

TOWN OF LANCASTER
PLANNING BOARD MEETING MINUTES
VIA ZOOM
Monday March 31, 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 31, 2021
 - Capital Group-Article for Zoning Change
 - Capital Group-Second Article concerning Height Change.
 - Capital Group-Map
 - Capital Group-Copy of Covenant
 - Minutes- February 22, 2021 and March 8, 2021
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The Chair called the meeting to order at 7:06PM.

Attendance Roll Call: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

Vouchers

A motion was made by Jeanne Rich to approve paying Haley Ward \$362.50 for Poras Realty Trust. Tom Christopher seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

A motion was made by Jeanne Rich to approve paying Haley Ward \$966.25 for Old Union Turnpike site visits. Roy Mirabito seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

Minutes

February 22, 2021-Jeanne Rich said the header does not have the date. A motion was made by Carol Jackson to approve with the date correction. Roy Mirabito seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes.

March 8, 2021-Roy Mirabito said on page 2 the last paragraph it should say zoning changed not zoning switched. Carol Jackson said it also says switches hands and it should say changes hands. A motion was made by Carol Jackson to approve with the above changes. Roy Mirabito seconded the motion. Roll Call Vote: Tom Christopher yes, Carol Jackson yes, Roy Mirabito yes, Jeanne Rich yes and Russ Williston yes

Jeanne Rich asked if Debra Dennis could check if the Board approved the February 8th meeting minutes. Chairman Williston said he thinks they are approved but will check himself.

Other Business

Discussion with representatives of Capital Group regarding zoning changes proposed vote may be taken.

Tom Christopher left the meeting at 7:14PM.

Capital Group went over the map and proposed articles. They discussed the 100-foot buffer, the no build restriction shown on the plan and the vegetated buffer strip between the residential houses north of the development and the land to the south. They discussed the land being subject to a use restriction.

Roy Mirabito questioned the building height. Carol Jackson questioned why would we change building height for the entire zone for one building? Carol Jackson questioned the town counsel's review of the documents. She stated she requested clarification from the town council regarding a 50' buffer. Town council did not correct their 50' buffer statement, she corrected this stating that it is actually a 100' in EZ zone and read 220-11 C (3). She also questioned why the town council was speaking to the applicant's council and not forwarding the information to the Planning Board. She commented they did not pay attention to it because they did not have much input. There was no input given of the declaration. Jeanne Rich said we are discussing looking at a piece of land that is currently zoned residential and we are being asked to rezone that to enterprise. She said the Board members should not be looking at businesses. She said the Board is not looking at anything except a piece of land and what is the best use of that piece of land for the Town of Lancaster.

Chairman Williston said to clarify Capital Group is asking the Planning Board to take this up as an article that the Planning Board would present at town meeting and you would like the Board to schedule a public hearing on it.

Public Comments:

Phil Eugene, Chairman Economic Development Committee said the committee voted to endorse the conversion of the residential zoned area to industrial zoned with use restrictions.

Steve Kerrigan-commented that this is deciding if this one parcel of land can be rezoned. He encouraged the Planning Board to allow the voters of the town to have this discussion at town meeting and decide.

Matt Rainha-commented zoning commercial can lead to more jobs in town and more revenue.

Greg Jackson -troubled by the Economic Development Committee not having enough information to vote- but voted on endorsing the zoning change.

Joe Ramirez-commented most White Pond homes do not want residential at the far end of the property. He said White Pond residential on the most part is on board with the new zoning.

Mark Grasso read a statement of support of the rezoning by Board of Selectmen Chairman Jay Moody.

Richard Trussell-discussed the cost to the town if residential goes in pertaining to school cost per pupil.

Victoria Petracca -wanted to clarify a quote made by Phil Eugene. She wanted to make sure it is understood that Market rate housing in that area would set Lancaster back if there was not any affordable housing in the area. We need affordable housing done well.

Kathy Hughes- concerns about the impact on North Lancaster. Interested to understand if there is a level between residential zoning and a distribution center? Concerns about the type of development proposed.

Kristen Herra- echo comments of Kathy Hughes. Quoted Mark Grasso from a previous meeting stating he would not want to live next to a distribution center.

Madeline Donfro- Debra Dennis read her concerns- impact will be on North Lancaster residents- getting to schools, Library etc., sees no benefit rezoning residential to EZ.

John Pollack- gate and boulder area has been a problem for 25 years.

George Franz- agrees with public concerns. Let us get the best and most appropriate development in Lancaster. Looking forward to traffic study.

Jillian Donfro- where does traffic study fall? will the change happen before the traffic study is done? she thinks traffic study needs to be addressed.

Jennifer Leone- questioned traffic study and what it covered. Capital Group stated it will be on the current zoning, and rezoning. she also asked if there will be a town peer review of the traffic study.

Barry Andreasen- echo concerns in ponds area. Wants full evaluation of impact of zoning changes. Encourages review before any votes are taken.

Kaitlyn Drew- 2 shift proposed for tenants. 7-7 noise bylaw. Is the tenant going to request a change to this? She said she is concerned about it since it is already noisy 7-7. Capital Group does not have an answer yet. She requests that the Planning Board take this into consideration and be respectful of the residents.

Mark Grasso- if initiative fails is Capital Group prepared with an alternate plan?

Rebecca Young Jones-stated the following points which are zero carbon building (no per Capital Group), ten-foot fence which interrupts wildlife transfers, traffic, and pollution (air, water, and land).

Jean Knapp-commented on the pollution and noise.

Terry Bebis-commented you need to consider the whole picture not just the rezoning. She said White Pond Association has not made any commitments with Capital Group yet.

Katherine Donfro said she has environmental concerns and concerns about the watershed and about living so close to so much construction and noise. Spec Pond has always been a sanctuary and a special place for her family to live.

Chairman Williston asked what the pleasure of the Board is.

Jeanne Rich made a motion to schedule a public hearing on the proposed zoning change and the height restriction bylaw proposed tonight, and that we send the articles to the Board of Selectmen for inclusion on the town warrant at the annual town meeting.

There was no second to this motion.

Chairman Williston asked if there was another motion from anyone on the Board.

Jeanne Rich asked to speak. She said she was embarrassed to be a member of this Board right now. She said she had a feeling this was going to happen, so she took it upon herself last week to draft a citizen's petition. This is with the Acting Planning Director who will present it to the Board of Selectmen. This will require this Board to hold a public hearing and will require that the article be placed on the Annual Town Warrant for the town's people to have the opportunity to vote on this and let them decide if they want this or not.

Jeanne Rich said she is embarrassed to say that not one of the Board members has the courage to even put a second to put a discussion on this, this is a disgrace for the Town of Lancaster.

Chairman Williston said that is enough Jeanne. Jeanne Rich said all right. Chairman Williston asked her if she needed to take a few minutes to compose herself. Jeanne Rich said she did not need to compose herself.

Chairman Williston said he is going to ask the Board to sanction Jeanne Rich. He asked if there was someone that would like to make a motion to recognize Jeanne's comments tonight and document what we heard here tonight.

Carol Jackson said yes. She said it has been very inappropriate. She asked how we would go about doing this. Chairman Williston said just make a motion that the Board compose a letter documenting Jeanne's unacceptable behavior at this meeting.

Steve Kerrigan commented he did not think the Chairman should be directing people as to what motions to make. Chairman Williston said he is not aware of any restriction like that. He said Mr. Kerrigan if you would like to speak again, please raise your hand. Mr. Kerrigan said he did. Chairman Williston said he did not recognize him.

Chairman Williston asked Carol Jackson if she would like to make a motion. Carol Jackson said yes.

Carol Jackson made a motion as stated by Russ Williston. Chairman Williston said how about if you would like to propose that he write that up between meetings and present it at the next meeting for the Board to accept. Carol Jackson said that would be great. **Roy Mirabito seconded the motion. Roll Call Vote: Carol Jackson yes, Roy Mirabito yes, Jeanne Rich no, Russ Williston yes.**

Chairman Williston commented to Jeanne Rich that she has been on the Board for a long time and has provided leadership at times. He said he is very disappointed by the way that she composed herself at a lot of the Planning Board meetings.

Adjourn

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

The meeting was adjourned at 9:13 p.m.

Respectfully submitted,

Debra Dennis