

**TOWN OF LAKEVILLE**  
**Project Review Committee for 43D**  
**Meeting Minutes**  
**October 28, 2020 – 7:00 PM**  
**REMOTE LOCATION**

On October 28, 2020, the Project Review Committee for 43D held a meeting at 7:00 PM remotely from various locations. The meeting was called to order at 7:00 PM by Chairman Knox. Members present were: Mark Knox; Christopher Spratt; Nathan Darling; Richard LaCamera; Elizabeth Nash; Robert Bouchard; Michael O'Brien and John Olivieri, Jr. Absent was Matthew Perkins. Also present was Michelle MacEachern – 43D Permit Coordinator. LakeCAM was recording the meeting for broadcast.

In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L. c.30A, §20, relating to the 2020 novel Coronavirus outbreak emergency, the September 9, 2020 public meeting of the **Project Review Committee for 43D** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to [facebook.com/lakecam](https://www.facebook.com/lakecam) (you do not need a Facebook account to view the meeting). This meeting will be recorded and available to be viewed at a later date at <http://www.lakecam.tv/>**

**43D Pre-Application Meeting with Rhino Capital LLC regarding Lakeville Hospital Property Development**

*Present for the discussion were Tyler Murphy – Rhino Capital LLC, Attorney Robert Mather – Applicant's Counsel, Brittany Guessner - VHB for the Applicant and Scott Turner – Environmental Partners Peer Review for the Town.* Chairman Knox begins that they are here tonight to confirm that the permit matrix is correct and sufficient as well as review the proposed hearing schedule.

Chairman Knox explained that he presented the schedule at the most recent Planning Board Meeting and was able to confirm that they do not have any additional requirements than what is listed on the matrix. Member Spratt, Board of Health, explained that he presented the schedule at his Board of Health meeting and they had no problems with it. Member Bouchard, Conservation Commission, confirmed that the matrix looks complete to him. Chairman Knox noted that he received information from the Open Space Committee with their heartfelt feelings on the project. He explained that he will read them into the record once the official hearing is opened. Member Darling reviewed the updated matrix and feels that it is sufficient. Scott Turner comments that it appears the Town is not interested in any fiscal information, he reiterates that they will not be providing it in their submission. He also noted that they are not planning to submit on the Hazardous Waste or Hazardous Materials clean up. Member Olivieri has no changes or additions to the submission matrix.

Member Spratt asked about the hearing timelines for each of the Board's and whether or not Town Counsel has been asked on how the hearing schedule will work and how the Town can make sure they do not exceed the 180 day requirement and receive constructive approval on any of the Town permits. Member Darling confirms that the Town did speak with Counsel and that they are recommending specific wording that will allow for the continuation of the hearings and prevent the constructive granting from happening. Member Darling speaks briefly on the Planning Board's interest in the fiscal information and why it is usually requested. He explained that Mr. Murphy has been open about the project and that right now there is no tenant. Mr. Murphy speaks briefly on the estimate he can provide.

Chairman Knox speaks about the environmental cleanup and the asbestos removal that were raised by Scott Turner. The Committee discusses with Mr. Tyler the documents that are available to be submitted now and what documentation can be expected to be forthcoming as the cleanup in both areas progresses. Mr. Murphy agrees that he will provide the closeout report for the asbestos abatement and for the landfill closeout when they are available but asks that the Committee keep in mind this will probably be outside the 43D permit process. Chairman Knox reiterates that the landfill cleanup is very important to the town and he believes that Rhino will, in good faith, provide the documents when they are received.

Upon a motion made by Mr. Darling and seconded by Mr. Knox, it was:

VOTED: To deem the presented Chapter 43D Development Checklist by Rhino Development as appropriate and with the caveat that there could still be additional requirements that may come up in the permit process that could be asked by subsequent Boards, Committees and Commissions.  
Roll call vote: Mark Knox - Aye; Christopher Spratt - Aye; Nathan Darling - Aye; Richard LaCamera - Aye; Elizabeth Nash - Abstains; Robert Bouchard - Aye; Michael O'Brien - Aye and John Olivieri, Jr. - Aye

Chairman Knox moves on to the review of the proposed hearing schedule. He confirms that the Planning Board has accepted the dates for Planning and there are no issues. Member C. Spratt confirms that the Board of Health has accepted their hearing dates. Member Bouchard confirms that the Conservation Commission is okay with the schedule. Chairman Knox asks if there is anyone else that has any issue with the hearing schedule. There is no comment.

Upon a motion made by Mr. Knox and seconded by Mr. Spratt, it was:

VOTED: To deem the presented Proposed Hearing Schedule by Rhino Development as appropriate and with the caveat that if changes need to be made it will be done with proper notification if that is the case.  
Roll call vote: Mark Knox - Aye; Christopher Spratt - Aye; Nathan Darling - Aye; Richard LaCamera - Aye; Elizabeth Nash - Abstains; Robert Bouchard - Aye; Michael O'Brien - Aye and John Olivieri, Jr. - Aye

### **Introduce New 43D Permit Coordinator**

Chairman Knox introduces Michelle MacEachern as the new 43D Permit Coordinator and he explained that she is also a member of the Planning Board. She is welcomed by the 43D Committee.

### **Determine Approval Process for Peer Review Invoices**

Chairman Knox explains that the town had requested 10,000 from Rhino to start the peer review process. Member LaCamera confirms the request so that the Town can set up an agency account for the project. He explained that it is on the agenda so that the Committee can vote that the chairman of the Commission and Boards can vote and sign the invoices.

Upon a motion made by Mr. Knox and seconded by Mr. Darling, it was:

VOTED: To have the Chairman of the Planning Board, Conservation Commission and Board of Health each represent their respective Board's and be responsible for signing the Peer Review Invoices.

Roll call vote: Mark Knox - Aye; Christopher Spratt - Aye; Nathan Darling - Aye; Richard LaCamera - Aye; Elizabeth Nash - Aye; Robert Bouchard - Aye; Michael O'Brien - Aye and John Olivieri, Jr. - Aye

Upon motion made by Mr. Knox and seconded by Mr. Darling, it was:

VOTED: To waive the 30 day submission requirement and allow Rhino to submit their 43D Application as soon as tomorrow.

Roll call vote: Mark Knox - Aye; Christopher Spratt - Aye; Nathan Darling - Aye; Richard LaCamera - Aye; Elizabeth Nash - Aye; Robert Bouchard - Aye; Michael O'Brien - Aye and John Olivieri, Jr. - Aye

### **New Business/Old Business**

Member LaCamera spoke on the normal process for hearings which are, post; advertise a public hearing and notify all of the abutters that we are having this public hearing. The way this 43D filing has been structured is that the initial public hearing will be for all of the Board's & Commissions involve, including the Planning Board, Board of Health and Conservation Commission. The notifications to the abutters are going to be within 300ft of the project and 100ft for the Board of Health. He explained that the filing will be available for review on the Town's website and that the Town's website will be where the residents can find the most current information on the additional hearings, dates and times. This will all be coordinated through the new 43D Permit Coordinator. Member LaCamera speaks about how the one public hearing will be continued to a date certain to make it a legal continuation and this will prevent the constructive approval.

The 43D Committee agrees that the next meeting will be tentative schedule for Wednesday, November 11, 2020 at 7 PM.

### **Adjournment**

Upon a motion made by Mr. Knox and seconded by Mr. LaCamera, it was:

VOTED: To adjourn the Project Review Committee for 43D meeting at 8:00 PM.

Roll call vote: Mr. Perkins - aye; Mr. Spratt - aye; Mr. Bouchard - aye; Mr. O'Brien - aye; Mr. LaCamera - aye; Mr. Darling - aye; Mr. Knox - aye and Ms. Nash - aye.

### **List of documents provided at the Project Review Committee for 43D Meeting of October 28, 2020**

1. Chapter 43D Development Checklist - Presented by Rhino Lakeville Development, LLC
2. VHB Proposed Public Review and Peer Review Schedule for Lakeville Hospital Redevelopment Project dated October 15, 2020