

**Planning Board
Lakeville, Massachusetts
Minutes of Meeting
April 8, 2021
Remote meeting**

On April 8, 2021, the Planning Board held a remote meeting. It was called to order by Chairman Knox at 7:00 p.m. LakeCam was recording, and it was streaming on Facebook Live.

Members present:

Mark Knox, Chair; Barbara Mancovsky, Vice-Chair; Peter Conroy, Michele MacEachern, Jack Lynch

Others present:

Nyles Zager, Zenith Consulting Engineers, Bo McMahon, Atty. Michael O'Shaughnessy, Norman Orrall

Agenda item #1

Mr. Knox read this item into the record. It was an explanation of the Governor's Order Suspending Certain Provisions of the Open Meeting Law related to the 2020 novel Coronavirus outbreak emergency which was why the Board was meeting remotely.

Site Plan Review – 15 Main Street, continued – presented by Zenith Consulting Engineers

Mr. Nyles Zager was present. He advised they were here before them for a project at 15 Main Street. At their last meeting there had been several concerns as far as landscaping, fire access, as well as some other issues. They wanted to discuss those tonight and go over anything received back from a third-party review or Town Counsel. He asked if Board members had received the exhibits that he had provided yesterday. One of them was the fire truck access and the other was the planting plan.

Mr. Zager then shared his screen so he could go over the Fire Access Plan. He noted he was meeting with Chief O'Brien in the morning. He advised the truck they see is 52.6 feet long and 8.3 feet wide which is the exact measurement of the Town of Lakeville's largest ladder truck. They run a model and the red is the tire track and the green is the body of the truck. When they run this model, they are making sure that the tires can stay on the pavement, that the overhang isn't going to hit anything along its way, and that it can meet the radii. They are demonstrating that it does.

Mr. Zager said one of the concerns that was brought up at the last meeting was the fire lane. They proposed a 20-foot-wide fire access around the entire building, currently it is 30 feet wide total.

They have a 10-foot-wide temporary loading area as well. One of the concerns that came up is if a truck were to park perpendicular to the building, then it would block a portion, but the fire truck would still be able to get by that part of the vehicle. It's his belief that they have demonstrated they have met that requirement. They have also proposed a total of eight no parking signs along the edge of the pavement.

Ms. Mancovsky said regarding a truck backing in, if the bed is 20 feet, the total space available is 30 feet, and the fire truck is 8.3 feet, they are counting on the fact that the truck user doesn't have the bed down or have anything behind them so they are fully flush to the building. The 19 inches available seems extremely narrow. Mr. Zager replied if you look at a standard mini storage facility, there are areas where they only provide 20 feet in width for loading. Ms. Mancovsky noted that this was a three-story building with almost 600 units. Mr. Zager said it was still the same access regardless of how many units there are. Ms. Mancovsky said it was still a concern that the area is that tight. She asked if the truck had to go off the pavement how big of a drop would it be. Mr. Zager replied you have the cape cod berm which is a 12-inch berm along the edge so you can drive up on that which is a three-inch reveal. The grade on the side there goes up at a 2:1 slope. He noted that if anyone has gone by the site, it is a pretty significant slope. This has to be cut down to level out for the longer building.

Mr. Conroy asked if the Fire Chief had seen this turning radius. Mr. Zager said that he was meeting with the Chief in the morning. Mr. Conroy said if the Fire Chief was okay with it, then he wouldn't go beyond him. He thought he would still have concerns about how tight this is. Mr. Zager said with this tracking software they use, it is very conservative. Typically, someone running these trucks can do a much better job of maneuvering them than what they can do with this tracking.

Mr. Knox suggested in the current proposal there are no parking signs but would it make sense to do a painted fire lane around the perimeter of the parking area on those three sides rather than the signage. Mr. Zager said that is an option, but it is just a matter of how much and where do they stripe. Mr. Knox asked if all the exterior lighting would be on the building. Mr. Zager said that was correct, there would be no light poles. Mr. Knox asked if this design was from a company that just makes storage facilities. Mr. McMahon said this was designed by Annino and Associates one of the top three leading self-storage designers in Massachusetts. They did try to incorporate the brick that is on the street. For the exterior paneling, they went with one of the most aesthetically pleasing that they could choose.

Mr. Knox asked if an option was provided that would not be a financial burden but to get something that just looks a little more rural, at least on the front façade. Mr. McMahon said he would be willing to review anything the Board had to present. From speaking with Annino and Associates, his architect, this is a very common facility that is being put in secondary and tertiary markets outside of cities. This is becoming more common for rural areas and will be the new normal for self-storage solutions offering climate controls. It is modern for the street, but they try to incorporate designs that are already on the street. Ms. Mancovsky added that they would be very appreciative if he could see if there is a way to make this more aesthetically appealing.

Ms. MacEachern asked if they had heard anything back from Town Counsel regarding this. Mr. Knox replied they have not. He had reached out to Scott Turner from Environmental Partners

regarding a peer review of the stormwater, but he needed additional information. He could forward that to Mr. Zager. Mr. Zager disclosed that Zenith does work with Environmental Partners, and they do a lot of their survey work so there might be a conflict for a review. Mr. Knox said they could reach out to a few more engineers if they would like:

Ms. MacEachern noted that she still felt this was an industrial use in a business zone. She did like that the fire lane had been included but she felt as the Planning Board they need to be concerned with safety and the items in the Fire Chief's letter cannot be addressed. This is very different from the other storage facilities in Town and is not really a good comparison. She would really like to see something along the lines of the storage facilities they have already that are one story, easily accessible and not within a warehouse building. Ms. Mancovsky agreed.

Mr. McMahon replied that this building design was very similar to a three-story self-storage facility that was approved in 2018 in the business district. As far as the fire concerns, they will be meeting with the Fire Chief. It is a fully sprinkled building, and they would include whatever language that other two facilities in Lakeville include for storing those hazardous materials. They can also provide additional information regarding the steel information, burn rates, structural integrity of the building, etc., if that is something the Board would like to review. Ms. MacEachern would like that information to be provided to the Fire Chief. Mr. Knox said that he would also like to see it so it would be part of the public record, but they are here for Site Plan Review and they need to be cautious and stay outside the four walls.

Mr. Lynch said he agreed with Mr. Knox regarding having the fire lane painted on the outside edge rather than all the no parking signs. Mr. Knox asked Mr. Zager to include that in the discussion with the Fire Chief. Mr. Conroy said he also thought the painted lane would be the way to go. He asked if Rhino Capital would consider making some kind of path in to the back far left corner of this building from their access road. Mr. Zager said it was something they could talk about. The location of the driveway was also discussed.

Mr. Zager then discussed the landscaping plan. He advised the species are now more colored, and they had tried to match what Rhino Capital did next door. There are evergreens planted along the front, red maples scattered throughout, black willows at the entrance, as well as the eastern red cedar also scattered throughout the site. There are some existing large maples already on the site. They would also be planting some hydrangeas and other flowering plants along the strip of the entrance and the front entrance of the building.

Mr. Knox thought it was a huge improvement but he would prefer they do not use the crimson king as it was an invasive species. Mr. McMahon asked Mr. Knox to provide the exact name of the native maple he wanted instead. Mr. Knox was fine with any maple as long as it was native. He did have a list of native species from Conservation that he could provide to the applicant. Ms. Mancovsky said she also thought the proposed landscaping was an improvement.

Mr. Knox asked if Mr. Zager had anything else to present. He replied that he did not. Mr. Knox said he would like to continue and hopefully complete this at their next meeting. Mr. Zager was fine with that.

Mr. Knox then made a motion, seconded by Ms. Mancovsky, to continue this Site Plan Review to April 22, 2021, at 7:00 p.m.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Julia's Way – Release of Covenant

Atty. O'Shaughnessy was present for this agenda item. He advised he wasn't involved with the permitting of it originally and did not draft the covenant. The covenant was recorded three to four years ago, and he had provided a copy of it as well as the form for a Release of Covenant for the Board's consideration. He went to the Site and it looks like everything is paved, and he had submitted some pictures for the record. He thought that the terms of the Covenant had been complied with. He noted this was a private way.

Mr. Knox said it looks pretty standard. He would motion to approve pending a review by Town Counsel. Ms. Mancovsky asked if it first had to be certified that it is in compliance. Mr. Conroy said they would do that for a public road before accepting it, but not for a private road. Mr. Knox asked how long the road had been done. Atty. O'Shaughnessy replied he thought it was at least a year. He had no issue if the Board wanted to continue this until their next meeting to give Town Counsel the chance to look at the Covenant.

Mr. Knox then made a motion, seconded by Mr. Conroy, to continue this to April 22, 2021, at 7:00 p.m.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox asked Ms. Murray to reach out to Atty. Kwesell to confirm this satisfies any legal requirements, and to also send a copy to the Building Commissioner with a request for any comments or concerns.

Ledgewood Estates – Release of Municipal Interest in Subdivision Security

Atty. O'Shaughnessy said this was a similar request. The Board has already voted to release the surety and security. He has prepared this document which states that the roadway was completed in accordance with the plans. It is more for record keeping with the Registry of Deeds. The Board had hired peer review and they had received a positive report. Mr. Knox said that he did recall all of that and was more comfortable with this request. However, he would still want Atty. Kwesell to review this document. Atty. O'Shaughnessy was fine with that.

Mr. Knox then made a motion, seconded by Ms. Mancovsky, to approve this Certificate of Completion and Release of Municipal Interest in Subdivision Security pending review and approval by Town Counsel.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox said if Town Counsel advises them this is alright, they will sign it as it. If there are any changes, they will put it back on the agenda for their next meeting to revote.

Zoning Bylaw amendments – Schedule public hearings

Mr. Knox advised they had a letter from the Board of Selectmen dated April 7, 2021. He said it stated at their meeting they had discussed the Site Plan Review Bylaw and the Floodplain Bylaw. The Board had voted to include both Articles on the Annual Town Meeting Warrant for May 10th. The Selectmen have requested the Planning Board schedule the hearings necessary for the attached Bylaw Warrant Articles.

Mr. Knox then asked if members had seen the amendments Atty. Kwesell had made to the Site Plan Review Bylaw. He felt the changes had made it very clear to what they were trying to do. Mr. Knox then made a motion, seconded by Ms. Mancovsky, to hold a public hearing for both the Floodplain Bylaw and Site Plan Review Bylaw amendments on April 29, 2021, at 7:00 p.m.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox read the March 31, 2021, letter from the Board of Selectmen into the record. They discussed the Right to Farm Bylaw submitted by the Agricultural Commission and the Development Opportunities District Bylaw as submitted by petition. The Selectmen voted to include both articles on the Annual Town Meeting Warrant. Ms. Murray advised that a hearing was not necessary for the Right to Farm Bylaw as it was a general bylaw. A hearing was required for the Development Opportunities District Bylaw.

Mr. Knox made a motion, seconded by Ms. Mancovsky, to hold a public hearing for the Development Opportunities District Bylaw amendment on April 29, 2021, at 7:00 p.m.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Appointments to be made – Southeastern Regional Planning and Economic Development (SRPEDD)

Ms. Mancovsky stated there is an open position on the Commission right now. She advised that normally the Town Administrator would also attend, but she has been doing this on her own for about a year. This is a group of people from the region that meet to talk about planning issues related to the area as a whole. Each commissioner represents their own community but tries to understand the different things that are happening. After three years on SRPEDD, she wants to

see if somebody else is interested in stepping in to participate. She would continue to do it if no one else wanted to step in or was interested.

Mr. Knox made a motion, seconded by Mr. Conroy, to appoint Ms. Mancovsky as the Planning Board representative to SRPEDD for the next year.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Ms. Mancovsky noted that there is an appointment form that needs to be signed. Mr. Knox made a motion, seconded by Mr. Conroy, to allow the Chairman to sign solely for the SRPEDD appointment.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Appointments to be made – Community Preservation Committee (CPC)

Mr. Knox said the next appointment is for the CPC. Ms. MacEachern was involved in that. She replied that was correct. They were meeting informally for now and trying to plan how to best bring the Community Preservation forward to Town Meeting. She was hoping to be formally appointed as the Planning Board representative.

Mr. Knox made a motion, seconded by Mr. Conroy, to appoint Ms. MacEachern as the Planning Board's CPC representative.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Review the following Zoning Board of Appeals petitions:

1. Twisted Growers LLC – 415 Millennium Circle

Mr. Conroy made a motion, seconded by Mr. Knox, to make no comment on the Zoning Board of Appeals petition for Twisted Growers LLC – 415 Millennium Circle.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

2. Tetrault – 7 Deneise Street

Ms. Mancovsky made a motion, seconded by Mr. Knox, to make no comment on the Zoning Board of Appeals petition for Tetrault – 7 Deneise Street.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

3. Moore – 6 Sandy Point Road

Mr. Knox made a motion, seconded by Ms. Mancovsky, to make no comment on the Zoning Board of Appeals petition for Moore – 6 Sandy Point Road.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

4. Lech-Goulart – 11 Charbonneau Avenue

Ms. Mancovsky made a motion, seconded by Mr. Knox, to make no comment on the Zoning Board of Appeals petition for Lech-Goulart – 11 Charbonneau Avenue.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Approve meeting minutes

Ms. Mancovsky made a motion, seconded by Mr. Knox, to approve the minutes from the December 10, 2020, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Ms. Mancovsky made a motion, seconded by Mr. Knox, to approve the minutes from the January 14, 2021, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox made a motion, seconded by Mr. Conroy, to approve the minutes from the February 11, 2021, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Mr. Knox made a motion, seconded by Ms. Mancovsky, to approve the minutes from the February 25, 2021, meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Old Business

Ms. MacEachern asked if they could get the fee schedule back on the agenda. She knew they had been waiting to hear back from Mr. Darling. Ms. Murray advised it had not been placed on the agenda as Mr. Darling had not had a chance to look at it. Ms. Mancovsky said she had received an email from him but had not had a chance to share that and make any changes that were suggested. Mr. Knox said he did not want to forget about this, but with Town Meeting coming up he was sure that he had been very busy. He asked that this be monitored and when Mr. Darling has a chance to look at it, they can put it back on the agenda.

New Business – Affordable Housing and Chapter 40B handout

Ms. Mancovsky advised that SRPEDD had a presentation from DHCD on the new initiatives of the Baker Administration. Unless you are looking for a house you wouldn't know the tough situation that we have here in the Commonwealth which is not projected to get better anytime soon. She thought the packet had some great information to be shared. She also noted that now to make a zoning bylaw change related to housing you only have to have a simple majority and not a two thirds majority.

Next meeting

Mr. Knox advised the next meeting is scheduled for April 22, 2021, at 7:00 p.m.

Adjourn

Mr. Knox made a motion, seconded by Ms. Mancovsky, to adjourn the meeting.

Roll Call Vote: Ms. Mancovsky-Aye, Mr. Conroy-Aye, Ms. MacEachern-Aye, Mr. Lynch-Aye, Mr. Knox-Aye

Meeting adjourned at 8:28.