



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

MARCH 16, 2022

TO: Daryl Mackewicz, 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 & 11 including Map (Zoning) and Article #6, 8, 9, 10 and 12 (General)** voted on at the **Special Town Meeting** held on November 8, 2021.

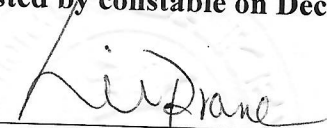
You are further directed to serve this notice by posting attested copies thereof at the following places:

- **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.

NOTE: In a decision issued on December 15, 2021 on approved Article 9 (General & Zoning) and posted by constable on December 16, 2021

Attest:

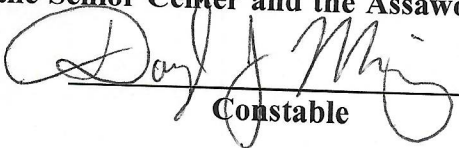

Lillian M. Drane, MMC/CMMC
Town Clerk

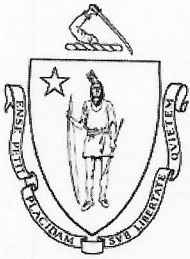
Plymouth ss:

Lakeville, Massachusetts

MARCH 16, 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

February 24, 2022

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

Received
FEB 24 2022
12:35pm
Lakeville Town Clerk
L. Drane

Re: Lakeville Special Town Meeting of November 8, 2021 – Case # 10428
Warrant Articles # 9 and 11 (Zoning)
Warrant Articles # 6, 8, 9, 10, and 12 (General)

Dear Ms. Drane:

Articles 6, 8, 10, 11, and 12 - We approve Articles 6, 8, 10, 11 and 12, and the map pertaining to Article 11, from the Lakeville November 8, 2021 Special Town Meeting. We will send the approved map to you by regular mail. ¹

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 that 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 voted by Town Meeting, unless a later effective date is prescribed in the by-law.

Very truly yours,
MAURA HEALEY
ATTORNEY GENERAL

Kelli E. Gunagan

by: Kelli E. Gunagan, Assistant Attorney General
Municipal Law Unit
Ten Mechanic Street, Suite 301
Worcester, MA 01608
(508) 792-7600

cc: Town Counsel Gregg J. Corbo

¹ In a decision issued on December 15, 2021, we approved Article 9.

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 6:

I move that the Town vote to amend the Lakeville General Bylaws, Chapter II, by adding the following new section 18 to be titled Articles Seeking Special Legislation, to require advance notice of the content of any request for special legislation, to provide as follows:

To enable adequate time for review, no article appearing on a warrant for an Annual or Special Town Meeting, requesting a petition to the General Court to enact special legislation shall be in order for consideration by Town Meeting unless the text of the special legislation sought is included as part of the article or as an appendix to the warrant, or is on file with the Town Clerk at least fourteen (14) days prior to the date of a Special Town Meeting and seven (7) days prior to the date of an Annual Town Meeting at which it will be considered.


Or take any action relative thereto;

Sponsor: Town Clerk

Lorraine Carboni, Board of Selectmen member, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed unanimously at the **Special Town Meeting of November 8, 2021.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 8:

I move that the Town vote to reaffirm the vote at the June 13, 2005, Annual Town Meeting to adopt the Town's Community Preservation Committee bylaw, as published on the Town's website and on file at the Office of the Town Clerk, and by **amending** Section-6 of said bylaw by striking its text, and replacing it with the following; or take any other action relative thereto.

Section 6: Effective Date (Current Text)

Provided that the Community Preservation Act is accepted by the voters at the 2006 Annual Town Election, this by-law shall take effect upon approval by the Attorney General of the Commonwealth, and after all requirements of MGL Chapter 40 Section 32 have been met.

Section 6: Effective Date (Proposed Amendment)

This Bylaw shall take effect upon the Town's acceptance of the Community Preservation Act in accordance with the procedures set forth in Chapter 44B of the General Laws and after all requirements of MGL Chapter 40 Section 32 have been met

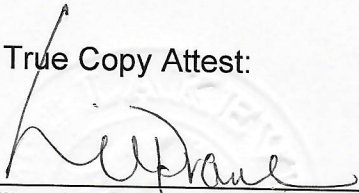
Or take any action relative thereto;

Sponsor: Board of Selectmen

Lorraine Carboni, Board of Selectmen member, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed unanimously at the **Special Town Meeting of November 8, 2021.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Town of Lakeville

Town Meeting Action:

Article 10:

I move that the Town vote to amend the Lakeville General Bylaws, Chapter 1, Section 27, to change the **composition of the Council on Aging** from an eleven (11) member board with one (1) alternate, to a nine (9) member Board with two (2) alternates, as shown below with additions in **bold** and deletions in ~~strikethrough~~; or take any other action relative thereto.

COUNCIL ON AGING

Section 27

Section 1. The Board of Selectmen shall appoint a Council on Aging for the purpose of coordinating or carrying out programs designed to meet the problems of the aging in the Town of Lakeville, which shall include, but not be limited to, identifying the needs of the elderly population of the town; educating the community and enlisting support and participation of all citizens about these needs; and designing, promoting and implementing services to fill these needs.

Section 2. The Board of Selectmen shall appoint the Council on Aging consisting of Eleven (11) Members and One (1) alternate; **provided, however, that upon the effective date of an amendment to this By-law, the membership of the Council on Aging shall be changed to Nine (9) Members and Two (2) alternates.** Upon the effective date of **an amendment to this By-law**, the appointed incumbents serving at the time of adoption shall continue to serve for the remainder of their terms, unless the incumbent resigns or is removed prior to the end of their term, **and expiring terms and vacant seats shall not be re-filled until the membership reaches Nine (9) members.** Thereafter, the Board shall appoint Members for three-year terms. Members can be re-appointed for concurrent terms determined by the discretion of the Board and Appointees acceptance. The Members of the Council shall serve without pay.

The Alternates shall be appointed for a three (3) year term. The Chair may designate the **either or both** Alternates to sit on the Council in the case of absence, inability to act or conflict of interest of any Member, or in the event of a vacancy on the Council until the vacancy is filled.

Whenever a vacancy shall occur in the membership of the Council, by reason of death, resignation, inability to act or for any other reason, the vacancy shall be filled in accordance with the provisions of Massachusetts General Laws, Chapter 41, Section 11. When an opening in the full membership occurs, an Alternate may be considered for appointment to full membership and a replacement Alternate may be appointed.

Section 3. The Council on Aging at its first annual meeting and thereafter, annually in June of each year, shall elect from its membership Chair, Vice Chair, Secretary and

Treasurer. All members shall assist the Council on Aging Director in carrying out the business of the Council as needed.

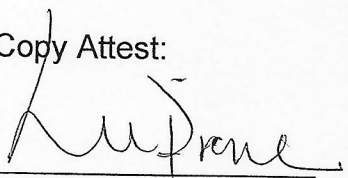
Or take any action relative thereto;

Sponsor: Council on Aging

Lorraine Carboni, Board of Selectmen member, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed unanimously at the **Special Town Meeting of November 8, 2021.**

A True Copy Attest:

A handwritten signature in cursive script, appearing to read "Lillian M. Drane", written over a horizontal line.

Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 11:

I move that the Town vote to amend the Lakeville Zoning Bylaw, Section 7.4.6 “Marijuana Uses - Adult Use **Marijuana Establishments, and Marijuana Retailers, and Registered Marijuana Dispensaries** SPGA – Zoning Board of Appeals; Marijuana Overlay District” Sub-section A by adding the following shown in underline below;

- A. All Marijuana Uses, including Adult Use Marijuana Establishments, Marijuana Retailers, and Registered Marijuana Dispensaries, shall require a Special Permit from the Zoning Board of Appeals, and shall only be permitted to locate within the Marijuana Overlay District, as shown on the Town’s Zoning Map. All allowed uses and special permit uses in the underlying district shall remain allowed by right or by special permit as designated in Section 4.1, Table of Use Regulations.

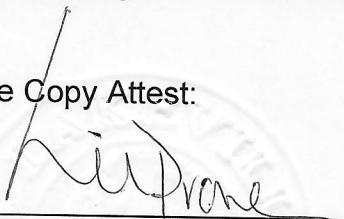
Or take any action relative thereto;

Sponsor: Board of Selectmen

Richard LaCamera, Board of Selectmen member, made a motion to approve the article as printed in the warrant.

Motion was seconded and passed by 2/3rds requirement (113 Yes to 2 No) at the **Special Town Meeting of November 8, 2021.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Town of Lakeville

Town Meeting Action:

Article 12:

I move that the Town vote to amend the Lakeville General Bylaws, Chapter 5, by deleting the section titled “**Earth Removal**” and replacing it with a new section entitled “Earth Work,” as set forth below, or take any other action relative thereto.

CHAPTER V

EARTH WORK

Section 1. Definitions.

Board – the Town of Lakeville Board of Selectmen

Earth – any form of soil, rock or dirt, including but not limited-to sod, loam, peat, humus, clay, sand, stone, gravel, rock, and ledge.

Earth Removal - removal of Earth from its present location to another location by any means, including but not limited to, stripping, excavating, mining or blasting.

Earth Work – any Earth Removal, Stockpiling or Fill operation.

Fill – the use of Earth from another location for the purpose of changing the topography of a site.

Stockpiling – the keeping and storage of Earth brought to a site from another location for the purpose of using it.

Section 2. Permit Required.

No person, firm or corporation shall perform Earth Work in the Town of Lakeville without first obtaining a permit from the Board, as provided in this Bylaw.

Notwithstanding the provisions of the preceding paragraph, the following Earth Work projects may be undertaken without a permit:

1. Earth Work by any governmental entity, including but not limited to the Town of Lakeville;
2. Earth Work involving less than 5,000 cubic yards of earth in a single calendar year;
3. Earth Work in connection with agricultural use of land, including cranberry bog maintenance operations;
4. Earth Work that is merely incidental to the construction or installation of buildings, structures, swimming pools, septic systems, utilities, fences, athletic courts, driveways, parking lots, walkways and other construction or installations occurring on the site from which the earth is removed; provided that the project

- is being done in accordance with all required permits and approvals, the amount of earth removed does not exceed the amount needed for the construction or installation and the removal of earth does not result in topographical changes to the surrounding land; and
5. The transfer of earth from one portion of a parcel to another portion of the same parcel for purposes of improving the same.

Section 3. Procedure

An application for an Earth Work Permit shall be in writing, on a form provided by the Board, and shall include but not be limited to the following information:

1. The location of the proposed work.
2. The legal name and address of the owner of the property involved.
3. The legal name and address of the applicant (if different than the owner).
4. A plan and representative profiles of the area, prepared by a Registered Professional Engineer, from which final grades may be established.
5. The anticipated amount (in cubic yards) of earth work involved.
6. The reason for the project.
7. The type of work – Earth Removal, Stockpiling or Fill.
8. Previous earth removal activities on the property.
9. The source of Earth for Stockpiling and Fill projects

Upon receipt of a completed application and payment of applicable fees, the Board may conduct a public hearing on the application. Notice of said hearing shall be provided, at the applicant's expense, to all abutters, owners of land directly opposite on any public or private street or way, and abutters to abutters within three hundred feet, and by publication in a newspaper of general circulation in the Town once, at least seven days prior to the hearing.

If the Board finds, based on the facts adduced at said hearing, that the permit may result in a nuisance or that it will otherwise create a risk of harm to public health, safety or welfare, the Board may deny the application.

In approving the issuance of a permit, the Board may impose reasonable conditions, designed to protect public health, safety and welfare, which may include but not be limited to the following:

1. The finished leveling and grading shall be indicated on the approved plans as indicated and submitted to the Board, but in no event shall any grade be below the grade of any abutting and established way open to the public or private use, except that if on the authority of a Registered Civil Engineer it is determined by the Board that such a change in grade below the existing grade is advantageous to the proposed change in topography.
2. No Earth Work permit shall be approved by the Board if the work extends within four hundred (400) feet of a way open to the public whether public or private, or within one hundred (100) feet of a building or structure or property

line, unless the Board is satisfied that such removal will not undermine the way or structure, or prove detrimental to the neighborhood.

3. The placing of topsoil and planting necessary to restore the area to usable condition. Cover of topsoil of not less than 4 inches in depth shall be replaced or allowed to remain.
4. The duration of the operation.
5. The construction of necessary fencing and other protections against nuisances and/or erosion.
6. Methods for the work.
7. Temporary structures.
8. Hours of operation.
9. Routes of travel or transportation of material.
10. Control of temporary or permanent drainage.
11. Disposition of boulders and tree stumps.
12. Set and maintain permanent monuments at each property corner.
13. Slopes shall not be steeper than 4 to 1.
14. Imported earth material and/or fill may not contain debris, rebar, concrete, other building materials, clay, seashells, asphalt, glass or any solid waste of any kind. Imported materials must be soil and/or clean fill.

The Board may require a bond, or at the election of the applicant, the deposit of money into an escrow account to enforce performance of conditions imposed pursuant to this bylaw. The total amount of the bond or security deposit shall be determined by the Board and shall be based upon the extent of the operations as indicated on the plans submitted by the applicant.

The Board may adopt, and may from time-to-time revise, regulations to implement the provisions of this bylaw relative to conducting public hearings and establishing criteria for determining whether a project is likely to result in a nuisance or that it will otherwise create a risk of harm to public health, safety and welfare.

Section 4. General Conditions.

Permits shall be in effect for a period of one (1) year from the date of issue.

All Earth Work operations shall be conducted in accordance with the requirements of this bylaw, regulations of the Board adopted pursuant thereto and all conditions imposed by the Board.

All Earth Work operations shall be conducted in accordance with applicable federal, state and local laws concerning the operation, including but not limited to the requirements of the Conservation Commission. It shall be the applicant's responsibility to ensure compliance with such laws and the issuance of a permit by the Board shall not authorize any Earth Work operation undertaken in violation of any other applicable statute, rule or regulation.

Section 5. Permit Renewals

An application for renewal of an Earth Work Permit shall be in writing, on a form provided

by the Board, and shall be submitted to the Board at least forty-five (45) days prior to expiration of the permit, along with the applicable renewal fee.

Any application for renewal not submitted within the time required by this bylaw shall be treated as a new application.

Each renewal application includes all of the information required by the Board, and shall specify the number of cubic yards of material removed during the prior permit term and shall be accompanied by an elevation plan on a 50-foot grid prepared by a Registered Civil Engineer, showing before, after and proposed final elevations.

Upon receipt of a completed application and payment of the applicable fee, the Board may renew the Earth Work Permit without first conducting a public hearing, provided that all conditions of the permit and this bylaw have been complied with and the Applicant has not changed the scope of the project as originally approved. In all other cases, a public hearing shall be required in accordance with the procedure set forth in Section 3 of this bylaw.

Section 6. General Administration

The Board or its designated representatives may enter upon the premises involved from time to time to inspect and ensure proper conduct of the work.

The Board may adopt and may from time-to-time revise a schedule of reasonable fees to cover the costs associated with the administration of this bylaw.

The Board may engage engineers, scientists, financial analysts, planners, attorneys or other appropriate professionals, who can assist the Board in analyzing a project or application to ensure compliance with all relevant laws, bylaws, standards and regulations. Such assistance may include, but not be limited to, analyzing an application, monitoring or inspecting a project or site for compliance with the Board's decision or regulations, or inspecting a project during construction or implementation.

The Board may adopt and from time-to-time revise regulations for the imposition of reasonable fees for the employment of such outside consultants as set forth in M.G.L. c. 44, §53G.

The Board or its designated representatives reserve the right to inspect the applicant's records at any time.

Section 7. Enforcement

The Board may modify, suspend or revoke any permit issued pursuant to this bylaw for any violation of this bylaw, regulations of the Board adopted pursuant thereto or any conditions imposed by the Board. Such modification, revocation or suspension may take place after a hearing held by the Board of which the permit holder is given seven (7) days written notice. Such notice shall be deemed given upon mailing same, certified mail, return receipt requested, to the address listed on the permit application.

This bylaw may be enforced by the Town's Building Commissioner or his designee.

Whoever violates any provision of this bylaw may be penalized by a noncriminal disposition process as provided in G.L. c.40, §21D and the Town's non-criminal disposition bylaw. If noncriminal disposition is elected, then the non-criminal fine for each such violation, if not otherwise specified, shall be:

First Offense:	\$100
Second Offense:	\$200
Third and Subsequent Offenses:	\$300

Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Whoever violates any provision of this bylaw may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be three hundred dollars (\$300). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Board may enforce this bylaw or enjoin violations thereof through any lawful process, and the election of one remedy by the Board shall not preclude enforcement through any other lawful means.

Section 8. Severability

If any provision of this bylaw shall be held invalid or unconstitutional, such invalidity or unconstitutionality shall not be construed to affect the validity or constitutionality of any of the remaining provisions.

Or take any action relative thereto;

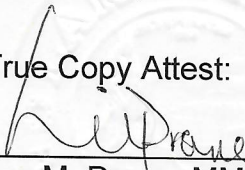
Sponsor: Board of Selectmen

Evagelia Fabian, Board of Selectmen member, made a motion to approve the article as printed in the warrant.

NOTE: A motion was made to amend the article, seconded and passed by majority to change, Section 2, #2: Earth Work involving less than 5,000 cubic yards of earth in a single calendar year; to 2,000 cubic yards of earth in a single calendar year.

Motion was seconded and passed unanimously at the **Special Town Meeting of November 8, 2021.**

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

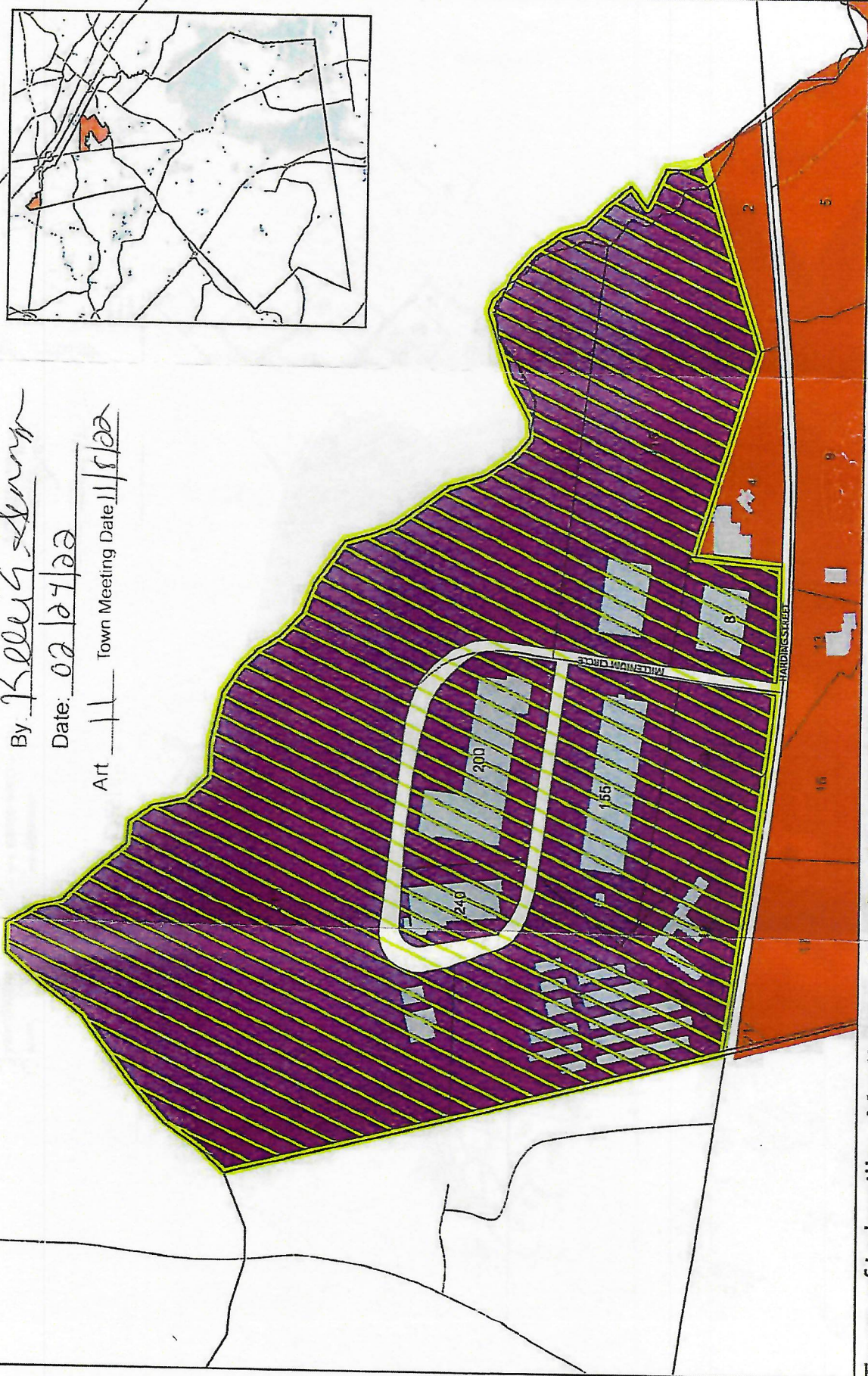
APPROVED ARTICLE #11

Attorney General's Office

By *Kelly G. Skon*

Date: *02/07/00*

Art *11* Town Meeting Date *11/18/00*



Town of Lakeville - Marijuana Overlay District Map

Millennium Circle

- Industrial
- Business
- Proposed Marijuana Overlay District (MOD)
- Water
- Municipal Boundaries
- Structures

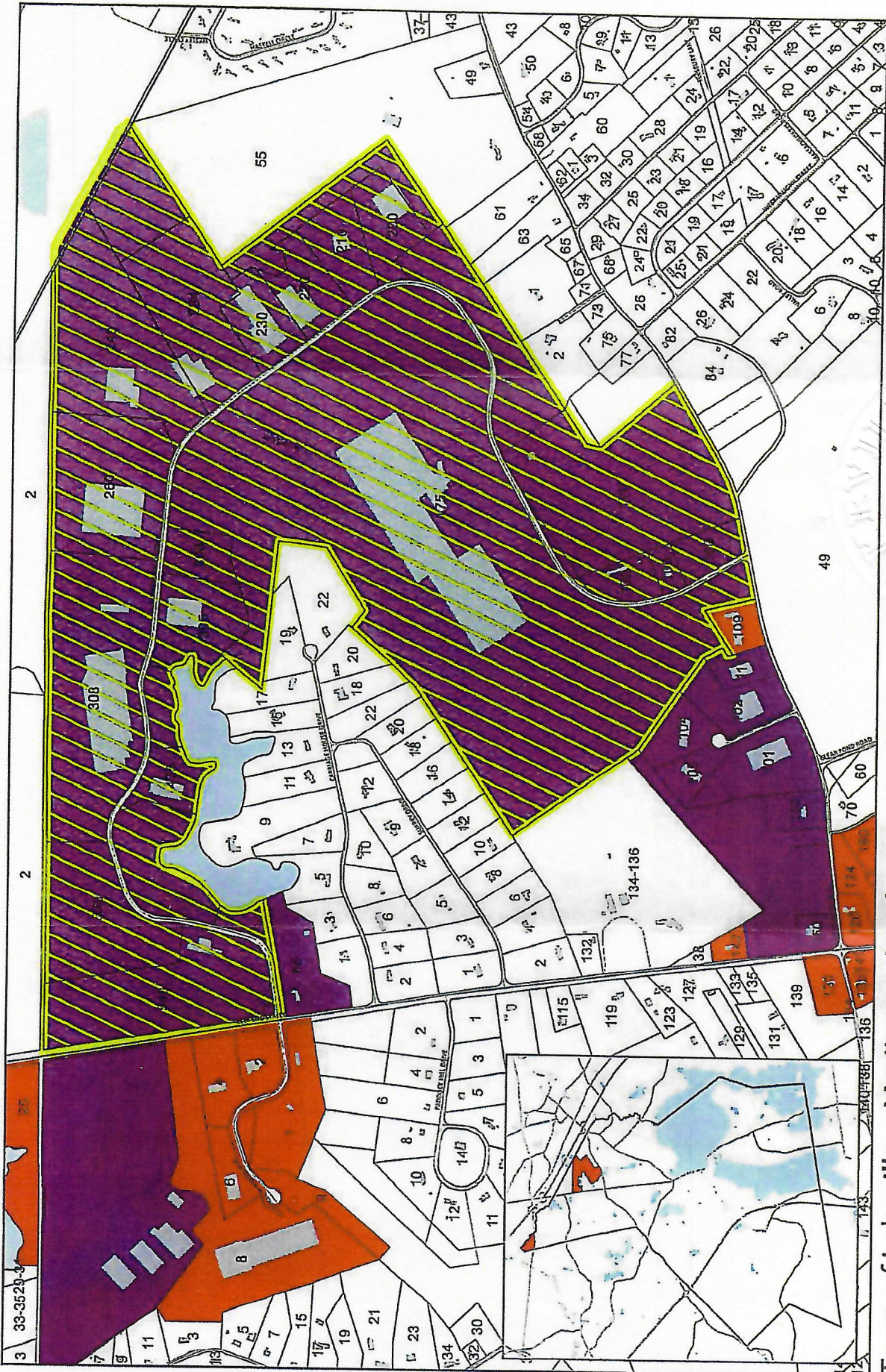
- Interstates
- Arterials and Collectors
- Local Roads

A TRUE COPY ATTEST:

Kim Drape
TOWN CLERK

Map made by staff for the sole purpose of showing planning details and are not meant for any other use. This map is not intended for engineering, legal or investment purposes. Drawn by: Kelly G. Skon and the town of Lakeville.

500 feet



Town of Lakeville - Marijuana Overlay District Map

Great Pond Industrial Park

- Legend**
- Water
 - Residential
 - Industrial
 - Business
 - Structures
 - Proposed Marijuana Overlay District (MOD)

- Interstates
- Arterials and Collectors
- Local Roads

A TRUE COPY ATTEST:

Kim Drane
TOWN CLERK

Attorney General's Office

Colleen Henn

Date: 08/24/22

Town Meeting Date: 11/8/22

Map 2022: 100% Accuracy. The Town of Lakeville is not responsible for any errors or omissions in this document. All information is for informational purposes only and does not constitute an offer of any financial product or service. All information is subject to change without notice.