



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

FEBRUARY 27, 2023

TO: Daryl Mackiewicz, Constable

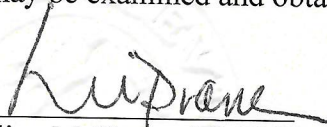
In the name of the Town of Lakeville, you are hereby required to notify the inhabitants of the Town of Lakeville of the **Approval** by the Attorney General of the Commonwealth of Massachusetts of Warrants **Articles # 9, 11, 12, 13, 14 and 18 (Zoning), and Article #6, 8 and 19 (General)** voted on at the **SPECIAL TOWN MEETING** held on November 14, 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 Citizens Drop-In 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. Drahe, MMC/CMMC
Town Clerk

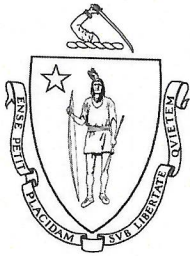
Plymouth ss:

Lakeville, Massachusetts

February 27, 2023

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 Citizens Drop-in Center and the Assawompset School.**


Constable



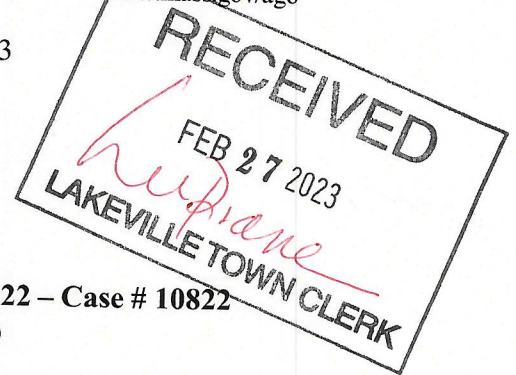
THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF THE ATTORNEY GENERAL

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

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

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

February 24, 2023



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

Re: Lakeville Special Town Meeting of November 14, 2022 – Case # 10822
Warrant Articles # 9, 11, 12, 13, 14, and 18 (Zoning)
Warrant Articles # 6, 8, and 19 (General)

Dear Ms. Drane:

Articles 6, 8, 9, 11, 12, 13, 14, 18, and 19 - We approve Articles 6, 8, 9, 11, 12, 13, 14, 18, and 19 from the November 14, 2022 Special Town Meeting.

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,

ANDREA JOY CAMPBELL
ATTORNEY GENERAL

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

cc: Town Counsel Gregg J. Corbo

Town of Lakeville

Town Meeting Action:

Article 6:

I move that the Town vote to amend Section 13 of Chapter III of the Town's General Bylaws relative to the Select Board, Section 16 of Chapter II of the Town's General Bylaws relative to the Finance Committee and Section 25(e) of Chapter III of the Town's General Bylaws relative to the Capital Improvements Committee, all for the purpose of making the timeline for establishing the annual town budget more consistent with the Town Administrator Bylaw and the timeline used in recent years, as shown in the warrant with additions shown in **bold** and deletions shown in ~~strikethrough~~.

Part I – Select Board

Section 13. **(a) Each year the Select Board shall establish a budget calendar for the ensuing fiscal year.** All boards, committees, heads of departments or other officers of the town authorized by law to expend money, shall furnish ~~directly to the Select Board to the Town Administrator and Finance Committee by January 31st of each year~~ **by a date established by the Select Board,** detailed estimates of the amounts necessary for **salaries, and expenses necessary** for the proper maintenance of the departments under their jurisdiction for the ensuing **fiscal year** with explanatory statements as to any changes from the amounts appropriated for the same purposes in the preceding ~~then current fiscal year, and an estimate of amounts necessary for outlays or permanent improvements.~~ They shall also prepare estimates of any income likely to be received by the town during the ensuing **fiscal year** in connection with the town's business or property entrusted to their care. ~~The Select Board shall include in their estimate the salaries and expenses connected with their own office, and the salaries of all other town officers shall be included in the estimate for the office, department or branch of the public service of which they are in charge.~~ The Treasurer shall, in addition to ~~his~~ **the** estimate of the amount required for the maintenance of ~~his own~~ **their** office, prepare a separate statement indicating the amounts required for the payment of interest on the town debt and for the payment of such portions of the town debt as may become due during the ~~succeeding~~ **ensuing fiscal year.** (Adopted May 13, 1974; approved by Attorney General June 6, 1974)

(b) Upon receipt of the budget submissions from the various departments, the Town Administrator shall assemble, prepare and present to the Select Board, by a date established by the Select Board, a proposed annual operating budget for each department for the ensuing fiscal year. The Town Administrator's proposed budget shall also include the annual report of the Capital Expenditures Committee. The Select Board shall review the annual proposed budget submitted by the Town Administrator and make recommendations with respect thereto as they deem advisable. The Town Administrator shall present the budget, incorporating the recommendations of the Select Board and the Capital Expenditures Committee to the Finance Committee by a date established by the Select Board.

(c) If the Select Board shall fail to establish an annual budget calendar by January 1, the calendar used to establish the budget for the then current fiscal year will be used to establish the budget for the ensuing fiscal year.

Part II – Finance Committee

Section 16. All articles in any warrant for a town meeting shall be referred to the finance committee for its consideration. ~~The Select Board~~ **Town Administrator** shall transmit **by a date established by the Select Board,** immediately a copy thereof to said committee; after due consideration of the subject matter of such articles, by the committee, they shall report thereon to the town meeting, in writing, such recommendations as it deems best for the interest of the town and its citizens. Said committee

shall investigate the financial needs of the town, and its departments, and shall prepare and submit in writing at the annual town meeting, a budget and recommendations of the committee thereon.

Part III – Capital Improvements Committee

Section 25(e)(1) For the purposes of this Section, a capital improvement is defined as a physical betterment, including but not limited to the construction of new buildings or facilities and the alteration of buildings or facilities now or hereafter existing, the purchase of land, or items of equipment, provided that any such physical betterment having a cost of less than \$10,000, and which in the judgment of the committee is not of an unusual or non-recurring nature, shall not be considered a capital improvement.

(2) It shall be the duty of the committee to ascertain annually what expenditures for capital improvements, as herein defined, will be required by the Town during the ensuing five years, and in making its determination shall confer with the Finance Committee and the Town Accountant, any Town boards, commissions, committees, officers, employees, and other agencies and departments of the Town involved in making expenditures for capital improvements in the Town, all of which shall cooperate with the committee. All such agencies and departments or other authorities of the Town authorized by law to make such expenditures shall furnish detailed estimates of the expenditures necessary for capital improvements under their jurisdiction for the ensuing five years in conjunction with their annual budget requests **presented to the Town Administrator.**

(3) **Upon receipt of the capital expenditure submissions from the various departments, the Town Administrator shall assemble, prepare and present to the committee, by a date established by the Select Board, a proposed capital budget for each department for the ensuing five years.** The committee shall **use the Town Administrator's report to** prepare annually a program of expenditures for capital improvements, including recommendations for the scheduling of such expenditures and the financing thereof and the probable impact of such improvements on the tax rate of the Town and shall furnish such report and recommendations to the Finance Committee and ~~Select Board~~ **Town Administrator** on or before ~~the second Monday in April~~ **annually a date established by the Select Board** for use in preparing ~~it's~~ the annual budget recommendations ~~to the Town~~ **for the ensuing fiscal year.** Copies of such report and recommendation shall be deposited with the Town Accountant and with the Town Clerk and copies shall be made available by the Town Clerk upon request. The capital program for the following five years, shall be published with the Capital Expenditures Committee report and included in the Annual Town Report. Such capital program shall be presented to the annual town meeting for acceptance in principle, subject to final action at subsequent town meeting(s).

Or take any action relative thereto;

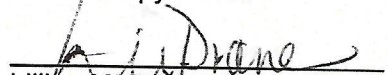
Sponsor: Select Board

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

Motion was seconded and PASSED by majority at the Special Town Meeting of November 14, 2022.

NOTE: Headings were inserted into warrant for the convenience of voters and are not part of the proposed bylaw changes. (For reference: *Part II- Finance Committee, it's on Chapter II-Town Meetings, Section 16*)

A True Copy Attest:


Lillian M. Drape, MMC/CMMC,
Town Clerk

Town of Lakeville

Town Meeting Action:

Article 8:

I move that the Town vote to amend the Town's Community Preservation Committee Bylaw, to delete references to the Housing Authority, as shown in the warrant:

1. Delete the sixth paragraph of Section 1 in its entirety, which currently reads "One member of the Housing Authority as designated by the Authority for an initial term of two (2) years and thereafter for a term of three (3) years."
2. Amend the eighth paragraph of Section as shown here, with additions in **bold** and deletions in ~~strikethrough~~:

~~Three~~ **Four** members to be appointed by the Select Board, one member to be appointed for a term of one (1) year and thereafter for a term of three years and ~~two~~ **three** members to be appointed for a term of two (2) years and thereafter for a term of three (3) years, **provided that one of the two-year appointments shall be an individual with experience in the areas of clearance of substandard, decadent or blighted open areas or the provision of housing for families or elderly persons of low income or engaging in a land assembly and redevelopment projects, including the preservation, restoration or relocation of historical buildings.**

3. Amend the second sentence of Section 2(1) as shown here, with additions in **bold** and deletions in ~~strikethrough~~:

The Committee shall consult with existing municipal boards, including the Conservation Commission, the Historical Commission, the Planning Board, **and** the Park Commission ~~and the Housing Authority~~, or persons acting in those capacities or performing like duties, in conducting such studies.

Or take any action relative thereto;

Sponsor: Select Board

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

AMENDMENT #1:

After much discussion, a motion was made and seconded to AMEND Article 8 as shown as follows in ~~strikethrough~~ and ADD in **red**, - **FAILED** by majority (49 Yes to 73 No):

- #2 ~~Three~~ **Four Lakeville resident-at-large** members to be appointed by the Select Board, one member to be appointed for a term of one (1) year and thereafter for a term of three years and ~~two~~ **three** members to be appointed for a term of two (2) years and thereafter for a term of three (3) years, **provided that one of the two-year appointments shall be an individual with interest in the area of housing.** ~~experience in the areas of clearance of substandard, decadent or blighted open areas or the provision of housing for families or elderly persons of low income or engaging in a land assembly and redevelopment projects, including the preservation, restoration or relocation of historical buildings~~

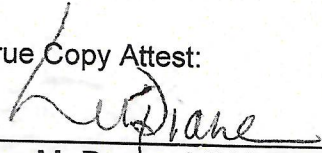
AMENDMENT #2

After much discussion, a motion was made and seconded to AMEND Article 8 as shown as follows and PASSED by majority:

- After the word "Four" add/modify "Lakeville Residents-at-large" members, to be appointed by the Select Board for a term of one (1) year and thereafter for a term of three years and three members to be appointed for a term of two (2) years and thereafter for a term of three (3) years, provided that one of the two-year appointments shall be an individual with interest in the area of housing.

Motion was seconded and PASSED by majority as AMENDED, at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 9:

I move that the Town vote to amend the Town of Lakeville Zoning By-Laws to add a new section to Section 7.4 Special Permits to create the position of Associate Planning Board Members as authorized by G.L. c. 40 A, §9, as set forth below, or take any other action relative thereto:

7.4.4.1 Planning Board Associate Member

There shall be one Associate Member, recommended by the Planning Board and appointed annually by the Select Board for a one-year term. The Chair may designate the Associate Member to sit on the Board for purposes of acting on special permit applications in the case of absence, inability to act, or conflict of interest on the part of any member of the Planning Board or in the event of a vacancy on the Board.

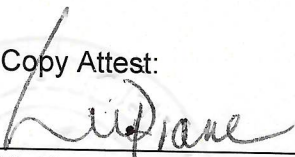
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED by 2/3rds requirement (108 Yes to 30 No) at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



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 Specific Uses by Special Permit to:

Remove: Signs, Off-Premise

~~SPGA – Board of Appeals; All Districts Applies to signs not exempt from local regulation by Chapter 93 of General Laws and not advertising the premises on which located or the occupant thereof or the goods and services available thereon; must advertise a business commodity or service available in Lakeville; shall not exceed 12 square feet in area; must be found to be appropriate for the location; Special Permit to be limited to a time period of not less than 3 years and subject to renewal.~~

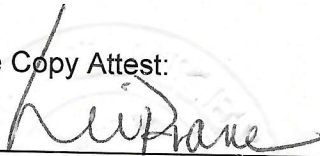
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED by 2/3rds requirement (136 Yes to 0 No) at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 12:

I move that the Town vote to amend the Lakeville Zoning Bylaw, Section 5.0 Intensity Regulations, 5.2 Footnotes to Intensity Requirements to:

Add Section 5.2.8. In the Business District one side or rear yard setback, on a non-conforming lot abutting another businesses district property, may be reduced by 50% by a Special Permit issued by the Planning Board. This may be only Granted if the applicant can show to the satisfaction of the Board that the reduced setbacks are necessary to allow for the most desirable and efficient site design due to the nonconformity of the lot.

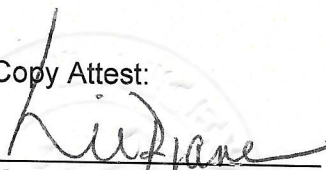
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED unanimously by 2/3rds requirement at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 13:

I move that the Town vote to amend the Lakeville Zoning Bylaw, to:

Add to Section 4.1.3 Industrial Uses

	<u>R</u>	<u>B</u>	<u>I</u>	<u>I-B</u>
Warehouse, offices or facilities for distributing merchandise over 100,000 Sq. Ft	N	N	SP	SP
and				

Add to Section 7.4.6 Specific Uses by Special Permits

Warehouse, offices or facilities for distributing merchandise over 100,000 Sq. Ft

SPGA – Planning Board

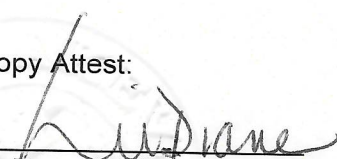
A single building or combination of buildings that exceed a total of 100,000 square feet, located on one lot, shall require a Special Permit from the Planning Board.
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED unanimously by 2/3rds requirement at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 14:

I move that the Town vote to remove in its entirety Section 7.9 Development Opportunities (DO) District from the Town of Lakeville Zoning By-Law.

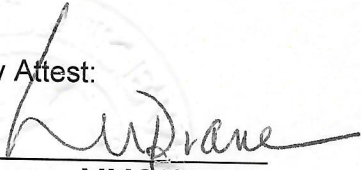
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED by 2/3rds requirement (755 Yes to 14 No) at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 18:

I move that the Town vote to **amend** the Lakeville Zoning Bylaw, Section 4.9 Use Regulations by:
Adding to Section 4.1.2 Business Uses

	<u>R</u>	<u>B</u>	<u>I</u>	<u>I-B</u>
Licensed junk dealers (Pursuant to the Town of Lakeville General Bylaws)	N	Y	N	N

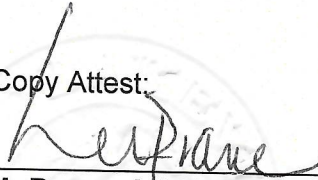
Or take any action relative thereto;

Sponsor: Planning Board

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

Motion was seconded and PASSED unanimously by 2/3rds requirement at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk

Form 2- Submission #2

Town of Lakeville

Town Meeting Action:

Article 19:

I move that the Town vote to amend the current General Bylaw for Junk, Old Metals or Secondhand Articles to amend Section 2 to the inspection of the books of sales, and to add a new section 5 mandating that junk dealers show commercial activity annually as a requirement for license renewal as shown below with additions shown in **bold**.

Section 2. A book required to be kept pursuant to Section 1 shall be open at all reasonable times to inspection by any police officer of the Town of Lakeville. Any person who has possession or control of a book required to be kept pursuant to Section 1 shall permit such inspection. **Copies of the portion of the book pertaining to the current calendar year shall be presented to the Select Board along with any application for renewal of an existing license.**

Section 5. A holder of a license is required to prove that the license is being utilized for an active business. For purpose of this Bylaw, a business will be considered active only when the license holder can demonstrate more than three sales of "junk" at a cost of fifty dollars or greater, or bartered for with property valued at fifty dollars or greater, within each six month period of the license. Such sales shall be recorded in the book described in Section 1 of this Bylaw.

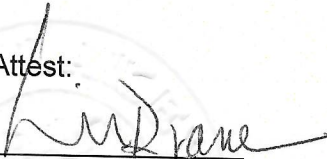
Or take any action relative thereto;

Sponsor: Select Board

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

Motion was seconded and PASSED by majority at the Special Town Meeting of November 14, 2022.

A True Copy Attest:



Lillian M. Drane, MMC/CMMC,
Town Clerk