

TOWN OF LANCASTER
PLANNING BOARD MEETING MINUTES
VIA ZOOM
Monday March 8, 2021

Present: Russ Williston, Chair, Jeanne Rich, Tom Christopher, Carol Jackson, and Roy Mirabito

Staff Present: Debra Dennis, Community Planning and Development

List of Documents:

- Planning Board Agenda for March 8, 2021
- Draft Inclusionary Zoning Bylaw
- Draft Scenic Road Bylaw
- Capital Group Presentation
- Minutes- January 25, 2021

A motion was made by Roy Mirabito to take Inclusionary Zoning #5 Other Business out of order. Carol Jackson seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

5. Hear report from the “Inclusionary Zoning Bylaw Working Group”, review their draft bylaw, and review reports on the draft bylaw from Town Planning Consultant Michael Antonellis and Town Counsel.

Present: Victoria Petracca, member Inclusionary Zoning Bylaw Working Group

Victoria Petracca presented an overview to the Board of the Inclusionary Zoning Bylaw, purpose, and intent of 220-8.8 of affordable housing. She said the three most important to discuss are purpose, intent, and mandatory provision of affordable housing.

Jen Leone commented that Bolton and Stow have passed an Inclusionary Zoning Bylaw.

George Frantz asked what happens if the town is below a compliance rate? Victoria Petracca said if the town is below 10% it opens the door to unfriendly 40B’s and projects that do not need to be.

Chairman Williston asked her to come to the next meeting. He said at the next Planning Board meeting they can put this forward and schedule a hearing.

Public Hearing

Continued from January 11th: Bestway of New England, Inc., seeks Stormwater Permit under the requirements of the Lancaster Zoning Bylaw Section 220-34 and the Stormwater Control Bylaw 170-5-A withdrawal form was received by the applicant. **A motion was made by Jeanne Rich to accept the withdrawal of the Stormwater Permit and Site Plan submitted by Bestway of New England Inc. Carol Jackson seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.**

Public Meeting

Continued from January 11th: Bestway of New England Inc., Site Plan Approval to construct a new parking lot with approximately 24 spaces and associated site improvements at a property located at 840 Sterling Road-A withdrawal form was received by the applicant. **A motion was made by Jeanne Rich to accept the withdrawal of the Stormwater Permit and Site Plan submitted by Bestway of New England Inc. Carol Jackson seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.**

Other Business

Review any correspondence and act as necessary regarding the Stormwater Permit order sent to Zero Point Solar on 11/25-There is no correspondence at this time.

438 Old Union Turnpike - Certificate of Completion Request for Storm water Permit-The applicant asked for this to be tabled and will be presented at a future meeting.

Discussion with representatives of Capital Group regarding zoning changes they will propose-Tom Christopher recused himself and signed off at 7:51pm. Present for Capital Group was Bob DiPietro, Bill DiPietro, Dan Ruiz, Bob McGuire from JDL Commercial Brokerage Firm.

Mr. Bob DiPietro from Capital Group Properties gave a presentation. He said they are requesting it to be sent to the town to consider rezoning the western portion of 702 LLC land. The presentation will show why the change is needed and show what potentially will be done in the future at the property. Under the current zoning an IPOD site 25% is required be residential which the Site Plan Committee, town and Boards did not want on this site. They discussed water on the site and a potential tenant. He said the preference would be Planning Board to sponsor the zone line change.

Chairman Williston stated his concerns which are if the zoning is switch and the land switches hands before completion of this project it would open up the land for other uses which might not be desirable as this. He said he is not familiar with leaving a strip of residential along the parcels that does not cover the entire parcel.

Jeanne Rich said in place of a 100-foot residential strip a 100 foot no build can be placed along any residential properties. Bob DiPietro said he was ok with that. Mr. Bob DiPietro said they can propose entering into an agreement with the town to restrict certain uses to go on the property. This can be negotiated prior to town meeting. Carol Jackson asked about the MEPA review which Mr. Bob DiPietro went over. Jeanne Rich asked about a proposed zoning article. Mr. Bob DiPietro said they are going to make changes after the discussion tonight and resubmit and anticipate a vote from the Planning Board.

At 9:03pm Tom Christopher returned to the meeting.

Review any update to the Inclusionary Zoning Study received from Barrett Consulting- Chairman Williston discussed what was proposed to Judy Barrett. He read the memo that was received by Judy Barrett. The full \$16,000 was paid to Barrett Consulting. She believes the project is completed. He said he suggested the town reach out to her and explain she was paid accidently and that she was not paid the full amount because the report is complete. Ask her to correct the math errors in the report and update the text in the report to match the proper values in the tables. Tom Christopher said that is the most realistic expectation we can ask for. Carol Jackson said she should correct her errors, but she does not think the Board is going to get that. Roy said we are within our rights to ask. Carol Jackson said if not we should report her to the Better Business Bureau.

Review Scenic Road Bylaw proposed changes: discuss list of changes to send to town planning consultant to prepare as draft bylaw changes- **A motion was made by Jeanne Rich to send Russ's letter to Mike Antonellis for review. Tom Christopher seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson no, Roy Mirabito no, and Russ Williston no.** Carol Jackson said she is not for removing Route 117 and Route 70 from the list of Scenic Roads. The question to town counsel was not asked correctly. Orlando Pacheco said town council was clear on the subject. He said he would set up a conference call with Town Counsel and a representative from the Planning Board so that the question can be asked again if they would like to. **A motion was made by Carol Jackson to send the letter removing the section about removing Route 117 and Route 70. Roy Mirabito seconded the motion. Roll Call Vote: Carol Jackson yes, Tom Christopher yes, Roy Mirabito yes, Jeanne Rich no and Russ Williston yes.**

Review Scenic Road Application-Carol Jackson went over the application as amended by her. She explained the changes. The Board continued this discussion until the next meeting so that previous meeting minutes can be reviewed.

Discuss fire cisterns-Carol Jackson said she has a concern since the cistern at Runaway Brook ran out. She wants to make sure the Planning Board is approving developments with the right type of cistern. Roy Mirabito said he is concerned with the water pressure in certain parts of the town. Jeanne Rich said she spoke to the Fire Chief Mike Hanson and he informed her the fire was going to take that house. The cistern did exactly what it is supposed to do. All fire cisterns currently need to be backed up by a well.

Discuss local ANR requirements, propose changes to ANR application-Carol Jackson asked for this to be tabled until another meeting.

Correspondence-There was no new correspondence.

Vouchers-None currently.

Minutes: Roy Mirabito said the following corrections need to be made on the minutes: page 1 correct the name to Paul Gove, page 3 last paragraph put a “**A motion was made by Roy Mirabito to approve the meeting minutes of January 25, 2021 with corrections. Carol Jackson seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.**

The Board discussed the minutes and who would be doing them. **A motion was made by Jeanne Rich to have Debra Dennis do the minutes starting with the March 8th ones on her personal time and not the office time and be paid out of the Planning Board revolving account. Tom Christopher seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.**

Adjourn

A motion was made by Carol Jackson to adjourn. Tom Christopher seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

The meeting was adjourned at 10:02 p.m.

Respectfully submitted,

Debra Dennis