

TOWN OF LAKEVILLE
43D Public Hearing – Rhino Capital Advisors, LLC – 43 Main Street
Joint Meeting with the Planning Board and Conservation Commission
Meeting Minutes
December 17, 2020 – 7:00 PM
REMOTE LOCATION

On December 17, 2020, the 43D Public Hearing was held at 7:00 PM remotely via Zoom. The meeting was called to order at 7:00 PM by Mark Knox of the Planning Board. 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 May 4, 2020 public meeting of the **43D Public Hearing – Rhino Capital Advisors, LLC – 43 Main Street** shall be physically closed to the public to avoid group congregation. **However, to view this meeting in progress, please go to 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/>**

Chairman Knox opened the Planning Board meeting with a roll call vote of the members of the Planning Board Members. Planning Board Members present: Mark Knox, Barbara Mancovsky, Peter Conroy, Jack Lynch and Michele MacEachern. Chairman Knox turned the meeting over to the Conservation Commission Chairman.

Chairman Bouchard opened the Conservation Commission meeting with a roll call vote of the Conservation Commission Members. Conservation Commission Members present: Bob Bouchard, Nancy Yeatts, Joe Chamberlain, John LeBlanc, Josh Flaherty and Mark Knox. Chairman Bouchard turned the meeting back over to Chairman Knox.

Chairman Knox said that this is Public Hearing #2 where the wetland delineation determination has been continued to from the Conservation Commission. The topics will include the delineation, zoning, use, site layout, parking, access and circulation. Chairman Knox explained that at the direction of Town Counsel, the Planning Board has to adopt, at the January 7, 2021 meeting, the Development Opportunities (DO) District rules and regulations related to densities, land use, structures which already mirror our existing industrial zoned areas. The Town of Lakeville adopted the DO District Zoning Bylaw at the June 4, 2012 Town meeting and the 43 Main Street property was approved by the Mass Interagency Permitting Board to the Chapter 43D Program on October 10, 2012.

Chairman Knox acknowledged others present as follows: Scott Turner and Brad Holmes – Environmental Partners, Nate Darling – Building Commissioner, Amy Kwesell – KP Law, Tyler Murphy – Rep. Rhino Capital, Brittany Gesner – VHB Civil Engineer and Sarah French – VHB Wetland Scientist and Attorney Robert Mather

Brittany Gesner, Project Engineer, began the presentation of the proposed Lakeville Hospital Redevelopment project. She explained that this is the second public hearing and that they

are going to cover the continuation of the Wetland Delineation, Zoning, Use, Dimensional Provisions, Site Layout, Parking, Access and Circulation.

Wetland Delineation

Sarah French, VHB Wetland Scientist, explained that they are looking for approval of the wetland delineation for the property. They have been working with Environmental Partners and the Town to get an agreement on the four wetland lines that are out on the property. Wetland #1 – there is a review of the topography elevations and the slope down to the open flat area. She noted the high bush, blueberry, sweet pepper bush, red maple and the large open marsh area with the buffer of green briar and bittersweet to a swimming-hole area that stays flooded year round. There is a decrepit dock and further north the wetland goes off property and then back onto the property within the area of the solid waste disposal. Wetland # 2 and Wetland #3 – there is a review of the topography. It is noted that both are small isolated depressions or can be considered isolated wetlands. Wetland #4 – there is a review of the topography and it is noted that this is Rush Pond. A review of this was done at the request of the Environmental Partners. The findings are a bordered vegetated wetlands that include a variety of red maple, pepper bush, green briar and Japanese briar.

Chairman Knox asked about the vernal pool matter. Sarah French explained that she has reached out to Natural Heritage and received the details of the vernal pool based on the certification done in 1991. She noted that Rhode Island Road Extension was done in 2010 so the area has changed significantly and it is likely the vernal pool has grown. Sarah French proposed flagging the high water mark to take a conservative approach. It is noted that stormwater features are not allowed within 100ft of a vernal pool. They are still working on the high water line for the vernal pool. Chairman Knox asked Scott Turner, if the wetland lines are correct and for confirmation that the vernal pool is making progress. Scott Turner confirms this is correct.

Chairman Bouchard stated that it would be helpful in reviewing the plans if there was more detail given in the maps that show the potential impact areas and what the work in progress is so that the Commission has a working knowledge of what is going on and what is expected down the road. He agrees on the wetland line as flagged and that the vernal pool still needs to be worked on. There is clarification on the 100ft buffer.

Commissioner Yeatts asked about the potential for fish in Wetland #1. Sarah French reported that while they were doing the delineation of the large ponded area they did not see any egg masses but she made the note as potential for fish because of the shallow large area of water. Commissioner Yeatts agrees to the wetland line as flagged.

There are no further questions or comments.

Motion is made and seconded to approve the wetland line as it is flagged for the 43 Main Street property. Polled vote: Bob Bouchard - Aye, Nancy Yeatts - Aye, Joe Chamberlain - Aye, John LeBlanc - Aye, Josh Flaherty - Aye and Mark Knox - Aye

Chairman Bouchard, Conservation Commission, stated that there is no further business that involves the Commission, so he asks for a motion to continue the hearing to February 4, 2021.

Upon motion made and seconded, the Lakeville Conservation Commission voted to continue the public hearing for the 43 Main Street Application with Rhino Capital Advisors LLC to Thursday, January 7, 2020 at 7 PM. Polled vote: Bob Bouchard - Aye, Nancy Yeatts - Aye, Joe Chamberlain - Aye and Mark Knox – Aye.

Upon motion made and seconded the Conservation Commission adjourned at 7:30 PM. Polled vote: Bob Bouchard - Aye, Nancy Yeatts - Aye, Joe Chamberlain - Aye and Mark Knox – Aye.

Zoning – Development Opportunities (DO) District

Brittany Gesner provided the Development Opportunities (DO) District requirements and gave an overview of how the 43 Main Street application meets the requirements. Development Opportunities (DO) Districts allow the use of warehouses and wholesale distribution centers by special permit with the Planning Board as the Special Permit grant authority. No special permit shall be granted unless the total land area, including streets, of the subject property consist of twenty-five or more acres and the site presented is 49.4 acers. There is a review of the Intensity Regulation items which show an increase in the setbacks from existing conditions in the front, side and rear yard setbacks. The maximum building height will be reduced from seven stories tall to 45ft.

Site Layout, Parking, Access & Circulation

Brittany Gesner reviewed the 402,500 sft of warehouse and the 1000 sf per person that equates to the 403 parking spaces with 2/3rd of the parking in the front and 1/3rd of the parking the rear. There are two green grass areas that are shown on the plans, they can become additional parking if the tenant needs them. There is a review of the loading dock area. There is reference to the Environmental Partner's Peer Review letter.

Chairman Knox spoke about the discussion with the Fire Chief on the placement of hydrants on the site layout as well as the egress from the building. Brad Holmes, Environmental Partners, spoke about how the turning radius for the trucks and vehicle movements. There is a review of the ADA compliant parking areas. They are proposing 14 accessible parking spaces that will be split between the two parking areas. Out of the 14 total spaces, 11 will be standard and five will meet the van requirements. It is also noted that the applicant is proposing twenty electric vehicle charging stations and one of those charging stations will be handicap accessible also.

Brittany Gesner highlights the roadway traffic and flow to the loading docks for the trucks and a separate area for vehicles. There is a review of the two land banks to give the tenant options for additional parking and the two 30ft wide lanes entering and exiting to the roadway. Chairman Knox asked for a demonstration of a right turn in and a right turn out of both the curb cuts. Scott Turner, Environmental Partners, explained that he reviewed the turning radius plan at the entrances and they looked good. Scott Turner speaks about the need for additional signs to direct passenger vehicles on the west side.

Chairman Knox speaks about the proposed back parking lot and the earthen berm on the left hand side. It looks like those 60 spaces are going to be at an elevation higher than Rhode Island Road and there is no, buffer, privacy visual or sound mitigation on that side of the building. Brittany Gesner speaks about the significant amount of vegetation that is existing on the hill top that will provide screening both visually and separate the activity from the abutters. She explained that their limits of work and slopes are all in the existing vegetation so they will not be disturbed as part of the project. They feel it is one of the benefits that the mature vegetation will remain back there.

Chairman Knox requests better angles and renderings of the site lines. Brittany Gesner agrees that they will be providing some 3D rendering views of some of the areas for the next hearing. He also specifically requests a 3D Model Comparison of the existing hospital with the new project. The applicant agrees to make this part of the next presentation.

Barbara Mancovsky, Planning Board Member, has no questions.

Peter Conroy, Planning Board Members, asked about the right side of the building, loading dock area and the short maneuvering distance to turn around. Brittany Gesner responded that those loading docks are for box trucks and smaller vehicles.

Michele MacEachern, Planning Board, asked that in regard to the entry and exit, she would like to see the trucks head toward Rt. 495, rather than any other direction and asked if there has been consideration of that. It is noted that passenger vehicles will be going in either direction even though the trucks will have a dedicated route back to the highway.

Chairman Knox asks about signs. Brittany Gesner noted that she will add specific signs to the next hearing discussion.

Joe Chamberlain, Conservation Commission, asked about what the plan is going to be for snow removal. Brittany Gesner shows two areas on the presented plan where snow can potential be stored. These areas are outside of the future parking areas. There is discussion on the soils and it is confirmed that there are sandy soils out there, which have been very workable with the stormwater design and the recharge which meets the stormwater standards.

Scott Turner asked for renderings of the berms and the varying heights in relation to the building so you can see how the building will look. Scott Turner asked about the entrances and if they are precast concrete. Brittany Gesner confirms that all the curb cuts are granite. Scott referenced some of the questions still outstanding on the project, such as pavement thickness and maintenance. He noted that sign detail was submitted. There are additional questions on the buffer on the western side but those will be coming up.

Jack Lynch, Planning Board, asked how the site access is going to flow once the newly constructed funeral home is completed next door. There are two lanes coming from Rhode Island Road that drops down to one lane right in that area. Brittany Gesner noted that this can be discussed as part of the offsite access.

There is a question asked as to when the demolition of the project is going to be discussed. Chairman Knox explained that it is not part of the Planning Board process. Nate Darling suggested that if the Planning Board saw fit to condition the hours of operation, dust control measures, it might be appropriate rather than have Rhino Capital control that.

Chairman Knox encourages the residents to put their concerns and questions in writing and submit them to the Board so that they can review them and get answers.

Dick Scott, resident, expressed his concern about the noise levels during the demolition. Attorney Kwesell explained that the demolition hours controlled by the hours of operation can be made a condition of the permit.

Aguiar Octavio, 23 Rush Pond Road, had no comments on this presentation.

Paul Turner had no comments on this presentation.

Brian Smith, 22 Rush Pond Road, had no comments on this presentation.

Janet Scott, 11 Rush Pond Road, had no comments on this presentation.

Chairman Knox thanks the residents for their participation. He asked if any Planning Board Members have any further questions. They do not. It is noted that at the next hearing there will be a lot of discussion on the noise and traffic.

Motion is made and seconded to continue the Planning Board hearing of the 43D Rhino Capital Advisors, LLC, 43 Main Street project to Thursday, January 7, 2021 at 7 PM with the topics of Architectural Design, Landscape, Lighting, Noise, Signs and a 3D rendering along with 2D sections in various locations. Polled Mancovsky - Aye, Peter Conroy - Aye, Jack Lynch - Aye and Michele MacEachern vote: Mark Knox - Aye, Barbara - Aye.

ADJOURNMENT

Upon motion and seconded made at 8:30 PM to adjourn the Planning Board meeting. Polled vote: Mark Knox - Aye, Barbara Mancovsky - Aye, Peter Conroy - Aye, Jack Lynch and Michele MacEachern - Aye.