

TOWN OF LANCASTER  
BOARD OF APPEALS  
Lancaster Community Center  
Thursday, February 25, 2016

Present: Scott Miller, Chair; Jeanne Rich, Vice-Chair; Mark Eaton; Bob Baylis and Matt Mayo

Absent: David Stadtherr, Sarah Gulliver and Frank Sullivan, Clerk

Also Present: Noreen Piazza, Planning Director

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There being a quorum present, Chair Miller called the meeting to order at 7:00 PM.

Chair Scott Miller went over the agenda for the evening's meeting.

**Public Hearing, Special Permit, 61 Old Union Turnpike, Livestock on Less Than Five Acres**

*Present:* William Kearney and Heidi Lundblad, 534 Hudson Road, Sudbury, MA  
Bradford and Claudia Rundlett, 61 Old Union Turnpike, Lancaster, MA  
Suneer Derma, 115 Stock Farm Road, Sudbury, MA  
Kevin and Renee Joyce, 27 Old Union Turnpike, Lancaster, MA

At 7:03 PM Chair Scott Miller read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a petition by William Kearney and Heidi Lundblad (applicants), 534 Hudson Road, Sudbury, MA 01776 and Bradford and Claudia Rundlett (owners) for a Special Permit for keeping of livestock pursuant to Section 220-8.2 (B) of the Lancaster Zoning Bylaw. The site is located in the Residential Zoning District at 61 Old Union Turnpike, and is identified on Assessor's Map 10 as Parcel 116. Abutters within 300 feet were notified via Certified Mail (return receipt) and interested parties were notified via First Class Mail. This matter was publicized in *The Item* on February 5, 2016 and February 12, 2016.

William Kearney and Heidi Lundblad, along with their representative, Suneer Derma, appeared before the Board to request to house and keep two horses in the backyard of the property located at 61 Old Union Turnpike, which they are hoping to purchase from Bradford and Claudia Rundlett. Property owners, Bradford and Claudia Rundlett, were present for the public hearing.

Ms. Lundblad explained they would like to build a barn and put up fencing for the keeping of their two horses. They are currently boarding the horses at a farm in Sudbury, MA and would like to move into a home that can accommodate the horses on the same site. The lot at 61 Old Union Turnpike is 2.2 acres, less than the required 5 acres.

Ms. Lundblad described the proposed site plan:

The subject lot backs up to Route 2, and is flanked by a residential house lot with dwelling on each side. The lot is lightly wooded in the rear and has no wetlands.

The proposed 24'x34' barn will be located in the center of the rear yard with an attached 80'x60' paddock. Both barn and paddock meet the setback requirements in the bylaw. The proposed 8'x10' manure site will be located between the current garage and new barn. There will also be a new gravel driveway from the garage to the barn.

There was a discussion between the Board and the applicant regarding the location of the barn and paddock. It was suggested that the barn be moved to the far left rear of the property in order to be further away from the abutter at 27 Old Union Turnpike, who had an objection to poultry being raised on their other side (5 Old Union Turnpike) in a previous hearing. Ms. Lundblad agreed to move the barn and paddock to accommodate this request. She revised the site plan to show the new location for the barn, paddock, manure site and driveway. The new locations will comply with the side and rear yard setback requirements.

Abutter Kevin Joyce of 27 Old Union Turnpike asked if the special permit was transferrable to the next owner of the property. The Board responded that the special permit is granted to the party and not to the property. Therefore, if the property is sold and a new owner wants to keep horses or some other type of poultry or livestock, they must seek a new special permit. Mr. Joyce was satisfied with this response. He had no other questions or objections to the granting of relief.

After some discussion, the Board proposed the following conditions for the site:

- a) The barn will be located at least 25 feet from the side and rear property lines, and 50 feet from the closest abutting dwelling.
- b) The paddock and any manure storage will be at least 100 feet away from the closest abutting dwelling.
- c) There will be a limit of two (2) horses on the property.

**At 7:25 PM Ms. Jeanne Rich made a motion to close the public hearing for the special permit request for Section 220-8.2(B) of the Lancaster Zoning Bylaw. Mr. Matthew Mayo seconded. No discussion. VOTE: 5-0-0.**

**At 7:27 PM Mr. Robert Baylis made a motion to grant the special permit for Section 220-8.2(B) of the Lancaster Zoning Bylaw. Ms. Jeanne Rich seconded. No discussion. VOTE: 5-0-0.**

The applicant was notified that the decision would be written and placed on file with the Town Clerk for a 20-day appeal period. At that time, if no appeal is filed, a Certificate of No Appeal will be issued.

### **General Business**

#### **Amended Minutes from February 26, 2015 Meeting**

*The Board reviewed the amended minutes from the February 26, 2015 meeting.*

**At 7:30 PM Ms. Jeanne Rich made a motion to accept the amended minutes from the February 26, 2015 meeting. Mr. Mark Eaton seconded. No discussion. VOTE: 5-0-0.**

**Amended Minutes from March 26, 2015 Meeting**

*The Board reviewed the amended minutes from the March 26, 2015 meeting.*

**At 7:32 PM Mr. Matthew Mayo made a motion to accept the amended minutes from the March 26, 2015 meeting. Mr. Robert Baylis seconded. No discussion. VOTE: 5-0-0.**

**Minutes from May 28, 2015 Meeting**

*The Board reviewed the minutes from the May 28, 2015 meeting.*

**At 7:34 PM Mr. Mark Eaton made a motion to accept the minutes as presented from the May 28, 2015 meeting. Mr. Matthew Mayo seconded. No discussion. VOTE: 5-0-0.**

**Minutes from December 17, 2015 Meeting**

*The Board reviewed the minutes from the December 17, 2015 meeting.*

**At 7:36 PM Ms. Jeanne Rich made a motion to accept the minutes as presented from the May 28, 2015 meeting. Mr. Mark Eaton seconded. No discussion. VOTE: 5-0-0.**

**Board Reorganization**

**At 7:38 PM Ms. Jeanne Rich made a motion to re-elect Mr. Scott Miller as Chair, re-elect Ms. Jeanne Rich as Vice-Chair, and Mr. Matthew Mayo as Clerk. Mr. Robert Baylis seconded. No discussion. VOTE: 5-0-0.**

There being no further business to come before the Board, the meeting was adjourned at 7:40 PM.

Respectfully submitted,

Noreen Piazza  
Planning Director