

Approved: May 11, 2020

MINUTES OF THE PROCEEDINGS OF THE  
PLANNING BOARD OF THE TOWN OF LANCASTER  
Nashaway Room, Prescott Building, 701 Main Street, Lancaster, MA  
Monday March 9, 2020

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

Absent:

Staff Present: Michael Antonellis, Director of Planning and Community Development

List of Documents:

- Planning Board Agenda for March 9, 2020
- Draft Minutes of January 27, 2020
- Draft Minutes of February 10, 2020
- Email from Greg Jackson-Scenic Roads Bylaw for Lancaster dated February 20, 2019
- Email from Larry Shoer-Use Regulation Schedule §220-8.4 "Public, Health, Educational and Institutional uses" dated March 4, 2020
- Email from Joe D'Eramo-Citizen comments 13 Neck Road Development dated March 8, 2020
- Memorandum from Board of Selectmen-Public Hearing Notice Pole Locations George Hill Road and Old Union Turnpike dated February 24, 2020
- Lancaster Planning Board Form A ANR-Brahmananda Saraswati Foundation dated 2-20-20
- Lancaster Planning Board Site Plan Application-New England Clean Energy-82 Neck Road dated 3-2-20
- Letter from New England Clean Energy dated 1-30-20-82 Neck Road
- Proposed Solar Array Plot Plan Prepared by Cabco Consult-82 Neck Road dated 12-16-19
- Memo to Phil Lawler Chair from Michael Antonellis dated March 4, 2020 concerning 82 Neck Road Site Plan and Special Permit
- Email from Victoria Petracca –Calculating Affordable Housing Units at 2038 Lunenburg Road Subdivision dated March 9, 2020
- Email from Fred Hamwey, Hamwey Engineering –Royal Heights Fire Protection Review dated March 8, 2020
- Second Review Hamwey Engineering Inc.-Royal Estates, 2038 Lunenburg Road dated 2-24-20
- Memo to Phil Lawler, Planning Board Chair from Michael Antonellis dated February 24, 2020 concerning 82 Neck Road Special Permit-IPOD; Site Plan; Stormwater Permit
- Letter dated 2-11-20 from Harbor Classic Homes-Harbor Classic Homes Project
- Letter dated 3-9-20 from The Law Offices of Peter Campobasso, P.C. –Harbor Classic Homes, LLC Special Permit Application 2038 Lunenburg Road
- Proposed Residential Development "Royal Estates" definitive plan dated 12-26-19 prepared by New England Engineering, LLC
- Elevations and Plans of proposed homes

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- Stormwater Management Permit Application-Harbor Classic Homes 2038 Lunenburg Road
- Letter from The Engineering Corp (TEC) dated 12-27-19-2038 Lunenburg Road Trip Generation Evaluation
- Letter to Town Administrator dated February 28, 2020 from Montachusett Regional Planning Commission-Lancaster's District Local Technical Assistance Program Request

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**1. 2038 Lunenburg Road – David King, Harbor Classic Homes - IPOD Special permit; Stormwater Permit and Definitive Subdivision –**

Present to represent the petitioner was Attorney Peter CampoBasso. Also present was Ron Koivu.

Attorney CampoBasso gave an overview of the applications before the board.

Fred Hamwey gave an overview of his second review of the project to the board, and focused on items such as work within the riverfront zone, and on #9, 10 and 11 of the review dated February 24, 2020.

Michael Antonellis discussed visual buffers regarding fencing and shrubbery between the proposed commercial and residential uses.

Tom Christopher asked for confirmation of ownership on adjacent parcels for possible extension of the roadway.

Fred Hamwey asked if fire department comments were needed.

Jeanne Rich asked about the access to the commercial building and suggested it be accessed through the proposed subdivision road. Ms. Rich also commented on the parking for the open space.

Russ Williston asked if the parking for the open space can be removed.

Tom Christopher discussed interest for general public to access the riverfront area for open space purposes.

Carol Jackson asked about the dedication of affordable units.

Attorney CampoBasso stated that 2 units would be dedicated at this time.

David King gave a description of the charitable organizations that would be benefited from the development as per a sale's agreement with the previous owner of the property.

The hearing was opened to public comment.

Victoria Petracca read through an email submitted to the planning board on March 9, 2020.

Greg Jackson stated concern over lot sizes.

Mr. Christopher stated that reduced lots exist around ponds historically, including flexible development components, and generally a judgement call regarding lot sizes.

Patrick Randall expressed concern over aquifer protection and well pressure and advocated for more affordable units.

Mr. Hamwey stated that well pressure cannot be addressed at this stage and is appropriate at the Board of Health level.

David King stated that removing lots from the riverfront buffer will reduce lot sizes.

Jeanne Rich asked if the dedication of 2 affordable units is agreeable with the board. The board generally agreed with the exception of Ms. Jackson who expressed preference for dedication of 3 units.

Dick Trussell had a question about the dedication of open space.

Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted 5-0 to continue the public hearings and public meeting to April 13, 2020.

**2. 82 Neck Road – Rick Lamothe on behalf of Simon Brummer – Special Permit for Ground Mounted Solar**

Simon Brummer present to represent the application.

Mr. Antonellis gave an overview of the application and summary to the board regarding waivers requested and conditions suggested.

Mr. Brummer showed pictures of the panels on his phone. Photos to be submitted for the record.

The hearing was opened to the public. No comments.

Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted 5-0 to approve the request for a waiver from the 200 foot buffer requirements.

Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted 5-0 to close the public hearing.

Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted 5-0 to approve the waivers noted in the Planning Staff Review memo prepared by Michael Antonellis.

Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted 5-0 to approve the Special Permit and Site Plan with conditions recommended in Planning Staff Review memo prepared by Michael Antonellis.

### Public Meeting

**3. 2038 Lunenburg Road – David King, Harbor Classic Homes - Site Plan**

Taken up contemporaneously with agenda item #1.

**4. 82 Neck Road – Rick Lamothe on behalf of Simon Brummer – Site Plan for Ground Mounted Solar**

Taken up contemporaneously with agenda item #2.

**5. 339 Seven Bridge Road – Kalon Farms – Site Plan**

Keith Kopley was present to represent the application.

Mr. Kopley stated that the intention was not to receive a partial approval of plan but to get permission to erect gazebos, as they are not applicable to the site plan. The board authorized Mr. Antonellis to direct the Building Commissioner to issue building permits upon the building commissioner's authority with the confirmation from the board that the proposed gazebos do not impact parking, so they are not critical to the site plan approval.

**6. Approval Not Required (ANR's)**

679 George Hill Road, lots 8, 9, and 10 for Hill Top road. Upon a motion by Jeanne Rich and seconded by Tom Christopher the board voted to endorse the plan.

There was some discussion allowed from the public, including Gregory Brackett, Victoria Petracca and Don Chaisson.

### Other Business

**7. 13 Neck Road – Proposed Affordable Housing**

John Cherubini was present to give the board an overview of what is proposed. Mr. Cherubini proposes 8 units, 2 of which to be dedicated as affordable and is present to solicit input from the board regarding the proposal.

Jeanne Rich stated that sewer is needed at that site and will be critical to the feasibility of the project.

Carol Jackson questioned how the project could fit in with the neighborhood.

Bob Lidstone stated that the project needs sewer approval.

Kristen Philips stated concerns over traffic, aesthetics and density.

Ken Frommer stated concerns regarding neighborhood characteristics.

Resident from 66 Center Bridge Road stated concerns over density.

Alix Turner stated issues with sewer and neighborhood characteristics.

Emily Taylor stated concerns over traffic.

“Jennifer” of 43 Neck Road stated concerns over density.

**8. Correspondence**

Mr. Antonellis went through the correspondence folder.

**9. Ad Hoc Development Committee discussion**

No discussion.

**10. Request for Interpretation of bylaws from the Board of Appeals**

Mr. Antonellis gave an overview of what is being asked of the board. The board of Appeals requested interpretation of need for a Special Permit regarding the pump house at George Hill Road on the Poras Subdivision. Mr. Antonellis directed the board to Larry Shoer’s email addressing the issues.

Jeanne Rich stated that she would like Mr. Antonellis to provide a report summary of the Planning Board’s findings to the Board of Appeals.

Carol Jackson read from the Special permit approvals and stated that the pump house was only to be for fire suppression according to minutes from certain planning Board meetings past.

Tom Christopher stated that the board should look at utilities and see what exemptions are available.

Russ Williston stated that the Planning Board cannot approve things that are not permissible by the bylaw.

The board wished to move the discussion to April 13, 2020.

Larry Shoer gave an overview of the issues and discussed open space per the MGL requirements.

Donald Chaisson gave an overview of the issues and a summary of the history of complaints regarding the pump house. Mr. Chaisson suggested Special permit and decisions be made available for similar Special permits.

**11. Citizen / Historical Commission Request – Scenic Roads Bylaw**

Greg Jackson gave an overview of the proposed bylaw.

Mr. Antonellis asked if the bylaw would be a general bylaw or zoning.

Mr. Antonellis stated that DPW had concerns regarding the diameter size of trees within the bylaw and would confirm with Kevin Bartlett the recommended size of a tree that would be affected by the bylaw.

Phil Lawler stated that he would like the tree warden to enforce, not the Planning Board.

Don Chaisson asked a question about tree diameter size.

Planning Board stated they would continue to review the bylaw to make recommendations.

## **12. Updates from the Planning Director**

### **a. Feasibility Study**

The board authorized Mr. Antonellis to execute a contract with the consultant.

## **13. Vouchers**

Upon a motion by Jeanne Rich and seconded by Russ Williston the board voted 5-0 to endorse the voucher for legal services.

## **14. Minutes:**

January 27, 2020 – Upon a motion by Jeanne Rich and seconded by Russ Williston the board voted 5-0 to approve the minutes.

February 10, 2020 - Upon a motion by Jeanne Rich and seconded by Russ Williston the board voted 5-0 to approve the minutes

Adjourned 10:28 PM