

Approved: August 24, 2020

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Meeting conducted via ZOOM internet conferencing
Monday August 10, 2020

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

Absent: None

Staff Present: Debra Dennis, Administrative Assistant

List of Documents:

- 971 Main Street: Stormwater Permit Application Package
- 971 Main Street: Memo from Hamwey Engineering - Peer Review #2, 8/10/2020
- 679 George Hill: Preliminary Subdivision & Flexible Development Plans, dated 8/6/2020
- 679 George Hill: Memo from Haley and Ward - Peer Review 2, 7/26/2020
- Poras Bond: Memo from Melanson Bros Inc, "Poras Subdivision and Cost to Complete", dated 7/27/2020
- Poras Bond: Memo from Haley and Ward, "Re: Poras Subdivison and Cost to Complete", dated 7/10/2020
- South Meadow Remediation: "BRP WW 26 Combined Licenses/Permits for Waterways & Water Quality Certification" form, undated, from Town of Clinton Dept of Public Works
- Vouchers: Packet of Five Vouchers to Consider
- Response to BOS Member Questions: Email from Jason Allison, "Planning Board Questions from the BOS meeting" dated 7/13/2020
- Minutes: Draft Minutes of the 7/27/2020 Lancaster Planning Board Meeting
- Minutes: Draft Minutes of the 7/13/2020 Lancaster Planning Board Meeting

Vice Chair Jeanne Rich called the meeting to order at 7:00 PM.

Public Hearing

- 1. Public Hearing-971 Main Street-Doctor Franklin Perkins School, seeks Stormwater Permit under the requirements of the Lancaster Zoning Bylaw Section, 170-5, to construct two new buildings, a middle school building and a dormitory, and an addition onto the existing Janeway Building as well as parking circulation improvements at a property within the Residential Zoning district located at 971 Main Street (Assessor's Map 34, Parcel 132).**

Present for this discussion:

Tom Peterman, for the applicant

Michael Ames, for the applicant

Paul Avery, for the applicant

Jason Bhajan, CSL Construction, for the applicant

Keri DiLeo, CSL Construction, for the applicant

Fred Hamwey, Hamwey Engineering, for the town

Jeanne Rich reopened the public hearing for the stormwater permit, which has been handled concurrently with the site plan application.

Fred Hamwey emphasized three comments from his review to keep in mind:

1. Drainage System: town engineer suggests PB request approval or comments from the DPW in regards to the plan for the drainage system.
2. Stormwater maintenance plan should be included with the plans
3. On plan sheets L-101, L-102: shrubs are not specifically shown but the applicant has indicated they would comply with requirements. Fred Hamwey suggested that the board make sure they are satisfied with what is proposed.

Tom Christopher suggested that the applicant work out the final details with Fred Hamwey between meetings.

Russ Williston asked if changes had been made between meetings to address concerns from abutters on Harvard Road about water flow off the property. Paul Avery showed that a small increase in the grade had been added and that the downspouts on the proposed dormitory would be routed to a rain garden.

Jeanne Rich asked about noise from the on-site generator that might be objectionable to abutters. The applicant discussed the screening that would protect abutters.

Jeanne Rich asked about the proximity of the proposed sewer and electrical lines; Fred Hamwey asserted that it seemed to meet requirements.

Jeanne Rich asked for resident comments:

Jim Broderick, Harvard Road, said he appreciated the generator screening and asked if anything further was possible if the noise seemed an issue. Paul Avery described various mitigation options to enhance the screening or reduce noise. He asked if the change in elevations to mitigate runoff would mitigate runoff on the back of the property: Paul Avery answered that the project would now not increase the runoff in that direction.

On a motion by Russell Williston, seconded by Tom Christopher, the board voted 4-0, via a roll call vote, to continue the Site Plan Application and Stormwater Permit Public Hearing to the August 24th meeting.

2. Continued Public Hearing-Assessor's Map 32 - Lot 1 (F/K/A 679 George Hill Road) – applicant Brahmanada Saraswati Foundation - Special Permit for Flexible Development –

Present for this discussion:
Frank McPartlan, for the Applicant

Jeanne Rich reopened the public hearing.

Jeanne Rich read a letter to the board from Scott Miller, Haley and Ward engineering. He is unable to attend this meeting but has no outstanding concerns with the application.

Frank McPartlan responded to the review comments.

Cisterns: the applicant has reached out to the Fire Department, but has not received a response. The applicant would like to defer a final decision on what would be most appropriate to the site plan applications. Tom Christopher asked about the proposed location of the cistern: the applicant showed that the plan places the cistern at the entrance to the development from Hilltop road.

In response to Planning Board comments from July 27:

- Cistern: See Above
- Well Locations: now shown on flexible plans. Carol Jackson asked about the locations of wells on the Flexible and Conventional Plans. Flexible: lot 3 is in the stormwater management area. Lot 4 is next to a house, very close. Lot 12 is on a lot line, but should be 50 feet away. Lot 13 is under a house. Lot 17 is too close to an easement, should be 50 feet away. Lot 18 is in the easement. Lot 20 is in the 50 foot buffer, and must be 100 feet from surface water. Lot 24 same. Lot 33 same. Conventional: lot 1 too close to easement and buffer, lot 2 same, lot 5 next to 50 foot buffer, lot 10 in 100 foot buffer, lot 12 is 100 foot buffer, lot 15 too close to easement, lot 18 too close to easement, lot 19 in 25 foot buffer, lot 25 same. Frank McPartlan says then can be adjusted.

- Access on Conventional and Flexible Plan: Conventional requires double access. Flexible has single access to maintain continuity -- double entry would place roadway between carriage house and mansion, which may not be desirable to proposed users. He would request a waiver for the flexible development access.
- Lot Shape Calculations: application has been amended to add calculations.
- Impact of clustering on nearby resource areas? Systems on site are below the restricted thresholds.
- Would road be public or private? Applicant is proposing the road as public.
- Notes applicant is proposed fewer lots than allowed by the flexible permit.

Jeanne Rich requested board questions:

- Carol Jackson reiterated her concern about well locations on the plans, mentioned earlier.
- Carol Jackson would prefer sidewalks
- Jeanne asked about road length. Frank McPartlan: Road length 3500' on flexible plan, > 5000' on conventional. Jeanne: is there room for a sidewalk on one side? Frank: yes.

Jeanne Rich requested resident comments:

- Dick Trussell asked about the cistern location on the conventional plan and nature of the tank. Frank McPartlan said the possible location on the conventional plan hasn't been determined; tank would be below grade with a fire-hydrant like structure above ground.
- Frank Streeter asked that the planning board wait until the fire department weighs in on the fire protection plans. Asked about access to the open space: how would residents reach the open space. Frank McPartlan answered that he anticipated access from the existing town land that abuts it.
- Victoria Petracca asked about why the easements are not yet recorded. Frank McPartlan answered that it's because the ANR for the lots on the plan had not yet been records, so the easement had not yet been required. Asked about a comment in one of the engineers letters indicated that the current owner would be open to selling the land to a conservation-minded buyer; thinks protecting the entire parcel would be a better outcome.
- Ken Stenton: asked about the appearance of the cistern -- could it be shielded? Frank McPartlan believes it could easily be shielded, and said the entrance to developments is often landscaped to conceal a cistern. Ken Stenton asked about the fire-truck pull-off near the cistern: would a large fire truck be able to navigate this area? Frank McPartlan answered that the road width and turn radius support a fire truck.
- Greg Jackson: asked if the cistern is on town land or private land. Frank McPartlan answered that the cistern would be on an easement within Parcel A. Requested that the board request a preliminary wildlife study. Frank McPartlan answered that an environmental analysis has already been submitted. Greg Jackson asked about the conventional layout: he feels houses and septic systems fall within the 100-foot wetlands buffer.
- Rebecca Urban: is opposed to development of this size on a historic parcel. Concerned about traffic. Concerned about the composition of the open space.

- Nicholas Mellis raised concerns about how the student population in town might be increased by the development.
- Ken Stenton mentioned concerns about traffic, noise and the effect of a liquor license at the mansion property on the surrounding neighborhood.
- Catherine Sadler, Hilltop Road, asked about the lot surrounding the carriage house and the proposed access to the right of the carriage house.

The board attempted to summarize open items:

- Wells: show allowed locations on conventional plan
- 100 foot buffer in conventional plan
- Sidewalks

On a motion by Carol Jackson, seconded by Tom Christopher, the board voted 4-0, via a roll call, to continue the Flexible Development permit hearing to August 24th.

Public Meeting

3. 971 Main Street-Doctor Franklin Perkins School -Site Plan Approval under the requirements of the Lancaster Zoning Bylaw Section 220-34.

(This item was continued to August 24th by a vote taken under Public Hearing Item #1.)

4. Continued, Assessor's Map 32 - Lot 1 (F/K/A 679 George Hill Road) – applicant Brahmanada Saraswati Foundation - Preliminary Subdivision

(This item was continued to August 24th by a vote taken under Public Hearing Item #2.)

5. ANR-Robert Lidstone

Arrived too late for this meeting; will be on the August 24th meeting agenda.

Other Business

1. Poras Subdivision-Gary Melanson request to release partial bond

On a motion by Tom Christopher, seconded by Russell Williston, the board voted 3-1 , via a roll call, to reduce the required bond as requested. (Tom Christopher: Yes, Jeanne Rich: Yes, Carol Jackson: No, Russ Williston: Yes)

2. South Meadow Pond Remediation Plan Form

Tom Christopher generally described the purpose of the application form, and said that it was in the interest of the town and that the Conservation Commission has already issued an order of conditions.

On a motion by Carol Jackson, seconded by Tom Christopher, the board voted 4-0, via a roll call, to sign the state application received from the Clinton Dept of Public Works.

3. Review and Respond to Questions submitted by a Board of Selectmen Member

Jeanne read the questions from Jason Allison and the planning board members individually responded to his questions. Debra Dennis recorded the planning boards answers into a letter as a response to Jason Allison.

4. Appointment of MRPC Representative

On a motion by Carol Jackson , seconded by Tom Christopher, the board voted 4-0, via a roll call vote to appoint Russell Williston as the boards representative to the MRPC for 2020-2021.

5. Correspondence

- **Memo from Tom Christopher regarding zero-point solar project:** Tom Christopher summarized his memo. The Planning Board previously issued a stop-work order citing violations in regard to the stormwater permit approved for this project. Zero Point now wants to continue setting up solar panels on the slope on the site; Tom says it is now partially vegetated but does not believe it is appropriate to let them continue at this time. The site contractor would like to build pads for supplies and place locator pins to show where drilling would take place in the future: Tom Christopher does not believe this would pose an issue. Tom Christopher recommends we wait to take action at our 8/24/2020 meeting.

Bill Hannigan, engineer for the applicant, was present to respond. He emphasized that the applicant is endeavoring to respond to all requirements for remediation.

6. Vouchers

On a motion by Tom Christopher, seconded by Russ Williston, the board voted 4-0, via a roll call to approve \$686.21 to Haley and Ward from the Poras Realty Trust Subdivision Account.

On a motion by Tom Christopher, seconded by Russ Williston, the board voted 4-0, via a roll call to approve \$2636.05 to Haley and Ward from the Poras Realty Trust Subdivision Account.

On a motion by Russell Williston, seconded by Carol Jackson, the board voted 3-0 (Tom Christopher Abstaining), via a roll call to approve \$930.36 to Green International Affiliates Inc from the Planning Board Revolving Account.

On a motion by Russell Williston, seconded by Carol Jackson, the board voted 3-0 (Tom Christopher Abstaining), via a roll call to approve \$2155.61 to Haley and Ward from the McGovern Boulevard Extension Account.

On a motion by Tom Christopher, seconded by Russell Williston, the board voted 4-0, via a roll call to approve \$498.00 to Haley and Ward from the Zero Point Development Solar Field Account.

7. Minutes:

Minutes for the July 13th and July 27th Lancaster Planning Board Meetings are outstanding.

Jeanne Rich had submitted some corrections on Monday to the minutes; Russ Williston requested that the board hold off on approving them until 8/24 so that he could integrate her corrections.

8. Signing decisions

No decisions to review at this meeting.

Adjourn

On a motion by Tom Christopher, seconded by Russ Williston the board voted, via a roll call, 4-0 to adjourn.

Meeting adjourned at by Jeanne Rich at 9:53PM



Town of Lancaster
Planning Board
Lancaster, Massachusetts 01523

August 14, 2020

Selectman Allison below are the questions you submitted to the Planning Board with their responses.

1. Will you be asking the Board of Selectmen to nominate a new member prior to approving all of the previous meeting minutes dating back to 2/20/20 as well as electing a new chairman which was already supposed to have happened? If yes why? What benefit could this provide to the Planning Board at this time?

- Jeanne Rich-all minutes after tonight are up to date. Per Statute the Selectmen have to work with the Planning Board in nominating a new Planning Board member. Once five members are in place the first agenda item will be reorganization.
- Tom Christopher-Said he concurred with Jeanne Rich's analysis.
- Carol Jackson-Agreed with Jeanne Rich's statement.
- Russ Williston-Agreed to the above statement.

2. Based on the annual town meeting vote by the town residents, what is your position on nominating individuals who already serve on the ZBA? Are you willing to follow the spirit and intent of the town vote regarding this matter? If not, why not?

- Jeanne Rich-Cross pollination between Boards makes it easier. This is only looking at the Planning Board and the ZBA. There has been only two occasions where the ZBA had to look at an appeal. She tries not to be a voting member on the Board of Appeals. She agreed with Tom saying it's a great way to share information between two Boards.
- Tom Christopher- if town bylaw holds true to be legal he would hold true to the bylaw. If not he said he doesn't see any issues with one person serving on two boards. He understands where this is coming from having someone vote on it at the Planning Board and then again at the ZBA. There is access to information and see's value in being on two different Boards. It's hard to find people to serve on Boards.
- Russ Williston-taking action against what the Town decided whether it was a bylaw would be a mistake. You should respect that since there are a number of candidates now.
- Carol Jackson-go with what the people of Lancaster want. She doesn't agree with having the same jury when you have to appeal something. She said she doesn't see a problem

with a Board member attending different meetings to get information. It is better to have a clean line so you don't run into conflicts.

3. What is your general expectation of the Planning Board member's attendance at meetings? Do you believe it is reasonable that all members at least attend 75% of the meetings? If members are not attending meetings on this basis, are you willing to ask that they be removed from the Board with cause? Would you support a by-law which codifies this?

- Jeanne Rich- commented as an elective official not sure if we can make any bylaw. She said she thought the only way to get rid of an elected official is by a recall vote. She said she could be wrong. Members are here voluntarily and sometimes family emergencies take precedence over town politics. She commented she wouldn't want to punish someone for missing meetings who is taking care of a sick family member. Members who are going to be absent usually discuss it with the Planner or the Chair.
- Tom Christopher-He said he thinks you should attend meetings but sometimes family circumstances make it so you can't. I think in the world today we are now meeting with Zoom and can't see where it is going to change and even if it did change that doesn't mean any Board member couldn't watch on the cable television and still be a meaningful participant. There are many options available today. If you are going to be a member of a Board you should put in the time to be part of the community and make sure you can express your opinions and vote when it comes to deliberations.
- Russ Williston-He said has no problem setting the bar low at 75% attendance. He said 25% is missing three months of meetings in a year which is significant.
- Carol Jackson-She said if you are going to volunteer for a committee you should make yourself available. It's not fair to applicants and residents. It is a commitment you are making and when you can't attend it's not fair to the residents. Consistently not being there is not fair to applicants or Lancaster.

Lancaster Planning Board
c/o Department of Community Development & Planning