

TOWN OF LANCASTER
BOARD OF APPEALS
Lancaster Town Hall Auditorium
Thursday, June 28, 2018

Present: Matthew Mayo, Chair; Jeanne Rich; Hannah Meyer; Scott Miller, David Stadtherr and Robert Baylis

Absent: Frank Sullivan and Sarah Gulliver

Also Present: Noreen Piazza, Planning Director and Legal Counsel for the Town Brian Winner, from Mead, Talerman and Costa

List of Documents:

- Board of Appeals Agenda: June 28, 2018
- Request for Variance for Side Yard Setback (Section 220-11 (B)), 287 High Street Extension, Clayton Renzi, Owner
- Email letter from Mead, Talerman & Costa, LLC. concerning the Goodridge Brook Estates, Insufficiency of Application Materials dated June 28, 2018
- Draft Minutes: May 24, 2018

There being a quorum present, Chair Mayo called the meeting to order at 7:01 PM.

Public Hearing, Variance for Side Yard Setback (Section 220-11 (B) (4)), 287 High Street Extension, Clayton Renzi, Owner

Present: Clayton Renzi, Owner

At 7:03 PM, Chair Matthew Mayo read aloud a Notice of Public Hearing thereby convening a public hearing for the purpose of considering a Variance under Article IV- Dimensional Requirements, Section 220-11 (B) (4) side yard setback of the Lancaster Zoning Bylaws for Clayton Renzi, 287 High Street Extension.

Chairman Mayo said the voting members will be Hannah, Bob, Scott, Jean and Dave.

The applicant and owner, Clayton Renzi, proposes to enlarge an existing garage not more than eleven feet from the side property line. The garage addition will be 24' x 28', single story and will be two cars deep and two cars wide.

Placing the addition in the rear of the house would make it closer to the side lot line. Putting it in the front will bring it further away from the side lot line. He will also be able to meet the front setback from the road.

At 7:06 PM, Jeanne Rich motioned to close the public hearing for the Variance request under Section 220-11 (B) (4) of the Lancaster Zoning Bylaw. Robert Baylis seconded the motion. No discussion. VOTE: 5-0-0.

At 7:07 PM, Robert Baylis motioned to grant up to an eleven (11) foot Variance from Section 220-11 (B) (4) of the Lancaster Zoning Bylaw, as requested to allow a garage addition to be constructed no more than eleven (11) feet into the required twenty (20) foot side yard setback. Jeanne Rich seconded the motion. No discussion. VOTE: 5-0-0.

The decision will be drafted within two weeks and submitted to the Town Clerk for a 20-day appeal period.

Continued Public Hearing, Comprehensive Permit, Goodridge Brook Estates Development

Present: Iqbal Ali,, Crescent Builders, Inc.; Dean Harrison, Development Consultant; Rob Truax, GLM Engineering Consultants, Inc.; and Paul Haverty, Blatman, Bobrowski and Haverty, LLC.

Also Present: Attorney Brian Winner, Mead, Talerman & Costa, LLC

Chairman Mayo said that Scott Miller will be recusing himself because of a conflict and Jeanne Rich will be replacing him as a voting member for this hearing.

Attorney Brian Winner read into the record an email that Adam Costa, Mead, Talerman & Costa sent concerning the regulations mandating a hearing not extending beyond one hundred and eighty days from date of opening so long as the applicant has made timely submissions of materials in response to reasonable requests of the Board that is consistent with the Board. The hearing is sixty days in yet the Board is without detailed engineering plans of the development.

Iqbal Ali, Crescent Builders, Inc. said their engineer could not submit the final plans until the ANRAD plan was approved by the Conservation Commission which happened on June 26th. The traffic report was submitted but the review engineer cannot review the study until they receive the final plans.

Mr. Ali stated that they still need to submit plans to the Lancaster Sewer District Commission, and their engineer, Weston & Sampson, for a review. He also needs to submit plans to the Lancaster Water Department for their review. The Water Department also needs to apply to the MA Department of Environmental Protection (DEP) to increase their water withdrawal permit.

Jeanne Rich asked they continue the hearing until they have a complete package for the Board to review or withdraw the application until you have a complete application. If no plans are received by July 26, 2018 Board of Appeals meeting, she said she will motion the application be denied. Iqbal Ali said on July 11, 2018 the final plans will be submitted to the Sewer Department and the Zoning Board of Appeals for the project.

Jeanne Rich asked for a written continuance until the next Zoning Board of Appeals meeting on July 26 2018 from the applicant. He assured the Board they would have everything then to start the peer reviews.

The following concerns were expressed by residents:

- Traffic Study- when it was done/done on a Sunday when less traffic
Maryann Bilski, 230 Mary Catherine Drive
- Parking – insufficient spaces for residents and guests

Joanne MacLaughlin, 21 Poulin Drive

- Police, fire, EMS – will need additional staff and budgets
Water and Sewer – how does the systems support the increase in people
Martha Schmidt, 115 Harvard Road
Victoria Petracca, 67 Woodland Meadow Drive
- Ninety days to review the project isn't enough, they should request continuance
TJ MacLaughlin, 21 Poulin Drive
- Traffic – large increase on Sterling Road and surrounding roadways
Joanne MacLaughlin, 21 Poulin Drive
Maryann Bilski, 230 Mary Catherine Drive

Victoria Petracca, 67 Woodland Meadow Drive, asked what grounds the Board has to deny the application. Jeanne Rich said on the ground the Board doesn't have a complete package.

Attorney Brian Winner said it depends on the information submitted. The requirements can be found at 760 CMR #56, the Department of Housing and Community Development, Mass Housing or the Chapter 40B handbook for the Zoning Board of Appeal.

David Newbould, 75 Shirley Road said bringing the scope of the project down might be a good idea.

At 7:34 PM Jeanne Rich motioned to continue the public hearing until Thursday, July 26, 2018 with the condition the Board receives a written continuance from the applicant. Robert Baylis seconded the motion. No discussion. VOTE: 5-0-0.

General Business:

Minutes

The Board reviewed the minutes from the May 24, 2018 meeting.

Jeanne Rich made a motion to accept the minutes from the May 24, 2018 meeting. David Stadtherr seconded. No discussion. VOTE: 5-0-0.

Correspondence

The Board reviewed the correspondence folder.

At 7:42 PM Jeanne Rich made a motion to adjourn. Hannah Meyer seconded the motion. No discussion. VOTE: 5-0-0.

Respectfully submitted,

Debra Dennis, Office Manager