

Approved: March 28, 2022

MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE TOWN OF LANCASTER  
Meeting conducted via ZOOM internet conferencing  
Monday January 24, 2022

Present: Russell Williston, Chair; Roy Mirabito, Vice Chair; Carol Jackson, Clerk;  
Peter Christoph; Tom Christopher

Absent: (All Present)

Staff Present: Jasmin Farinacci, Community Development & Planning Director  
Debra Dennis, Office Manager, Community Development & Planning

List of Documents:

- A written request to continue tonight's hearing for "North Lancaster, LLC for approval of an Amended Definitive Plan-Phase 2..."
- A written request to continue "201 Hilltop Road for approval of a Stormwater Management Plan"
- A set of draft amendments to the Lancaster "Solar Energy Systems" bylaw prepared by Tom Corbett from Pro-Tech.
- A memo prepared by Russ Williston reviewing the schedule for preparing bylaws for Annual Town Meeting.
- A draft memo from the Planning Board, advising town board that the Planning Board would need any proposed zoning bylaws in hand by March 14th to schedule public hearings before Annual Town Meeting.
- A memo from Russ Williston proposing a schedule for meeting the "MBTA Communities" requirement

\*\*\*\*\*

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**

**Peter Christoph: Present**

**Russell Williston: Present**

## **Public Hearing**

The chair announced that the board had received written requests to continue both of the hearings on tonight's agenda.

### **2. 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 7/7/2021, 7/26/2021, 9/27/2021 and 12/13/2021)**

The chair announced the board had received a written request to continue this hearing until the board's February 28th meeting.

**Moved by Carol Jackson: Continue this hearing until February 28th. Seconded by Roy Mirabito. No discussion. Roll call vote: Roy Mirabito, yes. Carol Jackson, yes. Tom Christopher, yes. Peter Christoph, yes. Russ Williston, yes. Motion approved, 5-0.**

### **3. Continued Hearing: 201 Hilltop Road for approval of a Stormwater Management Plan – Haley Ward is performing the Engineer Review. The department has reached out to see if the applicant would like to request a continuance as the Peer Review from Haley Ward has not yet been received.**

The chair announced that the board had received a written request to continue this hearing.

As this was to be the first session of this hearing, the chair formally opened the hearing and read the public hearing notice. The chair solicited a motion to continue the hearing.

**Moved by Carol Jackson: Continue this hearing until February 28th. Seconded by Roy Mirabito. No discussion. Roll call vote: Roy Mirabito, yes. Carol Jackson, yes. Tom Christopher, yes. Peter Christoph, yes. Russ Williston, yes. Motion approved, 5-0.**

## **Public Meeting**

### **4. Presentation by Tom Corbett, Zero-Point Development, Proposing Amendments to Lancaster Zoning Bylaws Article XVII: Solar Energy Systems**

Present of for this agenda item:  
Tom Corbett, Pro-Tech Energy Solutions

Tom Corbett from Pro-Tech Energy had sent a proposed set of draft amendments to the Planning Board in December; he had worked on them with Town Planning consultant Michael Antonellis.

Mr. Corbett reviewed the proposed amendments, which he would like the Planning Board to propose at Annual Town Meeting in May. The amendments would amend the existing “Article XVII: Solar Energy Systems” chapter in the Lancaster Zoning Bylaws, to create accommodations for energy storage systems (batteries.)

Member Carol Jackson asked what other towns Mr. Corbett has worked with; primarily Athol he says. He helped them create a bylaw amendment. Ms. Jackson asked what the structure is and how large: he says a 10mw system, on the high end, would be around 25,000 square feet. They’re typically containers on concrete pads.

Member Russ Williston asked questions about how the use would be treated; it will be a special permit in all districts. He pointed out that at the Fort Pond Rd solar array a battery storage unit was included as part of the project.

Member Tom Christopher referenced the solar facilities Pro-Tech was involved with on Old Union Turnpike, and asked if a storage system was anticipated for those fields. He asked about the coolant being used; some are carcinogenic. Tom Corbett answered that the coolant would depend on the product. He said that an ideal location for a battery unit would be on the same three-phase feeder as a solar array.

Resident Frank Streeter asked if there was a minimum size for battery storage – would a homeowner adding batteries on a house need a site-plan review? Tom Corbett suggested that the biggest issues for homeowners was building code and deferred to his opinion on that. Frank Streeter stated he was pleased to see the board considering battery facilities.

Resident Alix Turner asked about how sound and sound impact would be measured. Tom Corbett stated that they do a pre and post construction sound test.

Resident Dennis Hubbard asked if fire departments need special equipment to handle these batteries. Tom Corbett answered that for “thermal runaway” issues on Lithium Ion batteries there is a water deluge system built into the units. The fire department could either let the fire extinguish on its own or use the system to flood the battery.

Member Peter Christoph asked about how batteries are ultimately disposed of when they reach end of life. Tom Corbett said that options are currently limited but that Pro-Tech is working with a company in New York. It is a newly emerging industry, however, so options will increase. Peter Christoph asked about what pushback was received in other communities: Tom Corbett answered that there wasn’t much pushback.

Member Carol Jackson asked about how the amendments might accommodate multiple projects on a site; Tom Corbett answered that at the moment that’s unlikely. Currently only a limited number of sites are suitable for building these projects to acquire SREC credits.

Member Tom Christopher discussed decommissioning bonds with Mr. Corbett. The board confirmed that the decommissioning bond requirement in the amended bylaw is the same as the requirement in the existing bylaw.

Chair Russ Willisotn discussed the schedule for preparing the amendments for town meeting. He asked for a roll call of the board: are they interested in preparing this for town meeting, and sending this to town counsel, the building inspector, the fire chief and police chief and the conservation commission. All members of the board were interested in moving it towards town meeting and sending the bylaw out for comments.

The chair asked Jasmine Farinaci to send the bylaw out for comments for the next meeting.

## **5. Review Violations and Active Orders**

The board reviewed it's open orders for stormwater violations at:

- a. 201 Hilltop Road (Cease & Desist delivered, Stormwater Permit Application in progress)
- b. 2038 Lunenburg Road (Cease & Desist delivered, resolution in progress)
- c. Old Union Turnpike, Assessors Map 3 Parcel 4 (Cease & Desist delivered, town counsel engaged)

The board reviewed these open orders, for which there was no action to take at this meeting. Member Tom Christopher, who is also a member of the Conservation Commission, briefly reviewed the work his board has been doing with the developer at 2038 Lunenburg Road. Jasmin Farrinaci relayed that she is in touch with town counsel regarding the Old Union Turnpike project.

## **6. Discuss Planning Board Articles for Annual Town Meeting**

The chair reviewed the remaining schedule leading up to 5/2/2022 Annual Town Meeting this year, when the board would need to have bylaws in hand to schedule hearings, and the potential bylaw amendments that the Planning Board could prepare for Annual Town Meeting:

- The board could pursue amendments to the IPOD bylaw. Member Tom Christopher expressed interest in removing residential requirements from IPOD bylaw, and that any changes should be appropriate for all the IPOD districts. Member Russ Williston expressed interest in reducing the maximum housing density or removing the housing requirement. Member Carol Jackson discussed whether the bylaw should currently be read to limit building phases to 600,000 square feet. After discussion, the consensus preference was to not present any IPOD bylaw amendments at the 2022 annual town meeting.
- Solar Bylaw amendments: The board expressed interest earlier in the meeting in working on the amendments Pro-Tech recommended, amending the Solar Energy Systems bylaw.

- Stormwater Bylaw amendments: Tom Christopher is interested in reviewing what he and Roy Mirabito found during earlier investigations, and will prepare something for the board to consider.
- Scrivener's errors: the chairman would like Jasmin Farinacci to review the error in the printed use table for 220-8.4, and investigate whether it requires a town meeting vote to fix.

## **7. Approve memo to Town Boards requesting Zoning Article Text no later than 3/14/2022**

The chair proposed that the board send out a memo he prepared, advising anyone who will be presenting zoning amendments at Town Meeting to ensure the final text reaches the Planning Board no later than 3/14/2022; that will leave time to schedule a public hearing. With no objection, the chair will send out the memo.

## **8. Discuss and approve a Report for the “Proposed Amendment to Town of Lancaster Zoning Map” zoning article proposed by the Lancaster Select Board**

A draft was not available to review at meeting time.

## **9. Review Proposed Schedule for Meeting “MBTA Communities” Requirement**

The chair reviewed the requirements that the town must meet and proposed a schedule for meeting them. The town must have a district that allows 750 units of multifamily housing by right at an overall density of at least 15 units/acre. The district has to be at least 50 acres in size. There are some relatively trivial requirements to meet this year and ultimately the town must approve a district in 2024.

Jasmine Farinacci agreed to submit a web form accepting comments to submit to DHCD before 3/31, sign up to be the town’s responsible person, and get the town's GIS maps to DHCD before 5/22 if requested. She will give a presentation on the law to the Selectboard before 5/22.

## **10. Correspondence**

There was no correspondence to review at this meeting.

## **11. Vouchers**

No vouchers required review at this meeting.

## **12. Review and Approve Minutes**

Minutes outstanding at the time of the meeting were:

- Minutes for Planning Board Meeting on December 27, 2021 @ 7PM
- Minutes for Planning Board Meeting on January 10, 2022 @ 7PM

c. Minutes for Planning Board Meeting on January 18, 2022 @ 7PM

No draft minutes were available to review at this meeting.

### **13. Review Upcoming Meetings**

2/9/2022 @ 7PM: Meeting rescheduled from Valentine's Day

2/14/2022 @ 7PM: No meeting, Valentine's Day

2/15/2022: Anticipated Special Town Meeting

2/28/2022 @ 7PM

The chair relayed that the February 15th special town meeting had been "canceled" at the last Select Board meeting.

### **Adjourn**

**Carol Jackson moved to adjourn, seconded by Peter Christoph. The board voted unanimously to adjourn at 8:55PM.**

**Meeting adjourned at 8:55 PM.**