

Approved: 3/22/2021

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Meeting conducted via ZOOM internet conferencing
Monday February 8th, 2021

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

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- Memo: "RE: Planning Board Questions/Comments" from Barrett Planning Group LLC dated February 7, 2021 and Updated "Inclusionary Zoning Feasibility Study."
- Memo: "Housing Choice Act of 2020 Update", by KP Law dated February 1, 2021
- Email: "Scenic Roads Bylaw -- Proposed Amendments" from Greg Jackson dated January 24, 2021
- Draft "Scenic Road Bylaw" application form
- Draft minutes for 12/14/2020 and 1/11/2021
- Draft Planning Board report for the annual town report, from Russ Williston

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

Roll Call for Attendance:

Russell Williston: Yes

Roy Mirabito: Yes

Carol Jackson: Yes

Tom Christopher: Yes

Jeanne Rich: Yes

Administrative

Chair Russell Williston reviewed info disseminated by the Board of Selectmen between meetings about the need for speakers to identify themselves during meetings: it's not necessary for "Zoom" attendees to identify themselves until they'd like to speak. Once they'd like to speak, attendees should state their name and address.

1. Review Scenic Road Bylaw proposed changes.

Member Jeanne Rich stated that she believes Rt. 70 and Rt. 117 should be removed from the list of scenic roads, citing feedback from town counsel's review. She'd like the town administrator or town planning consultant to draft a bylaw.

Chair Russ Williston read through an email of proposed changes submitted by Greg Jackson, who had drafted the scenic roads bylaw adopted at the last annual town meeting. There were still board questions about the need to amend the list of scenic roads.

Motion by Vice Chair Roy Mirabito: Ask town counsel if we can use Seven Bridge Road (as a portion of Rt 117) and Lunenburg Road (as a portion of Rt 70) in our scenic roads bylaw, with the understanding that Lancaster fully maintains those roads. Second by Member Carol Jackson. Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

Chair Russ Williston will write up the question and pass to Debra Dennis so that it can be forwarded to town counsel.

The board reviewed the timeline to prepare bylaw amendments: still plenty of time to get town counsel feedback.

Vice Chair Roy Mirabito thanked Greg Jackson for all his work on the Scenic road bylaw; he's joined by Chair Russ Williston.

2. Review Scenic Road Bylaw application form.

The board reviewed the latest draft of the "Scenic Road Bylaw" application form.

Motion by Roy Mirabito : approve the application form, with a minor edit to insert a colon before "\$50" in the leading paragraphs. Second by Carol Jackson. Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

3. Review proposed changes to IPOD bylaw

Jeanne Rich stated that the most recent Board of Selectmen meetings have suggested that there is pending development in North Lancaster that will require zoning changes. She would like for the Planning Board to ask Orlando Pacheco and Michael Antonellis what might be needed.

Clerk Carol Jackson would prefer for the developer to come in and request what they need.

Member Tom Christopher is in favor of changes that might lead to North Lancaster development, at the 702, LLC site and at the site off Shirley Road in North Lancaster. He's concerned about the impact on nearby neighborhoods and giving too much free reign to developers.

Resident Kaitlyn Drew (Whitepond Road) spoke about local concerns regarding potential development at the 702 LLC site.

Resident Victoria Petracca spoke about the large portion of the 702 LLC site that is currently zoned "Residential."

Chair Russ Williston suggested he could reach out to Orlando Pacheco for information on behalf of the board.

Motion by Carol Jackson : Russ Williston to reach out to Orlando Pacheco on behalf of the Planning Board to learn what zoning changes he believes would aid North Lancaster Development. Second by Roy Mirabito. Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

Chair Williston will forward any feedback from Orlando to the board between meetings, and will place this same discussion on the next meetings agenda.

4. Discuss Governors New Zoning Changes

The board discussed KP Laws memo about these new zoning changes.

Members were surprised to learn that Lancaster is listed as an "MBTA Community" with specific responsibilities as a result. It appears that the town could be denied access to various grants until the town provides a multifamily housing district in North Lancaster.

Motion by Jeanne Rich : ask Michael Antonellis to look at what Lancasters responsibilities are.

Orlando Pacheco joined the meeting at this time and provided some additional information. Orlando has already spoken with Michael Antonellis and he will be looking into what's required. (The previous motion was abandoned.)

Resident Mark Grasso spoke about MBTA service options in Lancaster.

The board set this aside for the next meeting.

5. Discuss local ANR requirements

Clerk Carol Jackson led the discussion, asking why we seem to have local ANR requirements in our bylaws that seem to not be customarily required. She cited some requirements for ANR plans listed in the towns Subdivision Rules and Regulations.

Chair Williston stated that he doesn't think the state permits us to deny an ANR application because it doesn't meet local requirements that exceed the state statute.

Jeanne Rich stated that the state requirements are simply plans that show frontage, access and area.

The board took no action at this time.

6. Discuss Annual Town Report and review draft prepared by Russ Williston

Chair Russ Williston introduced the draft "annual report" from the planning board; the board needs to submit something either at this meeting or the next to meet the town clerks February 26th deadline.

Motion by Tom Christopher: approve the draft annual report presented, with . Second by Carol Jackson.

In discussion, Jeanne Rich requested that the section which mentions her "Open Meeting Law" complaint note that the complaint is still being reviewed by the Attorney General's office. Russ Williston suggested that he could add a sentence at the end of that section: "As of the end of 2020 the Open Meeting complaint is still pending consideration by the Attorney General's office." Tom Christopher accepted this as a friendly amendment.

Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

Russ Williston states he will send a final copy of the report to the board and the clerk.

7. Update on Planning Director Position

The board, BOS Chair Jay Moody and the town administrator discussed the present state of the search for a Planning Director. No one has any concrete updates at this time.

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

No correspondence received at this time.

9. Review any updates received on the Inclusionary Zoning Study received from Barrett Consulting.

The board reviewed the response memo received from Barrett Consulting. (The memo was received earlier in the day.)

Chair Russ Williston and Clerk Carol Jackson noted errors that seem to still exist in the report.

Chair Williston suggested that the board review the report and send feedback to him before the weekend, so that he can compile it and forward it to Barrett Consulting.

10. Correspondence

Request for Comments from Board of Selectmen, Full Liquor License for Michael's Bridge Diner:

Jeanne Rich noted that there seem to be deviations in the plan they're presenting, compared to what's been approved for Michael's Bridge Diner in the past. The board has until the 24th to respond, which allows another meeting. Chair Williston suggested that Jeanne Rich could prepare something for the board to send in response: she agreed and the board acknowledged approval.

11. Vouchers

No vouchers were available to review.

12. Minutes:

Outstanding minutes:

December 14, 2020

January 11, 2021

January 25, 2021

The chair noted that the December 14th minutes are available, and that the board must approve them at this meeting to meet the deadline. The board is considering a copy that was edited by Jeanne Rich between meetings.

Motion by Jeanne Rich: approve the minutes for 12/14/2020, as edited by Jeanne Rich and dated 2/25/2021. Second by Roy Mirabito. Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

The board discussed the remaining minutes, and how Zoom transcripts could be used to accelerate the writing of minutes.

Adjourn

Carol Jackson moved to adjourn, Roy Mirabito seconded. Roll call vote: Roy Mirabito: yes, Carol Jackson: yes, Jeanne Rich: yes, Tom Christopher: yes, Russell Williston: yes. Motion is approved, 5-0.

Meeting adjourned at 9:14 PM.