



Received & posted: Paul Berry, ATC
Town Clerk **RECEIVED**
LAKEVILLE TOWN CLERK
2021 MAY 25 PM 4:01

REMOTE MEETING NOTICE/ AGENDA

Posted in accordance with the provisions of MGL Chapter 30A, §. 18-25

Name of Board, Committee or Commission:	Planning Board
Date & Time of Meeting:	Thursday, May 27, 2021 at 7:00 p.m.
Location of Meeting:	REMOTE MEETING
Clerk/Board Member posting notice	Cathy Murray

Revised-AGENDA

1. 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 27, 2021, public meeting of the **Planning Board** 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/>**
2. **Public Hearing (7:00 p.m.) – Presented by Zenith Consulting Engineers** - upon the application for Approval of a Definitive Plan submitted by Bisio and Son Contracting, Inc. for a four (4) lot subdivision located at Rachel's Way including 3 Rachel's Way, M014-B004-L006-2 and 4 Rachel's Way, M014-B004-L005-03
3. **Site Plan Review, continued – 124, 126, 128, & 130 Crooked Lane – Presented by Zenith Consulting Engineers**
4. **Site Plan Review – 210 Kenneth W. Welch Drive – Presented by Outback Engineering, Inc.**
5. **Preliminary Plan – Cassidy Estates - 44 Clear Pond Road & 59 Harcourt Ave – Accept withdrawal letter**
6. **Preliminary Plan – 43 Main Street– Accept Withdrawal letter**
7. **Review Earth Removal Plan – 15 Main Street**
8. **Julia's Way-Release of Covenant-Update**
9. **Ledgewood Estates-Release of Municipal Interest in Subdivision Security-Update**
10. **Approve Meeting Minutes for March 18, 2021.**
11. **Old Business**
12. **New Business**
 - a. **Approve SouthCoast Media Group Invoice**
13. **Next meeting. . . June 10, 2021**
14. **Any other business that may properly come before the Planning Board.**
15. **Adjourn**

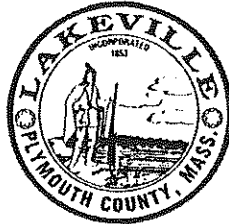
Please be aware that this agenda is subject to change. If other issues requiring immediate attention of the Planning Board arise after the posting of this agenda, they may be addressed at this meeting.

Read the following into the record:

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 27, 2021, public meeting of the **Planning Board** 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/>**

Town of Lakeville

PLANNING BOARD
346 Bedford Street
Lakeville, MA 02347
508-946-3473



NOTICE OF PUBLIC HEARING

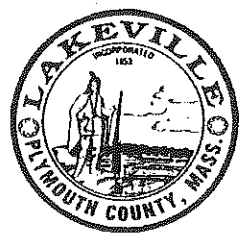
The LAKEVILLE PLANNING BOARD will conduct a public hearing pursuant to MASS GENERAL LAWS CHAPTER 41, SECTION 81T on **THURSDAY, May 27, 2021**, at 7:00 PM to consider the application of **Bisio and Son Contracting, Inc.** for approval of a definitive subdivision plan entitled: **Rachel's Way, A Definitive Plan for a Residential Subdivision** submitted by **Zenith Consulting Engineers, LLC** for a **four (4) lot subdivision** located at **Rachel's Way** including **3 Rachel's Way, Assessors Map 014, Block 004, Lots 006-2 and 4 Rachel's Way, Assessors Map 014, Block 004, Lots 005-03**. The land is owned by **Rachel L. Deane** of **3 Rachel's Way** and **Randall E. White** of **132 County St.**

Plans are available for electronic reviewing by contacting the Planning Department via the Town's website or at 508-946-3473. The Agenda found on the Town of Lakeville website, Planning Department page, will also include documents related to it. Pursuant to Governor Baker's emergency "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c30A, §20," issued on March 12, 2020, provided the State of Emergency is in effect, this will be a virtual meeting.

Lakeville Planning Board,
Mark Knox, Chairman
Barbara Mancovsky, Vice-Chair
Peter Conroy
Jack Lynch
Michele MacEachern

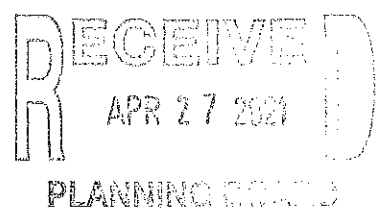
May 13, 2021, & May 20, 2021

Date Submitted: _____



Town of Lakeville

PLANNING BOARD
346 Bedford Street
Lakeville, MA 02347
508-946-8803



FORM C

APPLICATION FOR APPROVAL OF DEFINITIVE PLAN

File one completed Form C with the Planning Board and one copy with the Town Clerk in accordance with the requirements of Section III-B

To the Planning Board:

The undersigned herewith submits the accompanying Definitive Plan of property located in the Town of Lakeville for approval as a subdivision as allowed under the Subdivision Control Law, and the Rules & Regulations governing the subdivision of land of the Planning Board of the Town of Lakeville.

- 1. **Name of Sub Divider:** Bisio and Son Contracting, Inc.
Address: P.O. Box 686 East Freetown, MA 02717
- 2. **Name of Engineer or Surveyor:** Zenith Consulting Engineers, LLC.
Address: 3 Main St. Lakeville, MA 02347
- 3. **Deed of property recorded in** Plymouth County **Registry,**
Book 36303 / 36336 **Page** 342 / 246
- 4. **Location and Description of Property:** Rachel's Way including 3 Rachel's Way
Assessors Map 014-004-006-2 and 4 Rachel's Way Assessors Map 014-004-005-03

Rachel L Deane
3 Rachel's Way
Lakeville, MA
02347

SIGNATURE OF OWNER: *Randall E White*
ADDRESS: 132 County St
Lakeville MA.

A list of the names and addresses of the abutters of this subdivision is attached.
Verification will be made by the Planning Board.



3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

April 27, 2021

Lakeville Planning Board
Lakeville Town Hall
346 Bedford Street
Lakeville, MA 02347

RE: Rachel's Way, Lakeville, MA

Dear Board Members:

On behalf of our client, Bisio & Son Construction, Inc., Zenith Consulting Engineers, LLC. respectfully requests the following waivers from the Town of Lakeville's Rules and Regulations of the Planning Board Governing the subdivision of Land:

1. Section IV B. 2. D.) - property lines for curb radius
2. Section IV B. 3. A.) - minimum right-of-way width
3. Section IV B. 5. A.) - dead end street length
4. Section IV B. 6. G.) - roadway construction
5. Section IV B. 7.) - curbs and berms
6. Section IV B. 8.) - sidewalks
7. Section IV C. 2.A-C.) - water facilities, water supply & gas main
8. Section IV I.) - street lights
9. Section IV K.) - tree's

Zenith Consulting Engineers, LLC. requests and opportunity to appear in front of the Board so that these waivers may be reviewed. Should you have any questions, please do not hesitate to contact the office at 508-947-4208 or email jamie@zcellc.com.

Sincerely,
Zenith Consulting Engineers, LLC

Jamie L. Bissonnette, P.E.
Manager/Senior Engineer




MICHAEL O'BRIEN
FIRE CHIEF
mobrien@lakevillema.org

Lakeville Fire Department

346 Bedford Street
Lakeville, Massachusetts 02347
TEL 508-947-4121 FAX 508-946-3436

WILLIAM PURCELL
DEPUTY CHIEF
wpurcell@lakevillema.org

To: Planning Board
From: Michael P. O'Brien, Fire Chief 
RE: Rachel's Way-Definitive Residential Subdivision
Date: May 5, 2021

Memorandum

This document has been written to provide comment of the plan submission for Rachel's Way-Definitive Residential Subdivision project.

This proposed 20ft width of the road (14ft pavement / 6ft gravel shoulder) is acceptable if the following conditions are met.

1. The construction of all portions of the road can accommodate the weight of all fire apparatus.
2. The gravel shoulders be kept free and clear of obstructions, such as utility poles.

**The goal of this condition is to achieve a configuration where fire apparatus can pass each other in the opposite direction, as will be necessary for water to be trucked into a fire scene.*

527 CMR 1:00 18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 feet (6.1 m).

527 CMR 1:00 18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).

527 CMR 1:00 18.2.3.4.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

The grade of the road is concerning; 527 CMR 1:00 requires no more than 1 foot of grade change per 20 feet of run. The Code also states that the grade shall accommodate the "design limitations of the fire apparatus". Submitted drawings indicate that this road is at the upper limitation of that requirement.

The Fire Department would like to include a condition where the road is evaluated by the Fire Department for navigability by Lakeville fire apparatus.

527 CMR 1:00 18.2.3.4.6.2 The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.*



*Town of Lakeville
Conservation Commission
346 Bedford St.
Lakeville, MA 02347*

Phone: (508) 946-8823 FAX: (508) 946-0112

To: Planning Board
From: Conservation Commission
Date: May 26, 2021

Subject: Rachel's Way

It is the opinion of the Conservation Agent that a Notice of Intent will be required. The rather large wetland area and scope of work in the buffer zone will require more detail to make a final determination.

Sincerely,

Robert Bouchard
Conservation Agent



3 Main Street Lakeville, MA 02347
(508) 947-4208 - www.zcellc.com

- Civil Engineering
- Septic Design (Title 5)
- Septic Inspections (Title 5)
- Commercial and Industrial Site Plans
- Chapter 91 Permitting

May 25, 2021

Lakeville Planning Board
Lakeville Town Hall
346 Bedford Street
Lakeville, MA 02347

RE: Site Plan Review for 124, 126, 128 & 130 Crooked Lane, Lakeville, MA

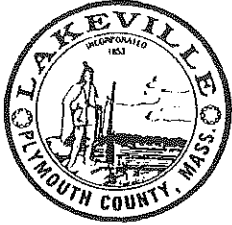
Dear Board Members:

On behalf of our clients, Mr. Crossley and Heartwood Development, LLC., Zenith Consulting Engineers, LLC respectfully requests a continuance from the May 27, 2021 Planning Board meeting and ask to be placed on the next available meeting date. This continuance will allow us time to work on the items discussed at the previous meeting date.

Should you have any questions, please do not hesitate to contact the office at 508-947-4208 or email jamie@zcellc.com.

Sincerely,
Zenith Consulting Engineers, LLC

Jamie L. Bissonnette, P.E.
Manager/Senior Engineer



Town of Lakeville
Planning Board
346 Bedford Street
Lakeville, MA 02347
508-946-3473

APPLICATION FOR SITE PLAN REVIEW

Name of Applicant: Metan Marine Restoration Inc. / RH Marine Group LLC.

Street: 210 Kenneth Welch Drive

City/Town: Lakeville State: MA Zip: 02347

Telephone: 781-733-5387 Email: mike@metanmarine.com

Property Owner Name: (SAME)

Street: _____

City/Town: _____ State: _____ Zip: _____

Telephone: _____ Email: _____

Contact Person's Name: Michael Borrelli

Telephone: 781-733-5387 Email: mike@metanmarine.com

SITE INFORMATION

Street and number: 210 Kenneth Welch Drive

Zoning District: Industrial Map 60 Block 8 Lot 14B

Lot size: 4.09 acres Frontage: 230.39'

Current use: Manufacturing/Warehouse

PLAN INFORMATION

Plan Title: Site Plan Approval for Building Addition at #210 Kenneth Welch Drive

Prepared by: Outback Engineering, Inc.


Date prepared: April 21, 2021 Revision date (s): _____

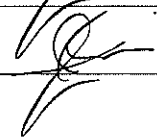
Detailed Description of proposed work: _____

A proposed 80'x100' (8,000 SF) addition to the existing building to provide additional covered storage space for boats. No increase in work force is proposed. No increase in stormwater runoff is proposed.

TO THE LAKEVILLE PLANNING BOARD:

The undersigned, being the APPLICANT named above, hereby applies for review of the above **SITE PLAN** by the Planning Board and certifies that, to the best of the APPLICANT'S knowledge and belief, the information contained herein is correct and complete and that said PLAN conforms with the requirements of the Rules and Regulations of the Lakeville Planning Board and the Zoning By-Law of the Town of Lakeville.

Applicant's Signature:  _____ Date: 4/12/2021

Property Owner's Signature:  _____ Date: 4/12/2021
(if not Applicant)

Will you have a representative other than yourself? Yes No

Name: Outback Engineering, Inc.

Telephone: 508-946-9231 Email: matt@outback-eng.com

To be completed by Planning Board staff:

Distributed to: Board of Health, Board of Selectmen, Building Department, Conservation Commission, Fire Chief, and Open Space Committee

Date/initials: _____




MICHAEL O'BRIEN
FIRE CHIEF
mobrien@lakevillema.org

Lakeville Fire Department

346 Bedford Street
Lakeville, Massachusetts 02347
TEL 508-947-4121 FAX 508-946-3436

WILLIAM PURCELL
DEPUTY CHIEF
wpurcell@lakevillema.org

To: Planning Board
From: Michael P. O'Brien, Fire Chief 
RE: 219 Kenneth Welch Drive
Date: May 3, 2021

Memorandum

This document has been written to provide comment of the plan submission for 210 Kenneth W. Welch Drive.

This Fire Chief requests that a clearly marked fire lane be a condition of approval for this project. This fire lane (aka fire department access road) would be 20ft in width, have 13.5ft of overhead clearance, maintained clear and usable, and able to support the weight of department vehicles.

527 CMR 1:00 18.2.3.4.1.1 Fire department access roads shall have an unobstructed width of not less than 20 feet (6.1 m). Fire department access roads constructed in the boulevard-style shall be allowed where each lane is less than 20, but not less than 10, when they do not provide access to a building or structure.

527 CMR 1:00 18.2.3.4.1.2 Fire department access roads shall have an unobstructed vertical clearance of not less than 13 ft 6 in. (4.1 m).

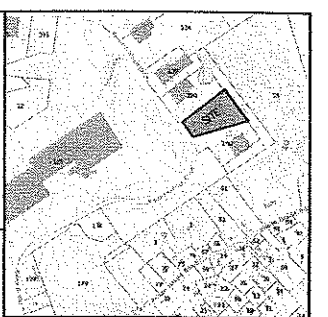
527 CMR 1:00 18.2.3.4.2 Surface. Fire department access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be provided with an all-weather driving surface.

The suggested location of the lane would be along the rear of the building running north and south, along the new and existing portions of the building; with the goal of all portions of the exterior wall of the building not be located more than 150 ft from fire department apparatus.

527 CMR 1:00 18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

A clearly marked fire lane would be a significant improvement to the property. Exterior storage of boats and related materials can sometimes limit the access of the Fire Department to the structure.

LAKEVILLE PLANNING BOARD
 DATE: _____



LOT COVERAGE SUMMARY

LOT SIZE	=	178,089 S.F. (4.09 ACRES)
EXISTING BASIN	=	4,712 S.F.
EFFECTIVE LOT SIZE	=	173,337 S.F.
EXISTING		
BUILDING	=	10,150 S.F. (W/ OVERHANG)
CONCRETE PADS	=	424 S.F.
PAVEMENT	=	27,312 S.F.
CRUSHED STONE	=	10,391 S.F.
GRAVEL	=	39,008 S.F.
PROPOSED		
BUILDING	=	8,000 S.F.
GRAVEL	=	(8,000 S.F.)
CRUSHED STONE	=	(1,450 S.F.)
TOTAL LOT COVERAGE	=	85,835 S.F.
% LOT COVERAGE	=	85,835 / 173,337 = 49.5%

- GENERAL NOTES**
1. PLAN REFERENCE:
 - 1.1. FOR DEED REFERENCE SEE DEED BOOK: 50166 PAGE: 21 IN THE PLYMOUTH COUNTY REGISTRY OF DEEDS.
 - 1.2. FOR PLAN REFERENCE SEE: "DIVISION PLAN OF LAND IN LAKEVILLE, MA" DATED DECEMBER 30, 2003 BY OLD STONE ENGINEERING, INC. RECORDED IN PLAN BOOK: 48 PAGE: 204 OF THE PLYMOUTH COUNTY REGISTRY OF DEEDS.
 - 1.3. THE TOPOGRAPHIC INFORMATION SHOWN HEREON IS THE RESULT OF A FIELD SURVEY PERFORMED BY OUTBACK ENGINEERING, INC. IN AUGUST 2020. ELEVATIONS ARE BASED ON NAVD 88 DATUM.
 2. THE SITE FALLS WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2 ANNUAL CHANCE FLOODPLAIN, AS CALLED FROM THE FLOOD INSURANCE RATE MAP (MAP NUMBER: 25023C0314). EFFECTIVE DATE: 7/17/12).
 3. THE SITE IS NOT LOCATED WITHIN A SURFACE WATER SUPPLY PROTECTION AREA. THIS SITE IS NOT LOCATED WITHIN A GROUNDWATER PROTECTION AREA.
 4. THE SITE IS NOT LOCATED WITHIN A PRIORITY HABITAT AND IS NOT LOCATED WITHIN AN ESTIMATED HABITAT ACCORDING TO THE LATEST NATURAL HERITAGE AND ENDANGERED SPECIES PROGRAM ONLINE MAPS.
 5. ALL EXISTING UTILITY INFORMATION IS FROM THE BEST AVAILABLE INFORMATION SUPPLIED BY FIELD SURVEY PERFORMED BY OUTBACK ENGINEERING, INC. AND IS TO BE CONSIDERED APPROXIMATE. CONTRACTOR SHALL NOTIFY DISCARE (1-888-344-7233) AT LEAST 72 HOURS PRIOR TO THE ONSET OF ANY CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.

REVISIONS

NO.	DATE	DESCRIPTION

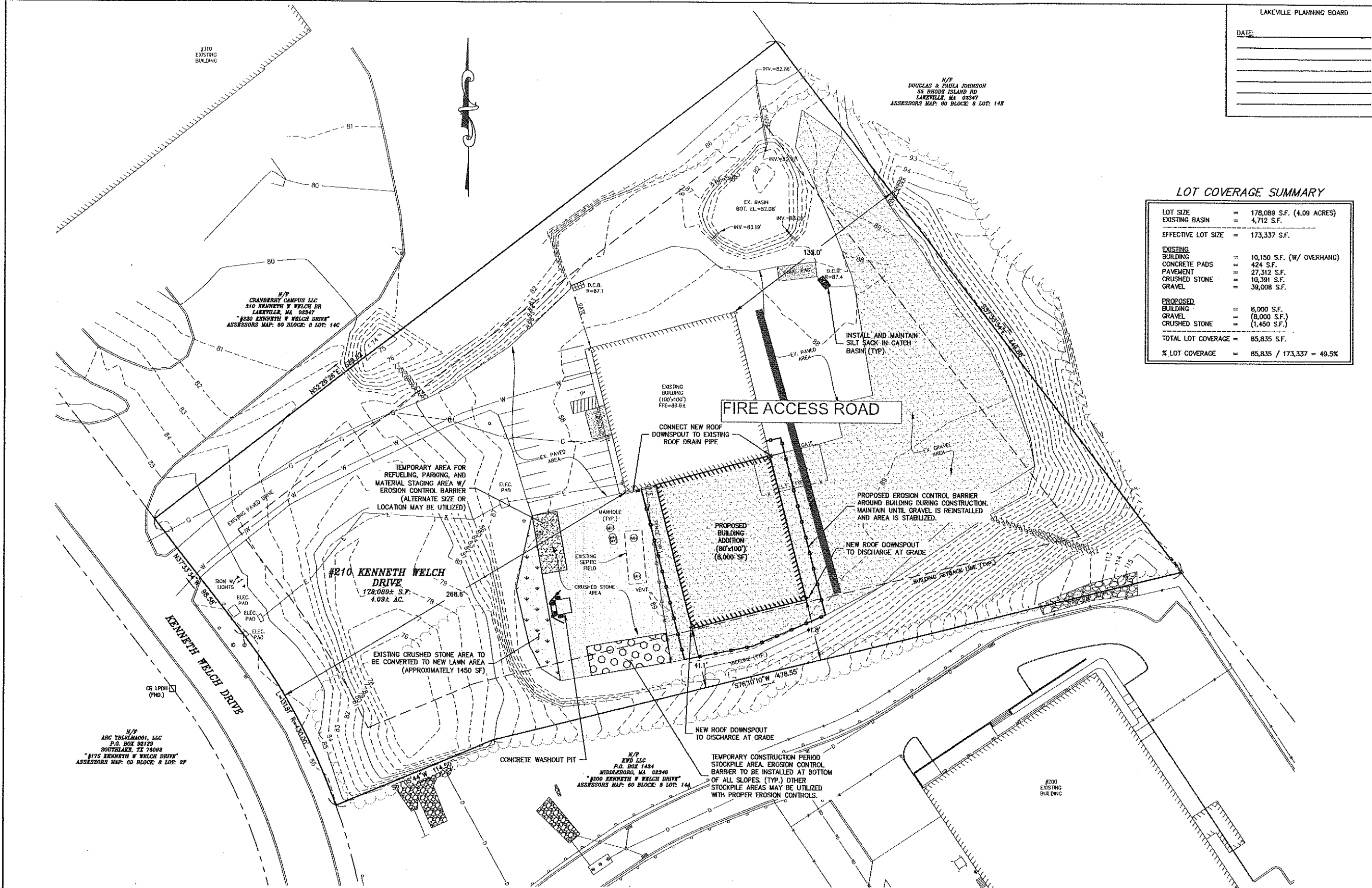
OWNER & APPLICANT
 METAN MARINE RESTORATION INC.
 RH MARINE GROUP LLC
 210 KENNETH W WELCH DRIVE
 LAKEVILLE, MA 02347
 ASSESSORS MAP: 60 BLOCK: 8 LOT: 14B

SITE PLAN APPROVAL FOR BUILDING ADDITION AT #210 KENNETH WELCH DRIVE IN LAKEVILLE MASSACHUSETTS

Outback Engineering Incorporated
 165 EAST GROVE STREET
 MIDDLEBOROUGH, MA 02346
 TEL: (508)-946-9231
 FAX: (508)-947-8873
 www.outback-eng.com

DATE: APRIL 21, 2021
 DRAWN BY: J.E.Y. CHECKED BY: M.A.G.
 SCALE: 1"=30' SHEET 1 OF 2

0E-3626



DIMENSIONAL REQUIREMENTS

ZONING: INDUSTRIAL DISTRICT	REQUIRED	PROVIDED
MIN. LOT AREA	70,000 S.F.	178,089 S.F.
MIN. FRONTAGE	175'	230.35'
MIN. FRONT SETBACK	40'	268.6'
MIN. SIDE SETBACK	40'	41'
MIN. REAR SETBACK	40'	133.0'
MAX. LOT COVERAGE (BUILDING/STRUCTURE)	50%	49.5%
MAX. BUILDING HEIGHT	35'	<35'

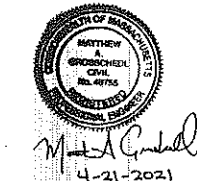
PARKING INFORMATION SUMMARY

USE	REQUIRED	PROVIDED*
OFFICE USE (1,800 SF) (1 SPACE/300 SF)	6 SPACES	6 SPACES
WAREHOUSE (7 EMPLOYEES) (1 SPACE PER EMPLOYEE)	7 SPACES	10 SPACES
ADA ACCESSIBLE SPACES FOR PARKING LOTS BETWEEN 1 AND 25 SPACES	1 VAN	1 VAN

SEPTIC INFORMATION SUMMARY

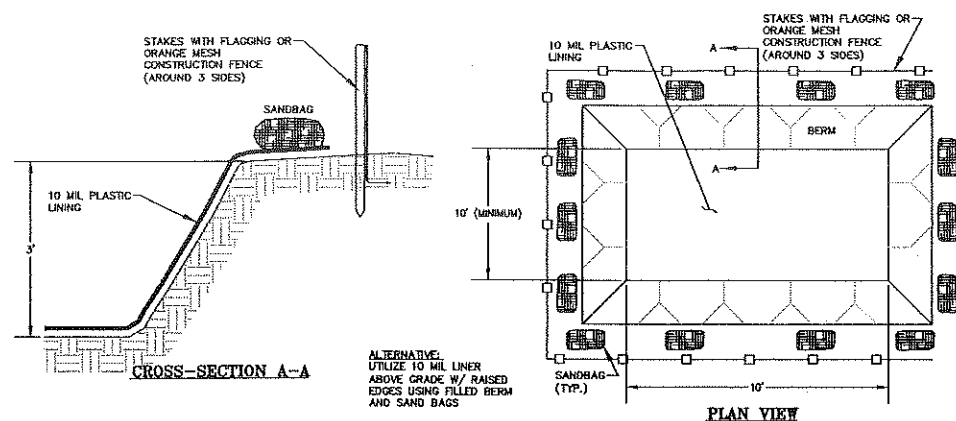
USE	REQUIRED	PROVIDED*
WAREHOUSE W/O CAFETERIA 15 GPD PER EMPLOYEE X 7 EMPLOYEES	105 GPD	225 GPD
OFFICE SPACE (1,800 S.F.) 75 GPD PER 1,000 S.F. (200 GPD MINIMUM)	200 GPD	200 GPD
TOTAL	305 GPD	425 GPD

* EXISTING SEPTIC SYSTEM CAPACITY BASED ON SEPTIC SYSTEM UPGRADE PLANS DATED JULY 25, 2018 PREPARED BY JC ENGINEERING INC. AND ON FILE WITH THE LAKEVILLE BOARD OF HEALTH OFFICE.

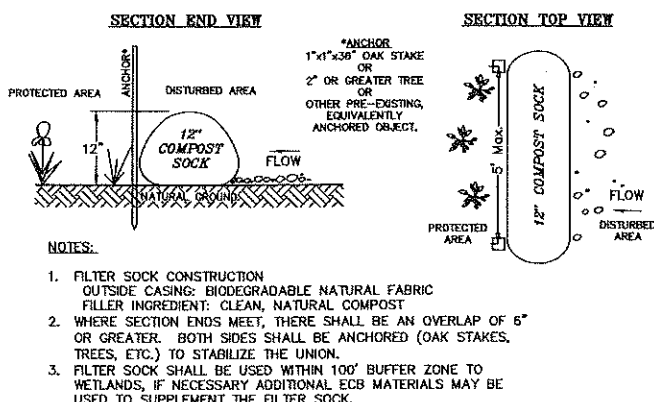


JOB PROJECT: 050-150-2000-0-2-2-000000; DRAWN: J.E.Y.; CHECKED: M.A.G.; DATE: 4/21/21; SCALE: 1"=30'; SHEET: 1 OF 2; PROJECT: 050-150-2000-0-2-2-000000; DRAWN: J.E.Y.; CHECKED: M.A.G.; DATE: 4/21/21; SCALE: 1"=30'; SHEET: 1 OF 2

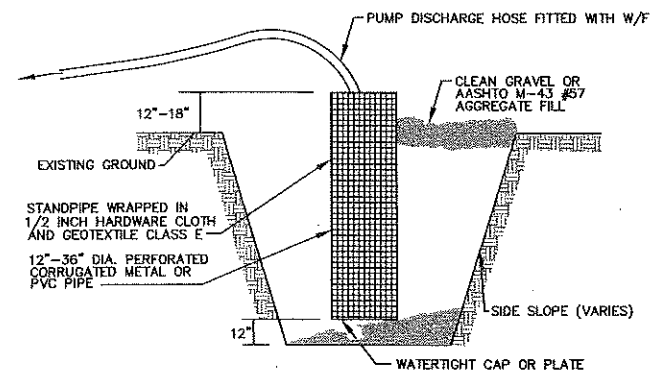
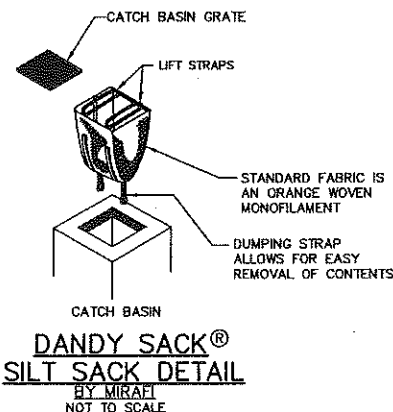
DATE: _____



BELOW GRADE CONCRETE WASHOUT PIT
 NOT TO SCALE



TYPICAL EROSION CONTROL BARRIER DETAIL
 NOT TO SCALE



CONSTRUCTION DEWATERING SUMP PIT DETAIL
 NOT TO SCALE

NOTE: IN LOCATIONS WHERE DEWATERING IS REQUIRED, THE CONTRACTOR SHALL CONSTRUCT A DEWATERING SUMP PIT IN ACCORDANCE WITH THE DETAIL PROVIDED. TO PREVENT THE MIGRATION OF SILT AND SEDIMENT, THE CONTRACTOR SHALL FIT THE DISCHARGE END OF THE PUMP HOSE WITH A COMPOSITE SOCK AND ALL FLOW SHALL BE DISCHARGED INTO A SEDIMENT CONTROL TRAP PRIOR TO CONVEYANCE INTO THE STORM DRAIN SYSTEM. THE SEDIMENT CONTROL TRAP SHALL BE CONSTRUCTED UTILIZING AN ENCLOSED AREA OF SILT FENCE AND/OR FILTERMATT IN ACCORDANCE WITH THE DETAIL SHOWN. SEDIMENT TRAPS SHALL BE PLACED IN UPLAND AREAS ONLY AWAY FROM WETLANDS.

DEWATERING PIT TO BE LOCATED OUTSIDE 100' BUFFER AND DISCHARGE TO A SEDIMENT TRAP OR TEMPORARY DEWATERING PIT WHERE FEASIBLE.

EROSION CONTROL NOTES

1. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE INSTALLATION AND MAINTENANCE OF EROSION CONTROL MEASURES SHOWN ON THIS PLAN OR REQUESTED BY THE OWNER AND ANY ADDITIONAL MEASURES AS MAY BE NECESSARY OR REQUIRED THROUGHOUT CONSTRUCTION, UNTIL FINAL SURFACE FINISHES HAVE BEEN ESTABLISHED AND ACCEPTED.
2. EROSION CONTROL MEASURES SHALL BE IN ACCORDANCE WITH THE STANDARDS OF THE MOST CURRENT VERSION OF THE "MASSACHUSETTS EROSION AND SEDIMENT CONTROL GUIDELINES FOR URBAN AND SUBURBAN AREAS," THE STANDARDS OF THE TOWN OF EAST BRIDGEWATER, AND AS SHOWN ON THESE PLANS, WHICHEVER IS THE MOST STRINGENT.
3. EROSION CONTROLS MUST BE INSTALLED PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES. LIMITED CLEARING (BUT NO GRUBBING) AND SITE DISTURBANCE IS ALLOWED IN ORDER TO FACILITATE INSTALLATION OF EROSION CONTROLS.
4. WHERE SEVERAL TYPES OF EROSION CONTROL DEVICES ARE CALLED OUT ON THE PLAN, THE CONTRACTOR MAY SELECT FROM THOSE DETAILED FOR INDIVIDUAL AREAS THAT MAY BEST FIT THEIR CONSTRUCTION OPERATIONS WHILE STILL MAINTAINING PROTECTIONS THAT MEET ALL CONTRACT AND REGULATORY REQUIREMENTS.
5. ALL AREAS DISTURBED BY CONSTRUCTION ACTIVITIES, WHETHER INSIDE THE CONTRACT LIMIT LINE OR BEYOND, NOT COVERED BY BUILDINGS OR PAVEMENTS, SHALL BE TOP SOILED AND SEEDED AS LAWN.
6. THE CONTRACTOR SHALL MONITOR ALL NEW AND MODIFIED DRAINAGE STRUCTURE SUMPS WITHIN THE CONTRACT LIMITS AND SHALL PUMP SUMPS CLEAN OF SILT AND DEBRIS WHEN MORE THAN 1/4 FULL AND/OR IMMEDIATELY PRIOR TO FINAL ACCEPTANCE.
7. SETTLE OR FILTER ALL SILT-LADEN WATER IN A SEDIMENTATION OR FILTER BAG TO REMOVE SEDIMENTS PRIOR TO RELEASE TO ANY WATERWAY LOCATED DOWNSTREAM OF THE DEWATERED AREA.
8. DEWATER AS NECESSARY TO KEEP CONSTRUCTION AREAS FREE OF WATER. DISCHARGE WATER FROM DEWATERING TO APPROPRIATE LOCATION WITHOUT SEDIMENTATION.

DEMOLITION NOTES

1. THE EXISTING CONDITIONS INDICATED IN THE DRAWINGS ARE BASED UPON INFORMATION PRESENTED IN THE PLANS REFERENCED HEREIN. THE INFORMATION IN THE REFERENCE PLANS HAS BEEN SUPPLEMENTED THROUGH LIMITED FIELD INVESTIGATION. THE OWNER AND THE ENGINEER OF RECORD MAKE NO WARRANTY AND ACCEPT NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION. THE CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS AND DIMENSIONS IN THE FIELD.
2. THE CONTRACTOR IS RESPONSIBLE FOR THE SAFE AND PROPER DISPOSAL OF ALL MATERIALS AND SHALL OBTAIN ALL NECESSARY LICENSES AND PERMITS FOR SUCH DISPOSAL. NO MATERIAL IS TO BE BURIED ON SITE. DEMOLITION AND DISPOSAL OF MATERIALS SHALL BE IN ACCORDANCE WITH THE SPECIFICATIONS AND CONSISTENT WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS.
3. THE CONTRACTOR SHALL EXERCISE ALL NECESSARY CARE TO PREVENT ANY DAMAGE TO EXISTING FACILITIES BY OR AS A RESULT OF HIS OPERATIONS. PROVIDE TEMPORARY SUPPORT OF EXCAVATION AS REQUIRED. ANY DAMAGES RESULTING FROM THE CONTRACTOR'S OPERATION SHALL BE REPAIRED AT NO ADDITIONAL COST TO THE OWNER.
4. THE CONTRACTOR SHALL HAVE SOLE RESPONSIBILITY FOR PROVIDING ALL MATERIALS, EQUIPMENT AND TOOLS. THE OWNER DOES NOT PROVIDE SECURITY AND ASSUMES NO RESPONSIBILITY OR LIABILITY FOR ANY MATERIALS, EQUIPMENT OR TOOLS STORED ON ITS PROPERTY.
5. THE CONTRACTOR SHALL COORDINATE ALL UTILITY WORK WITH THE OWNER AND THE APPROPRIATE UTILITY COMPANY REPRESENTATIVES.
6. THE CONTRACTOR WORK AREA AND LAY DOWN AREA SHALL BE AS INDICATED AND AS DIRECTED BY THE OWNER. THE WORK AREA AND LAY DOWN AREA WILL BE AVAILABLE FOR THE CONTRACTOR'S USE. PROVIDE AND INSTALL TEMPORARY BARRIERS TO CONTAIN CONSTRUCTION DEBRIS TO THE CONTRACTOR'S WORK AREA.
7. STANDARD DUST CONTROL MEASURES INCLUDING USE OF WATER, MIST AND OTHER SUITABLE METHODS TO LIMIT THE SPREAD OF DUST SHALL BE USED AS NECESSARY AND COMPLY WITH GOVERNING ENVIRONMENTAL PROTECTION REGULATIONS. DO NOT USE WATER WHEN IT MAY CAUSE DAMAGE TO ADJACENT CONSTRUCTION OR CREATE HAZARDOUS OR OBJECTIONABLE CONDITIONS SUCH AS ICE, FLOODING AND POLLUTION.
8. INSTALL SILT SACKS IN CATCH BASINS AS NECESSARY.

CONSTRUCTION NOTES

1. EXISTING UTILITY INFORMATION SHOWN IS BASED ON FIELD SURVEY AND BEST AVAILABLE PLANS OF RECORD AND IS CONSIDERED TO BE APPROXIMATE. LOCATION OF STRUCTURES AND UTILITIES SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION.
2. CONTRACTOR SHALL NOTIFY DIGSAFE @ 811 AT LEAST 72 HOURS PRIOR TO THE ONSET OF ANY CONSTRUCTION TO HAVE ALL EXISTING UTILITIES LOCATED AND CLEARLY MARKED.
3. THE ENGINEER SHALL BE NOTIFIED OF ANY DISCREPANCIES WHICH WILL AFFECT SITE DESIGN. NO CHANGES IN THE FIELD SHALL BE MADE WITHOUT PRIOR NOTIFICATION OF THE DESIGN ENGINEER.
4. PRIOR TO ANY EXCAVATION, IN ADDITION TO 'DIG SAFE', NOTIFY APPROPRIATE UTILITY COMPANY OR AUTHORITY TO VERIFY EXACT DEPTH AND LOCATION OF EXISTING UNDERGROUND UTILITIES. LOCATIONS AND DEPTHS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE ONLY AND THE CONTRACTOR SHALL BE RESPONSIBLE TO LOCATE AND PROTECT UTILITIES IN THE FIELD WHETHER OR NOT SHOWN ON THE DRAWINGS.
5. IN THE COURSE OF INSTALLING THE UNDERGROUND UTILITIES, REMOVE ANY ABANDONED FOUNDATION, UTILITY STRUCTURES, ETC., ENCOUNTERED WHICH INTERFERE WITH THE UTILITY WORK. ALL SUCH STRUCTURES SHALL BE COMPLETELY REMOVED AND SHALL BE BACKFILLED WITH GRAVEL COMPACTED IN 9" LIFTS TO 95% COMPACTION TO 6" BELOW THE BOTTOM OF THE PIPE AND UTILITY.
6. ALL UTILITY WORK SHALL BE PERFORMED IN ACCORDANCE WITH LOCAL AND STATE SPECIFICATIONS.
7. ALL EXCAVATING AND FILLING SHALL BE PERFORMED IN A SAFE MANNER, IN ACCORDANCE WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL REGULATIONS AND SO AS TO PROTECT THE PUBLIC.
8. ALL DEMOLITION MATERIAL SHALL BE REMOVED FROM THE SITE AND DISPOSED OF PROPERLY.
9. CONTRACTOR SHALL SAFEGUARD AND PROTECT ALL WORK AREAS. PROVIDE ADDITIONAL TEMPORARY CONSTRUCTION FENCES AND BARRIERS AS NECESSARY.
10. CONTRACTOR SHALL EXERCISE EXTREME CAUTION TO AVOID DAMAGE TO ANY EXISTING STRUCTURES OR UTILITIES TO REMAIN IN PLACE DURING AND/OR AFTER CONSTRUCTION IS COMPLETE.
11. CONTRACTOR SHALL COMPLY WITH ALL LOCAL, STATE AND FEDERAL PERMITS ISSUED FOR THE PROJECT. CONTRACTOR SHALL SECURE TRENCH PERMIT IF REQUIRED BY TOWN OR STATE.
12. SPECIFICATIONS TO GOVERN THIS PROJECT ARE MASSACHUSETTS STANDARD SPECIFICATIONS. FOR ALL EXCAVATION, PLACEMENT OF FILL, COMPACTION, PIPE INSTALLATION, CONCRETE AND SAWCUTTING, THE CONTRACTOR SHALL PERFORM THE WORK IN FULL COMPLIANCE WITH THE 2020 EDITION OF THE MASSDOT HIGHWAY DIVISION STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES.

LOAM AND SEEDING NOTES

1. CONTRACTOR SHALL PROVIDE SPECIFICATIONS AND SAMPLES TO OWNER PRIOR TO ORDERING MATERIALS.
2. LOAM SHALL BE SPREAD TO A MINIMUM DEPTH OF SIX (6) INCHES OVER ALL AREAS DESIGNATED ON THE PLANS, OR DISTURBED DURING EXECUTION OF THE WORK.
3. SHAPE AND SMOOTH THE SURFACE TO THE LINES AND GRADES AS SHOWN ON THE PLANS.
4. FERTILIZE WITH 10-10-10 OR EQUIVALENT ANALYSIS. AT LEAST 40% OF THE FERTILIZER NITROGEN SHALL BE IN A SLOW RELEASE FORM. INCORPORATE THE FERTILIZER INTO THE TOP 3 TO 4 INCHES OF THE PLANTING SOIL. APPLY AT THE RATE OF 8 POUNDS PER 1,000 SQUARE FEET AT SEEDING.
5. LIME: SPREAD EVENLY AND WORK INTO THE SOIL DURING PREPARATION OF SEED BED AT THE RATE OF ONE TON PER ACRE. INCORPORATE INTO THE SOIL BY DICING OR OTHER APPROVED METHOD. DISTRIBUTE LIME UNIFORMLY AND WORK INTO TOP 4 INCHES OF SOIL (MINIMUM) AND UNIFORMLY BLEND BY DICING OR ROTOTILLING.
6. APPLICATION OF SEED: RATE OF APPLICATION OF SEED SHALL BE 4.5 POUNDS PER 1,000 SQUARE FEET, AS INDICATED ON THE PLANS OR ACCORDING TO MANUFACTURERS RECOMMENDATIONS AND INSTRUCTIONS. SEEDING SHALL BE DONE DURING THE FOLLOWING DATES: SPRING SEEDING - MARCH 15 TO MAY 31; FALL SEEDING - AUGUST 15 TO OCTOBER 15. THE CONTRACTOR SHALL KEEP ALL SEEDED AREAS WATERED AND IN GOOD CONDITIONS, RESEEDING IF AND WHEN NECESSARY FOR AN EIGHT (8) WEEK PERIOD OR UNTIL A GOOD, HEALTHY, UNIFORM GROWTH IS ESTABLISHED OVER THE ENTIRE AREA. THE CONTRACTOR SHALL ALSO MAINTAIN THESE AREAS IN AN APPROVED CONDITION UNTIL CONDITIONAL ACCEPTANCE. DURING THIS PERIOD, WATER TURF AS NECESSARY TO MAINTAIN AN ADEQUATE SUPPLY OF MOISTURE WITHIN THE ROOT ZONE. AN ADEQUATE SUPPLY OF MOISTURE IS THE EQUIVALENT OF ONE (1) INCH OF RAIN ABSORBED WATER PER WEEK THAT IS DELIVERED AT WEEKLY INTERVALS IN THE FORM OF NATURAL RAIN OR IS AUGMENTED AS REQUIRED BY PERIODIC WATERING. OVERSEED WHEN NECESSARY TO PROMOTE GRASS GROWTH. REPLANT AREAS VOID OF TURF ONE (1) SQUARE FOOT OR LARGER.
7. SEED ALL AREAS DESIGNATED ON PLANS AS WELL AS ALL DISTURBED EXISTING AREAS WITH THE APPROVED SEED MIX.

REVISIONS

NO.	DATE	DESCRIPTION

OWNER & APPLICANT
 METAN MARINE RESTORATION INC.
 RM MARINE GROUP LLC
 210 KENNETH W WELCH DRIVE
 LAKEVILLE, MA 02347
 ASSESSORS MAP: 60 BLOCK: 8 LOT: 14B

SITE PLAN APPROVAL FOR BUILDING ADDITION AT #210 KENNETH WELCH DRIVE IN LAKEVILLE MASSACHUSETTS



165 EAST GROVE STREET
 MIDDLEBOROUGH, MA 02346
 TEL: (508)-946-9231
 FAX: (508)-947-8873
 www.outback-eng.com

DATE: APRIL 21, 2021
 DRAWN BY: J.E.Y. CHECKED BY: M.A.G.
 NO SCALE SHEET 2 OF 2





Town of Lakeville
Conservation Commission
346 Bedford St.
Lakeville, MA 02347

Phone: (508) 946-8823 Fax: (508) 946-0112

To: Planning Board
From: Conservation Commission
Date: May 26, 2021

Subject: 210 Kenneth Welch Drive, Site Plan Review

This site has been reviewed by the Conservation Agent. The proposed project requires extensive construction in an area proximate to a large wetland area. As a result, the Commission will require the filing of a Notice of Intent (NOI). The NOI should detail construction limits, excavation, erosion control, parking and any other disturbance that may impact the wetland within the 100' buffer zone.

Sincerely,

Robert Bouchard
Conservation Agent

Cathy Murray, Appeals Board Clerk

From: DEREK MAKSY <dmaksy@comcast.net>
Sent: Monday, May 24, 2021 9:11 AM
To: Cathy Murray, Appeals Board Clerk
Subject: Fwd: Lakeville Golf Club Form B

Hello Cathy,
Hope all is well.
I sent this to the Chair Mark Knox but have not heard from him so I thought I would also send it to you.

Derek Maksy
Lakeville, MA 02347

----- Original Message -----

From: DEREK MAKSY <dmaksy@comcast.net>
To: Mark knox <mjknox@gmail.com>
Cc: MADDY MAKSY <madmaksy@comcast.net>
Date: 05/20/2021 8:04 AM
Subject: Lakeville Golf Club Form B

Good morning Mark,
I hope things are well.
If possible I would like to withdraw without prejudice my Form B application with the Planning Board for 44 Clear Pond Road in Lakeville.
Please let me know if you need any additional information.

Thanks

Derek Maksy
Lakeville, MA 02347



May 21, 2021

Ref: 14849.00

Chairman Mark Knox
Town of Lakeville Planning Board
346 Bedford Street
Lakeville, MA 02347

Re: 43 Main Street
Retraction of Preliminary Plan Submission

Dear Mr. Chairman,

On Monday, May 10, 2021, VHB submitted a Subdivision Preliminary Plan application for the property located at 43 Main Street, Lakeville, MA. On behalf of the owner and applicant, Lakeville Owner LLC, VHB hereby requests to retract the Preliminary Plan submission. The applicant does not wish to proceed with the Preliminary Plan process at this time.

Thank you for your time and attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Brittany Gesner". The signature is written in a cursive, flowing style.

Brittany Gesner, PE
Project Manager
bgesner@vhb.com

Engineers | Scientists | Planners | Designers

101 Walnut Street
PO Box 9151
Watertown, Massachusetts 02471
P 617.924.1770
F 617.924.2286

TOWN OF LAKEVILLE
43D Public Hearing – Rhino Capital Advisors, LLC – 43 Main Street
Joint Meeting with the Planning Board and Conservation Commission
Meeting Minutes
March 18, 2021 – 7:00 PM
REMOTE LOCATION

On March 18, 2021, the 43D Public Hearing was held at 7:00 PM remotely from various locations. 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 March 18, 2021 2021 public meeting of the **43D Rhino Development Application** 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/>**

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, Joshua Faherty, Nancy Yeatts, Joe Chamberlain and Mark Knox. It is noted that John Leblanc is not in attendance. Chairman Bouchard turned the meeting over to Chairman Knox.

Chairman Knox acknowledged others present as follows: Scott Turner – Environmental Partners, Amy Kwesell – KP Law, Tyler Murphy – Rep. Rhino Capital, Brittany Gesner – VHB Civil Engineer and Sarah French – VHB Wetland Scientist

Chris Spratt, Board of Health, noted that they did not continue their hearing and that they can finalize their portion of the process. It is reported that the Board of Health voted to approve a subsurface sewage disposal system for this project at their last meeting. They also recommend, if the Planning Board is going to condition the project, that in case of noise issues a bond or some type of funding set aside to use the Peer Review Noise Engineer and noise monitoring devices.

Chairman Bouchard spoke on the Conservation Commission Order of Conditions and that they are ready as a Commission to vote. T. Murphy spoke about the possibility of adding in one condition, to hold surety, for any plants that don't have time to fully take hold during the growing season. N. Yeatts spoke against making any changes to the conditions at this time.

J. Chamberlain noted that #36 of the Order of Conditions there is a blank line on the date of the planning plan. It is noted that the date of the plan is 3/9/2021 and that this can be included

in the motion. #40, should include the name and contact information for the Wetland Specialist and the Conservation Commission should be notified as to whom that is. #41, the hiring will be the Town's choice and they will be working for the Town of Lakeville. There is a typo corrected in #42 "... and "be" maintained." J. Faherty agrees that he is comfortable with the Order of Conditions that were discussed at the last meeting.

Chairman Knox asked S. Turner to speak about the addition that was proposed by T. Murphy to hold surety or a bond for plantings that don't take in the growing season. Chairman Knox asked if the Conservation Commission could work with the applicant on the growth. S. Turner noted that he has never been involved in a project where bond was posted in the way. He believes it would shift the responsibility of the care of the plants from the applicant to the Town.

Sarah French, VHB, suggested a change on #74, she advises changing hay mulch to straw mulch so there will be no seed. Chairman Bouchard agrees that can easily be changed.

Brittany Gesner, VHB, referenced the SWIP condition #30. There is a question as to whether two months is a typo, as the EPA requirements is two weeks prior to construction. S. Turner spoke about how the Conservation Commission would like more time to review and possible make changes to the SWIP. N. Yeatts suggested six weeks instead of two months. This will need to be corrected.

Upon motion made by Conservation Commission Member N. Yeatts and seconded by Conservation Commission Member J. Chamberlain, the Commission voted to close the hearing and issue an Order of Conditions specifically the updated version agreed to at the March 9, 2021 meeting with four minor changes: #35 includes a planting date of 3/9/2021; #40 will include the name of the Wetland Scientist and contact information; #74 change hay to straw and #30 change two months to six weeks. Polled vote. Bob Bouchard, Joshua Faherty, Nancy Yeatts, Joe Chamberlain and Mark Knox.

Jack Healey, Middleborough Planning Board, requested to make a comment. He asked if the group had acted or responded to the Middleborough Planning Board's letter from Leeann Bradley, Town Planner, relative to traffic. Chairman Knox explained that the correspondence was passed along and it is unclear as to how those conditions can be put into a Special Permit because it is not enforceable. The zoning ends at the town line and they are not legally able to put a condition in like that.

T. Murphy speaks in regard to a matter that came up from the last hearing regarding Southcoast rail and mitigation of pedestrian safety. He reads a memo from VHB, dated March 11, 2021. T. Murphy reads the following:

"This memorandum has been prepared to respond to a comment made at the March 4, 2021 Planning Board hearing regarding the future increase in pedestrian volumes on Commercial Drive associated with the South Coast Rail project, which will relocate the existing Commuter Rail Station to the Middleborough. It is VHB's understanding that the primary concern from the commenter was related to the interaction between pedestrians who would now need to cross Route 105 to walk to the relocated train station and the increased truck volume related to the proposed

Lakeville Hospital Redevelopment Project. While VHB noted that the traffic volumes and mitigation associated with the South Coast Rail Project were incorporated into the traffic impact study for the proposed Project, we agreed to follow up and provide additional information in a contract after speaking with the Project Manager for the South Coast Rail project. The following text provides update information and additional context to respond to the comments:

As stated in Section 61 Findings for the South Coast Rail project that were prepared as part of the MEPA review, the following mitigation measures are either completed or are currently in process:

Middleborough

- Completed a road safety audit (RSA) at the intersection of Route 105/Route 28 and implementing recommended improvements;
- Modify traffic signal timing/phasing at Route 105/Route 28, including providing adequate pedestrian crossing times;
- Modify traffic signal timing/phasing at Route 105/I-495 northbound. Provide new crosswalk across Route 105;
- Modify the existing 3-way intersection at 495 to a 4-way intersection;
- Remove two un-signalized crosswalks across Route 28 (at West Street and at Elm Street) and replace them at the pedestrian connection to the station with a single crossing at the Route 28 pedestrian access point. This new crossing will be controlled by a pedestrian hybrid beacon; and
- Modify the traffic signal timing at Route 105/Route 79/Commercial Street

The mitigation measures summarized above are being put in place to accommodate pedestrian demands and provide safe pedestrian access in the vicinity of the relocated train station. MassDOT is responsible for the implementation of these measures as part of the south Coast Rail project. In addition to these improvements, there is also a plan to implement a shuttle service from Commercial Drive to the relocated train station. While the details of how this shuttle will be implemented are still being finalized, it will accommodate residents along Commercial Drive who currently walk to the existing station. This is a significant benefit to residents and should reduce the number of pedestrians walking to the relocated station.

While implementation of these mitigation measures should ensure safe pedestrian access in the area, there are a couple of additional notable facts that should help address the commenter's concerns. The projections provided in the traffic study equate to such that a pedestrian walking from Commercial Drive to the relocated train station may only encounter 1-2 new trucks on the walk. Given the existing volumes along Route 105 in this area, this increase may not even be perceptible. Furthermore, it is important to note that any pedestrians crossing Route 105 between Commercial Drive and the relocated station will have protected, signalized crossings. Any new truck traffic associated with the project will be stopped at a red light as the pedestrians cross Route 105. We hope that this information, coupled with the summary of the proposed South Coast Rail mitigation alleviates the commenter's concerns about the interaction of new truck traffic and pedestrians in this area."

Chairman Knox referenced the 65 letters of either support or opposition to the project that have been received and posted on the Town website. He would like the residents to know that they have been heard. He turns the meeting over to T. Murphy to read the findings.

T. Murphy reads the following:

Findings

Pursuant to the Town of Lakeville Zoning Bylaw Section 7.4.1, the Special Permit Granting Authority (SPGA) finds that the following conditions are met:

- **7.4.1.1 The use is not noxious, harmful or hazardous, is socially and economically desirable and will meet an existing or potential need.**

Response: The Town has identified the project site both in their Master Plan and under Chapter 43D as a Priority Development Site/Area. Redevelopment of the site will meet a socially and economically desirable need by removing a blighted/abandoned development and creating economic development, job creation, and expanding the commercial tax base. The Project proposes significant topographical, vegetated, and structural screening to buffer it on all side and improve how the Town experiences the site, particularly against existing conditions. Additionally, the project complies with the EPA Ambient Air Quality Standards (40 CFR part 50). The Applicant will abate, remediates, and remove existing hazardous materials on-site including structurally failing asbestos containing buildings and an uncapped unlined solid waste disposal area (SWDA).

Finding: The Board finds that the use is not noxious or harmful and replaces the existing conditions which in fact is both noxious and harmful. Additionally, the development provides economic development, and creates a safe, landscaped, screened, project that will create a better experience for the Town and its residents.

- **7.4.1.2 The advantages of the proposed use outweigh any detrimental effects, and such detrimental effects on the neighborhood and the environment will not be greater than could be expected from development which could occur if the special permit were denied.**

Response: Advantages of the proposed use include redevelopment of a Town identified "Priority Development Site/Area", abatement of existing failing asbestos containing buildings, removal of unlined uncapped landfill, redevelopment of blighted property, increase in tax revenue, increase of jobs, and solving a long standing safety issue for the Town. Potential impacts to the neighborhood and environment if the special permit is granted include a small increase in peak hour traffic (which would occur via any redevelopment of the site, and in larger quantities for other uses), and, increase in noise (which would occur via any redevelopment of the site; the proposed project is in compliance with MassDEP

Noise Policy). These are negated by the project benefits, and are minimal under any reasonable expectation for development suitable for a 50 acre site.

If the special permit is denied, the existing abandoned development will remain in place and continue to deteriorate, including releasing airborne asbestos containing materials and leaching of the unlined uncapped landfill. The Site will likely become the target for other redevelopment opportunities which will likely create greater development impacts on the surrounding neighborhood, including water demand, wastewater generation, traffic generation, and noise.

Finding: The Board finds that advantages of the proposed use outweigh any detrimental effects due the following: the effects are representative of development at large, and are significantly less impactful than other proposals to date. They are offset by the development being creative enough to manage a full cleanup of the environmental issues of the site, while providing safety, economic development, and visual improvement to the landscape of Lakeville. The detrimental effects on the environment, Town, and surrounding neighborhoods would be greater to the Town should the proposal not be approved.

- **7.4.1.3 The applicant has no reasonable alternative to accomplish this purpose in a manner more compatible with the character of the immediate neighborhood (1).**

Response: The cost to abate and demolish the existing buildings, in addition to the cost to remediate and remove the existing SWDA are so high, that a development of scale is required to offset the cost of cleaning up and removing the existing abandoned development. The proposed warehouse use results in relatively small development impacts, including those to water demand, wastewater generation, traffic generation, and noise. Alternative development uses may include residential and/or retail. Residential development of a magnitude large enough to offset the clean-up costs would result in significantly more development impacts, including water demand, wastewater generation, and traffic generation. Furthermore, residential development would require an on-site wastewater treatment plant (other significant development cost) and will introduce a significant number of new students to the school system, among straining other town services. Retail development of magnitude large enough to offset the clean-up costs result in significantly more traffic and sound generated by the development.

Finding: The Board finds that reasonable alternatives, and previous proposals received are less compatible with the character of the surrounding area. This large land site with frontage on a state highway, in close proximity to I-495, surrounded by a variety of mix uses, is a better alternative to accomplish the development goals of the site as demonstrated by the 43D designation and strategy 2-1-1/Goal 4-1 of the 2030 "Lakeville Master Plan".

- **7.4.1.3 The Special Permit Granting Authority finds that the proposal generally conforms to the principals of good engineering, sound planning, and correct land use,**

and that the applicant has the means to implement the proposal if a Special Permit is granted (2).

Response: The proposed development has been designed by best-in-class experts from highly respected firms such as VHB, Sanborn Head & Associates, ARCO New England Construction, Tech Environmental, and Gregory Lombardi Design, Inc. The project has undergone significant review by third-party engineers during the last six months. Comments raised by the third-party review team have been addressed and the Project proposal has been revised accordingly. This third-party review effort ensures that the proposal conforms to principals of good engineering, sound planning, and correct land use.

The Applicant is a commercial real estate developer with over 1.7 million square feet under management. They are experienced developers who have brought on an equity partner Rockpoint Group to further bolster the team's abilities. Rockpoint Group is a locally based real estate investment firm who focuses on large scale projects, completing 426 transactions to date totaling over 64 billion dollars. Rhino Capital's development team, in conjunction with Rockpoint Group as the equity partner, and the best in class experts mentioned previously, create a highly capable, experienced team that has the means to implement the proposal.

Finding: The Board finds the materials/plans presented, with extensive review from the Town's Peer Reviewer, follow the principals of good engineering, sound planning, and correct land use, required for a Special Permit. Additionally, the Applicant has shown sufficient experience and expertise throughout this process demonstrating the means to implement this proposal.

Pursuant to the Town of Lakeville Zoning Bylaws Section 7.9.4, the Special Permit Granting Authority (SPGA) affirmatively finds the following:

- A. That water and sewerage facilities will be adequate to service the activities without a detrimental effect upon municipal services in any other area of town.**

Response: Water will be provided to the Site by the existing City of Taunton water main in Main Street. The Applicant has completed a site walk with the City of Taunton Asst. Water Supervisor to confirm this. Additionally consultants AHA, and VHB, confirmed the size of the main to be sufficient for the building needs. The Applicant has formally submitted a water allocation request to the Lakeville Board of Selectmen. The water allocation of 6,045 gallons per day, compared to other residential allocations in the immediate area is significantly less. Similarly, this allocation is also drastically less than the previous proposed developments for the site. Because of these facts, we feel there is adequate capacity, and allocation available for water.

Sewerage generated by the Project will be disposed of by an on-site septic system and leachfields. The on-site septic system and leachfields will be privately owned

and maintained by the Applicant and therefore will not pose any intrusion on the publicly available sewer systems. The on-site septic system and leachfields have been designed in accordance with 310 CMR 15.000 "The State Environmental Code, Title 5" and are sufficiently distanced from all existing public and private drinking water wells.

Finding: The Board finds that the comparatively low water use to other developments in the area and Title 5 compliant septic system are adequate to service the activities of the site without detrimental effects.

B. That the activities are consistent with the comprehensive plan of the Planning Board for the general development of the Town of Lakeville as a whole as well as for the DO District.

Response: The project is identified as a "Priority Development area" in the "Lakeville 2030 Plan for the Future" Master Plan dated July 2020 (the Lakeville Master Plan). The Project contributes to the following goals and strategies identified in the Lakeville Master Plan:

- "Strategy 2-1-1: Focus future, large scale business growth to key locations along Route 18, Route 44 and Rout 105."
 - The project proposes "large-scale, high-value growth" along Route 105, aligning with this strategy to help achieve "Goal 2-1: Maintain Lakeville's semi-rural character by encouraging grown that matches its surroundings."
- Goal 1-4: Focus on redevelopment opportunities at the former Lakeville State Hospital and Dewey's Bowling Alley sites." This goal describes the site as key for economic development, job creation, and expanding commercial tax base.
 - The Project proposes redevelopment of the former Lakeville State Hospital, achieving many of the Goal 4-1's objectives.

The DO District calls for activities appropriate for large land areas, that provide opportunities for economic development expansion while preventing detrimental effects. The proposed development is suitable, and common for large land sites in close proximity to major highways. It will be a major driver of positive economic impact provided jobs, tax revenue, and supporting local businesses. This is all accomplished while having a minimal draw on town services and utilities. In reviewing the other previously proposed developments of the site, in addition to the other potential future developments, it is clear that not only is this the least impactful project on the basis of traffic, sound, visual, etc. it is also in line with any reasonable expectation of development of the site. Any development of the site would create impacts of traffic, sound, light, visual; understanding that fact, the impacts of this proposal are on the lower side of any reasonable expectation for a site of that size.

Furthermore, the site is a Chapter 43D Priority Development Site. This is a program that offers communities a way to expedite the local review process for the development of town identified Priority Development Sites. On October 12, 2012, the Town and the State designed the Project Site as a Priority Development Site under Chapter 43D.

Based on goals, intent, and objectives of these plans/programs the activities are consistent with development of the Town of Lakeville and the DO District.

Finding: The Board finds that the project is consistent with the comprehensive plans and general development for the Town of Lakeville per the referenced goals of the Master Plan, DO District objectives, and Chapter 43D. Common themes among these documents are large scale business growth along Route 105, job creation, expanding commercial tax base, large land development, and prioritizing this specific site to encourage development.

C. That the activities are compatible with or separated by sufficient space or topographical features from adjacent areas.

Response: The project proposes significant separation and screening, by use of topographical features, on all sides to buffer the Project from the surrounding areas.

- The existing development has parking areas as close as 20' to the property line and buildings as close as 120'. The proposed development will dramatically increase these separations and add significant screening per the following:
- Along the frontage of the Site (Main Street), the proposed building is setback more than 400' from the property line and parking areas are setback more than 125' from the property line. The landscaped area between the property line and the parking area includes topographical mounds and screening vegetation. Existing buildings are as close to the frontage property line as 112' and 297'
- Along the westerly property line of the Site (Rush Pond Road Side), the proposed building is setback more than 290' from the property line and parking areas are setback more than 100' from the property line. The landscaped area between the property line and the parking area includes topographical mounds ranging from 14'-25' in height, screening vegetation, and an 8' tall fence equipped with AccoustiFence product atop the topographical mounds. Existing buildings are as close to the westerly property line as 120' and existing parking areas are as close to the existing westerly property line as 20'
- The proposed building and parking areas are proposed more than 200' feet away from Rhode Island Road on the northerly and easterly sides of the property. The 200' separation mostly consists of wetlands and wooded areas that will remain undisturbed by the Project.

- The height and general visual impact of the site will be significantly reduced. This is achieved by removing multiple structures that sit roughly 65' – 100' above Main St. and replacing them with a single structure that will sit at its peak (building sides are lower) 45' above mean average grade site. As previously mentioned, this line of site is broken from public and private ways by landscaping berms, and natural undisturbed resources.

Finding: The Board finds that the project provides sufficient space or topographical features from adjacent areas by greatly increasing the distance of structures compared to existing, greatly decreasing structure height compared to existing, and screening/berming/landscaping the proposed structure to create a native/naturalized landscape.

D. That resource of open space, surface and ground waters are protected and preserved.

Response: The Project proposes redevelopment of a previously disturbed, developed, and abandoned site. Although the Site has been vacant for almost thirty years, nearly entirety of the site was widely disturbed throughout the twentieth century. The existing abandoned development includes seven (7) existing buildings, totally 407,653 square feet, of varying heights ranging from 1 to 8 stories. The existing buildings' were constructed using asbestos containing materials and are in various forms of decay and their interior portions are no longer protected from the elements due to failures in the windows, doors, walls, and roofs. Some buildings have completely collapsed.

Furthermore, there is an existing, unlined, uncapped, Solid Waste Disposal Area (SWDA) on the Site which includes solid waste materials, including incinerator ash, bulky waste (appliances), clothing/rags, construction and demolition debris, and other solid waste materials generated from the Lakeville State Hospital from the 1950's through 1974. A portion of the SWDA encroaches into the wetlands and Certified Vernal Pool on-site.

The Project will redevelop previously developed and abandoned land. The Project will not present a taking of existing "open space" land. However, the Applicant has complied with all comments/requests from the Town of Lakeville Open Space Committee creating an incredibly compelling landscaping design which will remove the site's invasive species. Furthermore, the Project will represent the enhancement to surface and groundwater by removing the existing unlined, uncapped SWDA that encroaches into wetlands and a Certified Vernal Pool.

Finally, the project's stormwater management is in compliance with the MassDEP stormwater management Handbook, and all 10 Stormwater Management Standards. The Project proposes stormwater infiltration features that are sized to recharge more than five times the volume of stormwater estimated to be recharged to the groundwater under existing conditions.

Finding: The Board finds that the resources of open space, surface and ground waters are protected by the following: removal of asbestos related health hazards, removal of invasive species, removal of an unlined landfill in close proximity to drinking water sources, and the implementation of a MassDEP compliant stormwater management system, and native/naturalized landscape species.

E. That public, health and safety are secured.

Response: The existing, abandoned development poses significant concern to the public health and safety. The existing site is unsecure and unoccupied, thereby making it a natural destination for trespassing and illegal activities. The existing buildings are failing structurally and causing asbestos containing construction materials to become airborne into the environment. The existing SWDA is unlined and uncapped, thereby there is no existing protection against its contents leaching into the adjacent wetland, Certified Vernal Pool, or underlying groundwaters.

The Project proposes to abate the existing buildings' and remove them from the Site along with removing the existing SWDA in its entirety. This addresses a serious public safety concern as noted in detail in previous submissions. The Project proposes to activate the Site with a commercial operation that will be securely monitored and maintained 24/7. Because of this, we feel that the public health and safety are secured, per 7.9.4 (e), but a more accurate word would be that public health and safety can be achieved, by completing the development.

Finding: The Board finds that the proposed development secures public health and safety by removing active environmental health concerns known to the DEP (SWDA/Asbestos), as well as structurally failing buildings that attract interested individuals. The construction of a building that will have security systems/measures in place, professional site of a building that will have security systems/measures in place, professional site maintenance, and up to date life safety equipment/devices, secures the safety of the site post environmental clean up.

The SPGA affirmatively makes the following additional findings:

- 1.) Under Section 7.9.3.2 the Property consists of 25 or more acres and is located in the DO District and eligible to receive a special permit under Section 7.4 and 7.9 of the Bylaw(s)
- 2.) A special permit is granted pursuant to Section 7.9.2 to allow the uses in Section 7.9.2.1 (a,b,c,g) and accessory uses to such primary uses.
- 3.) The project meets the intent of 7.9.1 for appropriate activities for large land areas, provides opportunities for economic development, protects natural resources, and has limited impacts relative to the scale of the development.

- 4.) The project has been reviewed and designed by professional engineers and is in compliance with 7.9.5 of the Bylaw.
- 5.) The legal notice and publication was undertaken in full compliance with 40A and the Zoning By-law. Additionally, the Town of Lakeville provided supplemental noticing over and above what is required such as mailing all abutters within 300ft a notice before each hearing.
- 6.) The Applicant has been thorough and complete in their presentations. They have been diligent in responding to and closing out peer reviewing comments/questions.
- 7.) The SPGA has provided ample opportunities to abutters and other interested Lakeville residents to voice their comments and concerns about the project.
- 8.) The applicant has been diligent throughout in their response to public comments/questions at the public hearings.
- 9.) The applicant has presented all project components in a thorough, competent, complete, and digestible manner.
- 10.) The Applicant has made significant improvements to address comments and concerns from abutters and the peer reviewer. As described in hearing #5, so as to mitigate noise and visual impacts from the project they made large grading, planting and fencing changes. The project is compliant with MassDEP Noise Policy as well as Zoning By-law and Special Permit Conditions.
- 11.) All peer review comments/questions have been addressed and closed out. There are no outstanding comments/questions.
- 12.) The applicant has been responsible to, and incorporated comments/requests from the Open Space Committee
- 13.) The decision is reflective of, and incorporates all materials, presentations, submissions, memos, letters, responses, etc. submitted by the Applicant.
- 14.) The Applicant has demonstrated that the benefits of the project such as asbestos remediation, demolition, SWDA removal, tax revenue, job creation, and public safety, are achieved while also being the least impactful development proposed to date for this site.

WAIVERS

A letter requesting waivers was submitted by Robert J. Mather, Esq. on March 2, 2021. The list below is a reflection of that letter and includes a correction to density bonus. Provision 7.9.6 G of the zoning bylaw provides that the SPGA may waive strict compliance with its regulations when

in the judgement of the SPGA such action is in the public interested and consistent with the intent and purposes of the zoning bylaws. The applicant considers this list to be complete.

The SPGA hereby grants the following waivers in accordance with the plans submitted, namely C2.00:

1. Allow a maximum building height for this project of 45 feet
2. Allow a maximum percentage of land covered by structures, parking and paved area to 58%
3. Allow for the 8' tall fence within the 100' buffer strip
4. Allow for parking as outlined within the parking summary chart included on C2.00 *

*chart lists parking space counts in line with all submitted documents (298 day one spaces/206 land banked spaces)

Chairman Knox thanked Mr. Murphy for reading those into the record. He spoke briefly about the question from Jack Healey and Leeann Bradley from the Town of Middleborough and noted that the Town's attorney is present to speak on this matter. Attorney Kwesell confirmed that the Town of Lakeville has no jurisdiction in the Town of Middleborough and therefore cannot provide any conditions in their permit that would be enforceable in another Town. However that does not mean the Town can't put a condition in the permit if it chooses to do so. J. Healey spoke about an agreement between the two Towns in regard to the project and traffic. He reads a small narrative that could be a proposed condition. Attorney Kwesell noted that once the tenant is brought in this can be addressed with them and both Towns. T. Murphy agrees that this can be discussed further. It is confirmed that Rhino Capital has received this document and they will take it under advisement.

Chairman Knox references documents received and highlights receiving on March 12, 2021 links and associated documents of the Division of Air Quality Control Policy, a submittal of DEP Noise Policy interpretation received. He referenced a letter from the Fire Chief. Fire Chief, Mike O'Brien, spoke about the letter which is to make the applicant aware of the existing conditions of the property and how it currently effects the Fire Department if they have to perform services on the site. Chairman Knox referenced the letters received from Rhino Capital, VHB and other documents received in regard to the project. He referenced an attorney letter in regard to the DO District and Attorney Kwesell confirms that the DO District was approved by the Attorney General's Office. There is a question raised as to the bylaw and that the overlay district of the DO District and the statement that it is thought that it was not properly proposed at the time. Attorney Kwesell spoke about the 25 acer + requirement for the DO District and it is suggested that the Attorney General's office can confirm that the district was approved through them.

Chairman Knox noted that that the continued public hearing will be on April 1, 2021 at 7 PM.

Chairman Knox asked for a motion to continue the Lakeville Planning Board hearing.

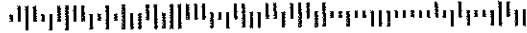
Upon motion made and seconded the Lakeville Planning Board voted to continue the public hearing for the 43 Main Street Application with Rhino Capital Advisors LLC to Thursday, April 1, 2021 at 7 PM. Polled vote: Mark Knox - Aye, Barbara Mancovsky – Aye, Jack Lynch – Aye, Peter Conroy – Aye and Michele MacEachern – Aye.

ADOURNMENT

Upon motion and seconded made at 8:38 PM to adjourn the Planning Board meeting. Polled vote: Mark Knox - Aye, Barbara Mancovsky – Aye, Jack Lynch - Aye, Peter Conroy - Aye and Michele MacEachern – Aye.

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04/15	04/15	0000989547		Spieler - De,Spieler - Dev Opp District Byla	NB Middleboro Gazette					89.64
04/22	04/22	0000989543		Flood Plain ,4/29 hearing Flood Plain Distri	NB Middleboro Gazette					119.56
04/22	04/22	0000989544		Procedure Bu,Procedure Business or Indus	NB Middleboro Gazette					125.17
04/22	04/22	0000989547		Spieler - De,Spieler - Dev Opp District Byla	NB Middleboro Gazette					89.64

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