

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Meeting conducted via ZOOM internet conferencing
Monday August 24, 2020

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

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- 971 Main Street: Plans from Peterman Architects 'Perkins School Phase 1' updated 8/18/2020
- 971 Main Street: Memo from Hamwey Engineering 'Re Perkins School Phase 1' dated 8/20/2020
- 971 Main Street: Memo from Kevin Bartlett 'Perkins School Drainage Design Plans' dated 8/20/2020
- 971 Main Street: Memo from OCG 'Response to Comments' dated 8/20/2020
- 679 George Hill: Ducharme & Dillis 'Basis of Flexible Development' dated 8/19/2020
- 679 George Hill: Ducharme & Dillis Plans 'Flexible Development & Preliminary Site Plans' dated 8/19/2020
- 679 George Hill: Email from Victoria Petracca '679 George Hill Road' dated 8/20/2020
- 679 George Hill: Memo from Ducharme & Dillis 'Re Hawthorne Hill' dated 8/20/2020
- 679 George Hill: Memo from Lancaster Board of Health 'Re 679 George Hill Road...' dated 8/24/2020
- 679 George Hill: Email from Cara Sanford: 're George Hill Road Flex Subdivision' dated 8/21/2020
- 679 George Hill: Email from Bruce Warilla: 'Hawthorn Hill - Flexible Development' dated 8/24/2020
- 679 George Hill: Email from Fire Chief Mike Hanson: 'Hawthorn Hills' dated 8/23/2020
- 31 Runaway: Plans from Trinity Solar 'Plans for Ground Mounted Solar PV System' dated 3/18/2020
- Lancaster Land Trust ANR: Minutes of Lancaster Land Trust vote to Acquire Parcel on 5/19/2020
- Lancaster Land Trust ANR: ANR Plan from Cabco Consult dated 8/7/2020
- Lancaster Land Trust ANR: ANR Application for Deershorn Road dated 8/10/2020
- Lancaster Land Trust ANR: ANR Plan form Cabco Consult dated 8/12/2020
- BSF ANR: ANR Application dated 8/12/2020
- BSF ANR: 'Plan for ANR Application' from Ducharme & Dillis dated 8/12/2020
- BSF ANR: Email from Gregory Brackett '679 George Hill Rd...' dated 8/24/2020

- BSF ANR: Email from Victoria Petracca ‘679 George Hill Rd...’ dated 8/24/2020
- BSF ANR: Memo from Lancaster BOH ‘679 George Hill Road’ dated 8/24/2020
- Correspondence: Memo from Fred Hamway: ‘Re Peer Review Services Resignation’ dated 8/20/2020

Vice Chair Jeanne Rich called the meeting to order at 7:03 PM.

Jeanne Rich announced that the ANR applications on the agenda for later in the meeting, from Stanley DeCoste and the Lancaster Land Trust, had been withdrawn before the meeting.

Introduction of New Planning Board Member

Jeanne Rich welcomed Roy to the board.

Public Hearing

1. Continued Public Hearing-971 Main Street-Doctor Franklin Perkins School, seeks Stormwater Permit under the requirements of the Lancaster Zoning Bylaw Section, 170-5, to construct two new buildings, a middle school building and a dormitory, and an addition onto the existing Janeway Building as well as parking circulation improvements at a property within the Residential Zoning district located at 971 Main Street (Assessor’s Map 34, Parcel 132).

Present for this discussion:

Fred Hamway, peer review engineer for the town

Paul Avery, for the Applicant

Michael Ames, for the Applicant

Keri DiLeo, for the Applicant

Tom Peterman, architect for the applicant

Vice Chair Jeanne Rich reopened the public hearing, continued from 8/10.

Jeanne Rich read the memo received from Fred Hamway and memo from DPW Chief Kevin Bartlett.

Fred Hamway addressed his latest review memo:

1. The PB may want to review required plantings
2. The Stormwater operation and maintenance plan should be part of the approval

Tom Christopher reviewed the current plantings: they are consistent with the existing plantings at the school and he has no concerns.

Paul Avery reviewed plan modifications to protect abutters on Harvard Road. The generator will be surrounded by a five foot tall shiplap fence.

Tom Christopher moved to close the public hearing. Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

Tom Christopher moved to approve the Stormwater Special Permit including the recommendations made by Fred Hamwey in his 8/20 review memo. Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

Tom Christopher moved to approve the Site Plan, including the recommendations from the fire chief and DPW from their memos. Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

Jeanne Rich and the board recognized peer-review engineer Fred Hamwey, who is retiring at the end of the year and will not participate in further projects for the town, for his service over the years.

2. Continued Public Hearing-Assessor's Map 32 - Lot 1 (F/K/A 679 George Hill Road) – applicant Brahmananda Saraswati Foundation - Special Permit for Flexible Development –

Present for this discussion:

Scott Miller, Peer Review Engineer for the Town

Frank McPartlan, Engineer for the applicant

Vice Chair Jeanne Rich re-opened the public hearing, continued from 8/10/2020.

Jeanne Rich read the correspondence from Fire Chief Michael Hanson and town engineer Scott Miller, Lancaster Historical Society, resident correspondence received (Victoria Petracca, Cara Sanford and Greg Brackett and Bruce Warilla) and memo from Lancaster Board of Health.

Frank McPartlan emphasized that environmental and wetland concerns would be addressed during the definitive site plan approval.

Carol Jackson: Lot 2 septic in 100 foot buffer, Lot 15 is mostly wetlands. Lot 19 + lot 20, well on 100 foot buffer line. Lot 24 septic in 100 foot buffer. Area 1 and Area 3 stormwater management in the 100 foot buffer. On the conventional plan: the street passes through wetlands, lot 2 well inside the buffer. Lot 6 leach field in 100 foot buffer. Lot 10 well and septic in a 100 foot buffer. Lot 12 septic and leach field in 100 foot buffer. Lot 17 pipe from cellar wall to leach field > 100'. Lot 26 well can't be connected to the house due to wetlands. Easements are shown on conventional plan, but not on Flexible. SWM areas on conventional and flexible plans are in the buffers. Carriage house acreage is different on the two plans.

Frank McPartlan responded to Carol Jackson: carriage house acreage is different on the two plans because they are different plans, and he doesn't believe it's required for it to be the same on both plans.

The easements on the plans are for electrical lines that would be relocated to the right of way. Wells are located outside of the wetlands buffer in all cases -- the symbol on the plans is just larger than the system would be in reality. There is no plan to do any work in wetlands.

Roy Mirabito asked about “bonus lots” as part of the Flexible Development special permit. Frank McPartlan responded that the applicant is not seeking any bonus lots: they are seeking fewer lots on the Flexible Development plan than are shown on the presented conventional plan.

Tom Christopher spoke about the environmental surveys conducted to date, and suggested that the applicant should do more in depth surveys in consultation with the board. He referenced the correspondence received from residents, and suggested that it may be necessary to reduce the number of lots on the flexible plan to respond to concerns about the plan. He suggested that the applicant request a discussion with the conservation commission to work collaboratively.

Jeanne Rich asked for comments from residents in attendance:

- Cara Sanford requested that the Planning Board wait for feedback from the conservation commission.
- Greg Jackson felt some lots on the “conventional plan” were not feasible.
- Andrew Zaikis felt that the stormwater management areas should be outside the wetlands.
- Ken Stenton felt that the conventional and flexible plans were not comparable around the carriage house: he asked whether the parking around the carriage house would still be available for the mansion's use. Frank McPartlan emphasized that the conventional plan was only an attempt to show the number of buildable lots that should be allowed in the flexible plan.
- Don Chaisson asked about the lots on the flexible plan and ANR plan. Frank McPartlan responded that the carriage house lot is not part of the ANR plan. He asked about the septic systems on the lot sizes displayed on the flexible plan; Frank McPartlan responded that all the requested lots were large enough to support septic systems.
- Victoria Petracca reiterated that the applicant stated in a July 22nd letter that “the applicant is not a developer seeking to build and sell” and is amenable to selling the entire parcel should a buyer be found. Requests that the conventional plan show the carriage house lot at the 9.995 acres shown in the flexible plan. Frank McPartlan responded that this was something he could do fairly easily.
- Greg Jackson commented on the potential financial impact of the development on the town. He estimated \$226K in revenue, but \$502K in student costs. (\$14K per student, 1.5 students per house for 23 homes.) Also \$53K in additional town costs.
- Mark Riendo commented that he felt the school costs the development might pose were reasonable.
- Don Chaisson was concerned that the flexible and conventional plans had different footprints; Scott Miller responded that this was a concern he shared on one of the early plans but that he is satisfied that the issue has subsequently been resolved.

Frank McPartlan requested a continuance to work with the conservation commission, to the 9/28/2020 Planning Board meeting.

Tom Christopher moved to continue the “flexible development” special permit public hearing and preliminary subdivision plan to the planning board meeting on 9/28/2020 . Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

3. Continued 31 Runaway Lane-Ground Mounted Solar Present
for this discussion:
Mark Reindau, Applicant

Mark Reindau introduced the project.

Russell Williston asked if any trees would be removed to install the panels. Mark Reindau answered that the panels would be installed in a field and nothing would be removed to install them.

Roy Mirabito asked whether the plans were signed by an engineer; they are not. Jeanne Rich clarified that the applicant would need a licensed engineer to sign the plan or a waiver.

Tom Christopher suggested that applicants should draft a list of waivers and have the plans stamped appropriately by the Trinity engineers.

Mark Reindau requested a continuance to September 14th.

Tom Christopher moved to continue the special permit hearing and site plan to 9/14/2020 . Carol Jackson seconded. After a roll call vote the board approved the motion 5-0.

Public Meeting

4. 971 Main Street-Doctor Franklin Perkins School -Site Plan Approval under the requirements of the Lancaster Zoning Bylaw Section 220-34.

(This site plan was approved by the board earlier in the meeting, under the related public hearing item.)

5. Continued, Assessor’s Map 32 - Lot 1 (F/K/A 679 George Hill Road) – applicant Brahmanada Saraswati Foundation - Preliminary Subdivision

(This preliminary site plan was continued by the board earlier in the meeting, under the related public hearing item.)

6. ANR-Robert Lidstone representing Lancaster Land Trust

(At the opening of the meeting Jeanne Rich announced that this ANR application was withdrawn.)

7. ANR-2680 North Main Street-Stan Decoste

(At the opening of the meeting Jeanne Rich announced that this ANR application was withdrawn.)

8. ANR-Lot 8, 9 and 10 Brahamanada Saraswati Foundation

Present for this discussion:

Frank McPartlan for the applicant

Jeanne Rich read the correspondence: an email from Victoria Petracca

Carol Jackson asked about easements to the mansion; Frank McPartlan answered the questions.

Carol Jackson asked whether the board could approve an ANR when there were possibly Title V issues with dividing the lots. Frank McPartlan responded that the applicant wants to proceed and is working on resolving the Title V issues. (They intend to connect to the sewers.)

Greg Bracket voiced his concerns that the board might approve an ANR with the location of septic tanks undetermined and that might require easements in the future.

Don Chaisson stated that the ANR plans should show structures on the lots, including the septic systems.

Frank McPartlan asked to withdraw the ANR plan, to resubmit at a later date.

Other Business

1. Correspondence

- a. Affordable Housing Feasibility Study. Jeanne Rich shared an update from town Planning Consultant Michael Antonellis: feasibility study is believed to be on track to be ready before the fall special town meeting.
- b. Solar Project under stop-work order: Tom Christopher says mitigation measures are being put in place and conservation commission will meet in the coming weeks to decide if work can proceed.

2. Vouchers

3. Minutes:

Minutes from 7/13, 7/27, 8/10 and 8/17 are outstanding and drafts are available to review.

- July 13, 2020

Tom Christopher moved to approve the minutes from July 13th . Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

- July 27, 2020

Tom Christopher moved to approve the minutes from July 27th . Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

- August 10, 2020

Tom Christopher moved to approve the minutes from August 10th, with the letter sent to the select board in response to Jason Allison's questions included. Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

- August 17, 2020

Tom Christopher moved to approve the minutes from August 17th. Carol Jackson seconded. After a roll call vote the board approved the motion 4-0, with Roy Mirabito abstaining.

4. Signing decisions

5. Reorganization of the Board

Jeanne Rich opened the floor to nominations.

Tom Christopher nominated Jeanne Rich as chair. Without a second the motion failed.

Carol Jackson nominated Russell Williston as chair, Roy Mirabito seconded. In discussion Jeanne Rich shared concerns about Russ Williston's demeanor, behavior and professionalism. **After a roll call vote the motion succeeded, 3-2. (Jeanne Rich: No; Tom Christopher: No; Carol Jackson: Yes; Roy Mirabito: Yes; Russ Williston: Yes)**

Russell Williston took over as chair of the meeting at this point.

Roy Mirabito nominated Carol Jackson as vice chair. Without a second the motion failed.

Carol Jackson nominated Tom Christopher as vice chair. Tom Christopher declined the nomination.

Jeanne Rich nominated Roy Morabito as vice chair, Tom Christopher seconded. After a roll call vote the motion succeeded, 5-0. (Jeanne Rich: Yes; Tom Christopher: Yes; Carol Jackson: Yes; Roy Mirabito: Yes; Russ Williston: Yes)

Tom Christopher nominated Carol Jackson as clerk, Jeanne Rich seconded. After a roll call vote the motion succeeded, 5-0. (Jeanne Rich: Yes; Tom Christopher: Yes; Carol Jackson: Yes; Roy Mirabito: Yes; Russ Williston: Yes)

Adjourn

Tom Christopher moved to adjourn, Carol Jackson seconded. The board voted unanimously to adjourn at 10:06PM.