



Town of Lancaster
Planning Board
Lancaster, Massachusetts 01523

7:00 P.M., September 11, 2023

AMENDED

Hybrid Meeting

**Nashaway Meeting Room, Prescott Building
701 Main Street**

Lancaster, MA 01523

And

Remote Access Via Zoom

Administrative

1. Attendance Roll Call

Frank Streeter – Chair
Kendra Dickinson – Clerk
Regina Brown – Member
Mike Favreau – Member
George Frantz – Vice-Chair

2. Approve meeting minutes.

Approval of minutes from August 14, 2023, continued until Next Meeting

Public Hearing

The Public Hearing opened with Bill O'Neil (remote). Atty O'Neil turned the presentation over to John Perry of Langden Engineering concerning the driveway.

1. 696 Fort Pond Road – Special Permit – Driveway length

John Perry (remote) said that Langden had been considering the road into the facility an access road, but in actuality there is no definition of an access road in the bylaws. The applicants therefore were requesting a driveway along with a special permit for the length of the driveway. Discussion ensued among the board members about the permit. The Chair looked for comments in the room and saw none. The Chair then looked for comments on Zoom. There was some discussion on the driveway between the residents and the board.

The Chair asked for a Motion to close the special permit hearing for the Driveway length. Member Franz so moved, and Member Dickinson seconded. The Chair asked for any further discussion on the driveway. Hearing none, he called for a motion to approve the special permit. Member Brown so moved, and Member Dickinson seconded. The Chair called for a vote:

Vote: (5-0) to approve the Special Permit for the Driveway

2. 696 Fort Pond Road – Site Plan Review, Special Permit, Lighting

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Ms. Palazola came before the board. She referred to the last meeting where lighting was discussed in detail. The Chair asked if there were any comments from the Board or comments from the Zoom meeting. The Chair asked what else the Board would like to say about the lighting. Member Brown stated that she would like to go ahead with an approval. The Chair requested any comments in the room about the special lighting or comments from Zoom. Not seeing any comments from the room or from Zoom, the Chair asked for a motion to approve the Special Permit on Lighting. Member Brown made a motion to approve the Special Permit on Lighting. Member Dickinson seconded the motion. The Chair called for a vote:

Vote: (5-0) to approve the Special Permit for the Lighting

3. 696 Fort Pond Road – Site Plan Review, Special Permit, Lot Shape

The Chair asked if anyone in the room had any concerns about the lot shape. The Chair asked if anyone online had any concerns about the lot shape. The Board, Hayley Palazola and Residents of the community ensued in more discussion about Lot Shape.

Anne Ogilvie - 4 Turner Lane – Made a comment that she did not see a notification for lot shape. Ms. Palazola addressed this question saying lot shape was included in the Special Permit Application.

Kevin Hinckley – 194 Grant Way – Mr. Hinckley went on to talk about the property being recorded as a triangle on the GIS map. The Chair said this situation was worth talking about with the abutters but would have nothing to do with the issues at hand.

The Chair asked for more comments from the residents online. Hearing none, the Chair called on anyone else in the room. Hearing none, the Chair asked for anyone else on the Board.

Member Brown made a motion to approve the Special Permit on Lot Shape, Member Dickinson seconded. The Chair asked for more discussion from the online participants and then from the Meeting Room. Hearing none, the Chair requested a motion. Member Brown made a motion to approve the Special Permit on Lot Shape, Member Dickinson seconded. The Chair asked for more discussion from the online participants and then from the Meeting Room. Not seeing any he called for a Vote.

Vote (5-0) the Lot Shape Special permit was approved.

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4. 696 Fort Pond Road – Site Plan Review, Special Permit, Pervious Cover

Ms. Palazola explained what impervious pavement was. The applicant had used porous pavement at different sites, particularly Devens. Ms. Palazola again introduced John Perry. John Perry talked about pervious covers verses standard asphalt. He said there was less maintenance, less street sweeping, and less sand used with impervious surfaces. A discussion ensued with the pervious covers versus impervious covers between the Board and the applicants. The Chair then asked Atty O'Neil for his presentation.

Atty O'Neil referenced a 90-page report that had been submitted to the board on Sept 1st. Atty O'Neil reviewed all of the modifications the applicants had made to date. Atty O'Neil then went on to read the first seven questions/answers in the report.

Ms. Palazola then took over the podium. Ms. Palazola referenced a letter from the abutters, she advised them to reference the Peer Reviews which had been previously done. Member Dickinson wanted to make sure that the public knew that the Planning Board had nothing to do with septic systems of new projects. All of the septic systems went through the Board of Health.

The Chair had a question as to where the roof runoff would be directed. Mr. Perry went on to explain that the water runoff from the roof was considered clean, so it was not directed in the same way but through different channels.

The Chair asked the members of the board if they had any questions. Vice-Chair Frantz had a question about noise and whether there was a specific regulation against trucks using their brake engines. This was stated as listed in the report.

The Chair asked for any comments from the room. Hearing none the Chair asked for comments from Zoom.

Michael Wainwright, 222 Grant Way. Mr. Wainwright wanted to know how the emergency access gate was going to be addressed during a snow storm. The Board said they would include the locking of the gate in the written instructions.

John Lewis, 19 Evelyn Place, wanted to know about trucks idling for extended periods. The Chair informed those present that the State had just passed legislation enforcing a new anti-idling rule. The legislation says you cannot idle more than five minutes.

State Senator John Cronin had a brief public comment in that he wanted to lend his strong support for this project. The Senator felt this plan went along with the regional economic development plan. Senator Cronin let everyone know that this project had the attention of the State where the general feeling was a heads up!

Martha Moore, 131 Centerbridge Road. Ms. Moore referred to the police and fire departments having more responsibilities with this site coming to Lancaster. She wanted to make sure that they had everything they needed. Member Brown clarified that the Fire Department was not a volunteer one but fully staffed with all of the equipment they needed.

Robert Cloutier, 20 Evelyn Place. Mr. Cloutier asked if they could have additional length and height to the fencing. The Chair warned that a higher fence would not provide any additional noise barrier, it would only prevent airflow. Ms. Palazola and the Board both agreed that the applicant had gone above and beyond on the sound study.

Greg Klouda, 164 Grant Way. Advocated for extension of the fence especially on the west side. Mr. Klouda and the Board discussed whether there was a need for additional fencing along this line. Mr. Klouda also reported what he thought was an error in the peer review. Ms. Palazola respectfully disagreed. The Board reminded Mr. Klouda of the many reviews that had been done.

Maria Sermiotis, District Director for Congresswoman Lori Trahan. Ms. Sermiotis wanted to thank the town and all of the residents for the thorough review of the project. She also wanted to make it known that Congresswoman Trahan supported economic development, and this was one of those projects that would have a positive impact on the community. The project would

yield almost one million in annual tax revenue and allow the opportunity for over 400 new employees.

Dennis Hubbard, 258 Grant Way. Mr. Hubbard wanted to make sure any plants that were disturbed by the gas lines running through his property were going to be replaced. Ms. Palazola said they had agreed to that condition.

Anne Ogilvie, 4 Turner Lane. Ms. Ogilvie wanted to state on record her discomfort with the project.

The Chair then requested comments from the room.

Melissa Genero, Sugar Valley Chamber of Commerce. Ms. Genero wanted to let everyone know that the Chamber of Commerce was 100% behind this project.

Ralph Gifford, 861 George Hill Rd. Mr. Gifford's comments had to do with balance. He felt that this project was out of balance in that it was too large.

Member Brown made a motion to close the Public Hearing. Member Dickinson seconded the motion. The Chair read a document from Counsel on voting and key timelines for Special Permits. The Chair asked if any member of the board had any objections to closing the hearing. The Chair then called for a vote:

Vote: (5-0) to close the Public Hearing

Member Dickinson had two comments. The first was concerning the reference to the labelling of the legislators present and the second was to the imbalance talked about by Mr. Gifford. Member Dickinson referenced a current imbalance in the not-for-profit organization that were currently in town.

The Chair followed the advice of Counsel in having Atty O'Neil draft an Order of Conditions. The Counsel for the applicant raised some questions concerning what the Town was expecting. A general discussion about the handling of the documents took place and who would have access to them.

The Chair excused all the applicants for 696 Fort Pond Road.

5. 65 McGovern Boulevard – Site Plan Review, Special Permit, Stormwater Management Plan

A representative engineer came before the Board for site plan approval. Fire Chief Hanson put a comment in previously about the code requirements. The site had changed the access road to fit the requirements. The applicants also had a Peer Review by CEI which was positive. A discussion ensued concerning building other structures on the actual site. The Chair asked for any comment from the room or from Zoom. Hearing none the Chair requested a motion to close the hearing. Member Brown made a motion to close the hearing, Member Dickinson seconded. The Chair asked for any discussion on closing the hearing. Hearing none, the Chair took a vote:

Vote: (5-0) to close the hearing on 65 McGovern Boulevard

6. 267 Brockelman – Site Plan Review, Special Permit, Stormwater Management Plan

The engineer from the previous project was also a representative for this project. The Fire Department did not have any comments. CEI had done a review of this project. There were a few comments but nothing out of the ordinary.

The Chair asked for comments from the room or from Zoom. Hearing none the Chair requested a motion to close the hearing. Member Brown made a motion to close the hearing, Member Dickinson seconded. The Chair asked for any discussion on closing the hearing. Hearing none, the Chair took a vote:

Vote: (5-0) to close the hearing on 267 Brockelman Road

7. Use Table – Discussion to amend the Use Table

Continued until October 23rd.

Public Meeting

1. 201 Hilltop

Continued until January 8th.

2. 2038 Lunenburg Road

Attorney Peter Campobasso on Zoom in behalf of Harbor Classic Homes. In March there was a Cease-and-Desist Order. The Conservation Commission had made some special decision for lifting the Cease-and-Desist. Atty Campobasso discussed in detail the remediations that were under way. The applicants were going out to reconstruct the detention basin. Atty Campobasso discussed the revised plans and what was being worked on. The Applicants were asking for a partial lift of the Cease-and-Desist Order. The Chair asked for a motion on a Partial Lift of the Order. Member Dickinson so moved; member Frantz seconded. The Chair called for a vote:

Vote: (4-0-1) To partially lift the Cease-and-Desist order with Member Brown abstaining.

Review Violations and Active Orders

None at this time

Discussion

None at this time

Correspondence

No correspondence at this time

New Business

No new business at this time

Review Upcoming Meetings

Due to holidays, some Planning Board meetings will not be held

NO MEETING 09/25/2023

NO MEETING 10/09/2023

10/23/2023 @ 7PM, hybrid

11/13/2023@ 7PM, hybrid

11/27/2023@ 7PM, hybrid

12/11/2023@ 7PM, hybrid

NO MEETING 12/25/2023

Adjourn

Member Brown made a motion to adjourn. Member Dickinson seconded. The Chair asked for any discussion. Hearing none the Chair took a vote:

Vote (5-0) to Adjourn