

TOWN OF LANCASTER
BOARD OF APPEALS
Town Hall, 695 Main Street
Thursday, October 24, 2019

Present: Chair Jeanne Rich, Hannah Meyer, Frank Sullivan, Scott Miller, Sarah Gulliver and Matthew Mayo

Staff Present: Michael Antonellis, Director of Planning & Community Development

Absent: David Stadtherr, Bob Baylis

List of Documents:

- Board of Selectmen memo – Re: Class II License, BHT Properties
- August 22, 2019 letter from DHCD
- Department Comment Form – Re: Class II License, BHT Properties
- October 23, 2019 letter from Crescent Builders, Inc – Transfer of permit
- October 21, 2019 Letter from PAKKS LLC – Transfer of Permit
- October 18, 2019 letter from USGS
- September 3, 2019 letter from Attorney General office
- Minutes for: January 24, 2019, March 28, 2019, May 29, 2019, May 30, 2019, June 6, 2019 and August 22, 2019
- October 24, 2019 Agenda

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

Other Business:

1. Correspondence

Mr. Antonellis read the memo from the Board of Selectmen which sought input on the granting of a Class II license for BHT Properties. The board discussed and had questions about if the proposal would actually qualify as a Class II and not a Class III. The board also stated that they did not have enough information to provide an adequate response. Jeanne Rich filled out the Department Comment Form to return to the Board of Selectmen.

Jeanne Rich discussed a correspondence received from USGS, regarding FEMA flood mapping. Sarah Gulliver stated interest in attending the meetings in Leominster as noted in the letter.

Mr. Antonellis circulated a letter from PAKKS, LLC and Crescent Builders, Inc. regarding the transfer of the approved 40B, Jones Crossing permits to Crescent Builders, Inc.

Mr. Antonellis circulated a letter from the Office of the Attorney General regarding an Open Meeting Law complaint which was filed against the board in May 2019.

Mr. Antonellis circulated a letter from DHCD dated August 22, 2019, regarding Safe Harbor status achievement for the Town of Lancaster following the approval of Goodridge Brook Estates.

2. Minutes – January 24, 2019, March 28, 2019, April 25, 2019, May 29, 2019, May 30, 2019, June 6, 2019 and August 22, 2019

January 24, 2019 minutes - Upon a motion by Matt Mayo and seconded by Sarah Gulliver, the board voted 4-0, Scott Miller and Frank Sullivan abstaining, to approve the minutes with corrections as noted.

March 28, 2019 minutes - Upon a motion by Matt Mayo and seconded by Sarah Gulliver, the board voted 4-0, Scott Miller and Frank Sullivan abstaining, to approve the minutes with corrections as noted.

May 29, 2019 minutes - Upon a motion by Scott Miller and seconded by Frank Sullivan, the board voted 5-0, Hannah Meyer abstaining, to approve the minutes.

May 30, 2019 minutes - Upon a motion by Frank Sullivan and seconded by Hannah Meyer, the board voted 5-0, Scott Miller abstaining, to approve the minutes.

June 6, 2019 minutes - Upon a motion by Frank Sullivan and seconded by Sarah Gulliver, the board voted 4-0, Scott Miller abstaining, to approve the minutes.

August 22, 2019 minutes - Upon a motion by Frank Sullivan and seconded by Hannah Meyer, the board voted 5-0, Sarah Gulliver abstaining, to approve the minutes.

3. 2019 – 2020 meeting dates

The board decided to remove November 28, 2019 and December 26, 2019 from the meeting schedule and replace with a single meeting on December 5, 2019.

Scott Miller recused himself from the discussion and left the meeting.

Chair Rich said the Board will be going into Executive Session, pursuant to M.G.L. c. 30A, §21 (a)(3)-to discuss strategy with respect to litigation if an open meeting may have a detrimental effect on litigating position of the of the public body, specifically Petracca et al vs. Lancaster Board of Appeals, Town of Lancaster and Crescent Builders, Inc. and not reconvene into open session. Sarah Gulliver made a motion to go into Executive Session. Matthew Mayo seconded the motion. (Roll Call Vote)

Jeanne Rich vote Aye
Hannah Meyer vote Aye
Matthew Mayo vote Aye

Sarah Gulliver vote Aye
Frank Sullivan vote Aye

Seeing no further business, on Motion by Sarah Gulliver, seconded by Matthew Mayo, it was unanimously voted the Board adjourned the open session at 7:45 P.M.

Respectfully submitted;

Debra Dennis