

**Planning Board  
Lakeville, Massachusetts  
Minutes of Meeting  
Thursday, December 14, 2023**

On December 14, 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. Knox noted he believed the applicant had requested a continuance. Mr. Resnick said that was correct.

Mr. Knox made a motion, seconded by Ms. Cline, to continue the Site Plan Review hearing for 156 County Road until January 11, 2024, at 7:00 p.m. The **vote** was **unanimous for**.

**ANR Plan –Montgomery on Hill Street – Alpha Survey Group/James Peterson**

Mr. Jeff Tuomala of 185 Herring Pond Road, Plymouth, was present. Mr. Knox said the Plan in front of them shows that a parcel coming off of Hill Street is being created. He advised he had spoken to the Zoning Enforcement Officer, and there did not appear to be any issues. Mr. Resnick said Mr. Tuomala is acquiring a strip of land to be combined with the rest of his property in the back, so it is not increasing any non-conformity, but is actually less non-conforming.

Ms. MacEachern noted that it should be labeled 'not a buildable parcel', however, it does say that in the notes. Mr. Cabral said it is listed on the parcel as well. There were no other comments.

Mr. Knox made a motion, seconded by Mr. Cabral, to endorse the ANR plan for Montgomery on Hill Street. The **vote** was **unanimous for**.

### **Pauline's Path – Discuss covenants and lot release**

Mr. Resnick advised that Mr. Logan had requested some lot releases, and he told him to submit a formal request. They had not yet received it so he had called Mr. Logan about it. Therefore, this will probably go on their next agenda to be signed and approved. He thought he would be requesting the release of two lots. He did not think a Covenant had been put in place, which is what created the issue with this Subdivision. Mr. Knox asked that this be placed on their next agenda.

### **Bella's Way – Release lot**

Mr. Knox said they do have a form in front of them for this release. He believed they had come in front of the Board about a year ago, but he thought the Release had not been signed and filed. Mr. Resnick said that was correct. This states that a bond has been posted by the applicant, and is currently being held by the Town. Mr. Resnick said it was surprising that this had not come up at the previous two closings as there is a covenant in place.

Mr. Knox then made a motion, seconded by Mr. Cabral, to sign the lot release for Lot 1, Lot 2, and Lot 3 for Bella's Way. The **vote** was **unanimous for**.

### **Review the following Zoning Board of Appeals petitions:**

- a. Sepersky – 311 Pond Lane

Mr. Knox made a motion, seconded by Ms. Cline, to make no recommendation regarding 311 Pond Lane. The **vote** was **unanimous for**.

- b. Town of Lakeville – 2/28 Precinct Street

Mr. Knox stepped down from Chair for this petition as he was an abutter. Ms. MacEachern made a motion, seconded by Mr. Cabral, to make no recommendation regarding 2/28 Precinct Street.

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

Mr. Lynch joined the meeting at this time.

### **Housing Production Plan (HPP)**

Mr. Knox noted that they did not have any updates or edits in their packet. Ms. Cline advised that she had some conversations with Ms. Perez from SRPEDD, who had asked the parcel be taken off as they didn't have any expertise on whether you could build on a landfill. Ms. Cline had supplied Ms. Perez with some examples of where it had been done in the State. SRPEDD then reached out

to the Executive Office of Housing and Livable Communities (EOHLC) to get their feedback, which had not yet been received. Ms. Cline said she had instructed Ms. Perez that location be placed back on the Housing Plan, and that is where it now stands. Mr. Resnick said that he had also reached out to Ms. Perez and been told they were waiting to hear back from the State. The biggest issue related to the landfill for a 40B affordable housing development, as opposed to a market rate housing development, would be if the developer would be limited to the price that could be charged. They will need to hear back from the State as to whether those added costs would make it unreasonable to use the site.

Ms. MacEachern asked if the HPP was going to the same entity, why wouldn't they just submit it and say this is our HPP and wait for comments back. She thought they should move forward with this because they need to get it in place, even if they have to make some adjustments after the State Review.

Ms. MacEachern then made a motion, seconded by Mr. Lynch, to submit the Housing Production Plan to the State, as soon as possible. The **vote was unanimous for**. Ms. Cline said that she would call Ms. Perez tomorrow.

### **Discuss OSRD**

Mr. Knox advised he and Ms. MacEachern had talked about getting comments from Open Space and the Board of Health. Ms. MacEachern said those are the first two Boards she would like to reach out to. He asked the Board if they would mind if he and Ms. MacEachern met with the Open Space Committee at one of their meetings, and then brought their comments back as part of amending the OSRD. Members were okay with that. Ms. MacEachern then asked if members wanted to include the prohibited uses for the open space. After discussion, she said that she could put it in a different font color and say that they are considering adding something like this. She would send out the emails and copy everyone.

### **Planning Board and Budget Cycle**

Mr. Knox advised that Ms. MacEachern had said that she would like to get back into speaking to the budget with the Select Board. He suggested sending a letter to the Select Board with that request. Ms. MacEachern noted that since it became the Planning Department Budget, rather than the Planning Board Budget, they had been excluded from the process. Her thought had been if everyone was in agreement that they request to become part of that discussion. She would like to send a letter to the Select Board, as well as the Fincomm Chair letting them know the Planning Board is interested in joining the budget discussions.

### **Discuss Priority Protection and Priority Development Parcels**

Mr. Knox asked Mr. Resnick if there was an update on this, and where it might go. Mr. Resnick replied the next step would be after the New Year. SRPEDD will reach out to the communities that they are working on to begin to meet with the Boards. Here they were initially planning to meet with the Planning Board and the Select Board on these Priority Development Areas. He noted these plans were funded through the South Coast Rail Program, and there is no statutory requirement. Ms. MacEachern stated that she thought something had to be in place by January, and that funding was tied to designating these areas.

Mr. Resnick replied no, the funding is through the South Coast rail through SRPEDD to do the plans for the communities that are along the South Coast Rail area. This is really just a planning document for communities to use internally to assist in the assumed growth associated with the South Coast Rail. It will identify the areas where growth might be wanted as well as areas where that growth is not wanted. The funding available is to help in the production of this plan. Mr. Knox asked what the benefit was for the Town to have the plan in place for a Priority Protection Area (PPA) or a Priority Development Area (PDA.) Mr. Resnick said there is nothing that the plan does that gives any sort of protection either way. It is only meant to help communities guide their planning and their growth. He noted that if an area has been identified as a Priority Protection Area and you want to acquire it, when you apply for a grant to the Commonwealth it could help if the area has been designated as a PPA. Mr. Knox noted that this is then like a mini Master Plan. Mr. Resnick said that is all it is.

### **Approve Meeting Minutes**

Mr. Knox made a motion, seconded by Mr. Cabral, to approve the minutes from the October 26, 2023, meeting. The **vote** was **unanimous for**.

### **Approve 2024 Meeting Dates**

A draft meeting schedule with deadline submissions had been included in the packet. Meeting dates were on the second and fourth Thursdays of the month. Mr. Knox made a motion, seconded by Ms. Cline to approve the Planning Board meeting schedule and the deadline for submittals. The **vote** was **unanimous for**.

### **Correspondence**

Mr. Resnick advised they have received a few notices. There is one for a marijuana retailer in Taunton and a proposed amendment in Taunton to allow those establishments in another Zoning District. He noted the only other correspondence was in regards to a possible citizen's zoning article petition to allow a higher lot coverage on lots under 10,000 square feet. He had advised the resident that anything that was site specific would need to be submitted by petition. Mr. Knox

advised other members that currently the maximum lot coverage requirement is 25%, and this petition would look to increase that to 50%. Mr. Knox said due to the runoff problems in that area currently, Conservation would have a problem with increasing the impervious area allowed. For that reason, he would not back it as a Planning Board initiative, but the gentleman was welcome to come in and submit a citizen's petition.

Ms. MacEachern said under correspondence, she stated they had received an email from Town Counsel in regards to an ANR Plan but it was not on the agenda. Mr. Resnick replied a plan had been submitted to him to look at, and because the frontage was on one road and the access was on another road, he had looked at some case law. The statute says that there shall be feasible access through the frontage to the buildable portion of the lot. The applicant and engineer hoped to have a plan to submit after the first of the year. They were modifying it so it could get approved in some form. He would recommend that when it is submitted, Town Counsel attend that meeting.

### **Next meeting**

The next meeting is scheduled for January 11, 2024, at 7:00 p.m. at the Lakeville Police Station

### **Adjourn**

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

Meeting adjourned at 7:33.