



TOWN OF LAKEVILLE

OFFICE OF THE TOWN CLERK

346 Bedford Street
Lakeville, Massachusetts 02347
508-946-8814
ldrane@lakevillema.org

FROM THE OFFICE OF
LILLIAN M. DRANE
MMC/CMMC

PUBLIC NOTICE

AUGUST 29, 2022

TO: Daryl J. Mackiewicz, Constable

In the name of the Town of Lakeville, you are hereby required to notify the inhabitants of the Town of Lakeville of the **Approval** by the Attorney General of the Commonwealth of Massachusetts of **Warrant Articles #9 & 10 (Zoning)** voted on at the **Annual Town Meeting** held on May 16, 2022.

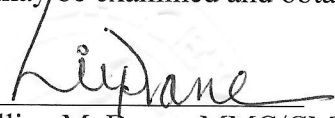
Article #8 (Zoning) is extended for an additional 60 days under the authority conferred by G.L. c40, § 32, as amended by Chapter 299 of the Acts of 2000. The agreement with Town Counsel for a 60-day extension is attached hereto. Decision will be issued on Article 8 on or before October 28, 2022.

You are further directed to serve this notice by posting attested copies thereof at the following places:

- **Town Office Building**
- **Star Liquor Market**
- **Clark Shores Association Bulletin Board**
- **Apponequet Regional High School**
- **Senior Center**
- **Assawompset School**

Any claims that these by-laws are invalid because of a defect in the procedure by which they were adopted or amended, may only be made within **90 days** of this posting. Copies of these by-laws may be examined and obtained at the Town Clerk's office.

Attest:


Lillian M. Drane, MMC/CMMC
Town Clerk

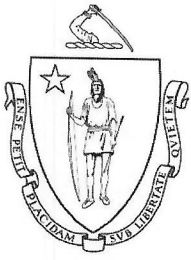
Plymouth ss:

Lakeville, Massachusetts

August 29, 2022

I have this day posted the Approved ByLaw Notice as directed, in the following places: **Town Office Building, Star Liquor Market, the Clark Shores Assn. Bulletin Board, Apponequet Regional High School, the Senior Center and the Assawompset School.**


Constable



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

August 29, 2022

Lillian M. Drane, Town Clerk
Town of Lakeville
346 Bedford Street
Lakeville, MA 02347

Received
AUG 29 2022
L. Drane
Lakeville Town Clerk

Re: Lakeville Annual Town Meeting of May 16, 2022 -- Case # 10594
Warrant Articles # 8, 9 and 10 (Zoning)

Dear Ms. Drane:

Articles 9 and 10 - We approve Articles 9 and 10 from the May 16, 2022 Lakeville Annual Town Meeting.

Article 8 - The Attorney General's deadline for a decision on Article 8 is extended for an additional 60 days under the authority conferred by G.L. c. 40, § 32, as amended by Chapter 299 of the Acts of 2000. The agreement with Town Counsel for a 60-day extension is attached hereto. We will issue our decision on Article 8 on or before **October 28, 2022**.

Note: Pursuant to G.L. c. 40, § 32, neither general nor zoning by-laws take effect unless the Town has first satisfied the posting/publishing requirements of that statute. Once this statutory duty is fulfilled, (1) general by-laws and amendments take effect on the date these posting and publishing requirements are satisfied unless a later effective date is prescribed in the by-law, and (2) zoning by-laws and amendments are deemed to have taken effect from the date they were approved by the Town Meeting, unless a later effective date is prescribed in the by-law.

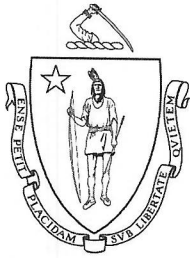
Very truly yours,

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

cc: Town Counsel Gregg J. Corbo



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

CENTRAL MASSACHUSETTS DIVISION
10 MECHANIC STREET, SUITE 301
WORCESTER, MA 01608

MAURA HEALEY
ATTORNEY GENERAL

(508) 792-7600
(508) 795-1991 fax
www.mass.gov/ago

August 26, 2022

Gregg Corbo, Esq.
KP Law
101 Arch Street, 12th Floor
Boston, MA 02110

Re: Extension of 90-day review period of Article 8
Lakeville Annual Town Meeting of May 16, 2022
Case # 10594

Received
AUG 29 2022
Nicole B. Caprioli
Lakeville Town Clerk

Dear Attorney Corbo:

Pursuant to the requirements of G.L. c. 40, § 32, as amended by Chapter 299 of the Acts of 2000, the Attorney General and Town Counsel are authorized to extend the 90-day period provided for the Attorney General’s review of town by-laws for not more than an additional 90 days. This letter serves to satisfy the requirements of G.L. c. 40, § 32, as amended. In light of our need for time to further discuss the proposed by-law’s consistency with state law, we hereby jointly agree to extend the Attorney General’s review period of Article 8 for an additional 60 days. Our decision on Article 8 will now be due on **October 28, 2022**.

Please sign this letter to reflect your agreement and return the signed letter to us. We will then file the letter with the Town Clerk, with a copy to you. Thank you for your accommodation in this matter.

MAURA HEALEY
ATTORNEY GENERAL

Nicole B. Caprioli

By: Nicole B. Caprioli
Assistant Attorney General
Municipal Law Unit
10 Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600 ext. 4418

Gregg Corbo / nbc
Town Counsel

August 29, 2022
Date

Decision Extended for
60-Days - by AG's office
by Oct 25, 2022.

Form 2- Submission #2

**Town of Lakeville
Town Meeting Action:**

Article 8:

I move that the Town vote to amend the Town's Zoning By-Law by **ADDING NEW** terms to Section 2.0 Definitions, relating to signs, and by **DELETING** the existing Section 6.6 Sign Regulations and **REPLACING** it with a NEW Section 6.6 Sign Regulations, all as shown in Article 8 of the Annual Town Meeting Warrant.

ADD TO: Section 2.0 Definitions

Awnings: An awning with lettering or logo advertising the name of the business shall constitute a sign. All such awnings over doorways and windows shall only count as one (1) sign.

Changeable Copy Signs: Signs with letters which can be manually or mechanically moved in order to change the message or wording of the sign.

Common Directory Sign: Where more than one (1) business or use is located in a building only one (1) freestanding sign may be erected, which shall serve all of the businesses or uses at that location.

Directional Signs: Shall be solely for pedestrian or vehicular traffic. Directional signs shall indicate parking entrances, exits, drive-thru's, etc. They shall not include any other information, advertising, or logos.

Electronic Message Boards: Electronically controlled signs that display lighted messages that change at intermittent intervals. Images which refresh must be displayed for at least twenty (20) seconds and may refresh or change, no more than three (3) times in one (1) minute.

Electronic Outdoor Advertising: A use whereby an outdoor sign or billboard, whether double-faced, back-to-back, or V-shaped, with a screen(s) that serves to advertise, direct or call attention to any business, article, substance, or service, or anything that is digitally or electronically projected, on or by a structure of any kind on real property or upon the ground itself, and that advertises services, products or commodities that are not available on said real property or parcel.

Freestanding Sign: Any sign supported by a structure permanently anchored to the ground which is independent from any building.

Internally Illuminated Sign: A sign which is illuminated by means of a light source completely enclosed by the sign's panels.

Portable Signs: A sign or advertising display that is not permanent, affixed to a building, structure or the ground.

Public Events: An entertainment event open to the general public such as outdoor concerts, winter carnivals, parades, etc.

Wall Sign: A sign attached parallel to or painted on the wall of a building.

Window sign: A permanent or temporary sign applied to, attached to, or inside a window or door which is visible from the exterior.

6.6 SIGN REGULATIONS

6.6.1 Purpose

To provide information to the public and for the identification of permitted activities from public ways, the erection and maintenance of signs shall be subject to regulation in order to preserve and enhance the visual appearance and character of the Town, to provide for the safety and general welfare of the public, and to prevent injurious and detrimental effects from the distracting demands for attention resulting from uncontrolled shapes, sizes, colors, motions, lighting, and inappropriate locations.

6.6.2 Permit Required

6.6.2.1 No sign shall be erected, altered, or relocated without a permit issued by the Building Commissioner, except as otherwise provided herein.

6.6.2.2 The applicant proposing to erect, alter or relocate a sign shall submit to the Building Commissioner a completed sign permit application, together with the required application fee and sketches of all proposed signs. The drawings shall specify the building and sign dimensions, colors, attachment methods, location of the signs, method of illumination and any other pertinent information which may be required.

6.6.2.3 Sign permit fees shall be determined by the Selectboard.

6.6.3 General Sign Regulations

6.6.3.1 No sign shall be located closer than ten (10) feet from the street right-of-way, and no closer than thirty (30) feet from the side or rear property lines.

6.6.3.2 Signs shall be limited to a maximum height of twenty (20) feet as measured from the crown of the road directly perpendicular to the sign.

6.6.3.3 Signs shall be limited in number to two (2) signs for each business or industrial establishment or company. Business or industrial sites containing more than one (1) establishment (mill outlets, shopping centers, industrial parks, etc.) shall be limited to two (2) signs per establishment, one of which shall be attached to the structure to designate the establishment within the structure, and the other attached to or part of a central common directory sign. Business and Industrial subdivisions may have one (1) entrance sign, not being a directory sign, in addition to the above. Signs for this common directory sign and for the business and industrial subdivision entrance sign may be double-sided and a maximum of sixty-four (64) square feet in area.

6.6.3.4 Unless permitted elsewhere in this By-Law, no sign may exceed thirty-two (32) square feet in area.

6.6.3.5 Signs erected upon or attached to a building shall not project:

1. horizontally more than two (2) feet;
2. into or over any way;
3. above the highest part of the building, not exceeding twenty (20) feet from ground level.

6.6.3.6 No free-standing sign shall project more than two (2) feet horizontally from its

means of support.

6.6.3.7 The colors red, green or yellow shall not be used in a manner that might confuse the meaning of stop signs, stop lights or other traffic signs.

6.6.3.8 Freestanding signs shall have landscaping at the base.

6.6.3.9 All Signs must be maintained, this includes awning material, lettering, lighting, and landscaping.

6.6.3.10 Free Standing signs are permitted to have either a changeable copy sign or an electronic Message Board as part of its sign but not both.

6.6.3.11 Wall signs shall not exceed fifteen (15%) of the area of the wall it is attached to or thirty-two (32) Square Feet whichever is less.

6.6.3.12 Window signs shall not exceed thirty percent (30 %) of the total area of all windows and doors.

6.6.3.13 One (1) Temporary subdivision sales sign not to exceed thirty-two (32) square feet. This sale sign shall be removed upon the issuance of occupancy permits for seventy-five percent (75%) of the subdivision.

6.6.4 Exemptions

6.6.4.1 Flags or insignia of the United States or any political subdivision thereof or any other nation or country when not used for commercial promotion or display.

6.6.4.2 Temporary posters, placards, or signs associated with a political campaign or current political issue associated with an election.

6.6.4.3 Signs located on residential structures or driveways, for the primary purpose of indicating the name or names of the resident.

6.6.4.4 For sale, lease, or rent signs on real property or the signs of real estate agents or brokers.

6.6.4.5 Signs less than two (2) square feet designating entry and egress from parking areas, and other directional traffic control and safety-related signs.

6.6.4.6 Normal highway control signs, hazard signs, and other State-approved highway safety signs.

6.6.4.7 Permanent subdivision or residential development identification signs shall not exceed twelve (12) square feet. They may only be externally illuminated by spotlights and shall be set back ten (10) feet from property lines.

6.6.4.8 One (1) sign not exceeding thirty-two (32) square feet on a building or project under construction, repair, or renovation identifying the contractor, architect, and/or owner. This sign shall be removed upon issuance of an occupancy permit for all or part of the building.

6.6.4.9 Fuel pump information signs, only as required by State law, are allowed and shall not affect the computation of allowable number of signs or aggregate sign size on a property.

6.6.5 Temporary Signs

6.6.5.1 Temporary exterior signs or mobile sign displays are permitted to advertise the opening of a business at a new location or to advertise a special event at its intended location.

6.6.5.2 Such signs shall not exceed thirty-two (32) square feet in area.

6.6.5.3 Banners or portable signs may be allowed for special events but must be removed after the event has concluded.

6.6.5.4 No two (2) or more of such signs shall be closer than five hundred (500) feet apart.

6.6.5.5 The combined total number of days that one (1) or more temporary signs may be displayed on the premises shall not exceed ninety (90) days in each twelve (12) month period per establishment.

6.6.5.6 Temporary signs shall be displayed in conformance with setback requirements for all signs.

6.6.5.7 At the end of the ninety (90) day period, the sign shall be removed by the initiative of the company, organization, or individual or their agents as indicated by the display of information.

6.6.5.8 All such temporary signs as herein described must meet the approval of the Building Commissioner regarding safety of construction, placement, mounting, and lighting. By written notice specifying the corrections needed, the Building Commissioner shall order the immediate action of the displayer to either correct the sign or have it removed.

6.6.6 Special Permits

6.6.6.1 Signs larger in area or higher than specified or a greater number of signs, may be granted by Special Permit of the Board of Appeals.

6.6.6.2 A Special Permit may not be issued for signs prohibited by this by-law in Section 6.6.7.

6.6.6.3 Changeable copy signs, electronic message board signs, and internally illuminated signs or the portion of a sign that is changeable copy, an electronic message board or internally illuminated shall require a Special Permit.

6.6.6.4 Changeable copy signs and electronic message boards shall not exceed twelve (12) square feet. Only one (1) of these types of signs are permitted per property.

6.6.6.5 Common Directory signs may be allowed to have one (1) additional internally illuminated panel per business not to exceed twelve (12) sq ft.

6.6.6.6 Changeable copy signs, electronic message board signs and internally illuminated signs may not be illuminated during the overnight hours from 11:00 pm until 6:00 am, unless for a facility providing medical care or emergency services with hours of operation during these hours. In this case, the applicant can apply for a special permit to keep the sign illuminated.

6.6.7 General Sign Prohibitions

6.6.7.1 Signs, any part of which moves, flashes, or incorporates traveling or animated lights and all beacons and flashing devices whether a part of, attached to, or apart from a sign are prohibited.

6.6.7.2 No illumination shall be permitted which casts glare onto any residential premises, or onto any portion of a way so as to create a traffic hazard.

6.6.7.3 Any sign which is considered by the Building Commissioner, police department or fire department to be obstructive, hazardous, or dangerous because of age, damage, poor construction, or a potential danger in a severe storm must be removed immediately, but in no case later than seven (7) days following receipt of written notice from the Building Commissioner.

6.6.7.4 No sign shall be attached to or obstruct any fire escape, fire or emergency exit; no sign shall be located as to obstruct free passage of light and air to any door, window, skylight, or other similar opening.

6.6.7.5 No sign shall be located in such a way that it prevents the driver of a vehicle from having a clear and unobstructed view, from an adequate and safe distance, of any official sign or approaching traffic.

6.6.7.6 Roof mounted signs that are taller than two (2) feet or extend over the peak of the roof.

6.6.7.7 No sign shall be attached to utility poles, trees, or traffic control signs or devices, except for public event banners or flags.

6.6.7.8 Portable Signs except for Temporary signs.

6.6.7.9 Banners, pennants, ribbons, streamers, spinners, balloons, and string of lights.

6.6.7.10 Electronic message boards or the electronic message board portion of a sign that exceeds twelve (12) Square feet.

6.6.7.11 Changeable copy signs or the portion of a sign that is changeable copy that exceeds twelve (12) square feet.

6.6.7.12 Electronic Outdoor Advertising Signs.

6.6.7.13 Internally illuminated signs greater than twenty-four (24) square feet.

6.6.7.14 Free Standing signs exceeding thirty (30) feet in Height.

6.6.7.15 Signs not located at the location of the business or off premise signs.

6.6.8. Removal of signs

6.6.8.1 Any sign which is insecure, in danger of falling over, or is deemed unsafe by the Building Commissioner shall be removed.

6.6.8.2 Abandoned signs shall be removed by the sign permit holder and/or the owner of the building or premises at which the abandoned sign is located within ninety (90) days from the date the sign became abandoned.

6.6.9 Nonconforming Signs

6.6.9.1 A lawfully existing non-conforming sign may have its surface and support renewed or replaced with new material without applying for a new permit if the replacement or renewal is for the same business and has the same dimensions, and same location of the existing sign.

6.6.9.2 All non-conforming signs shall be removed or shall be altered so as to conform with the following provisions:

1. When the nature of the business changes and the sign is changed or modified in shape, size; or
2. When the name of the business changes and the sign is changed or modified in shape, or size.

6.6.9.3 Any abandoned sign shall not be reestablished except in conformance with this bylaw.

6.6.10 Administration, Violations, Appeals

6.6.10.1 It shall be the duty of the Building Commissioner to administer this By-Law.

6.6.10.2 Violations of the Sign By-Law shall be enforced in accordance with Section 8.0 of these By-Laws.

6.6.10.3 Appeals of any decision taken by the Building Commissioner shall be made in accordance with Section 8.0 of these By-Laws.

Or take any action relative thereto;

Sponsor: Planning Board

Mark Knox, Planning Board Chairman, made a motion to approve the article as printed in the warrant but with the following amendments, it was seconded and the motion to amend Article 8 PASSED by majority:

Amendment #1:

Section 6.6.3.7 REMOVE the word or and **REPLACE** it with the word of so the Section now reads "The colors red, green or yellow shall not be used in a manner that might confuse the meaning of stop signs, stop lights or other traffic signs."

AND

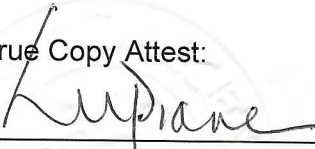
Amendment #2:

Section 6.6.7 General Sign Prohibitions:

Remove 6.6.7.9 which reads “Banners, pennants, ribbons, streamers, spinners, balloons, and string of lights.” And renumber the remainder of the section accordingly.

Motion was seconded and carried by 2/3rds requirement (111 Yes to 1 No) at the **Annual Town Meeting of May 16, 2022.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

**Town of Lakeville
Town Meeting Action:**

Article 9:

I move that the Town vote to amend the Town's Zoning By-Law by **DELETING** the existing Section 6.7 Site Plan Review and **REPLACING** it with a NEW Section 6.7 as shown in Article 9 of the Annual Town Meeting Warrant.

6.7 SITE PLAN REVIEW

6.7.1 Purpose

The Purpose of this By-Law is to protect the public health, safety and welfare; to promote balanced growth; to protect property values; and to encourage development by providing the public and the Town with an opportunity to review and comment.

Site plan review is to ensure that the design and layout of certain developments permitted as of right or by Special Permit will constitute suitable development and will not result in a detriment to the neighborhood or the environment.

6.7.2 Authority: The Planning Board shall hear and decide all applications for site plan review in accordance with the provisions of this Section 6.7.

6.7.3 Applicability:

Site Plan Review applies to the following:

- 1) New construction of a structure to be occupied by a business, or industrial use;
- 2) An addition to an existing structure occupied by a business or industrial use resulting in a floor area of over 1,500 square feet in the aggregate or a disturbance in lot coverage of over 1,500 square feet;
- 3) A change in occupancy of an existing structure occupied by a business or industrial use which increases the previously approved occupant load by 10%;
- 4) A change in use of an existing structure to a business or industrial use;
- 5) New multifamily building construction of three (3) or more units; and/or
- 6) New construction, modification, or addition to any residential structure which will disturb more than 43,560 square feet of ground.

6.7.4 Submittal Requirements

- 1) locus plan;
- 2) location of structures within 200 feet of property lines;
- 3) existing and proposed buildings, showing setbacks from property lines;
- 4) floor plans, building elevations, siding types, roof materials, and colors;
- 5) parking areas, driveways, and facilities for pedestrian movement including parking calculations based on current regulations;
- 6) utilities and lighting;
- 7) landscaping, including trees to be removed and retained;
- 8) loading areas, service areas, and refuse removal locations;

- 9) drainage system design; drainage calculations and verification of soil types;
- 10) existing and projected traffic volumes from the site and effect on the local road network;
- 11) existing and proposed contour elevations in five (5) foot increments;
- 12) location of well or public drinking water supply;
- 13) location of septic system or sewer connection;
- 14) location of wetlands, flagged for approval by the Conservation Commission;
- 15) proposed and existing design and location of signs;
- 16) all information should pertain to existing and proposed;
- 17) Sediment and Erosion Control Plan detailing the location, installation and maintenance of sediment and erosion controls during and after construction. The Plan shall adhere to the standards and specifications found in the Massachusetts Erosion and Sediment Control Guidelines dated March 1997 as amended;
- 18) other plans, studies, or reports requested by the Planning Board that may be necessary to determine compliance with the provisions of this By-Law.

6.7.5. Review Procedure

6.7.5.1 Application: Applicants for a building permit subject to Section 6.7.3 shall submit an application, abutters list, fees, and fourteen (14) copies of a site plan and an electronic copy as described herein to the Town Clerk for Planning Board approval. The Planning Department shall distribute the plans and application to the following departments for review and comment:

- Police Department
- Fire Department
- Board of Health
- Conservation Commission
 - DPW Director
- Building Department
 - Select Board

6.7.5.2 Hearings: The Planning Board shall give notice of a Public Hearing by publication of a notice in a newspaper of general circulation and by posting a notice at Town Hall at least seven (7) days before the hearing. Notice shall also be sent to all abutters at least seven (7) days prior to the hearing date. The Public Hearing shall be posted no later than twenty-one (21) days after the receipt of a complete application. At the request of the applicant, these time periods may be extended.

6.7.5.3 Consultants: The Planning Board may require that any plans, reports, or studies be reviewed by outside consultants at the applicant's expense in accordance with MG.L. c. 44, § 53G.

6.7.6 Performance Standards

6.7.6.1. Purpose. The following performance standards have been adopted in order to control the size, scale, and impacts of projects listed in Section 6.7.3. The Planning Board shall ensure that such standards are met during the review of any Planning Board site plan review application or those that also require a special permit.

6.7.6.2. Preservation of landscape. The landscape shall be preserved in its natural state insofar as practicable by minimizing any grade changes and vegetation and soil removal.

6.7.6.3. Off-street parking and loading. The plan shall comply with Section 6.5 of these bylaws. Unless otherwise allowed by the Planning Board, construction materials and standards not specified within Section 6.5 shall be consistent with those found within the Lakeville Subdivision Regulations. Provisions shall be made to accommodate areas for snow storage.

6.7.6.4. Circulation. Driveways and internal circulation shall be safe, adequate and convenient for automotive as well as pedestrian and bicycle traffic. Sidewalks and parking lots shall meet Massachusetts Architectural Access Board Regulations and the American with Disabilities Act Design Standards. Site distances, driveway widths, grade, location, drainage, signage, islands, and other control structures, curb radii and intersection angles shall all be provided for review. The Planning Board reserves the right to require certain driveways to meet or exceed the road standards found in the Lakeville Subdivision Regulations.

6.7.6.5. Site access. The Planning Board shall evaluate the safety of motorists, bicyclists, and pedestrians utilizing the site and the roadways leading into the site. To ensure the public's safety, the Planning Board may require sidewalks or pedestrian paths within and between developments. The Planning Board may also require the connection of adjacent properties via the use of connector drives.

6.7.6.6. Architectural requirements. Consideration shall be given to ensure that buildings are appropriate in scale, massing, height, roofline, and building materials to ensure that the architecture shall be in harmony with the surrounding neighborhood and the Town. Rooftop mechanical installation shall be hidden from view from the street or abutting properties. See Section 6.7.7 for specific standards.

6.7.6.7. Screening, buffers and landscaping requirements. Notwithstanding whether or not the project is adjacent to a Residential District the plan shall comply with Sections 5.2.4.1, 5.2.4.2, 5.2.5.1 or 5.2.5.2 of these bylaws. Plants should be indigenous to the area or be able to survive New England winters. Salt-tolerant varieties shall be planted along roadways and parking areas.

6.7.6.8. Lighting. Lighting shall be designed to enhance public safety and provide for adequate and appropriate outdoor lighting. The design shall not produce unwanted glare, light trespass on abutting properties or an over illumination of the site. Lighting shall be full cut off fixtures, dark sky compliant except for sign lighting.

6.7.6.9. Service areas. Service areas and delivery locations shall be located so that delivery vehicles are parked outside the street right-of-way or in on-site driveways. The Board shall ensure that these areas do not impede on-site vehicular circulation. The Board may require that specific areas adjacent to buildings or areas of the business' operations be specifically reserved for loading or delivery operations. These areas cannot be counted for parking or utilized for access aisles. All service areas, dumpster and trash receptacle locations, and other similar uses shall be screened from the street and from public view, through

a variety of materials such as walls, fences, plantings or a combination of these materials.

6.7.6.10. Utility service. All utility service transmission systems, including but not limited to water, sewer, natural gas, electrical, cable and telephone lines, shall, whenever practicable, be placed underground.

6.7.6.11. Drainage.

1. All efforts shall be made to design the drainage system to utilize low-impact development (LID) methods. Developments not incorporating any LID design elements shall prove to the Board that the use of these drainage systems is not feasible for the project due to unique site characteristics or its location.
2. Detailed drainage design and computations shall be provided in conformance with the Department of Environmental Protection, Massachusetts Stormwater Handbook (latest edition). Closed drainage systems shall be designed for a 25-year storm event. Culverts, detention basins, and infiltration systems shall be designed for 100-year events.
3. Post-development drainage rates shall not exceed pre-development levels. Within the Water Resource Protection District, special attention shall be made to ensure water quality is not degraded. Easements shall be shown on the plan. If they are to be granted to the Town, a written easement and a specific easement plan of such for recording purposes is necessary.

6.7.6.12. Off-site improvements. The Planning Board may require applicants to make offsite improvements to public roads or other community facilities, or to make payments for the reasonable costs associated with the impacts of the proposed development. Such improvements may include but are not limited to the widening of streets and improvement of intersections providing access to the site; the installation of curb and sidewalks along streets serving the site; and drainage improvements necessitated by the development of the site.

6.7.6.13. Public safety. Buildings and adjacent grounds shall permit reasonable access and operation by fire, police and other emergency personnel and equipment. The Board may require fire lanes at locations providing access to buildings to ensure that these areas are open for fire vehicle access.

6.7.6.14. Construction standards. All construction specifications shall comply with the standards in the Lakeville Subdivision Regulations. Where these regulations do not cover construction items, construction shall be in accordance with Commonwealth of Massachusetts, Department of Transportation, Standard Specifications for Highways and Bridges (latest edition) or standard engineering practices as determined by the Board or its designee.

6.7.7. ARCHITECTURAL STANDARDS:

The following architectural requirements shall apply to all new structures. Additions or alterations to existing structures may be exempted from specific requirements at the reasonable discretion of the Planning Board, based on such factors as the cost, scope and extent of the work, the relative proportion of the existing structure to be added or altered,

and the goal of harmony with the existing structure or structures.

6.7.7.1 Facades: For long front facades, vary the setback, height, and roof form of the building within the range provided by traditional buildings in the region to continue the established rhythm of facades on the street.

In most cases, long facades should be avoided, generally extending no more than 50 feet without a change in the wall plane. Setbacks and projections of several feet in depth are most effective at visually breaking up large facades. Smaller setbacks used in conjunction with larger setbacks can be effective. The bulk and mass of the building should be broken down to a scale that reflects the context of the surrounding neighborhood.

6.7.7.2 Siding: The following siding treatments most commonly found in New England shall be used: Clapboard, vertical board, brick, stone, and wood shingles. Natural materials are preferred.

The use of vinyl or aluminum is strongly discouraged in the Business District. Concrete block, stucco, adobe, or other non-traditional siding types are also discouraged. Sidings having a panelized or prefabricated appearance are unacceptable.

6.7.7.3 Roofs: Roofs shall be of various pitched varieties commonly found in New England.

Gable or Hip Roofs are most preferred. Shed and Gambrel style roofs are also acceptable. False mansard or other flat roofs are the least desirable. All roofs should have appropriate overhangs.

Flat roofs should not be completely eliminated from consideration, but should only be built where the size of the building does not permit a pitched roof. When flat roofs are permissible, any roof top mechanicals should be hidden from the main viewpoints on ground level.

6.7.7.4 Roof Materials: Roofs shall be constructed of materials, which are commonly found in New England. Shingled roofs constructed of asphalt or wood shingles are preferred. Standing seam, copper, or other metal roofs are also acceptable. Multiple roof plain slopes are acceptable, as New England Architecture often includes a variety of roof styles and plains, however it should be limited. Roll roofing, built-up tar and gravel, plastic, or fiberglass roofing materials are not appropriate. On flat roofs that are not visible from public areas, other roof materials may be considered.

6.7.7.5 Architectural Features and Details: Balconies, decks, covered porches, decorative shingles, bracketed eaves, columns, balustrades, towers, turrets, skylights, and arches are among the details to be considered. All features and details should be in proportion with the building. Use of metal, fiberglass, or plastic awnings is not appropriate.

6.7.7.6 Windows and Doors: All windows and doors shall be of a New England character. Large plate glass windows are discouraged unless they are broken up with mullions or muttons. Mirrored glass or walls are not acceptable. Also, aluminum windows/wall systems with or without colored metal panels known as curtain wall systems are not acceptable. Windows and doorways should be encased with trim. Decorative trim is preferred.

6.7.7.7 Lighting: Lighting for new developments whether mounted on the building or on poles shall be designed so as not to spill onto adjacent properties. Shielded lights are preferred or exposed bulb fixtures, which are historic in character. Lighting elements shall be covered by globe or shielded. Low-level lighting is preferred over large high-level light fixtures. Lighting shall comply with the Town of Lakeville Outdoor Lighting By-Law.

6.7.7.8 Equipment: All roof, wall or ground mounted mechanical equipment, trash collection or dumpster locations, delivery or loading areas, and outdoor storage areas shall be located outside primary visual corridors and screened from public view.

6.7.8 DECISION, INSPECTION, FEES, AND APPEALS.

6.7.8.1 Planning Board Action: The Planning Board shall take final action on the Site Plan Review application within twenty-one (21) days of the close of the public hearing. Planning Board action shall be by majority vote. The Planning Board may attach reasonable conditions to mitigate any impact of the proposed development. Any disapproval shall state the reasons why the site plan does not meet the requirements of this By-Law.

6.7.8.2 Appeals: Any decision rendered by the Planning Board may be appealed by the applicant to a court of competent jurisdiction as set forth in MGL c. 40A, § 17, and no building permit specifically connected to the appeal may be issued until the appeal is resolved.

6.7.8.3 Expiration of Site Plan Approval: Any approval of a site plan which has been granted pursuant to this By-Law shall expire two (2) years from the date of final action, unless work in accordance with the Site Plan Approval has not sooner commenced, except for good cause.

6.7.8.4 Extensions: The Planning Board may extend approvals for an additional two-year period, such extension not to be reasonably denied. Thereafter, extensions may be granted on a year-to-year basis. A request for extension, accompanied by a schedule of completion, shall be completed by the applicant and filed with the Planning Board in advance of the Planning Board placing the extension request on an agenda of a regular or special Planning Board meeting. Extensions may not be granted for plans which no longer conform to the Town of Lakeville Zoning By-Law.

6.7.8.5 Compliance: No building permit shall be issued by the Building Commissioner for any development subject to this section and no construction or site preparation shall be started until the Planning Board decision has been filed with the Town Clerk and the plans have been endorsed by the Planning Board.

6.7.8.6 On-site construction: The Board shall require the inspection of site construction approved under this section. The applicant shall be responsible for the inspection fee. An applicant may make limited on-site changes to an approved site plan. Said changes shall be based on unforeseen conditions, situations, or emergencies. The Town Planner or designee of the Planning Board shall review the request and may approve limited on-site changes that are generally consistent with the approved site plan. The Planning Board shall review changes that are of such a nature or magnitude that they would unreasonably compromise the basis of approval. The Planning Board may review any request for on-site construction changes under general business and may either approve, modify or deny the requested on-site changes. Said request shall not be unreasonably denied. An as built plan shall be submitted.

6.7.8.7 Regulations: The Planning Board may adopt and from time to time amend reasonable procedural regulations, application forms, standard construction detail drawings (as included in the Planning Board Subdivision Rules and Regulations), and specifications for the administration of this by-law, without requiring Town Meeting Approval.

6.7.8.8 Fees: The Planning Board may adopt reasonable application and administrative fees, technical review fees, and inspection fees for site plan review.

Or take any action relative thereto;

Sponsor: Planning Board

Mark Knox, Planning Board Chairman, made a motion to approve the article as printed in the warrant but with the following amendment, it was seconded and the motion to amend Article 9 PASSED by majority:

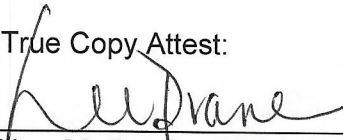
Amendment #1:

ADD to Section 6.7.6.1 Purpose: Insert the following after the first sentence:

“The Planning Board shall consider the protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against light, sight, sound, dust and vibration, and preservation of light and air.”

Motion was seconded and carried 2/3rds requirement (101 Yes to 2 No) at the **Annual Town Meeting of May 16, 2022.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 10:

I move that the Town vote to amend Sub-Section 7.4.6, Specific Uses by Special Permit, the Town of Lakeville Zoning By-laws as shown in Article 10 of the Annual Town Meeting Warrant.

Section 7.4 **Special Permits**, Sub-section 7.4.6, Specific Uses by Special Permit, **Auto or Boat sales, rentals or service**

SPGA – Board of Appeals; ~~Industrial Districts~~ **Business District**

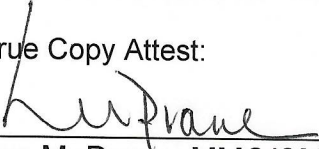
Or take any action relative thereto;

Sponsor: Planning Board

Mark Knox, Planning Board Chairman, made a motion to approve the article as printed in the warrant.

Motion was seconded and PASSED unanimously at the **Annual Town Meeting of May 16, 2022.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

