

PLANNING BOARD MEETING MINUTES  
VIA ZOOM

December 13, 2021

Present: Russ Williston, Chair, Carol Jackson, Roy Mirabito, Tom Christopher, and Peter Christoph

Staff Present: Debra Dennis, Community Planning and Development

List of Documents:

- Planning Board Agenda for December 13, 2021
- Public Hearing Continuance Request-Five SAC Self-Storage Corporation (U-Haul)
- Plans-North Lancaster, LLC for approval of an Amended Definitive Plan-Phase 2 entitled "McGovern Boulevard Phase II: Roadway Construction in Lancaster Mass
- Plans-Fort Pond LLC seeks a Special Permit under the requirements of the Lancaster Zoning Bylaw Section 220-39, Stormwater Permit
- Zoning Change Article for Special Town Meeting, received from Select Board on 11/16/2021.
- Minutes – November 8, 2021, and November 22, 2021

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

**Attendance Roll Call: Carol Jackson here, Tom Christopher here, Peter Christoph here, Roy Mirabito here, and Russ Williston here.**

**Public Hearing Continued-Five SAC Self-Storage Corporation (U-Haul), applicant, seeks approval for a Stormwater Permit under the requirements of the Town of Lancaster Stormwater Control Bylaw Section 170-5, and Stormwater Management Rules and Regulation Section 305-5.**

*Present: Michael Scott, LDC and Jeff Vaine (owner), and Bob Hartzel peer reviewer*

Michael Scott discussed the new updated plans as to what has been done. Jeff Vaine said considerable work has been done and should have the 100-foot buffer zone buttoned up totally by Thursday. Michael Scott said he went over the peer review with Bob Hartzel. Chair Williston asked Bob Hartzel have all the comments in the peer review been addressed. Bob Hartzel said the site has come a long way. The site is now smaller and can be maintained. Tom Christopher asked if there were any plans in place for major stormwater reporting. Michael Scott said it is in the check list as to inspect after any major storm. Jeff Vaine said we can monitor it on a 24-hour basis and access any damage after a storm.

**Carol Jackson made a motion to close the hearing and Roy Mirabito seconded. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Roy Mirabito made a motion to grant the stormwater permit and Tom Christopher seconded it. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Continued Hearing: North Lancaster, LLC for approval of an Amended Definitive Plan-Phase 2 entitled "McGovern Boulevard Phase II: Roadway Construction in Lancaster Mass, relative to the roadway construction for the approved Definitive Subdivision (Continued from 9/27/2021)**

Chair Williston said a continuance request was received by the applicant to continue the public hearing until January 24, 2022. **Roy Mirabito made a motion to continue the public hearing until January 24, 2022, and Carol Jackson seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher abstained, Peter Christoph yes and Russ Williston yes.**

**Fort Pond LLC seeks a Special Permit under the requirements of the Lancaster Zoning Bylaw Section 220-39, Stormwater Permit**

*Annie Gorman, VHB, Vinod Kalikiri, VHB*

Annie Gorman went over the site plan and stormwater management plan.

Vinod Kalikiri discussed the future traffic conditions. He said the traffic estimated for the project does not exceed the thresholds typically used in traffic engineering practice for the impact assessment. Analysis shows that the town by law requirements for traffic impact are also satisfied. Overall, the traffic study indicated that the project will minimally affect the area traffic operations and will not trigger the need for roadway analysis. Chair Williston said part of the review is engineers will check impervious surfaces. Tom Christopher complained about the traffic. He said he lives on Fort Pond Inn Road. He said close by is YMCA camp which operates 10 weeks in the summer with three hundred campers. He said crash history data does not consider near misses. Tom Christopher discussed that at the 2014 public hearing the project owner agreed to erect a sign concerning no truck can take a right turn, left turn only. Carol Jackson asked about the numbers used. She asked if they were pre covid. Vinod Kalikiri said Mass DOT published in May 2020 guidelines for traffic studies during covid. The Board members disagreed with where they got the traffic numbers.

**Public Comments:**

Cara Sanford-concerned with impervious service waiver and buffer zone.

Anne Ogilvie-read a statement she prepared concerning wanting a peer review of the traffic report, and a delay so vernal pools can be reviewed.

Rob Zidek-concerned with not restricting right turns and the traffic report not including school bus traffic pick up.

Karen Cavaoli- concerned with impact of building addition on streams and ponds.

Chairman Williston asked Annie Gorman if she wanted to continue the public hearing until January 10<sup>th</sup>. She agreed to this. **Tom Christopher made a motion to continue the public hearing for the Special Permit and Stormwater Permit until January 10<sup>th</sup> and Carol Jackson seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Public Meeting**

**Review Violations and Active Orders:**

201 Hilltop Road (Cease & Desist delivered, Awaiting Stormwater Permit Application)-Chair Williston said a complete application has been received. Richard Harrington for the owner said a restoration plan is being reviewed by the Conservation Commission.

2038 Lunenburg Road (Cease & Desist delivered, resolution in progress)-Chair Williston said a cease & desist is in effect and they are working on a resolution with the Conservation Commission.

Old Union Turnpike, Assessors Map 3 Parcel 4 (Cease & Desist delivered, town counsel engaged)-Chair Williston said this is with Town Counsel.

**Discuss Homeowners Trust Required at Hawthorne Hills Subdivision, off Hilltop Road and George Hill Road:** (Continued from 10/25, 11/8 and 11/22.)-Chair Williston said there was a meeting with the Building Inspector that he attended with Jay Moody and others. He said the situation is not good since time has passed.

**Town Planner:** Chair Williston said the Town Planner starts on January 3<sup>rd</sup>. He said it will be good to have a professional in the office.

**Authorize a Board Representative for Magistrate Hearing in Clinton District Court on 1/20/2021 @ 9:00AM for Lancaster Planning Board vs. Daniel Loring**-Chair will volunteer to represent the board regarding Stormwater Permit related fine appeals.

**Tom Christopher made a motion to authorize Russ Williston to represent the Planning Board and Conservation Commission in the Clinton Court. Peter Christoph seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Schedule Public Hearing for Zoning Article: "North Lancaster Zoning Change Article"**

The bylaw was submitted on 11/16/2021 and should have a hearing by 1/20/2022. Chair will recommend a special meeting via ZOOM on 1/18, 1/19 or 1/20 at 7PM advertised on 12/31 and 1/7.

Chair Williston said a public hearing needs to be held by January 20<sup>th</sup>. **Peter Christoph made a motion to have the public hearing on January 18<sup>th</sup> for the Zoning Change Article and Roy Mirabito seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Discuss and submit comments from the Planning Board to be included with 40R District Application for Determination Preliminary Eligibility.**

Chair Williston said the 40R application hearing has been delayed. He said he is not sure if it will be before January. He said the Board can submit comments on the 40R but does not need it tonight.

**Update from the Chair regarding "Ad Hoc North Lancaster MOU Committee"**-Chair Williston said he was notified he was added as the Planning Board chair to create a memo of understanding with the Capital Group. Carol Jackson said it is good to have representation.

### **Correspondence**

Chair Williston said we received the concept plan from the Select Board for the zoning change article. If the zoning change is approved the concept plan and the site plan must be the same. He said he requested a copy of document that was easier to read. He said plans are illegible and he also wants them to include building elevations.

### **Vouchers**

**Tom Christopher made a motion to pay Haley Ward \$1,003.75 for McGovern Blvd invoice and Peter Christoph seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Tom Christopher made a motion to pay CEI \$2,495 for the review of 90 Duval Road and Roy Mirabito seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

### **Minutes**

- October 25<sup>th</sup>, 2021 @ 6PM (Executive Session)-Not available currently.
- November 8<sup>th</sup>, 2021-**Roy Mirabito made a motion to approve, and Carol Jackson seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**
- November 22, 2021-**Tom Christopher made a motion to approve, and Roy Mirabito seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

**Happy Birthday Roy.**

### **Adjourn**

**Tom Christopher made a motion to adjourn, and Carol Jackson seconded the motion. Roll Call Vote: Roy Mirabito yes, Carol Jackson yes, Tom Christopher yes, Peter Christoph yes and Russ Williston yes.**

The meeting was adjourned at 8:59 pm.

Respectfully submitted

Debra Dennis