

Approved: 4/31/2021

MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE TOWN OF LANCASTER  
Meeting conducted via ZOOM internet conferencing  
Monday February 22nd, 2021

Present: Russell Williston, Chair; Roy Mirabito, Vice Chair; Carol Jackson, Clerk; Tom Christopher;  
Jeanne Rich

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- Scenic Road Bylaw: Email from Jonathan Eichmann, for Town Counsel, dated February 11, 2021, with a review of the proposed “Scenic Roads Bylaw” application.
- Scenic Road Bylaw: Email from Jonathan Eichmann, for Town Counsel, dated February 17, 2021, with opinion on whether 117 and 70 can be included in the scenic roads list.
- Scenic Road Bylaw: Email from Greg Jackson, Lancaster Resident, dated February 22, 2021, suggesting amendments to the scenic roads bylaw.
- Proposed Changes to IPOD bylaw: Email (“Re: Zoning Changes Desired by North Lancaster Developers”) from Orlando Pacheco, Town Administrator, dated February 9, 2021, suggesting what bylaw changes he believes developers in North Lancaster desire. Forwarded to the board by the chair with a map showing the parcel described by Mr. Pacheco.
- Study by Finepoint Associates, LLC : “South Lancaster Commercial District: Analysis of Business and Market Condition to inform Rezoning and Economic Development Policy”
- Draft letter from Lancaster Planning Board to Lancaster Board of Selectmen regarding Michael’s Bridge Diner, to respond to the request for comments on their full-alcohol license application. Prepared for the board by member Jeanne Rich.
- Voucher for Haley Ward via email from Debra Dennis with subject “KM-C308” regarding services for Bestway application review
- Draft minutes for January 11th, 2021 Lancaster Planning Board Meeting

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Chair Russell Williston called the meeting to order at 7:00 PM.

Roll Call for Attendance:  
Roy Mirabito: Present  
Carol Jackson: Present  
Tom Christopher: Present  
Jeanne Rich: Present  
Russell Williston: Present

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## **Other Business**

### **1. Review Scenic Road Bylaw proposed changes.**

The board reviewed two emails from Jonathan Eichmann, town counsel, with feedback on a proposed application form and an opinion on whether Rt. 70 and 117 could be included as scenic roads for purposes of the bylaw. The board reviewed an email from Greg Jackson, Lancaster resident, suggesting amendments to the towns Scenic Roads bylaw.

The chair suggested that the board reflect on the proposed changes between meetings; at the next meeting the board can discuss this again and approve a list of desired amendments to send to Town Planning Consultant Michael Antonellis with a request that they be drafted into formal bylaw amendments. The board concurred with this suggested course of action.

### **2. Review proposed changes to IPOD bylaw**

The board reviewed a response from Town Administrator Orlando Pacheco to an inquiry about what zoning changes he believes developers in North Lancaster desire.

Mr. Pacheco wrote that he believes the desire is for the town to change the zoning on Map 8 Parcel 45 from “Residential” to “Enterprise District.” Mr. Pacheco’s email suggested some language for a town meeting article:

*“To see if the Town will vote to amend the official zoning map of the Town of Lancaster referenced in Section 220-5 of the Zoning Bylaws of the Town of Lancaster by changing the zoning district of Map 8 Parcel 45 from Residential District to Enterprise District”*

Jeanne Rich stated that the Economic Development committee and Orlando met with the Capital Group and reviewed a proposed development on that parcel and received it positively. Roy Mirabito, a member of the

Economic Development Committee, stated that the Economic Development Committee has not yet met for any meetings. Phillip Eugene, Resident and member of the Economic Development Committee, stated that he had met with the Capital Group in an informal meeting and had cited some concerns with the plan.

Jeanne Rich stated that she would like to move Orlando's proposed zoning change forward after the rest of the board has time to comment.

Carol Jackson stated that she'd prefer to act on a request from the developer.

Resident Phillip Eugene suggested that the board wait to see the outcome of the town's pending water agreement with Leominster to serve that parcel.

Member Tom Christopher stated that if the developers proposal includes uses already deemed undesirable on previous plans he would oppose a rezoning.

Resident Kaitlyn Drew asked about the "Economic Development Committee." She asked if an agenda had been posted for the meeting described earlier. The chair recognized Phillip Eugene who described the Economic Development Committee.

**Motion by Jeanne Rich: send the zoning change proposed by Orlando Pacheco in his email to Town Counsel for review and post a public hearing. There was no second for this motion.**

### **3. Discuss Governors New Zoning Changes.**

The chair described the board's discussion at it's previous meeting regarding this subject. At the previous meeting the board set the item aside pending anticipated further guidance from Town Counsel.

The board has not received any further memos from Town Counsel yet. The chair indicated that he'll repeat this agenda item once the board receives some guidance.

Member Tom Christopher spoke on the demands this new state law will place on the town.

Resident Victoria Petracca spoke as a member of the "Town's Affordable Housing Committee"; she will make a request for Town Counsel's guidance to also be sent to her committee.

### **4. Review any correspondence and act as necessary regarding the Stormwater Permit order sent to Zero Point Solar on 11/25.**

There was feedback to review at the time of the meeting.

## **5. Review the Inclusionary Zoning Study received from Barrett Consulting.**

No update from Barrett Consulting was available at meeting time; the chair described his correspondence with the consultant between meetings. The board is still awaiting corrections to the report.

Roy Mirabito expressed concerns about several things in her last memo that seems to indicate her calculations use “proprietary data” that is not directly cited and cannot be confirmed.

## **6. Review Finepoint South Lancaster Zoning Study**

The board reviewed the Finepoint South Lancaster Zoning Study received between meetings.

The chair mentioned that he’d first heard of this study in a conversation with Town Planning Consultant Michael Antonellis earlier in the month: the study was completed at no cost to the town.

Vice Chair Roy Mirabito stated that he was very impressed by the quality of this report: he was joined by other members of the board in this opinion.

Tom Christopher noted that the report indicates that Atlantic Union College has been sold. The chair read the section about the college for the benefit of the attendees at the meeting.

The chair noted a few suggestions from the study: encourage parking behind businesses, allow fitness club use, and that a principal at the college would like to resolve legal issues with the town.

The chair asked Debra Dennis to post this study on the Planning Board webpage if it’s not already available.

## **7. Review and approve response to request for comments on Michael’s Bridge Diner alcohol licensing.**

The board reviewed the proposed letter to the Board of Selectmen prepared by member Jeanne Rich.

Chair Russ Williston asked about a section that indicated that the selectmen had approved a patio at some point. Jeanne Rich explained that it was related to special authority granted by the state due to the COVID pandemic. Chair Williston asked about a section indicating that the site plan is being looked into; Jeanne Rich answered that Town Administrator Orlando Pacheco is looking into it.

Chair Russ Williston thanked Jeanne Rich for preparing the letter for the board.

Tom Christopher spoke to the history of alcohol licensing in Lancaster.

Roy Mirabito stated that this will be appreciated by the town, and is an important beginning to expanding services at the restaurant.

Russ Williston shared concerns about sending a letter that's too critical if the zoning issues shouldn't be a blocker for a license, but supported providing the information to selectmen.

[Member Tom Christopher was briefly disconnected from the meeting, and the board waited until he reconnected.]

The board thanked Jeanne Rich for preparing this letter.

Debra Dennis read comments from Greg Jackson about site plan review requirements. Greg Jackson asked about the nature of the board's conversation and whether site plan review was required. The chair clarified that the board is responding to a "Request for Comments" on the license they're considering for Michael's Bridge Diner. Some discussion ensued about when a Site Plan Application is required.

**Motion by Roy Mirabito: send the letter drafted by Jeanne Rich to the Board of Selectmen. Seconded by Carol Jackson. Roll Call vote: Roy Mirabito: yes; Carol Jackson: yes; Jeanne Rich: yes; Tom Christopher: yes; Russell Williston: yes. The motion was approved, 5-0.**

## **8. Correspondence**

Chair Russ Williston relayed that he'd received notification from the "IZ Bylaw Working Group" that they would be ready to present their draft bylaw at the next meeting.

ANR Requirement: the board received some feedback between meetings on ANR requirements. The chair will add an agenda item for the next meeting to discuss ANR requirements.

## **9. Vouchers**

One voucher available to approve: \$26.25 for Haley Ward for services in regards to Bestway's application.

**Motion by Jeanne Rich: approve voucher for Haley Ward for 26.25 for Bestway. Seconded by Carol Jackson. Roll Call vote: Roy Mirabito: yes; Carol Jackson: yes; Jeanne Rich: yes; Tom Christopher: yes; Russell Williston: yes. The motion was approved, 5-0.**

## **10. Minutes:**

Outstanding at the time of the meeting are minutes for:

- a. January 11, 2021
- b. January 25, 2021

c. February 8, 2021

Draft minutes for January 11th, 2021 were available to approve.

**Motion by Jeanne Rich: approve minutes from January 11th, 2021. Seconded by Carol Jackson. Roll Call vote: Roy Mirabito: yes; Carol Jackson: yes; Jeanne Rich: yes; Tom Christopher: yes; Russell Williston: yes. The motion was approved, 5-0.**

**Adjourn**

**Roy Mirabito moved to adjourn, Carol Jackson seconded. Seconded by Carol Jackson. Roll Call vote: Roy Mirabito: yes; Carol Jackson: yes; Jeanne Rich: yes; Tom Christopher: yes; Russell Williston: yes. The motion was approved, 5-0.**

**The meeting was adjourned at 8:30PM.**