

Approved: 3/8/2021

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Meeting conducted via ZOOM internet conferencing
Monday, January 25th 2021

Present: Russell Williston, Chair; Roy Mirabito, Vice Chair; Carol Jackson, Clerk;
Tom Christopher (arrived during the first agenda item); Jeanne Rich

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- Powerpoint presentation from Karen Chapman, MRPC Consultant: "Lancaster Chapter 40R & Village Center Bylaws."
- Materials forwarded by Karen Chapman:
 - "40R Zoning Guidelines and Sample Bylaw"
 - "Village District Model Bylaw"
 - "Spreadsheet: "Lancaster Parcels for 40R"
 - "Lancaster Village Center Non-Conforming Lots"
 - "Lancaster Village Center Recommendations"
 - "Lancaster Village Center Study Area"
- 1/25 Email from Paul Gove of Gove Farm in regard to the Zero Point solar project
- Updated Inclusionary Zoning Study from Barrett Consultant, updated on January 5th, 2021
- Written proposal from Chair Russell Williston for an "Inclusionary Zoning Bylaw Working Group."
- Draft Scenic Roads Bylaw Application, as submitted to Town Planning Consultant Michael Antonellis for review at the previous meeting.
- Review of the Scenic Roads Bylaw Application from Town Planning Consultant Michael Antonellis.
- Draft letter from Lancaster Planning Board to Town Planning Consultant Michael Antonelles, to express the board's support for a 2021 DLTA for a continued 40R Zoning Study.

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

The chair announced that Tom Christopher sent notice to him before the meeting that he would be running a bit late

1. Karen Chapman from the Montachusett Regional Planning Commission (MRPC) on hand to discuss results of last years District Local Technical Assistance (DLTA) project to produce data and model zoning for a South Lancaster business district.

Present for this discussion: Karen Chapman, MRPC Consultant

Chair Williston re-introduced Karen Chapman, who last met with the Board in November.

[Board member Tom Christopher joined the meeting around 7:03PM.]

Karen Chapman presented slides with the results of the South Lancaster 40R possibilities that she studied as a result of the DLTA project awarded to Lancaster by the MRPC in 2020. She noted that this study is a good candidate for the town to continue with a subsequent DLTA application; endorsing such an application is on the agenda for later in the meeting.

Member Tom Christopher made comments discussing 40R in relation to the Atlantic Union College property, and noted that the Village Concept had been proposed ten years ago as an option for North Lancaster.

Resident Victoria Petracca commented regarding 40R: she noted that the town now has an “Affordable Housing Trust” that can also consider the possibilities in South Lancaster, and requested a copy of the presentation for the Trust. She noted that the town's SHI requirement is 10.1%, not 10%.

Resident Greg Jackson commented on the questions surrounding sewer availability and capacity in South Lancaster.

2. Review any correspondence and act as necessary regarding the Stormwater Permit order sent to Zero Point Solar on 11/25.

Chair Russ Williston noted that the board has received no communication from the developer regarding the order. Between meetings the board sent a reminder to the developer that it is waiting for them to request the order be lifted; the developer filed requests for Writs of Certiorari regarding the orders issued by the Planning Board and Conservation Commission.

The board did receive an email from Gove Farm mentioning the project and acknowledged receiving it. (The Chair subsequently read this email under “Correspondence.”)

Member Tom Christopher stated that he’d spoken to Town Administrator Orlando Pacheco with regard to the Certiorari suits; Town Counsel has received both suits (Planning Board and Conservation Commission) and will be responding for both boards.

3. Review the Inclusionary Zoning Study received from Barrett Consulting. Discuss options and take any appropriate action towards preparing an “Inclusionary Zoning”, Bylaw.

Chair Williston noted the board had received an updated copy of the study from Judy Barrett, just prior to the meeting.

Chair Williston noted that he had distributed to the board a written proposal for establishing a “Inclusionary Zoning Bylaw Working Group.”

Member Jeanne Rich stated that she believed that, rather than commission a “working group,” the board should send the study from Barrett Consulting to Town Planning Consultant Michael Antonellis with a request that he develop a proposed IZ Bylaw.

Clerk Carol Jackson noted that she immediately found math errors in the updated study that had not been corrected.

Chair Williston suggested that if the board would read the study during the week and submit comments and corrections to him, he would compile them and send Barrett Consulting a list over the weekend.

Chair Williston read his written proposal for the board to establish an “Inclusionary Zoning Bylaw Working Group”:

“I would propose that we move to:

- Commission an Inclusionary Zoning Bylaw Working Group
- Ask Carol Jackson, Roy Mirabito and Victoria Petracca from the Affordable Housing Trust to lead the Inclusionary Zoning Bylaw working group.
- The working group should:
 - Meet as necessary, posting your meetings through the Planning office.
 - Keep minutes of your meetings, submitting them posting through the Planning office.
 - Discuss the findings from the study commissioned by the Planning Board
 - Invite community involvement and feedback from other interested town boards

- Correspond through the planning office with Town Planning Consultant Michael Antonellis and Town Council for feedback and review of bylaw drafts.
- Deliver a written final report, including a draft bylaw, feedback gathered, and any other supporting information for the regularly scheduled March 22 nd Planning Board meeting.”

Member Jeanne Rich commented that she believes the town should pursue a 40R district as a proposal for town meeting, rather than an Inclusionary Zoning Bylaw.

Clerk Carol Jackson commented that she believed the town could pursue both 40R and Inclusionary Zoning. Member Roy Mirabito and Chair Russ Williston agreed that they are not mutually exclusive.

Carol Jackson moved to commission the “Inclusionary Zoning Bylaw Working Group” as proposed by Chair Williston. Second by Roy Mirabito. Roll Call Vote: Roy Mirabito, Yes; Carol Jackson, Yes; Tom Christopher, Yes; Jeanne Rich, No; Russell Williston, Yes. Motion is approved, 4-1.

4. Review Scenic Road Bylaw application form.

At the previous meeting the board had sent a proposed application form to Town Planning Consultant Michael Antonellis for review. Michael Antonellis sent the board a review of the application between meetings.

The board discussed the Scenic Roads Bylaw application form. Member Jeanne Rich and member Carol Jackson discussed the fees listed on the application.

Roy Mirabito moved that the board approve the “Scenic Roads Application” with a \$150 fee. Second by Carol Jackson. Roll Call Vote: Roy Mirabito, Yes; Carol Jackson, Yes; Tom Christopher, Yes; Jeanne Rich, Yes; Russell Williston, Yes. Motion is approved, 5-0.

5. Correspondence

Email from Paul Gove, Owner/Operator at Gove Farm, regarding the Zero Point Solar Development and White Pond. Chair Williston read the email for all in attendance:

“To all it may concern:

From Paul Gove, owner/operator of Gove Farm, Mechanic St. Leominster.

My farm shares a common boundary with the solar field of over 1000 feet and I have comments on four issues that I would like to address.

1. Every rainfall event with over 3/4" results in heavily silted water running into Whites Pond. There is no effort to control the runoff causing erosion of Pond Hill, which is concentrated at the bottom of every line of solar panels, washing away soil directly down the hill. The straw wattles at the bottom, and the retention ponds become overwhelmed, and result in silt filled water draining directly into Whites Pond. The silt plume into the pond extends over 100 yards from the culvert.
2. The roadside of White Pond Rd where the high tension lines cross was dug up to run electric cables underground. No attempt to maintain any reasonable sense of order was made, and the area was left with trash, debris, mud and rocks all mixed together on the side of the road.
3. The plans call for a six foot chain link fence to surround the solar field, which we hope will be installed soon.
4. For the record regarding the Gove Farm routine canal maintenance. We contacted both the Lancaster and Leominster conservation agents before starting any work, and developed a plan with the assistance of NRCS. The first thing we did was to create a temporary dam across the end of our canal which eliminated water movement in all directions. After the routine maintenance was completed, which took about three weeks, the dam was removed with a minimal movement of sediment. At the end of the project, on Tom Christopher's suggestion, we installed 900' of straw wattles around the entire work area. We depend upon the water from Whites Pond for our livelihood and want to continue to work toward improving the quality and quantity of this water resource.

Thank you,
Paul Gove”

6. Vouchers

Chair Williston noted that there were no vouchers submitted for approval for this meeting.

7. Minutes:

a. December 14, 2020

b. January 11, 2021

The board discussed the process of editing and approving minutes; Member Jeanne Rich noted that she had some trouble editing the minutes between meetings, and that it is unclear what version of the minutes are being proposed for approval tonight.

The informal consensus regarding minutes was that it would be best to allow board members to suggest edits to minutes in the leading up to the meeting, and for Clerk Carol Jackson to send out a final “PDF Draft” for the board to consider at the meeting.

The board did not approve any minutes at this meeting.

8. Russ Williston to share info regarding Michael Antonellis, town planning consultant, availability to assist the board.

Chair Russ Williston relayed the highlights of a phone discussion he'd had with Town Planning Consultant Michael Antonellis between meetings, regarding his availability to the town (up to 28 hours every two weeks), the type of work he's engaged with (grants, including the Mass Downtown Initiative study and Inclusionary Zoning study, application review, etc) and how the board can access him.

Mr. Antonellis is available to the board, and the board should send work through Planning Office Admin Deb Dennis and Town Administrator Orlando Pacheco.

9. Vote, as requested by town planning consultant, to express board support for 2021 District-Level Technical Assistance (DLTA) application to the MRPC to continue Adjourn research on South Lancaster zoning.

The board reviewed the proposed letter of support drafted by Chair Russ Williston. The chair read the proposed letter for those in attendance:

“Mr. Michael Antonellis, Lancaster Planning Consultant
701 Main Street
Lancaster, MA 01523

RE: 2021 DLTA Application Regarding South Lancaster Zoning

Dear Mr. Antonellis,
Thank you for your efforts on the towns DLTA application last year regarding research into rezoning for the Atlantic Union College parcels and the South Lancaster business district. At our regular meeting on January 25th, 2021 the Lancaster Planning Board voted to acknowledge that we are aware of and in agreement with a 2021 DLTA application to support this ongoing initiative.

On behalf of the Lancaster Planning Board,

Russell W. Williston
Chair, Lancaster Planning Board”

Chair Williston stated that if approved he'd remove the line number and draft watermark, sign it, send it Mr. Antonellis and copy the board and Debra Dennis.

Tom Christopher moved that the board approve the proposed letter and send it to Mr. Antonellis as discussed. Second by Jeanne Rich. Roll Call Vote: Roy Mirabito, Yes; Carol Jackson, Yes; Tom Christopher, Yes; Jeanne Rich, Yes; Russell Williston, Yes. Motion is approved, 5-0.

The board briefly shared what they knew about the search for a Town Planning Director: still no decisive actions.

Adjourn

Carol Jackson moved to adjourn, Jeanne Rich seconded. Roll Call Vote: Roy Mirabito, Yes; Carol Jackson, Yes; Tom Christopher, Yes; Jeanne Rich, Yes; Russell Williston, Yes. The motion was approved 5-0.

The meeting was adjourned at 8:40PM.