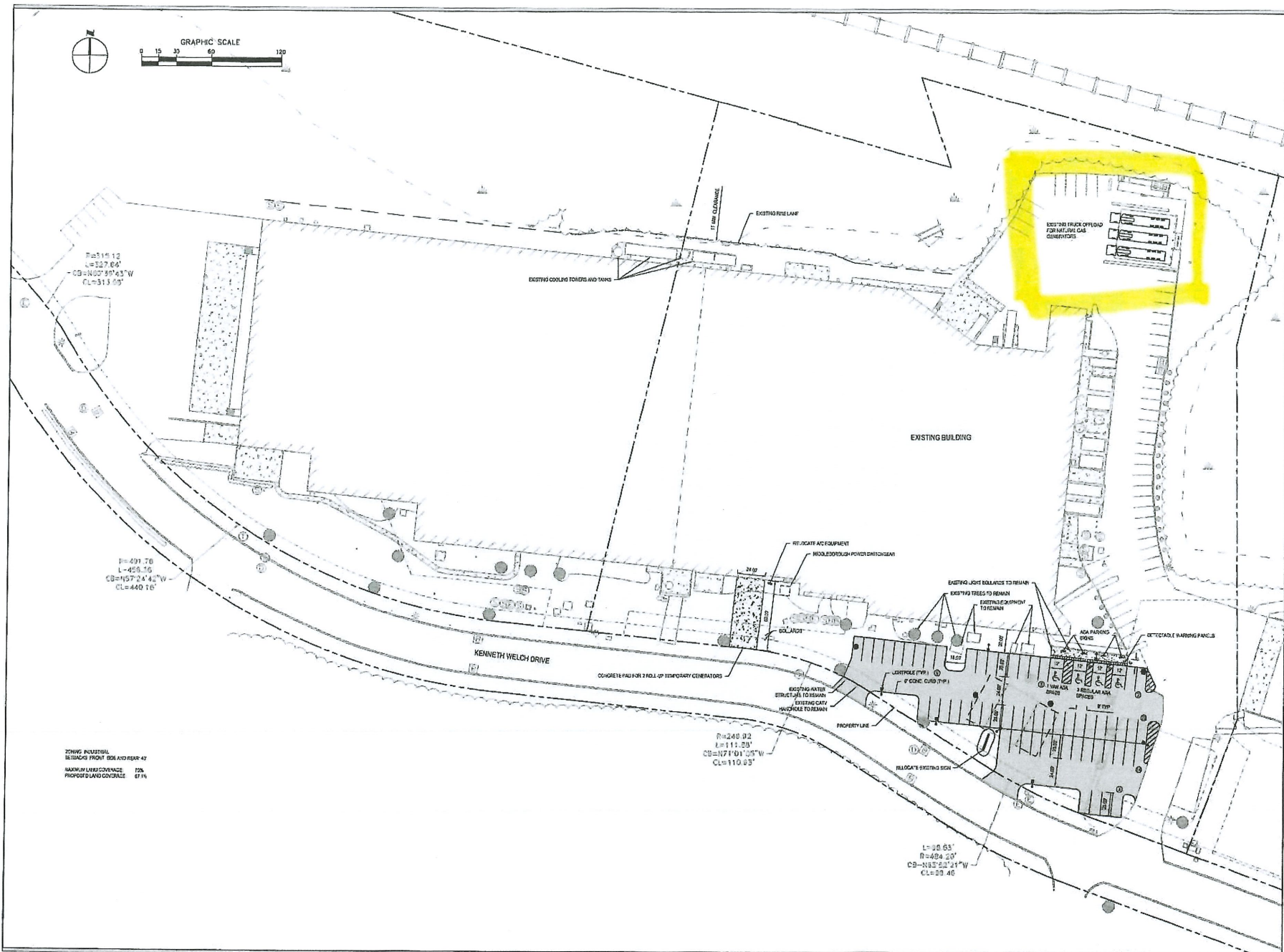
DATE	REV.	DATE	DESCRIPTION	BY	APP.
8-11-21	1	07/10/21	CHANGES PER PLANNING BOARD	ALB	ALB
8-11-21	2	9/23/21	CHANGES PER ZPA	ALB	ALB

**SITE PLAN**  
 PROJECT NO: 310 KENNETH WELCH DRIVE  
 LAKEVILLE, MASSACHUSETTS  
 CLIENT: NATURES REMEDY OF MASSACHUSETTS, INC.  
 88 MILK STREET, SUITE 110  
 WESTBOROUGH, MASSACHUSETTS

3/2024 Engineering Program/Updated/Version 0008 Date: 8/13/2024 1:30 PM Author: Bruce Brien/Staff/310

PB 9/9/21 Agenda Plans





NOTES  
 1. ALL DIMENSIONS ARE TO FACE OF CURB OR EDGE OF PAVEMENT, UNLESS OTHERWISE NOTED.

- LEGEND
- ASPHALT PAVEMENT
  - HEAVY DUTY CONCRETE PAVEMENT
  - CONCRETE SIDEWALK
  - EXISTING CONCRETE PAVEMENT

NO.	DATE	DESCRIPTION
01	02/15/22	ISSUED FOR PERMIT
02	02/15/22	ISSUED FOR PERMIT
03	02/15/22	ISSUED FOR PERMIT
04	02/15/22	ISSUED FOR PERMIT
05	02/15/22	ISSUED FOR PERMIT
06	02/15/22	ISSUED FOR PERMIT
07	02/15/22	ISSUED FOR PERMIT
08	02/15/22	ISSUED FOR PERMIT
09	02/15/22	ISSUED FOR PERMIT
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**EPSTEIN**

Architect  
 Planning  
 Consulting  
 600 W. Fulton Street  
 Chicago, IL 60641-3000  
 312.467.8100  
 www.epsteinllc.com

PROJECT NUMBER: 21148  
 PROJECT MANAGER: T. RUSSELL  
 PA I/P: T. SIMLES  
 DRAWN BY: G. CORTEZ  
 CHECKED BY: D. HILTY

**SITE LAYOUT AND PAVING PLAN**

MEP / FP Engineer  
 EPSTEIN  
 600 W. FULTON STREET  
 CHICAGO, IL 60641  
 312.467.8100

Structural Engineer  
 EPSTEIN  
 600 W. FULTON STREET  
 CHICAGO, IL 60641  
 312.467.8100

Architect of Record  
 EPSTEIN  
 600 W. FULTON STREET  
 CHICAGO, IL 60641  
 312.467.8100

Owner  
 NATURE'S REMEDY  
 310 KENNETH WELCH DRIVE  
 LAKEVILLE, MA 02457

Project  
 NATURE'S REMEDY FOR ALMA HOLDINGS  
 310 KENNETH WELCH DRIVE  
 LAKEVILLE, MA 02457



18 2/24/22 Agenda Plans



Sent: Thursday, April 7, 2022 3:43 PM  
To: Kyaire J Wynn <Kyaire.Wynn@cccmass.com>  
Subject: Re: Assistance Request - Follow Up

Good afternoon Kyaire,

Attached are screen shots of the paper plans:

1. Information on the plans states that this property is located in a flood zone but that it was removed in 2012.

2. The plans on record differ from what is depicted on the proposed plans as "existing" which refers to 3 added natural gas generators (each the size of a tractor trailer).

HOWEVER, these were never included on plans previously approved by Planning Board.

3. This location is less than a mile from: Interstate Route 495, 86 feet the Commuter rail, the neighboring town of Middleboro, wetlands, and residential neighborhoods are within a quarter of a mile as well.

Under 935 CMR 500.105:

" (q) Policies and procedures for energy efficiency and conservation that shall include: 1. Identification of potential energy use reduction opportunities (including, but not limited to, natural lighting, heat recovery ventilation and energy efficiency measures), and a plan for implementation of such opportunities; 2. Consideration of opportunities for renewable energy generation including, where applicable, submission of building plans showing where energy generators could be placed on the site, and an explanation of why the identified opportunities were not pursued, if applicable; 3. Strategies to reduce electric demand (such as lighting schedules, active load management and energy storage); and 4. Engagement with energy efficiency programs offered pursuant to M.G.L. c. 25, § 21, or through municipal lighting plants."

My main concern is with these large natural gas generators and the fact that renewable energies do not appear to have been considered. Lakeville is considered a "Green Community" and there are better renewable alternatives available like solar or wind. I am hoping for guidance from the state on how best to proceed.

Another concern I have is in regards to safety, not only for our residents but for anyone traveling on Rt 495 if there were to be mishap of some sort (i.e. explosion) considering this location is within a flood zone. Also close proximity to the Commuter Rail and residential neighborhoods which abut the industrial park.

Any guidance or assistance your office may be able to provide would be greatly appreciated.

Thank you,

Michele MacEachern

Lakeville, MA

---

**Fwd: Assistance Request - Follow Up**

---

Cape Cod Copper <capecodcopper2@gmail.com>  
To: Cape Cod Copper <capecodcopper2@gmail.com>

Thu, Jun 9, 2022 at 10:09 AM

On May 26, 2022, at 4:10 PM, Katherine Binkoski <Katherine.Binkoski@cccmass.com> wrote:

Good afternoon, Michele – thank you for sending this over.

I watched the meeting, and thank you for bringing up to the company that these changes also require them to update us/submit a structural change request for this.

Our records indicate the only Structural Change request we received was back in October/November 2021 for work on the second floor of facility which was for employee break room space amongst other things. We conducted an unannounced inspection of the facility in December and found that that space they were requesting to utilize in the Structural Change had already been completed and was being used, so they received a Notice of Deficiency.

Another Structural Change request was submitted by the company on May 6, 2022 with no documents. Our team followed up with the company requesting the documents in pdf format and has yet to receive any response as of today. I am unsure if the 5/6 submission is inclusive of the retroactive permitting which was spoken about in the meeting. ← 5/12/22 PB meeting

The Licensee will be receiving another Notice of Deficiency for failing to comply with local ordinances.

Thank you,  
Katherine

<image001.png>

**Katherine Binkoski, Investigations Manager**

**Cannabis Control Commission**

Union Station

2 Washington Square

Worcester, MA 01604

(C) 617.721.0163

**[Katherine.Binkoski@CCCMass.com](mailto:Katherine.Binkoski@CCCMass.com)**

[www.Mass-Cannabis-Control.com](http://www.Mass-Cannabis-Control.com)

# Lakeville Zoning Bylaws

## 7.4.6 Specific Uses by Special Permit - Marijuana Uses

### Subsection E.

relation to the proposed use of the premises;

- e. Site design such that it provides 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
- g. Adequacy of water supply, surface and subsurface drainage and light.

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;
- b. Employee security policies;
- c. Proposed hours of operation and after-hours contact information;
- d. Proposal for storage of marijuana;
- e. Emergency procedures, including a disaster plan in case of fire or other emergencies;
- f. Policies and procedures for preventing the diversion of marijuana to individuals younger than 21 years old;
- g. Policies and procedures for energy efficiency and conservation in accordance with 935 **CMR 500.105**, and a plan for implementation of such policies;

A copy of proposed waste disposal procedures;

F. The **Zoning Board of Appeals** may impose conditions reasonably appropriate to improve site design, traffic flow, public safety, protect water quality, air quality and odor control, and significant environmental resources, preserve the character of the surrounding area, and ensure the **Marijuana Uses** are operating under best management practices for energy use, waste disposal and environmental impact. In addition to any specific conditions applicable to the Applicant's **Marijuana Uses** imposed by the **Zoning Board of Appeals**, the following conditions shall apply to any Special Permit granted under this By-Law, unless otherwise stated by the **Zoning Board of Appeals**:

1. The **Zoning Board of Appeals** may set the hours of operation, but if none are specifically specified in

**Zoning Board of Appeals  
Lakeville, Massachusetts  
Minutes of Meeting  
May 19, 2022**

On May 19, 2022, the Zoning Board held a meeting at the Lakeville Public Library. The meeting was called to order by Chairman Olivieri at 7:06 p.m. LakeCam was making a video recording.

**Members present:**

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

**Others present:**

Marc Resnick, Town Planner

**Solana hearing – 29 Pilgrim Road**

Mr. Olivieri opened the hearing and read the legal ad into the record. He asked Mr. Solana to describe his proposal. Mr. Solana advised that he wanted to build a 22' x 16' garage, not a 22' x 20' garage as had been advertised. Mr. Olivieri noted that they post the advertisement based on the information on the application. Mr. Solana continued he had 45 feet 8 inches from the property line, and the garage would be placed on the side of the house. This would be a one car garage and would not have any living space. He noted that all the houses in the area had garages.

Mr. Olivieri then read comments from the Town Boards into the record. The May 18, 2022, memo from the Planning Board had no comment regarding the petition. The May 5, 2022, letter from the Board of Health stated they had no objection to the proposed garage as long as there is no room above it that could be used for habitable space. Mr. Solana then submitted a picture of the proposed garage. Mr. Olivieri asked if members had any questions.

Mr. Youngquist asked where he had gotten the dimensions that were written down on the plan. Mr. Solana replied the property had been surveyed previously when he did the addition in the back. Mr. Youngquist said that he was a surveyor and knew that area quite well. The property lines are not always the way they appear. Mr. Youngquist said if he was building something that close to the property line, the Board needs to have something stamped by a surveyor. Mr. Solana said that he would still have over nine feet to the property line.

Mr. Noble said that the application is calling for a 22' x 20' structure. Shouldn't it reflect the 22' x 16' now being requested? Mr. Olivieri thought they were okay in this situation as the applicant was reducing the size, and it is less intrusive. The bigger question is to Mr. Youngquist's point about the boundary lines. It was noted that if a survey had been done recently, it should be easy to get an additional copy of the plan.

Mr. Olivieri advised there were residents in attendance. He asked them to come up to the podium for their comments. Ms. Joann King of 27 Pilgrim Road asked where was this garage being placed. She approached the Board to see the plan. She stated this would affect her view of the lake. She was opposed to the proposal. She said that she was also concerned about the drainage. Mr. Solana said that he planned on installing a French drain.

Mr. Michael King of 27 Pilgrim Road stated that the fence that was up was not the property line, and the lot had not been surveyed when they bought the property. He also noted that if the size of the garage is not amended, it would be right up against the property line. There would not be enough room to build a French drain. Since Mr. Solana installed his new septic system, every time it rains everything floods into his yard. If this garage is built, this is his main concern. He was not in favor of this proposal.

Ms. Lee Brienza of 25 Pilgrim Road was also not in favor. She stated they were the first house in that area, which means a lot to them. The house was purposefully built to look at the water and now all they would be able to see is this huge structure. There are water and drainage issues, and he is covering too much of the property. Mr. Martin Levin of 35 Pilgrim Road spoke next. He asked what is it that allows a maximum of 25% to be impervious surfaces, and what is the percentage of that lot that is taken up by the house and the proposed garage. Mr. Olivieri said that was a Town restriction.

Mr. Carmichael asked if Mr. Solana would be willing to slide the garage back so that it would be even with the front of his house. It would then not be obstructing anyone's view. Mr. Solana said he could not do that because of a fireplace in the middle with a window on each side. Mr. Noble said the hand drawn sketch indicates a 16' x 22' structure, what was the size he was proposing. Mr. Solana replied 16 feet wide and 22 feet long. Mr. Campeau would also like to see the garage pushed back. Mr. Carmichael noted that to Mr. Olivieri's point of having the lot surveyed, the Board will then know the percentage of lot coverage, and where the roof drainage would be located.

Mr. Solana said he intended to dig three feet down and two feet wide and install the corrugated pipe in it. He would run it all the way to the front so all the water would go into the pipe and run down into the stone. Mr. Youngquist said that the water will have to go somewhere. Mr. Youngquist said they have to stop permitting without knowing exactly where these things are located. He advised Mr. Solana that he needed to get a boundary survey and the existing conditions where everything is located on the property. He can then hire an engineer so the Board can see where a drain is going to be located, and what will be at the end of it.

Mr. Olivieri added that over the years, the properties around the lake front have been built up causing water to become more of an issue. Mr. Solana is coming to them at a time when it is getting to the point that due diligence must be done in order to make sure the impact is as minimal as possible. Mr. Solana said that his garage would not affect the water at all because it would be over to the right. Mr. Olivieri replied if it is not going to affect it then when he goes through what has been suggested, the engineer will say that and stamp the plan, then the Board could proceed. Mr. Carmichael added he was increasing the impervious area within the lot which adds to the storm water conditions. He is creating more of a hazard that the Board would like to be addressed. Mr. Carmichael reviewed they want to see on a plot plan; the proposed location of the structure, where the French drain will be located, the setbacks, and that the neighbors still have a view.

Mr. Carmichael then made a motion, seconded by Mr. Youngquist to continue the Solana hearing pending the submittal of a plot plan by the applicant showing what had just been requested.

Mr. Olivieri suggested Mr. Solana see if there was a way to push the garage back a little. Mr. Carmichael also suggested meeting with the neighbors to ensure that the location of the garage would be satisfactory. Mr. Olivieri then clarified the motion is to continue the hearing until June 16, 2022, at 7:00 p.m. The **vote** was **unanimous for**.

The hearing closed at 7:38.

**Documents distributed for the hearing:**

- Petition packet
- Legal ad
- Board of Health correspondence of May 5, 2022
- Conservation Commission email of May 19, 2022
- Planning Board correspondence of May 18, 2022

**Reorganization of the Board**

Mr. Olivieri advised that Ms. Cline had been elected to the Planning Board and has resigned from the Zoning Board. That resignation leaves the position of Clerk open. They could ask Mr. Noble if he would like to move from Vice-Clerk up to the Clerk position. Mr. Noble asked if he was traveling or not available to sign papers if that could be a potential problem. Mr. Olivieri said that in that case, the Vice-Clerk could then sign anything required.

Mr. Carmichael then made a motion, seconded by Mr. Youngquist, to have Mr. Noble fill the Clerk position. The **vote** was **unanimous for**.

Mr. Youngquist made a motion, seconded by Mr. Noble, to have Mr. Carmichael fill the Assistant Clerk position. The **vote** was **unanimous for**.

**Approve meeting minutes**

Mr. Carmichael made a motion, seconded by Mr. Campeau, to approve the meeting minutes from the March 17, 2022 meeting.

Mr. Carmichael, Mr. Campeau, Mr. Olivieri – **Aye**; Mr. Youngquist, Mr. Noble – **Abstain**

Mr. Youngquist made a motion, seconded by Mr. Carmichael, to approve the meeting minutes from the April 21, 2022 meeting.

Mr. Youngquist, Mr. Carmichael Mr. Noble - **Aye**; Mr. Campeau, Mr. Olivieri - **Abstain**

## Old Business

There was no old business.

## New Business

Mr. Youngquist stated that going forward, when the Board has these small lots, they should require a real plan. Mr. Resnick said when these applicants come in, they will recommend that they have a full survey plan showing the addition and the property lines. If the applicant chooses not to, then they might be sent back. Mr. Resnick said that he would like the Board to update their rules and regs as well as their 40B rules and regs. They could then include the requirement that you have to submit a surveyed site plan showing the addition, etc. Mr. Olivieri noted his only reservation is when there are situations where it wouldn't be needed. Mr. Carmichael suggested including it if you were within 10 feet of a property line or close to a setback, or a dense area. Mr. Resnick said that he would craft something for the Board to discuss at their next meeting.

Mr. Olivieri noted that since the resignation of Ms. Cline, they were now short one regular member and one member in aggregate. The open position was advertised by the Board of Selectmen, and they received one resume. Had everyone had a chance to look at it? It seems that it is someone they would recommend the Board of Selectmen appoint, and who would then become an Associate. After further discussion, the Board decided to invite the candidate in to discuss the position with him. They would also have to move someone up to full member. He asked Mr. Campeau if he would be interested. He replied that would be fine.

Mr. Carmichael then made a motion, seconded by Mr. Noble, to recommend that the Selectmen appoint Chris Campeau as a regular member of the Zoning Board. The **vote** was **unanimous for**.

Mr. Resnick noted that he had received a bill for some envelopes. Would the Board like to make a motion to have him have authority to sign bills for the Board? Mr. Olivieri made a motion, seconded by Mr. Carmichael, to give him authority to sign any invoices for the Zoning Board. The **vote** was **unanimous for**.

## Next meeting

Mr. Olivieri advised the next meeting is scheduled for June 16, 2022, at 7:00 p.m.

## Adjourn

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

Meeting adjourned at 7:51.