

Approved: August 24, 2020

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Meeting conducted via ZOOM internet conferencing
Monday July 27, 2020

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

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- 971 Main Street: Stormwater Permit Application Package
- 971 Main Street: Memo from Hamwey Engineering - Peer Review, 7/23/2020
- 31 Runaway Brook: Plan from Trinity Solar 'Installation of Roof Mounted PV System', 6/3/2020
- 31 Runaway Brook: Application for Special Permit for Ground Mounted Solar, 6/29/2020
- 31 Runaway Brook: Review Memo from Michael Antonellis, 7/24/2020
- 679 George Hill: Memo from Lancaster Board of Health, 6/17/2020
- 679 George Hill: Memo from Goddard Consulting: Environmental Analysis, 7/21/2020
- 679 George Hill: Updated Flexible Development Master Plan, 7/22/2020
- 679 George Hill: Memo from Ducharme & Dillis - Peer Review Response, 7/22/2020
- 679 George Hill: Memo from Ducharme & Dillis - Basis of Flexible Development, 7/22/2020
- 679 George Hill: Memo from Haley and Ward - Peer Review 2, 7/26/2020
- 679 George Hill: Email from Frank McPartlan to Scott Miller (Question about Peer Review #8), 7/27/2020
- MJTC Appointment Form, 2019-2020
- 2680 North Main Street - ANR Application Package, 7/10/2020
- 2680 North Main Street - Memo from Farnsworth Engineering - Request to Withdraw, 7/27/2020

Vice Chair Jeanne Rich called the meeting to order at 7:00 PM.

Administrative

Atty Mark Reich gave an overview of the open meeting law:

- Member of the public can speak as allowed by the chair

- Members of the public have no right to speak except as allowed by the chair
- Votes must be taken by roll call and recorded
- If the meeting was not available as a recording a full transcript would need to be maintained

Mark Reich/Jeanne opened for board questions:

Carol: Do members need to be visible on camera? Mark: no, as long as participation is clear.

Public Hearing

- 1. 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:

Paul Avery, for the applicant

Michael Ames, Perkins President, for the applicant

Steve Young, Vice President of Facilities, for the applicant

Keri DiLeo, CSL Construction, for the applicant

Jason Bhajan, CSL Construction, for the applicant

Tom Peterman, architect, for the applicant

Fred Hamwey, Peer Review Engineer, for the town

Jeanne Rich read the public hearing notice.

Michael Ames introduced the project.

Steve Young introduced the project.

TCP showed a slide presentation about the project site, which include the overview plans of the project.

Jeanne Rich asked for board questions:

Tom Christopher asked about the detention basin, its capacity, and the rate at which it would drain. Paul Avery responded that it would drain in 72 hours, the requirement, and that would be updated on the plan.

Tom Christopher asked whether utilities had been contacted about their schedule: Keri DiLeo replied that they had begun the process of scheduling with the utilities.

Tom Christopher asked about the old dormitory, across the street. Michael Ames responded that the white hall building, an old farmhouse building, requires a lot of upkeep. He stated that options include selling the building, but that the current use will not continue.

Jeanne Rich asked about the Wyman Building. Tom Peterman replied that it will be taken down.

Resident questions:

Heather Lennon asked who the prime person on the development team is. Tom Peterman is the architect. She asked if the applicant is planning to demolish the “White Hall” if no buyer can be found: Michael Ames responded that no decision had been made. Heather Lennon raised concerns about upkeep while the building is unused; Michael Ames responded that it would be maintained.

Jim Broderick, 280 Harvard Road, asked about the potential for stormwater to flow onto his property. He is a direct abutter and maintains many of the trees that act as a buffer between his property and the applicant. He described previous issues with visual appearance and noise from condenser pads on the applicants property. He spoke approvingly of the downward facing lighting on the proposed plan. He raised concerns about the elevation of the new building.

Fred Hamwey noted he’d been in contact with Paul Avery and they would work through his peer review questions.

- School Enrollment (page 9): Paul Avery indicated that it would be the same.
- Page 9, Landscape on parking lots: in reference to perimeter plantings, Paul Avery has indicated that all the trees listed on the plan would be placed around the perimeter of the parking lot.
- Indicated that more information on the reasonings behind the drainage calcs and flow paths was needed.

Jim Broderick asked about flow paths indicated on the plans. Tom Peterman indicated that a limited impervious surface is being added. Paul Avery walked through some of the elevations on the plan in relation to Mr. Broderick's abutting property. Paul Avery suggested that they can add additional spot grades to alleviate concerns.

On a motion by Russell Williston, seconded by Tom Christopher, the board voted, via a roll call, 4-0 to continue the Stormwater Permit hearing to August 10th.

On a motion by Tom Christopher, seconded by Russ Williston, the board voted, via a roll call, 4-0 to continue the Site Plan application hearing for the same project to August 10th.

2. Public Hearing-31 Runaway Brook Road-applicant-Meagan Reindau, - Special Permit under the requirements of the Lancaster Zoning Bylaw Section 220-76 to construct ground mounted solar at

31 Runaway Brook Road.

Jeanne Rich read the public hearing notice.

Present for this discussion:

No one for the applicant seemed to be present.

On a motion by Tom Christopher, seconded by Russ Williston, the board voted, via a roll call, 4-0 to continue the Special Permit application hearing to August 24th.

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

Present for this discussion:

Frank McPartlan, engineer for the applicant

Scott Miller, peer review engineer for the town

Frank McPartlan responded to the latest peer review comments.

- #1 fire protection: still proposing residential sprinkler systems that would operate for at least 10 minutes. Water retention area would have a permanent pool and could be a source for water for fire protection; he has sent queries to the fire department about the practicality of using this water for fire protection. Tom Christopher asked whether it would be a lined fire pond: the applicant said it would be a lined fire pond with a continuous minimum volume of water available. Tom Christopher suggested a cistern that could guarantee a minimum supply of water, even during a drought.
- #2: expected ownership of parcel A. Expectation is that buyers of the carriage house would own parcel A subject to any easements.
- #3: show layouts on proposed “conventional development” plan. Revised plans on sheet C now show a home, well, septic system and access drive. All lots meet wetland offsets and required yards.
- #4: flexible development boundary has been revised. Carol asked whether the carriage house lot was now retained, but the number of new homes remained the same. Applicant: yes.
- #5: Plans should be confirmed by a professional surveyor. Applicant indicated this is now the case, and 26 lots can be fit in the development on the conventional plan. Flexible plans will include 24 and retain the carriage house.
- #6: separate calculation of open space should be provided to show that 40% requirement is met: this is now shown on the plan. 41% is being shown on the plan.
- #7: Ratio wetland space in open/developed space. Overall site is 21.7%, open space is 22.2%, Russell Williston asked about the wetland percentage on the house lots: Scott Miller indicated it's close to 5%. Scott Miller indicated that the letter from the Nashua River Watershed seems

to indicate that preserving a higher percentage of wetlands would justify a decision by the board that upheld the purpose of the bylaw.

- #8: Ownership and Care of the open space: applicant is open to the town's preference.
- #9: No disturbance area should be indicated: offset is shown on the plans.
- #10: Single access road, sightlines. Acknowledges that this is the intent and that it provides for a safer access pattern.
- #11: Upland Requirements -- development does meet upland requirements, now shown on sheets.
- #12: Percentage of wetlands in the open space/developed area. Previously discussed in item 7.
- #13: Inclusion of the carriage house in the conventional/flexible plans. The carriage house is now shown on both plans.
- #14: Water supply, fire protection. Applicant will look into a cistern.

Frank McPartlan indicated that the applicant is working on a response to the letter previously received from the Nashoba River Watershed association. A wildlife survey was completed on June 27th/June 28th.

Tom Christopher spoke to the wildlife component of the presentation, and indicated that the survey was a good first step but that the conservation commission will have further questions.

Jeanne Rich asked if all lots meet the requirement for lot shape: Scott Miller says they do. Jeanne questioned Lot 4.

Jeanne read a letter from the historical commission; requested that a project notification form be sent to the Massachusetts Historical Commission. Heather Lennon clarified that the request is for the entire project site.

Carol Jackson asked about sidewalks: McPartlan indicated that sidewalks are not proposed, which reduces the impervious surface. There are no sidewalks on Hilltop Road.

Carol Jackson asked about an overlay map showing streams. Tom Christopher suggested that would be a requirement from the conservation commission.

Russ Williston agreed with Jeanne Rich's earlier comment about lot shape: bylaws indicate that in a flexible development 220-11 and 220-12 do not apply, but the lot shape is 220-14.

Victoria Petracca asked a number of questions about the parcel and suggested that it's even possible that the town would like to obtain the entire parcel as a conservation acquisition. Frank McPartlan indicated that he'd research existing easements on the property. He reiterated that the applicant does not intend to develop the site, but that any subsequent owner would need to comply with the conditions of the permits and plans.

Greg Brackett asked about the grading for septic systems shown on the conventional and flexible plans. He indicated that several appeared to extend into the riverfront area. Frank McPartlan replied that they comply with known grades, but that it's possible that at this level of the project they have not identified all issues that might later be uncovered.

Rebecca Urban, George Hill Road: primary concern is traffic. In addition to the seven other lots being developed on Hilltop, 30 houses might result in 100 extra cars on the scenic road.

Greg Jackson asked about access to the subdivision. Doesn't believe the single access is allowed by the flexible development bylaw.

Nick Mellis raised concerns about new students in the district that would be the result of this development.

On a motion by Russ Williston, seconded by Tom Christopher, the board voted, via a roll call, 4-0 to continue the Special Permit application hearing and Preliminary Site Plan Application To August 10th.

Public Meeting

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

(Under agenda item Public Meeting #1 the board voted to continue this agenda item to August 10th.)

- 5. 31 Runaway Brook Road-applicant-Meagan Reindau, - Site Plan Approval under the requirements of the Lancaster Zoning Bylaw Section 220-34.**

Present for this discussion:
No one seemed to be present

On a motion by Tom Christopher, seconded by Russ Williston, the board voted, via a roll call, 4-0 to continue the Ground Mounted Solar site plan application to August 24th.

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

(This item was moved to the next meeting when the board continued the Flexible Development Special Permit earlier in the meeting.)

7. 679 George Hill Road (Mansion) - Site Plan Approval under the requirements of the Lancaster Zoning Bylaw Section 220-34.

Present for this discussion:

Greg Aceto, Attorney for the Applicant

Bill Van Pelt, for the Applicant

Marc Deer, for the Applicant

Jeanne Rich described the situation: the applicant is applying for a use variance. She would like the board to make a decision about whether the applicant requires a site plan approval.

Greg Aceto: objective is to restore the property to its original condition.

Applicant hopes to hold large retreats, conferences and weddings. Applicant believes this use continues the current use. Applicant believes that the set-back location of the property addressed any concerns about parking or impact on the surrounding properties from this use.

Bill Van Pelt: office is in Houston. They have a history of restoring and operating historical properties, including a 400 square mile ranch in Colorado.

Heather Lennon: supportive of the project, offers assistance in having the property listed on the historic register. Historical Commission excited to assist.

Victoria Petracca asked who now owns the property: Greg Aceto says BSF.

Catherine Sadler is interested in seeing cost estimates for the restoration, and getting information on the marketing plan -- says the current use is very light and maybe not comparable. Would like to know the scale of events that would be required to make it economical to restore the property. Bill Van Pelt says uses include weddings, executive retreats, etc.

Michael Walluck asked through Debra Dennis whether Dan Loring could state there is an executed purchase and sale agreement for 679 George Hill Road. He doesn't see it listed in the deed registry. Greg Aceto clarified that a purchase and sale agreement would not be filed at the deed registry. Michael believes that as a non-profit BSF is required to record with Mass Land Records. Greg Aceto stated that there is an executed purchase and sale agreement for the property.

Rebecca Urban stated that she's interested in learning more about the project. She is curious if individual buyers without commercial intentions would be interested in buying the property. Greg Aceto pointed out that the property has been available for years. When is the closing? Greg Aceto says September.

Marc Deer introduced himself. Intent is to restore the property, make it cash-flow positive and an asset to the community.

Don Chaisson asked how much frontage would be retained by the manor house. Frank McPartlan says the frontage will be roughly 1400' along Hilltop and George Hill Roads. Will they own the power line right of way that serves the manor house currently? Will they retain the land that the pump house sits on? Frank McPartlan says it will be on the carriage house lot, and they will make an agreement with the owners. Are there plans to remove the 1950's addition that was attached to the manor house? Bill Van Pelt says no decision has been made, but if they keep it changes would be made to make the decor more consistent with the rest of the house. Is restoration of the gardens part of the project? Greg Aceto and Bill Van Pelt say that's an important part of their plans.

Heather Lennon says the wing added in the 1950's would possibly prevent the Mass Historic Commission from recognizing the site.

The board discussed what action to take, if any, and took no action.

Other Business

1. Montachusett Joint Transportation Committee (MJTC) Nomination

On a motion by Russ Williston, seconded by Carol Jackson the board voted, via a roll call, 4-0 to elect Tom Christopher as the Planning Board representative to the MJTC for 2020-2021.

2. ANR-2680 North Main Street-Stanley Decoste

Present: John Farnsworth, engineer for the applicant

John Farnsworth asked to withdraw the application; the board accepted his request.

3. Correspondence

Acting chair announced that the previously received emails with Questions for the board from Jason Allison regarding the planning board vacancy will be on the agenda for the August 10th meeting.

Discussion ensued about the vacant town planner position:

Motion by Carol Jackson: send a letter from the board to the Board of Selectmen requesting that they fill the vacant town planner position. Seconded by Tom Christopher. The motion succeeded following a roll call vote, 4-0.

The chair asked Debra Dennis to draft and send the letter.

4. Vouchers

No vouchers for this meeting.

5. Minutes:

Minutes for the May 11th, June 8th and July 13th Lancaster Planning Board Meetings are outstanding.

a. May 11, 2020

On a motion by Tom Christopher, seconded by Russ Williston the board voted, via a roll call, 4-0 to approve the Lancaster Planning Board Minutes for May 11, 2020.

b. June 8, 2020

On a motion by Tom Christopher, seconded by Russ Williston the board voted, via a roll call, 4-0 to approve the Lancaster Planning Board Minutes for June 8th, 2020.

c. July 13, 2020

July 13 draft minutes were not available to review.

6. Signing decisions

No decisions to review at this meeting.

Adjourn

On a motion by Tom Christopher, seconded by Russ Williston the board voted, via a roll call, 4-0 to adjourn.

Meeting adjourned at 11:26PM by Jeanne Rich