

TOWN OF LANCASTER
PLANNING BOARD
Lancaster Community Center
Monday, September 25, 2017

Present: Phil Lawler, Chair; Jeanne Rich, Vice-Chair; Tom Christopher, Frank Sullivan, Russ Williston

Absent: None

Also Present: Noreen Piazza, Planning Director

Chair Phil Lawler called the meeting to order at 7:03 PM.

Review, Approval Not Required (ANR) Plan, Hemlock Lane – 2 Lots

Present: David Sadowski, Sadowski Engineering

David Sadowski, representing James and Cheryl Anderson, owners of 28 Hemlock Lane, and John and Ellen O'Donnell, owners of 486 Lane, presented a plan entitled "Plan of Land, 28 and 46 Hemlock Lane, Lancaster, Massachusetts, prepared for John & Ellen O'Donnell, prepared by Sadowski Engineering, dated September 14, 2017".

The ANR application was presented for the following lots:

- Lot 9 and Parcel A containing 60,104 SF (3.50 ± acres), with approximately 165 feet of frontage on Hemlock Lane.
- Lot 8 and Parcel 8A containing 71,197 SF (1.63 ± acres), with approximately 165 feet of frontage on Hemlock Lane.

Mr. Sadowski explained that the O'Donnells and Andersons are swapping an even portion of land to each other (565 SF) in order to straighten out the lot line between their neighboring lots. Both lots are previously existing non-conforming lots that did conform at the time the subdivision was created. There are no frontage changes, and no setback violations.

At 7:10 PM, Jeanne Rich made a motion to approve the ANR Plan for the Lot 9 and Parcel A, and Parcel 8 and 8A. Russ Willison seconded the motion. No discussion. VOTE: 5-0-0.

Review, Approval Not Required (ANR) Plan, Brockelman Road – 2 Lots

Present: John Farnsworth, Farnsworth Engineering Associates; David Brockelman, Owner

John Farnsworth, representing Robert and Dorothy Brockelman, owners of 765 Brockelman Road, and David and Cynthia Brockelman, owners of 693 Brockelman Road, presented a plan entitled "Plan of Land, prepared by John A. Farnsworth, M.S.C.D., Plan No. 04-07-2017, dated September 22, 2017".

The ANR application was presented for the following lots:

- Parcel A containing 5,997 SF (.137 acres) is joined with the contiguous lot (Map 28, Parcel 2.A) at 693 Brockelman Road (owned by David and Cynthia Brockelman)
- Lot (Map 28, Parcel 2) containing 784,080 SF (18.00 acres) is reduced by .137 acres to be joined with Lot 28-2.A (Lot 28-2 owned by Robert and Dorothy Brockelman)

Mr. Farnsworth explained that this ANR plan was approved in 2004, but was never recorded. This plan is now back before the Board for a new set of signatures. This plan meets all setbacks for the existing structures.

At 7:20 PM, Tom Christopher made a motion to approve the ANR Plan for Lot (Map 28, Parcel 2), and Lot (Map 28, Parcel 2.A) and Parcel A. Russ Willison seconded the motion. No discussion. VOTE: 5-0-0.

Update, Site Plan, James Monroe Wire & Cable

Present: John Farnsworth, Farnsworth Engineering Associates; David Fisher, James Monroe Wire & Cable; Dennis Ciccone; Ciccone Construction

Mr. Farnsworth provided a summary of an upcoming project at the James Monroe Wire & Cable Co., 842 Sterling Road, for the demolition of an existing building located across the street from Monroe's existing facility, and the construction of a new manufacturing facility at the same location.

The new building will provide 60,000 SF for manufacturing and 15-20,000 SF for a warehouse. They plan to submit the site plan and stormwater management permit application for the November 13, 2017 Planning Board meeting.

There was no further discussion on this matter.

Continued Public Hearing, Special Permit for Ground-mounted Solar Array and Site Plan Review, 372 Goss Lane

Present: Katherine Holden, Owner

Phil Lawler recused himself from the hearing as he a direct abutter to the project. Vice-Chair Jeanne Rich stepped in as Chair.

Ms. Rich then read a request from Katherine Holden, owner of 372 Goss Lane, to withdraw their application *without prejudice*, as they no longer felt the project was financially viable for their personal circumstances. They plan to re-visit the project in the future.

Ms. Holden also explained that the solar bylaw, as written today for residential ground-mounted applications, is too restrictive for most residential property owners. She suggested that there should be some changes made to better accommodate ground-mounted solar facilities on residential house lots. Tom Christopher agreed that the Board should revisit the bylaw, and that they should research the Town of Bolton solar bylaw as it pertains to residential ground-mounted applications.

At 7:45 PM, Frank Sullivan made a motion to close the public hearing for both the Site Plan and Special Permit for 372 Goss Lane. Tom Christopher seconded the motion. No discussion. VOTE: 4-0-0.

At 7:47 PM, Frank Sullivan made a motion to approve the withdrawal *without prejudice* for both the Site Plan and Special Permit for 372 Goss Lane. Russ Williston seconded the motion. No discussion. VOTE: 4-0-0.

At 7:48 PM, Chair Lawler returned to the meeting.

Signature, Stormwater Management Permit, FC Stars Soccer Fields

The Stormwater Management Permit was signed for the FC Stars soccer field and parking expansion project, as approved at the Planning Board meeting on September 11, 2017. The permit will now be submitted to the Town Clerk to start the 20-day appeal period.

Signature, Tree Removal Permits, Center Bridge Road and Seven Bridge Road, and Main Street

The Tree Removal Permit was signed for the National Grid tree removal project on Center Bridge Road and Seven Bridge Road, as approved by the Planning Board meeting on September 11, 2017. The permit will now be submitted to the Town Clerk to start the 20-day appeal period.

The Tree Removal Permit was signed for the Lancaster Department of Public Works tree removal project on Main Street, as approved by the Planning Board meeting on September 11, 2017. The permit will now be submitted to the Town Clerk to start the 20-day appeal period.

Discussion, Zoning for Municipal Buildings

There was continued discussion from the Planning Board meeting of September 11, 2017 where the Board decided to poll the building supervisors for each of the Town Green buildings to see what future uses there may be for each of these facilities. Ms. Noreen Piazza sent out a letter to gather these lists and provided them for review this evening (attached). After some discussion, the Board made the following vote:

Jeanne Rich made a motion to send the municipal building re-use wish lists to the Board of Selectmen for their consideration in proposing use variances to the Board of Appeals. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

Discussion, Medical Marijuana Overlay District Expansion

Present: Stan Starr, 34 Squire Shaler Lane; Walter Sendrowski, 512 Harvard Road

Jeanne Rich introduced the topic of expanding the Medical Marijuana Overlay District (MMOD) into the Enterprise Zoning District that is south of Route 2 and west of Route 70, bordered by Old Union Turnpike and Lunenburg Road. The current MMOD located off of Jungle Road by Route 190 is landlocked and only accessible through a Leominster parcel. The owner of that parcel is not interested in allowing for access to the parcel in Lancaster that is zoned for medical marijuana.

The Enterprise zoning district area is being considered based on eligible land for such an enterprise. Other zoning districts were also considered, including the Enterprise zone on Fort Pond Road and the Enterprise zone on Duval Road.

Mr. Stan Starr, Chair of the Board of Selectmen, was present at the hearing and gave an overview of a firm that is interested in locating their Registered Marijuana Dispensary (RMD) in the Town of Lancaster. Mr. Starr explained that the firm named *Just Healthy* needs at least seven (7) private acres for their facility, which would be mainly used for indoor cultivation with a portion of the building to be used as an education center. Distribution would be solely through on-line sales. He reported that as a host community for an RMD, annual tax revenue could yield several hundred thousand dollars over ten years. After some discussion, Phil Lawler commented that the Planning Board should support this business in locating to Lancaster.

The Board then discussed the schedule for advancing this proposal to a Special Town Meeting (STM). It was determined that if a STM could be scheduled for October 30, 2017, then the warrant would close on October 16, 2017, and the requisite public hearing could be held the week of October 9th. The ad for the public hearing would then need to be placed by September 27th, for publication on September 29th and October 6th.

It was also suggested that the warrant article for the Zoning Moratorium on Retail Sales of Recreational Marijuana be placed on the same STM warrant so as to cover all marijuana topics at the same town meeting.

A Motion was made by Jeanne Rich to change the designation in Section 220-8.4 (E) (Use Regulation Schedule, Public, Health, Educational and Institutional Uses, Registered marijuana dispensary) from a "N" for Not Permitted under the Enterprise Zoning District to a "PB" for Special Permit by the Planning Board, with a note to state "As regulated by Article XVI of Ch. 220. See the Official Lancaster Zoning Overlay Map (Attachment 3) for the specific location of the Medical Marijuana Overlay District." Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

A Motion was made by Jeanne Rich to table the warrant article for the Zoning Moratorium on Retail Sales of Recreational Marijuana to the October 30, 2017 Special Town Meeting, when scheduled. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

The public hearing currently scheduled for October 2, 2017 for the zoning moratorium will be opened that evening, and then withdrawn on the town meeting floor, in order to be rescheduled for the Special Town Meeting to be scheduled for October 30, 2017.

There was no further discussion on this matter.

General Business

The Board reviewed the following information: (1) Planning Board minutes from the August 28, 2017 meeting; (2) Planning Board minutes from the September 11, 2017 meeting.

At 8:40 PM, Jeanne Rich made a motion to accept the minutes from the August 28, 2017 meeting of the Planning Board. Tom Christopher seconded the motion. No discussion. VOTE: 4-0-1 (Frank Sullivan abstaining).

At 8:42 PM, Jeanne Rich made a motion to accept the minutes from the September 11, 2017 meeting of the Planning Board, as amended. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

The Board reviewed the following information: (1) Invoice from Haley and Ward dated 9/15/17 for Goss Lane Solar Review; (2) Invoice from Haley and Ward dated 9/15/17 for SLA Site Plan.

At 8:44 PM, Jeanne Rich made a motion to approve the invoice from Haley and Ward, Inc. for \$1,286.39 for review of the Goss Lane Solar Site Plan. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

At 8:46 PM, Jeanne Rich made a motion to approve the invoice from Haley and Ward, Inc. for \$1,020.36 for review of the South Lancaster Academy Site Plan. Tom Christopher seconded the motion. No discussion. VOTE: 5-0-0.

Adjourn

At 8:50 PM, Jeanne Rich made a motion to adjourn the Planning Board meeting. Russ Williston seconded the motion. No discussion. VOTE: 5-0-0.

Respectfully submitted,

Noreen Piazza
Planning Director