



Town of Lancaster
Planning Board
Lancaster, Massachusetts 01523

7:00 P.M., March 27, 2023

**Hybrid Meeting
Nashaway Meeting Room, Prescott Building
701 Main Street
Lancaster, MA 01523**

Administrative

1. Attendance Roll Call

Frank Streeter – Chair
Phil Lawler – Vice Chair
Kendra Dickinson – Member
George Frantz – Member
Member Mike Favreau – Member
Jasmin Farinacci – Staff Member

2. Approve meeting minutes.

Continued until the 10th of April.

Public Hearing

**1. Site Plan Review/Special Permit/Stormwater Management Permit – 65
McGovern Boulevard**

Request for continuance from Tom Orbit of Zero Point Solar. The Chair requested a motion to continue. Member Dickinson so moved, and Member Frantz seconded. The Chair then asked for a vote to continue this until the 24th of April.

Vote (5-0) to continue this Site Plan Review until the 24th of April.

2. Zoning Article – Accessory Dwelling Unit

The Chair requested to open the hearing on the Accessory Dwelling Units. Member Dickinson so moved; Member Frantz seconded. The Chair then called for a vote to open the hearing notice.

Vote (5-0) to open the Hearing Notice

The Chair noted a few sections which needed to be modified. The Chair asked if the Board had any questions or concerns around this Article. Member Dickinson said there were a few questions around Deed Restriction. The Chair stated that the article originated from the

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Affordable Housing Trust. The Chair called on Victoria Petracca, LAHT, who was asked to comment on this. Ms. Petracca went on to say that Affordable Housing Trust did not come to a consensus surrounding this issue. Therefore, the Housing Trust did not put anything forth to the planning board.

The Chair then asked Ms. Farinacci to read the simple sentence about the Deed Restriction. Ms. Farinacci did not have the “simple” sentence but stated it could be incorporated into the language on the Zoning Article. The Board was comfortable adding one simple line which would state something along the lines of “this will be memorialized by a deed restriction in a form acceptable.”

The Chair then asked for a motion to close the ADU Public Hearing. Member Dickinson so moved; Member Frantz seconded. The Chair then asked for any discussion. Hearing none, a vote was taken.

Vote: (5-0) in favor of Closing the Hearing on the ADU

The Chair then asked for a motion to issue a positive report. Member Dickinson made a motion to issue a positive report; Member Frantz seconded. The Chair asked if there was any comment from the Board. Hearing none, a vote was taken.

Vote: (5-0) in favor of Issuing a Positive Report. This will be written up and be ready for approval at the next meeting.

3. Zoning Article – Use Regulation Schedule

The Chair asked for a Motion to open the hearing on the Town of Lancaster Use Regulation Schedule. Member Dickinson so moved; Member Favreau seconded. The Chair asked for any discussion. Hearing none; the Chair called on a vote to open the hearing.

Vote: (5-0) to open the Hearing

The Chair read the hearing notice. The Chair asked the Board if they had any comments after reading through the verbiage of the schedule. Hearing none; the Chair asked if anyone in the room or on-line had any comments. Hearing none; the Chair asked for a motion to close the hearing. Member Dickinson so moved; Member Favreau seconded. The Chair asked for any discussion. Hearing none, the Chair called for a vote.

Vote: (5-0) to close the Hearing

The Chair asked for a motion for what form of report to issue. Member Favreau made a motion to issue a positive report. Member Dickinson seconded. The Chair asked for any discussion. Hearing none; the Chair called for a vote to issue a positive report:

Vote: (5-0) to issue a positive report on Lancaster’s Use Regulation Schedule. A draft would be forthcoming.

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4. Zoning Article – Inclusionary Zoning

The Chair asked for a motion to open the hearing on the Inclusionary Zoning. Member Dickinson so moved; Member Favreau seconded. The Chair asked for any discussion. Hearing none; the Chair called on a vote to open the hearing.

Vote: (5-0) to open the Hearing

The Chair read the Zoning Article. The Board discussed in much detail the different issues surrounding the Inclusionary Zoning. The Chair recommended this discussion be continued. The Chair felt the need of input from the Building Inspector, Brian Gingras. The Chair asked if the public had any comments.

Town Resident, Rebecca Young Jones, 84 Barns Court questioned whether the “stretch code” should apply to individual homeowners or whether they would be automatically grandfathered in. The Chair responded by saying that this was outside the board’s jurisdiction, and recommended that Ms. Jones contact the building inspector, Mr. Gingras. The Chair requested a motion to continue the hearing till April 10th. Member Dickinson made a motion to continue; Vice-Chair seconded the motion. Hearing no discussion, the Chair called for a vote:

Vote: (5-0) to continue till the 10th of April

Public Meeting

1. Preliminary Subdivision – 702, LLC – McGovern Boulevard Extension

Review of the 376 acres for 702 LLC. The Chair introduced Nathan Mahonen of Bohler Engineering who was present at the meeting on behalf of the applicant. Mr. Mahonen explained that there was 376 acres of land outlined in red on the application that was before the board. The Subdivision that was up for discussion this evening was designated in yellow. With that Mr. Mahonen was open for discussion.

The first question from the board was why the applicant was subdividing, and why the boundaries that were represented. Mr. Mahonen replied that the simple answer was to basically lock in the current zoning for eight years. There was much discussion ensuing concerning the lots and how they were subdivided and how this was going to be done. The Board was also interested in finding out what waivers the applicant would be looking for. Capital Group was looking for a total of four waivers, which were reviewed, discussed, and granted as part of the previous subdivision. The Group would be looking for the same waivers when they do file. The Board continued to discuss the slopes and the roadway issues. The Chair asked the Board if they had any additional comments. They did not. The Chair opened the discussion up to the public.

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Town Resident, Anne Ogilvie, had concerns about the erosion of the land and the water resources. Ms. Ogilvie also agreed with Ms. Dickinson on making sure there was not too much impervious surface. Ms. Ogilvie also stated concerns about the road grade, the traffic, and the sounds of the traffic to the neighbors living close by the 24/7 development. Ms. Ogilvie also requested that the lots be drawn on the map that was on Zoom so everyone could see their dimensions.

The Chair asked for any other questions or comments. Hearing none; the Chair turned the discussion back to Board. Member Dickinson would be interested in seeing the historical material. Member Frantz asked if they had a ballpark date for putting in the foundations etc. Mr. Mahonen replied that currently they were simultaneously working on drawings plus engineering plans for the next submittal. The estimate was the plans would take around nine months, but there were a lot of unknowns. The Board let Mr. Mahonen know that they were open to help if any was needed along the way.

The Chair looked for any more questions or comments. Hearing none, the Chair stated that the Board looked forward to hearing from Mr. Mahonen.

**2. Request for release of Cease and Desist – Harbor Classic Homes – 2038
Lunenburg Road**

Attorney, Peter Campobasso, representing Harbor Classic Homes. Attorney Campobasso started by saying that the issue was the peer review. Attorney Peter Campobasso, stated that Harbor Homes was seeking a partial lifting of the Cease and Desist order in order to secure the site through some additional stabilization.

The Chair asked for Tom Christopher, Chairman of the Conservation Commission, to speak. Mr. Christopher said due to the deterioration of the site over the winter months, site stabilization had to take place. There was a site walk done that provided the Commission with photographs showing saltation and turbidity entering the Brook and consequently entering into Fort Pond. The Chair of the ConCom was going to recommend to the Commission to do a partial lifting of the Enforcement.

The Chair put the question out to the Board as to how they would like to proceed. The Board felt that Mr. Christopher knew the site best, his recommendations should be followed. A lift of the Cease and Desist subject to all the conditions that ConCom going to plan tomorrow night. Limited to strictly the detention basin and associated repairs critical to Storm Water Management.

The Chair called for a vote:

Vote: (5-0) for an interim release of the Cease-and-Desist order subject to the conditions put forth by ConCom,

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3. Review Violations and Active Orders:

The Chair asked Ms. Farinacci if there was any information on 201 Hilltop. Ms. Farinacci said no. The Chair called on Thomas Christopher. Mr. Christopher wanted to share that this site had labored long and hard last year and finally had come up with a restoration plan which should be taking place in the spring. Mr. Christopher was hoping some of the larger trees would be shipped in soon.

The Chair called for a Motion to Continue the hearing till June 8th. Member Favreau so moved; Member Frantz seconded. The Chair called for a vote.

Vote:(4-0-1) to continue until June 8th, with Member Dickinson abstaining.

Discussion

Site Walk for 696 Grant Way, Saturday the 22nd of April at 11:00 a.m.

Correspondence

None

New Business

None

Review Upcoming Meetings

04/10/2023 @ 7PM, hybrid

04/24/2023 @ 7PM, hybrid

05/08/2023 @ 7PM, hybrid

Adjourn

The Chair asked for a motion to adjourn. Member Dickinson so moved; Member Frantz seconded. The Chair called for a vote.

Vote (5-0) to adjourn at 8:43 p.m.

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