

**TOWN OF LAKEVILLE
SELECTMEN'S MEETING MINUTES
February 7, 2011 – 3:00 PM**

On February 7, 2001, the Board of Selectmen held a meeting at 3:00 PM at the Town Office Building in Lakeville. The meeting was called to order by Chair Yeatts at 3:03 PM. Selectmen present were Selectman Yeatts and Selectman Maksy. Also present were: Rita Garbitt, Town Administrator and Tracie Craig, Executive Assistant.

Meet with State Legislators and Representative from the Executive Office of Housing and Economic Development to discuss Economic Development, including Lakeville Hospital Property

Present for the discussion were Representative Stephen Canessa, Representative Christopher Markey, Senator Michael Rodrigues, Garth Patterson from Congressman Barney Frank's Office April Anderson-Lamoureaux from the Executive Office of Housing and Economic Development and James Marot, Chairman of the Planning Board.

Representative Canessa stated that at the last Selectmen's Meeting, we spoke about the Lakeville Hospital property to see if there were ways to permit the site differently or to develop the site. We reached out to the Secretary of Economic Development's Office. Ms. Anderson-Lamoureaux is here to answer any questions that the Board might have regarding opportunities to permit the property and money available at the State and Federal level to get the site cleaned up so that it is attractive to developers. Chair Yeatts said Lakeville Hospital was sold to National Development during the Clean Elections Campaign for \$2.2 million. Right now it is zoned Mixed Use by Right with a Residential component in the back. It still has an underlying Residential zoning. The problem is the decrepit buildings that are on the property, which have problems such as lead paint, asbestos and toxic bricks. Originally the estimated cost for cleanup was \$2-3 million, but now it is \$4-6 million. Senator Rodrigues asked if the buildings are in such a bad shape that the Building Commissioner would consider condemning them. Mr. Marot said he doesn't think they are, but they are a public hazard. We should ask National to ensure that the buildings are secure. Some of the buildings are open on the lower levels. Maybe the Superintendent's house on Main Street could be a danger structurally, but not the other ones. Chair Yeatts said the Police calls are over the top for the site. If you go on YouTube, there are a lot of videos filmed in the morgue. It is a popular place to break into. Last month, there was a teenager on the roof of the nurse's building, which is 100' tall.

Representative Canessa said Sysco was looking at the property. Prior to that, there was a proposed project consisting of Target, Chili's and Stop and Shop with residential in the back. That concept was acceptable to members of the community. My sense from watching the Sysco issue unfold was the industrial development concerned a lot of the residents. Is the goal of the Town to try to help National attract commercial mixed development? Chair Yeatts said it is a desirable piece of property due to the highway location. Mr. Marot said there are gradient issues that developers have considered. We were fortunate that Sysco was willing to spend the money to clean the site up due to the highway location. There is a lot of fill that will need to be moved off the property. The potential owner will be a company that specifically likes the location of the

property. Ideally it would be nice to have a Wang Laboratories or something that would not be high land use and could fit in nicely with the surrounding neighborhoods. Mr. Marot said he is not convinced that mixed use is the right use due to the high traffic in the area. Senator Rodrigues asked if National is actively marketing the property. Mr. Marot said he has had conversations with Sherry Clancy of National prior to Sysco coming in. They said they need multiple corporations in there to make it profitable to take down the buildings. Ms. Anderson-Lamoureaux asked if there are any other infrastructure challenges with the site. Selectman Maksy said there is no municipal sewer. Chair Yeatts said there are options either with Middleborough or there is a lot in Canpro that has been approved for a sewage treatment facility. Senator Rodrigues asked if the municipal sewer would be from Middleborough. Selectman Maksy said yes or they can do an on-site system. Ms. Anderson-Lamoureaux asked if there was an existing relationship with Middleborough. Chair Yeatts said no. Sysco did speak to Canpro about sewer on the lot that was approved.

Ms. Anderson-Lamoureaux said there are a few tools for marketing available to the Town. The Chapter 43D program is a local option law that allows cities and towns to look at specific sites that would offer 50,000 square feet or more of new development. The Town would make a permitting commitment on that site only for commercial or mixed use. The Town guarantees a six (6) month permit turnaround for a term of five (5) years. After that, the Town can opt out. 90 other communities have used it, and it is a great marketing tool. She just came from Plympton, which Sysco has selected as their new location and that is a 43D site. MassDevelopment is a quasi public agency which does a lot of development throughout the State. They have a great deal of knowledge about market resources and perhaps could offer some assistance. Chair Yeatts said one (1) attraction is the 40R development with the train station across the street. Ms. Anderson-Lamoureaux said the 43D and 40R programs work well together. Selectman Maksy said the Department of Environmental Protection, United States Post Office and the Federal Bureau of Investigation are also located across the street from the property.

Ms. Anderson-Lamoureaux said she has some materials she can forward. Demolition on a private site is tough. The State cannot demolish privately owned buildings. If there is public infrastructure associated with this site, there could be assistance. Under the Mass Works Infrastructure Program there are six (6) discretionary programs: PWED, CDAG, MORE, GDI, STRA and TRA to help support housing and business development. These programs were formerly independent, but have now been consolidated under the Mass Works Infrastructure Program. This makes it easier for cities and towns to access funds. Each program has a cap of approximately \$1,000,000. Every year on September 1, there will be an open solicitation. Six (6) weeks after the application is received, you will get an answer. Focus will be on readiness, so as you think about this site, you can think about if your zoning matches what the market would support. Permitting, planning and infrastructure are what you will have to think about. This is a private owner making the decisions. Selectman Maksy said National is waiting for the market to change. Ms. Anderson-Lamoureaux said MassEcon, (massecon.com) can help us to implement the 43D program by marketing the sites. If you are interested, you could get the site marketed very aggressively. They are our site selection entity for when businesses want to expand in Massachusetts.

Chair Yeatts said the site is almost equidistant on Route 495 between Boston and Cape Cod. Representative Canessa said if the Town looks into this 43D program, and it's a fit for the Town, then MassEcon would be an organization that would aggressively market the site. Ms. Anderson-Lamoureaux said even if National is marketing the property, MassEcon would be another opportunity to market the site. Senator Rodrigues asked if the site has gone through MEPA. Mr. Marot said yes. Mr. Marot said he was not sure how MEPA works if it's a lesser use of the property. Ms. Anderson-Lamoureaux said it would depend on the use of the property. Discussion occurred regarding the widening of Route 105 and real estate taxes. Ms. Anderson-Lamoureaux asked what the land area of the property is. Mr. Marot said it is 70 acres with 80% development allowed. Chair Yeatts said 80% is not by right, it is with some concessions. Selectman Maksy asked about any Federal funds. Mr. Patterson said there are no earmarked funds for this.

Senator Rodrigues said the fact that the property is privately owned precludes the spending of any State money on that property. What we can use are programs that use public monies to improve public infrastructures to help market the property. The 43D program came about as a result of hearing that the biggest impediment for businesses is the permitting process. Massachusetts is a Home Rule State; all permitting starts local. 43D was a law that we passed to provide communities with the opportunity that if they had a property that they wanted to designate as a high priority site and will permit fully within 180 days, the State will also move forward in that time frame. Various boards and committees will meet concurrently during the permit process. Selectman Maksy said the Town of Lakeville is very accommodating when it comes to permits. It would not be hard for us to adapt to that.

Chair Yeatts spoke about how Natural Heritage is holding the Town up on the Ted Williams Camp gravel removal project. This is our second year working on this. Ms. Anderson-Lamoureaux said if you are having a problem or facing a challenge, call us and we will be happy to help you navigate through it. Mr. Marot said most of our holdups occur at the State level. Ms. Anderson-Lamoureaux said the Town should think about 43D. Mr. Marot asked if it is site specific. Ms. Anderson-Lamoureaux said it can be site specific or the whole town, but it must hold 50,000 square feet of space. We see a trend where cities and towns come in with one (1) site to test the waters, and then come in with a model. There is a single point of contact, and the permit must be issued within six (6) months. This program is very flexible, as long as a permit is issued within six (6) months. Selectman Maksy asked if there is any preference or incentives for Green Communities. Ms. Anderson-Lamoureaux said she thought there might be some grants available. Selectman Maksy asked if her office sends industries into Green Communities. Ms. Anderson-Lamoureaux said yes, especially Clean Energy companies. Representative Canessa said that the New Bedford/Fall River area has the Southcoast Economic Partnership, which goes out and aggressively markets the region for development. Does this area have an entity like this? Gary Mansfield of the Lakeville Development Corporation said there is a group, Old Colony Crossroads Collaborative out of Bridgewater State University to help market this area. There is a need for a marketing entity for this area. Ms. Garbitt said she received a notice today that SRPEDD is now involved in this group.

Representative Canessa said regarding the real estate taxes for National, has anyone spoken to them about working out a deal, perhaps take down the buildings and get a tax reduction. Mr. Marot said that would make a lot of sense. Chair Yeatts said it would have to be a Memo of Understanding between the two (2) parties. Representative Canessa said this could be done in increments. We would have to deal with Jack O'Neil. Ms. Garbitt said the development plan that Larry Simpson has put together was forwarded to Jack O'Neil, but we have not heard back. Representative Canessa said he suggested that we speak to National about this. They might not be pleased with the recent outcome within the Town. They can sit on that site since it cost so little to purchase it. Senator Rodrigues said his role as a senator is to support the Town, not take the lead, but he would be happy to contact National for the Town. Selectman Maksy said we are looking for any help we can get. Chair Yeatts said the Town can use the help since we are not in good shape with National. Senator Rodrigues said that Jack O'Neil and Tom Alprin, the principals of National, are involved with MassEcon. Selectman Maksy asked if there are any programs out there that the Town can be involved with regarding the development of the site. If we could purchase it and then clean it up, are there funds? Ms. Anderson-Lamoureaux said the Recovery Zone Program used to be in effect, but it has expired. Perhaps you should ask MassDevelopment. Mr. Marot asked why can't National get a TIF. Ms. Anderson-Lamoureaux said there is no project. Senator Rodrigues said any project on that property would be eligible for a TIF. Chair Yeatts said that's a plus for the property. Ms. Anderson-Lamoureaux said 43D requires a Town Meeting vote. Mr. Marot asked what are the reasons not to go for 43D. Ms. Anderson-Lamoureaux said Middleborough has adopted the program. Senator Rodrigues said he could not think of any negatives. The only commitment on behalf of the Town is a six (6) month permitting process. Ms. Anderson-Lamoureaux said if you do not meet the six (6) month time period, the application is deemed approved.

Mr. Pratt said it has been mentioned that there are laws against the State demolishing property that is privately owned. If the Town owned that property, would there be a number that the State would help for the demolition. Ms. Anderson-Lamoureaux said she is not familiar with any situation where the State has spent \$8 million to demolish buildings for a community. There may be some situations that they have demolished buildings for a road. An entity that might support that would be MassDevelopment. Senator Rodrigues said before the State would make an investment, there would have to be a mechanism for a return to the State. If the Town owned the property, and a company was coming to bring jobs, then we could talk to the State about help. Frank Sterrett of Crest Drive said the cleanup of the site a few years ago was \$4-5 million, now its \$7-8 million. That would be a lot of equipment and contractors working. With the current economy, he would think that it would be less. This is a gem of a piece of property. Mr. Scott said one of National's largest costs, besides their taxes, is based on the liability of the property. It has already been noted that there is significant trespassing. The existing security is \$10,000 a year and liability insurance. They would have an incentive to work with the Town. In the early years, they paid for an extra police officer. Real security is the property being fenced, not a person sitting in a trailer. There might be a way of saving \$50,000 a year. The existing security is not adequate. Mr. Scott said it is critical to take those buildings down if we only have six (6) months to issue the permits. Representative Canessa said the first step is to have the Town meet with National and have a conversation to build relationships with them about the project. The legislators can take a back seat; it is the community's issue first. If we can help, we will. Nothing will happen until both parties come together and start to work cooperatively. Mr.

Scott said the last time you were involved, the bottleneck was Middleborough sewer. Last he had heard, Middleborough was going to do a study for capacity. Certain businesses that would locate there would not want septic systems. Did anyone ever hear back from Middleborough if they would entertain providing sewer? Chair Yeatts said that she and Ms. Garbitt had met with Representative Canessa and Senator Menard, Patrick Rogers and Charles Cristello from Middleborough. Senator Rodrigues said if the sewer pipes were built with Federal funds to serve a region, they have to take our sewer. You don't need an Intermunicipal Agreement to take effluent. He is not sure what Middleborough's deal is. Chair Yeatts said the pipes are already there. Representative Canessa said the capacity issue is unknown. Chair Yeatts said Middleborough wanted a lot of money as a gift from National. Representative Canessa said ideally the Hospital site, as well as, the Chace site, should be marketed together as a corridor of business development. It would be great to see the two (2) towns working together. Ms. Anderson-Lamoureaux said that is an effective strategy that a lot of communities are doing, even adopting similar zoning. Representative Canessa said with the economy the way it is, communities are competing for what development there is. There is an opportunity for the Towns to work together. Mr. Mansfield said you need the State to step in since the Towns are so interested in protecting their own interests. Senator Rodrigues said you are beginning that process with the Old Colony partnership. Representative Markey said he has seen these partnerships work. For economic development, you need to get the bank presidents involved. They meet the business people. Mr. Mansfield said there has to be a way to convince the communities that there is a benefit to work together. The State has to look at the region.

Adjournment

Upon a motion made by Selectman Maksy with Chair Yeatts stepping down to second and stepping back up to vote, it was:

VOTED: To adjourn the meeting at 4:20 PM.
Unanimous in favor.