



Town of Lancaster
Planning Board
Lancaster, Massachusetts 01523

7:00 P.M., Monday, July 25, 2022
Remote Access Via Zoom

Administrative

1. Attendance Roll Call

Roy Mirabito - Chair

Peter Christoff – Vice-Chair

Kendra Dickinson - Clerk

Carol Jackson - Member

Frank Streeter - Member

Public Hearing

1. Special Permit, Site Plan Review, Stormwater Management Permit – 580 Fort Pond Road

Brittany Gessner Civil Engineer and Project Manager representing the applicant presented. Ms. Gessner told the Board that Nov 1st, 2021, was the original filing date. They had not been in front of the Board since March. She went on to tell The Board that Rand-Whitney was the applicant; Kraft Group was the project manager; VHB the civil engineer, the traffic engineer and a landscape architect; Nutter was the legal counsel. She then went on to say that they changed the project due to the ConCom and peer reviews.

The project was then reviewed. The east and westerly parts of the current building would extend straight back. They proposed to provide curbing, catch basins, and a storm water management system. They requested 1 parking space per 2200 square feet, much lower than what zoning requires. They also proposed three basins for storm water management.

She talked a great deal about the storm water management systems including re-charge station. They proposed an increase of 5% to a total of 32% up from 27% of impervious area. She also talked about the possibility of the applicant securing more land to the east of the project. There were four areas they changed since they presented in March. She reviewed these.

She then passed the presentation over to Vinod Kalikiri their traffic engineer. Mr. Kalikiri went on to tell The Board that there would be minimal impact on traffic.

Ms. Gessner ended her presentation and asked for questions. Member Christoff asked what they made at this facility. Ms. Gessner stated that they made containers but asked Nick Smith (President of Rand Whitney) to step in. There were other questions that the Board put forth. Bob Hartzel (CEI-peer reviewers) gave his professional opinion on impervious cover and how impervious cover can be affected (improved) by engineering. Member Streeter had a few questions for Ms. Gessner. Many of the participants partook in a larger conversation

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around the impervious cover. Elisha Musgraves (CEI) gave an overall review of the process for the storm water system. Chair Mirabito asked the Board if they had any other questions. They did not.

The Chair then opened the questions up to the public. Town resident Cara Sanford, 350 Bull Hill Road, asked a question about the life of the permit. She went on to read a letter that she had written about the vernal pools this project would have an impact on.

Rob Zidek, 103 Kaleva Road, spoke next. He asked questions about the traffic and at what point a MEPA review would have to occur. Ms. Gessner answered that this would not fall under MEPA. Next up was resident Martha Moore, 131 Center Bridge Road. She had two questions which were put to her by a resident who could not be present. Chair Mirabito stated that he had a list of questions prepared by the same person that he was going to read if the Board agreed. He asked the Board if they agreed, and they did. Chair Mirabito read the letter which had much to say about the protecting the quality of Lancaster's drinking water. The questions were answered by Ms. Gessner and Mr. Smith. There was one condition that came out of the questions which was to make all commercial trucks turn left when exiting the facility.

Town resident Dennis Hubbard, 258 Grant Way, spoke next. He brought up the questions of a power being lost and maintenance plans. Ms. Gessner responded by saying that the system relied on gravity which did not use power. The maintenance plans were required by EPA and NIFTY. There was also a long-term maintenance plan published by the firm.

Town resident, Cara Sanford, spoke again. She spoke of the extinction of the vernal pools. Town resident, Rob Zidek, 103 Kaleva, also spoke again. Mr. Zidek spoke of various issues surrounding the project. Among them were McGovern Blvd, Exit 105.

The Chair asked if there were any other comments from the Board or from residents. Hearing none he suggested several conditions that could be commented on. The first was a comment on how impervious surfaces were defined. Second, all commercial vehicles must turn left when exiting, making use of the Shirley exit on Rte. 2. The third was that no hazardous materials be stored on site. The last, was that no development of the banked parking area without prior consultation with the planning Board. There were further statements by the Chair on all these points.

Member Dickenson had questions about the conditions. Ted Fire, Kraft Group, also had some questions. A general discussion took place. Ms. Gessner suggested using general language stating that nothing be stored outside the building. Mr. Hertzl suggested seeing the Massachusetts Hazardous Waste regulations 310 cmr 30. Ms. Gessner questioned the Chair on the parking conditions. The Chair replied by saying if they were going to put parking in they would have to come back to the Board. Member Christoph had another suggestion for a condition which the Chair did not feel was within the rights of the Board. There was much discussion among the Board and other participants on impervious cover calculations.

Ms. Gessner suggested that they end the discussion in the interest of time and asked for a continuance. The Chair asked if the Board was in favor of a continuance. Member Christoph moved to favor a continuance; Member Dickinson seconded. A roll call vote was then taken.

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Vote: (5-0) in favor of a continuance until August 8th,2022.

2. Site Plan Review – Barkley Enterprises – 0 Shirley Road

Chair Mirabito read the Site Plan Review. The applicant, Trevor Fletcher with Graz Engineering had a presentation. Mr. Fletcher’s presentation showed a series of storage units built on the land in question. The Chair said that the original site plans which had been approved would have to go through an appendment of the site plan application. The Chair also suggested that the applicant check with the Conservation Commission on how to update their records.

The Building Inspector had sent a letter questioning certain things that were to be answered. Firstly, the Inspector questioned the hours of operation. The applicant objected to restricting these hours. The next question was the fencing of the area and the vegetation. The applicant explained the fencing and stated there was no objection to putting in vegetation.

Member Jackson questioned the buffer requirement. Member Dickenson asked a question concerning the fencing and the general security of the site. The Chair asked that these concerns be brought back to the owners. Member Jackson had some questions about the original plans. She asked if Ms. Farinacci could supply them to the rest of the Board. Member Streeter asked about the setback. The applicant asked a question about whether the setback could be modified. The only way for this to happen would be for the applicant to request a special permit. The Chair felt that there was more work to be done and asked if the applicant wanted to ask for a continuance. The applicant agreed. The next date was August 8th. The Chair asked for motions to continue. Member Dickinson made the motion, and Member Jackson seconded. Discussion was asked for. Member Christoff wanted to thank Mr. Fletcher for his presentation. The Chair asked for a roll call vote for the continuance.

Vote: (5-0) for a continuance on August 8th.

Public Meeting

1. ANR – 0 Bolton Road –

Town resident, Hart, asked to transfer a back lot owned by his brother to a front lot. Chair Mirabito asked for a motion. Member Christoff made a motion to transfer the back lot to the front lot. Member Dickenson seconded. Chair asked for discussion. Member Christoff wanted to know if the correct terminology was being used, “ANR”. The Chair asked for any further discussion. Hearing none, a roll call vote took place.

Vote: (5-0) Approval Not Required approved

2. Continued Hearing: 201 Hilltop Road for approval of a Stormwater Management Plan

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The Chair asked for a motion to continue this hearing until August 8th. Member Christoff made the motion, Member Dickenson seconded. The Chair asked for any further discussion. Hearing none, a roll call vote took place.

Vote: (4-1) with 1 abstention from Member Dickenson.

3. Lifting of Old Union Turnpike/ Zero Point Solar Cease and Desist Order

The Chair asked for a motion to continue this until August 22nd. Member Jackson moved, and Member Christoff seconded. The Chair asked for any further discussion. Hearing none, a roll call vote took place.

Vote: (5-0) continued until August 22nd.

4. Review Violations and Active Orders:

201 Hilltop Road (Cease & Desist delivered, Stormwater Permit Application in progress)

No changes.

2038 Lunenburg Road (Cease & Desist delivered, resolution in progress)

No changes.

Old Union Turnpike, Assessors Map 3 Parcel 4 (Cease & Desist delivered, town counsel engaged)

No changes.

Old Business

1. Scrivener Error Bylaw corrections and Solar Bylaw slope revision – schedule public hearing (hearings expire 10-20-2022)

Still active

Discussion

1. Capital Group – Concept Plan

Continue this until August 8th meeting.

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2. Solar Battery Storage

Tom Christopher (Chair of Conservation Commission) said Zero Point would finance the peer review. Ms. Farinacci said she would handle this.

3. Ground Mounted Solar Bylaw Revision

The rough draft was sent out to members of the Board and to the Building Inspector. This was still in process.

4. MBTA Community Draft Update

Ms. Farinacci said the draft would not be ready until mid-September. Ms. Farinacci was hopeful that the “next steps” would have extended dates due to the delay of the draft.

5. Review of back-up engineering firms

Ms. Farinacci would have these ready by next meeting.

Correspondence

- a. **Any correspondence received by meeting time.**
 - i. Extension of Virtual Meetings

An email was received about the extension of virtual meetings. These meetings are extended until March 21st 2023.

- ii. Eagle Ridge Letter

An email was received. This was taken out of the Planning Boards hands and given to the Town Administrator.

Vouchers

Ms. Farinacci stated that there were no vouchers for today. She should have some for the next meeting.

Review Upcoming Meetings

- 8/8/2022 @ 7PM, via Zoom
- 8/17/2022 @ 7PM, via Zoom - Public Hearing
- 8/22/2022 @ 7PM, via Zoom

Adjourn

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Motion by Member Streeter second by Member Jackson to adjourn. Any discussion.
Hearing none.

Vote: (5-0) to adjourn. Adjourned at 10:25 PM