

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
Thursday, November 9, 2023**

On November 9, 2023, the Planning Board held a meeting at the Lakeville Police Station. The meeting was called to order by Chairman Knox at 7:00 p.m. LakeCam was recording, and it was streaming on Facebook Live. It was noted that no one else present was recording.

Members present:

Mark Knox, Chair; Michele MacEachern, Vice-Chair, John Cabral, Nora Cline, Jack Lynch

Others present:

Marc Resnick, Town Planner

Public Hearing - 156 County Street - (7:00) - Site Plan Review

Mr. Garrett Piccirillo of Greenman, Pedersen, Inc. (GPI) was in attendance to present the Site Plan. Mr. Brian George was also present. Mr. Piccirillo said the Plan was a site expansion of Right Space Storage that currently contains eight storage buildings. He said there is existing access from County Street via one curb cut. There is an office building at the front of the site with gated access. Within the site, are the eight self-storage buildings, ranging in size from 6,500 to 7,500 square feet. In the current condition, there is a large area of pavement in the center that contains parking for RVs and other large vehicles. The proposal is to add storage buildings within that paved area.

Mr. Piccirillo said it is a large site being a little over 12 acres, with the developed portion mostly in the easterly half. The balance of the site is undeveloped and wooded. There is a wetland located in the southern portion of the site and the 100-foot buffer is shown on the Plan. He has been in contact with the Conservation Agent, Bob Bouchard, and their plan is to submit a Request for Determination (RDA) to Conservation tomorrow. The proposed buildings will match the look of the design of the existing buildings and vary in size.

Mr. Piccirillo noted they received approval from the Zoning Board of Appeals (ZBA) on October 19th for a Special Permit. He talked with Chief O'Brien and modified the Plan to meet his approval. The majority of the work is within the paved area, and they are not increasing the impervious area. He noted that there will actually be a slight decrease when they remove a section of walkway. He estimated the decrease to be approximately 400 square feet.

Regarding the septic system, there is currently an existing leach field underneath the pavement. This will be re-located. They went through a full redesign and show the relocation of the leaching field parallel to County Road. That has been approved by the Board of Health. Ms. Cline asked about vehicles that have been stored in that area. Mr. George replied there have been, with the most noticeable one being a large boat that has been stored since they have owned the property. They will remove any vehicle that will be on the leach field. He also noted that it appeared there were no fluids leaking out of the boat.

Mr. Piccirillo said he has submitted a stormwater memo with the application. It shows they are matching existing drainage patterns, and it shows where everything is draining now and showing where it is draining post development. In both conditions, everything drains to one of two places within the limits of the construction area. Everything drains toward County Street and the stormwater pond in the back is not taking any runoff from their area. That is taking runoff from the most recently developed area. Everything flows down and will either go in the small drainage pond or the existing catch basin, which outlets across the driveway and into the stormwater treatment area. In theory, there will be no increase in flow and realistically a small decrease. The water is getting to these locations either by sheet flow or they are collecting all the roofs' in roof drains, which is what the site currently has on all the buildings.

Mr. Knox said there is a small walkway around two sides of the 3,900 square foot building. Could he explain how those buildings are going to be accessed? Mr. George said for this specific building, there will be an interior hallway and the units will be accessed from the interior. He advised for a span this short, it is not uncommon for a customer to grab a rolling cart. Mr. Knox asked if there were exterior doors to those spaces. Mr. Piccirillo said it was his understanding they were just interior, but he would have to follow up on that. Mr. George said they did not think it was an inconvenience for the customer to have to walk down that aisle. Mr. Knox said maybe a bollard should be put up so it cannot be blocked, and to prevent anyone from getting trapped back there. Mr. George noted that they always put bollards on the corners of the buildings. Mr. Piccirillo said it will be added to the Plan. Mr. Knox suggested also adding a little striping on the paint in that area.

Ms. MacEachern asked about snow removal. Mr. George said in a design like this they would either give the manager a snow blower, or they would have their vendor clear it out after every storm. They would not let that area build up over the winter. Ms. MacEachern also asked about the snow storage. Mr. George said that it gets pushed on the edges of the property. There is a lot of open space in the back. She also did not see anything about lighting. Mr. Piccirillo said that lighting is going to be on the building only. They are not proposing any additional light poles. She said they usually request applicants go to a lighting company and get a photometric plan. She also noted that their internally illuminated sign was very bright. Mr. George said that he has mentioned that to the Site Manager. It is their policy to make sure the sign is off by 7:00 p.m. She would also like to see an elevation that could be filed with the Plan. Mr. Piccirillo asked if they wanted to see actual photometric values on the Plan.

Mr. Knox replied because everything they were doing was in the interior, they would only be casting on their own site.

Mr. Cabral said that distance at 10 feet was very tight. Mr. George said they weren't intending for customers to drive in between those buildings, that was more for the Fire Department. Their plan is for them to park around the buildings and bring their items in. Mr. Knox said, regarding the snow removal which had been mentioned, to take into consideration the fence location, and if they will need to push it back by 10 feet. He did not want to speak for the Conservation Commission but it is closer to the wetlands, so they may not want to see it go that way.

Mr. Resnick had two items to discuss. At the Zoning Board public hearing, one of the abutters had commented about some extra landscaping. He said on either side of the storage buildings, there is a mix of white pines and some rhododendrons and small bushes. Directly in front of the office building, some smaller shrubberies would provide a little screening to the building. The other issue is regarding the drainage. The catch basins and pipes should be reviewed by the Town's Consulting Engineer to make sure they are sized correctly. A full drainage report would not be required, but just a review of the elevations and slopes. He thought that could be done with what had already been submitted, and it would be a simple review.

Mr. Knox then made a motion, seconded by Mr. Lynch, that the Planning Board get a peer review on the equality of the basic pipe size and volume and mechanics of the drainage system to ensure that the new system functions as equal as the existing system. The **vote** was **unanimous for**.

Mr. Knox reviewed that they would like to see the bollards and some striping on the plan. They will also want to see the approval from ConComm, and the Board will confirm that the stormwater is fine. When they return, as long as there are no other changes based on that, he thought the Board was generally satisfied.

Mr. Knox made a motion, seconded by Ms. MacEachern, to continue the Site Plan Review hearing for 156 County Road until December 14, 2023, at 7:00 p.m. The **vote** was **unanimous for**.

ANR Plan – Barstow & Montgomery Streets – E.T. Engineering Enterprises, Inc.

Mr. Azu Etoniru from E.T. Engineering was present. It was noted that the last time he had been in front of the Board, it had been in a Zoom meeting with a different version of this plan. Mr. Etoniru advised he was back in front of the Board because of the abutting neighbor. What happened is the fence for the pool is right on the property line and the pool pump is actually on the other lot. They claim it has been there for years, and they are willing to go to Court and fight for adverse possession. They went back and forth in Court, and the Judge advised them to settle this. This is what the Plan does. It allows them to have that portion of land to accommodate this. Mr. Knox wanted to make sure the land swap did not affect any septic leaching field. Mr. Etoniru said it did not.

Mr. Resnick said this is just a land swap and the frontage has not changed. He had no other comments. There were no other comments from Planning Board members.

Mr. Knox made a motion, seconded by Mr. Lynch, to endorse the revised ANR plan for Barstow and Montgomery Streets. The **vote** was **unanimous for**.

13 Main Street – sign approval

The final revised approval was distributed. Mr. Knox asked on item #24 on the conditions, they had called out options on different sidings, do they have record of those elevations somewhere within the package? Mr. Resnick said they did, and that the architectural drawings are referenced in the approval. He said the one change to note is in condition #6. The last sentence was added in case the units are sold to maintain the records of the age of the over 55 occupants. After discussing with the applicant's Counsel, Mr. Resnick said he thought that could be an issue if they were sold because currently, the project has been proposed as a rental. Although the Town does not regulate the form of ownership, if it changes, the Town can monitor to ensure the units are still age qualified units, even if sold. Mr. Knox then signed the final approval.

Review of Town Meeting description of Articles

Mr. Resnick said that usually there is a short one paragraph description with the Planning Board's vote on each of the Articles. This is what would be on the table and available for residents to pick up. Ms. MacEachern said the Chair of the Select Board had requested this at their last meeting, but she still felt this was not representative, and if they were going to motion to postpone indefinitely on Town Meeting floor, she didn't see the purpose of including this.

Mr. Knox made a motion, seconded by Ms. MacEachern, to approve the Planning Board report showing Article 8, 9, and 10 to be included in the handout at Town Meeting. The **vote** was **unanimous for**.

Ms. MacEachern made a motion, seconded by Ms. Cline, to not include the depiction of the OSRD and handout.

Vote: Ms. MacEachern, Mr. Cabral, Ms. Cline, Mr. Lynch, – **Aye**; Mr. Knox - **Abstain**

Housing Production Plan (HPP)

Mr. Knox said there has been quite a bit of discussion regarding the properties that have to be added. Mr. Resnick said it was the comments of the State that they wanted to identify two Town sites and two possible 40B locations. They talked about the landfill at their last meeting, but after he reviewed that with Ms. Taylor Perez of SRPEDD, she felt it could not be included. Ms. Cline asked why Ms. Perez felt that way when other Towns after a certain period of time have used

landfills for development. Mr. Resnick replied because it would not be practical or likely to be developed into housing. Ms. Cline did not agree, and said that she would contact Ms. Perez.

Mr. Resnick said there are two parcels directly across the street at a total of almost 5 acres of land. Ms. MacEachern said that abuts up to Clear Pond and has wetlands. It is also on National Heritage maps. She would not be willing to designate it. She had spoken with the Zoning Enforcement Officer and there is a Town parcel near the hospital property, which might be a better option if the landfill isn't. Mr. Resnick said that parcel is mostly wetlands and possibly not buildable. It is the parcel they had talked about extending the driveway of 13 Main Street out through the bottom part.

Ms. MacEachern noted the State had asked for two 40B sites, and they have three. One of those is a priority protection parcel, and she did not want to see that on the map if they only need two. Mr. Resnick replied regarding the 40B sites, Phase 6 of LeBaron had been withdrawn, but they anticipate it will be re-submitted. The other site, the State Hospital, will be redeveloped and there will possibly be a 40B proposal as part of it. He noted the third, County Street, has received site approval for financing for a 40B. The next step would be to develop plans. Ms. MacEachern did not want to include that site as they did not know what was going to happen in the current housing climate. Mr. Resnick said they would probably then need to have another municipal site. Mr. Knox asked that this item be placed on the December 14th agenda, after Ms. Cline speaks to Ms. Perez.

Discuss Planning Board Goals

Mr. Knox noted that there are two subdivisions previously approved and that there are things that need to happen procedurally. He recommended Item #7 on the goals be put at the top, at least for a portion of going through the Planning Board Rules and Regulations. Mr. Darling had told him that some forms may not have been filed, and maybe that is part of the process. Mr. Resnick said a lot of the times, there is a Covenant on the lots and as they construct the road and put up a performance guarantee, the Board would begin to release the lots. Building permits could then be pulled. He did not know if Covenants had been put on those two subdivisions.

Mr. Knox thought that was something within their Rules and Regulations they probably need to clean up. It is something imperative to work on before they get anything new in, and they don't have the process. Mr. Resnick said they can take a look at it to see what is currently in the Regs. Ms. Murray said that she and Mr. Resnick had just discussed this and the need to establish a process and checklist.

Ms. Cline then began to read the listing of the Planning Board goals. The following were comments related to the specific goal:

- Establish individual goals for the planner and support staff.
 - Ms. Cline asked Mr. Knox to reach out to Mr. Sky so that they could understand what the goals and criteria are that have been established for the Planner position.
- Review current zoning map to ensure compatibility with existing uses.

- Ms. Cline said she did not know if anyone had started to look at this. It is an encompassing goal to look at the land and zoning to see if the zoning is applicable to what the land is being used for. Mr. Knox said they had touched on this previously. There are some obvious things they could do, but outside of that it would be to seek funding for SREPDD to go through it with them. Mr. Resnick stated they had talked about looking at some of the commercial districts to see if some of those boundaries should be adjusted. Ms. MacEachern added that it might be wise to consider eliminating the marijuana overlay over Kenneth Welch because she is hearing that there are a lot of complaints from the residential abutters. Ms. Cline felt that would be a separate item.
- Complete review of 40R, 40B, and 3A for identification of applicable property.
 - Ms. Cline advised there is a list that can be pulled that would identify these properties. She will do this and see what it shows for Lakeville.
- Electronic agendas to be delivered weekly by noon.
 - Ms. Cline discussed that they were receiving communications up to the date of a meeting, leaving not enough time for adequate review. Mr. Knox said that he did not disagree, but then it would be up to that Board member to note that they had not had enough time to review. Mr. Knox then discussed they had established a cut off of 48 hours before a meeting for new material. Mr. Resnick added that the Board could still look at the information, discuss it, hear from abutters, etc., but delay making a decision. Mr. Knox agreed that is something they have done on the Conservation Commission. After further discussion, Ms. Cline said that she was going to reword this item.
- Hold one combined meeting with CPA and ConComm. Ms. Cline said that is supposed to be in December. Ms. MacEachern noted that CPA has to hold a public hearing for input. Did it make sense to align a joint meeting with that hearing? They could choose that night, and have it a half hour before. Ms. MacEachern said she could bring it to CPC and get it on the next agenda. Ms. Cline said that she would talk to ConComm. Mr. Resnick noted that they had scheduled a meeting with the Zoning Board that had to be postponed. Would they like to attend that next meeting? After further discussion, Mr. Knox suggested that be pushed out to after the holidays, to January or February.
- Implementation of applicable Master Plan goals, updating Priority Protection Areas
 - Ms. MacEachern said there has been a meeting with SRPEDD with Town employees. Ms. Cline said she had gotten the notice too late to attend, but there was supposed to be a follow-up meeting. Mr. Resnick said nothing had been scheduled yet.
- Adopt Stormwater Management Bylaw
 - Mr. Resnick said there was a draft that had been prepared by their engineering firm. They might have a general bylaw, and the draft might be an update to that. Stormwater as it relates to the MS4 permitting process falls under the Department of Public Works. He could provide the draft to the Board and follow up with Environmental Partners and see where it stands.
- Investigation of Transfer Development Rights bylaw.

- Mr. Resnick said this came from the Master Plan Committee. He has discussed it with them, but it is not something that he would recommend. Ms. Cline said that it could then be taken off their goals.

Ms. MacEachern said she would like to review their use chart within the Zoning Bylaw; look into the possibility of creating a Senior Housing Overlay; and look into removing the current, revising, and redoing the Mixed Use. After discussion, Mr. Knox said that he did not have a problem with putting some of those items on the list, but maybe put them in a spot at the bottom as on deck. They are really not adding to the list, but need to get a few things off the list and prioritize.

Approve Meeting Minutes

Ms. MacEachern made a motion, seconded by Mr. Cabral, to approve the minutes from the October 12, 2023, meeting. The **vote** was **unanimous for**.

Correspondence

Mr. Resnick advised they have received a few notices. The only ones of significance were a marijuana establishment in Taunton and a large-scale solar installation in Rochester.

Next meeting

The next meeting is scheduled for December 14, 2023, at 7:00 p.m. at the Lakeville Police Station

Discuss OSRD

Mr. Knox advised Ms. MacEachern had provided a redline copy. She said that she had added a lot of stuff to the original version that she thought had been good to consider. She then whittled it down to what she thought was important to add; specifically purpose and intent which more properly expresses what she saw as a benefit to the Town of Lakeville adopting OSRD. The items in purple are the concessions the Board would be willing to make. She would like to see a link to the allowable reductions and the conditions the Board would like to see for those concessions. She questioned whether prohibited uses should be listed out. She would also like to know what Departments are getting the copies that are submitted. Is Open Space one of those Departments? Mr. Resnick added that the Open Space Committee had discussed at their last meeting, that they would like to see subdivision and site plans that are submitted.

Mr. Knox asked that this item be placed on the December 14, 2023, agenda for further discussion. He thought it might make sense to not go too far until getting input from Open Space and any other Boards they might want to meet with.

Adjourn

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

Meeting adjourned at 8:39.