

TOWN OF LANCASTER
PLANNING BOARD
Lancaster Community Center
Monday, September 11, 2017

Present: Phil Lawler, Chair; Jeanne Rich, Vice-Chair; Tom Christopher, Frank Sullivan, Russ Williston

Absent: None

Also Present: Noreen Piazza, Planning Director

Chair Phil Lawler called the meeting to order at 7:02 PM.

**Continuation of Public Hearing, Special Permit for Ground-mounted Solar Array and Site Plan Review,
372 Goss Lane**

Present: Russell and Katherine Holden, owners of 372 Goss Lane; Jason Chretien, Boston Solar; Autumn Kellar, Haley and Ward

Chair Phil Lawler recused himself from the hearing as he a direct abutter to the project. Vice-Chair Jeanne Rich stepped into the hearing as Chair.

Jeanne Rich opened the discussion by inviting the Board's review engineer, Haley and Ward, to go through their review comments of the project, per their letter dated August 22, 2017.

Autumn Kellar of Haley and Ward offered the following comments:

1. Article 17 of the Lancaster Zoning Bylaws requires a front, side and rear yard setback limit of at least 200 feet. The closes property line is 50 feet from the proposed solar panel.

Public Comment: Ms. Elizabeth Keiley of Heritage Lane (direct abutter) reported that the height of the array will be 10' 2" with a 26-degree pitch to the south, which will be clearly visible from her property. She requested to see the array moved to behind the Holden residence.

Response: Jason Chretien of Boston Solar indicated that he would re-visit the location of the array and also what additional screening may be provided.

2. Final site plans and maps shall be prepared, stamped and signed by a professional engineer licensed to practice in Massachusetts.

Response: Jason Chretien reported that the Conservation Commission had reviewed the plans to insure that the array did not encroach upon the wetlands buffer zone. He also said he would contact Ms. Kellar to discuss the acceptable type of professional licensure.

3. The applicant should provide evidence of approval from the appropriate utility company to connect to the electrical grid, or confirm that the solar system will be off-grid.

Response: Mr. Chretien said that the interconnection with National Grid has been approved and the agreement secured. He will provide a copy to the Board.

4. An estimate of decibel increase over ambient noise levels at the nearest property line should be provided. Noise generated by solar inverters, transformers, and/or other equipment shall abide by the noise regulations outlined in Article 17 of the Lancaster Zoning Bylaws. Daytime and night time increases should be evaluated.

Response: Mr. Chretien reported that the noise level is not above ambient. He also added that the inverters are not running at night. When running, they are no louder than an air conditioning unit on a residential dwelling. He offered to supply a statement from the manufacturer to this effect.

5. The applicant should confirm that existing access to the site from the driveway is adequate for construction, maintenance, and /or emergency vehicles. Additional work to provide adequate access to the site, including but not limited to, vegetation or fence removal should be noted on the plans.

Response: Mr. Chretien confirmed that the access to the site is adequate, and that the plans will be notated as such.

6. The applicant should provide sufficient information showing conformance with Article 17, and any other applicable zoning bylaw, or request an exemption for the following items:

- a) Electrical diagrams detailing the installation, components, and interconnection methods.

Response: Mr. Chretien reported that these diagrams were recently submitted to the Board and engineer for review.

- b) Security plan, including but not limited to, fencing, lighting, surveillance, parking and signage.

Response: Mr. Chretien explained that there will be some chicken wire fencing around the electrical equipment (AC, DC sides). Larger fencing is typically on commercial applications that have higher voltage. The general property does have some horse fencing (3-rail). He also noted that the panels do have sharp corners.

The Board requested that they look at the appropriate fencing to keep children and animals out of the array area. It was suggested that the fencing be at least four feet high and four feet away from the footprint of the array site. Mr. Chretien agreed to supply a fencing plan.

The Board concurred that the requirement for additional site lighting, surveillance equipment, parking or signage could be waived.

- c) Safety/emergency response plan, including but not limited to, emergency contact information and means to shut down the solar installation.

Response: The Board requested that the Fire Chief review the plans and provide a letter to the Board with any recommendations.

- d) Operation and maintenance plan, to be reviewed and accepted by the Fire Chief and emergency medical services personnel.

Response: The Board requested that the Fire Chief review the plans and provide a letter to the Board with any recommendations. Mr. Chretien explained that the array has no scheduled maintenance, and that the owners are provided with a maintenance manual. He also noted that the owners will have their own private shutoff in the event of an emergency.

- e) Site decommissioning plan.

Response: The Board requested a condition in the permit that the array facility be removed at the end of its operational life by the then current owner of the property.

- f) Description of financial security.

Response: The Board concurred that this requirement can be waived.

Frank Sullivan also added that the vegetation surrounding the property should not be touched and remain intact for visibility purposes.

Ms. Keiley then again requested that the placement of the array be moved to behind the Holden's residence. Katherine Holden responded that the placement in the field was the best location for 100% capacity of the array. Ms. Keiley again explained that she would have full view of the array from her property and that the vegetation dividing their properties is not tall or full enough to block her view. She is also concerned about the size and position of the array.

Ms. Christine Burke of Heritage Lane also commented the array would be a safety concern for her children, as well as concern for any sound emitted from the array.

Frank Sullivan requested that the Board conduct a site visit. Mr. Chretien said that he would re-stake the location of the array prior to the visit.

At 7:50 PM, Tom Christopher made a motion to continue the public hearing for 372 Goss Lane to September 25, 2017 in order for the Board to conduct a site visit. Frank Sullivan seconded the motion. No discussion. VOTE: 4-0-0.

At 7:53 PM, Tom Christopher made a motion to continue the site plan review for 372 Goss Lane to September 25, 2017 in order for the Board to conduct a site visit. Frank Sullivan seconded the motion. No discussion. VOTE: 4-0-0.

At 7:55 PM, Chair Lawler returned to the meeting.

Public Hearing, Stormwater Management Permit and Site Plan Amendment, FC Stars Soccer Fields, 70 McGovern Boulevard

Present: Bill Hannigan, Hannigan Engineering; Robert Redmond, FC Stars; Scott Miller, Haley and Ward

At 7:58 PM, Chair Lawler opened the public hearing by reading the following hearing notice:

The Town of Lancaster Planning Board will hold a public hearing at the in the Public Meeting Room of the Lancaster Community Center (behind Town Hall at 695 Main Street) on Monday, September 11, 2017, at 7:00 PM, to hear and act upon the following matter:

A petition by Benters, LLC, 148 Kaleva Road, Lancaster, MA 01523 (owner/applicant) for a Stormwater Management Permit pursuant to the Lancaster Stormwater Management Bylaw, in order construct two synthetic turf fields and a parking lot at the rear of the existing FC Stars soccer facility.

The site is located in the Enterprise Zoning District at 70 McGovern Boulevard, Lancaster, MA, and is identified on Assessor's Map 14 as Parcel 9.

A copy of the petition and accompanying documents are on file at the Lancaster Town Hall in the Community Development and Planning Office, 695 Main Street, 2nd Floor, Lancaster, MA. 978-365-3326 x1310.

Philip Lawler, *Chair*
Lancaster Planning Board

Phil Lawler opened the discussion by inviting the applicant's engineer, Hannigan Engineering, to describe the project. Mr. Bill Hannigan of Hannigan Engineering presented that the applicant requests to construct two (2) synthetic turf soccer fields and a parking lot at the rear of the existing FC Stars soccer facility. The original project was approved under Site Plan Review for the construction of four (4) fields with Phase 1 being the fields to the north and a parking lot with associated amenities. Since that time, the parking lot and the first two (2) fields were constructed and are depicted on the Existing Conditions Plan.

The configuration of the fields on the approved plans is also being modified. As part of this modification, the third field will be shifted slightly to the east, the fourth field will be replaced with a smaller 9v9 field which will be utilized for smaller groups and specific training regimens, and a new parking area will be constructed to add approximately sixty (60) parking spaces to this area. The existing parking is sufficient for the two (2) existing fields, but increasing the capacity along with additional training features is driving the need for additional parking. As a result, the Drainage Analysis was revised to incorporate the additional impervious areas imposed by the project.

The area proposed for construction is wooded and removal of trees will be required for the construction of the fields. The scaled back project eliminates work within the Riverfront area of the adjacent McGovern Brook and the buffer zone to the associated Bordering Vegetated Wetland areas. As the work proposed will alter an area greater than one (1) acre, and the proposed work is not being reviewed by the Conservation Commission for a stormwater-related Order of Conditions, the local Bylaw requires a Stormwater Management Permit.

During the review of the previously-approved clubhouse project, the drainage analysis was reviewed to ensure the existing system would be capable of accommodating the additional development under "as-built" conditions (2016 existing). This analysis has been modified and updated to include the

modifications included as part of this submittal. Specifically, the Drainage Analysis incorporates the clubhouse project, the third field, the 9v9 field, and the proposed new parking of approximately 60 parking spaces.

Mr. Hannigan then provided responses to the review comments on the project, per the Haley and Ward letter dated September 8, 2017.

1. The applicant has submitted an updated drainage analysis for the site. The calculations show a marginal increase in runoff to the wetland areas in the southeast portion of the site. The increase is 0.02 cfs on a preconstruction estimated flow of 0.10 cfs for a 25-year storm. The overall peak flow from the site is reduced.

Response: Acknowledged.

2. The revised drainage calculations provide for the elimination of one of the 6-inch orifices on the existing outlet structure of the stormwater management pond. This work should be noted on the site plan.

Response: This notation will be added to the construction set of plans.

3. The May 2016 site plan showed a public water supply well with a protective radius that covers the area of the currently proposed 9v9 field. The status of this protection area should be presented. Uses within the protective radius are to be for water supply use only.

Response: The proposed source of domestic water for the project will be determined in the future. The installation of a public water supply well in this area is no longer proposed.

4. Compliance with the lighting 220-36.2 Lighting should be demonstrated. Additional detail should be provided on the plans to clarify:
 - Manufacturers data, including lumen output and cut-off angle
 - Lamp type
 - Projected light trespass onto abutting property
 - Color temperature of light (K)
 - A plan showing the projected illumination levels

Response: The lighting fixtures and general lighting configuration will mimic the existing parking lot on the Phase 1 portion of the project. The lighting information provided is intended to provide compliance with the regulations. Prior to the installation of the parking lot lighting, the lamination plans will be prepared and provided to Haley and Ward for final confirmation.

5. Due to the field lighting configuration requirements and expected pole height required to light the field from the sidelines, full compliance with 220-36 may be technically infeasible. A special permit for relief from the pole height limitation may be required.

Response: The original special permit issued on October 10, 2013 for relief of the pole height for the field lighting included all the lighting for the project (12 poles). The first six light poles were

installed in Phase 1. As shown on the site plans, four additional poles will be installed as part of this Site Plan modification, two less than allowed by the special permit.

Mr. Hannigan then added that any modifications required as part of this review will be prepared and submitted to the Planning Department and Haley and Ward for final review prior to construction of the fields. As these changes are minor in nature, we ask the Board to approve the project with a condition that the final review of the plans and documents are satisfactory to Haley and Ward.

Mr. Hannigan reported that the construction of the fields will begin in Fall 2017 with the parking area to be constructed in 2018. All trees targeted for removal have all been flagged.

At 8:10 PM, Jeanne Rich made a motion to close the public hearing for the Stormwater Management Permit for the FC Stars Soccer Field project. Russ Williston seconded the motion. No discussion. VOTE: 5-0-0.

At 8:12 PM, Jeanne Rich made a motion to approve the Stormwater Management Permit for the FC Stars Soccer Field project. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

At 8:14 PM, Jeanne Rich made a motion to approve the amended Site Plan for the FC Stars Soccer Field project, with a condition that the details for the parking lot and lighting plan be submitted prior to construction. Tom Christopher seconded the motion. No discussion. VOTE: 5-0-0.

Public Hearing, Tree Pruning/Removal, Seven Bridge Road and Center Bridge Road, National Grid

Present: Scott Farrar, National Grid; Brandi Tarantino, National Grid; Kevin Bartlett, Lancaster Tree Warden

At 8:20 PM, Chair Lawler opened the public hearing by reading the following hearing notice:

The Town of Lancaster Planning Board and the Lancaster Tree Warden will hold a public hearing in the Public Meeting Room at the Lancaster Community Center, 695 Main Street (behind Town Hall) on Monday, September 11, 2017 at 7:00 PM to hear and act upon the following matter:

A petition by National Grid concerning the removal of up to six (6) trees located on the east and west sides of Center Bridge Road, in preparation for the installation of four (4) utility poles on the east and west sides of Center Bridge Road.

and

A petition by National Grid concerning the removal of one (1) tree located on the south side of Seven Bridge Road, in order to minimize power outages on the 3-phase main line located on Seven Bridge Road.

A copy of the plan is on file at the Community Development and Planning Office, Lancaster Town Hall, 695 Main Street, Lancaster, MA, Telephone: 978-365-3326 x1311.

Philip Lawler, Chair
Lancaster Planning Board

Ms. Brandi Tarantino of National Grid delivered a Powerpoint presentation of the tree cutting/pruning plan for six additional trees along Center Bridge Road, and one tree along Seven Bridge Road. National Grid has secured approval in February 2017 for removal of ten trees on Center Bridge Road, but now realized that an additional six trees should also be removed. The presentation identified each tree on the road, its pole location, the tree type, and the reason for removal.

At 8:30 PM, Jeanne Rich made a motion to close the public hearing for tree removal on Center Bridge Road and Seven Bridge Road for National Grid. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

At 8:32 PM, Jeanne Rich made a motion to approve the removal of (6) trees on Center Bridge Road and (1) tree on Seven Bridge Road, as noted on the plan presented by National Grid. Frank Sullivan seconded the motion. No discussion. VOTE: 5-0-0.

Public Hearing, Tree Removal, Main Street at the Town Green and Creamery Road, Lancaster DPW

Present: Kevin Bartlett, Lancaster Tree Warden and DPW Superintendent; Courtney Manning, Lancaster Board of Public Works

At 8:34 PM, Chair Lawler opened the public hearing by reading the following hearing notice:

The Town of Lancaster Planning Board and the Lancaster Tree Warden will hold a public hearing in the Public Meeting Room at the Lancaster Community Center, 695 Main Street (behind Town Hall) on Monday, September 11, 2017 at 7:00 PM to hear and act upon the following matter:

A petition by the Lancaster Department of Public Works and the Lancaster Tree Warden concerning the removal of up to three (3) trees located along Main Street on the Town Green (Map 34, Parcel 91), and the removal of up to two (2) trees located on the corner of Main Street and Creamery Road (Map 30, Parcel 141). These trees are in poor condition and deemed to be a public safety hazard.

A copy of the plan is on file at the Community Development and Planning Office, Lancaster Town Hall, 695 Main Street, Lancaster, MA, Telephone: 978-365-3326 x1311.

Philip Lawler, *Chair*
Lancaster Planning Board

Mr. Kevin Bartlett of the Lancaster DPW and Lancaster Tree Warden presented GIS maps and photos of the trees to be removed, as follows:

- 1) Three (3) maple trees located on the east side of Main Street at the Town Green that are in very poor condition and posing a public hazard with falling branches.
- 2) Two (2) maple trees located on the east of Main Street at the intersection with Creamery Road that are in poor condition.

Phil Lawler inquired if the trees to be removed at the Town Green will be replaced. Mr. Bartlett responded that he would consider replanting the trees. Noreen Piazza suggested that he contact Select Horticulture on Main Street who looks to dispose of excess inventory each fall.

Joseph Gleason of 126 Brazao Lane asked if there was an arborist report indicating removal of the trees at Creamery Road. Mr. Bartlett said there is no report and that the trees are diseased and will not improve with pruning. Tom Christopher of the Planning Board also concurred with that opinion.

Joe D'Eramo of 127 Harvard Road also asked the same question on pruning instead of removal. He also added that the Town Green do look seriously ill and should be removed.

At 8:44 PM, Tom Christopher made a motion to close the public hearing for tree removal on Main Street by the Lancaster DPW. Jeanne Rich seconded the motion. No discussion. VOTE: 5-0-0.

At 8:45 PM, Frank Sullivan made a motion to approve the removal of (5) trees on Main Street at the Town Green and Creamery Road, as presented on the plan by the Lancaster DPW. Jeanne Rich seconded the motion. No discussion. VOTE: 5-0-0.

Public Hearing, Zoning Amendment, Recreational Marijuana Establishments

Present: Mark Grasso, Lancaster Board of Selectmen

At 8:47 PM, Chair Lawler opened the public hearing by reading the following hearing notice:

The Town of Lancaster Planning Board will hold a public hearing at the Lancaster Community Center, 695 Main Street (behind the Town Hall and Library), Lancaster, MA on Monday, September 11, 2017 at 7:00 PM to hear and act upon the following matter:

ZONING TEXT AMENDMENT. To see if the Town will vote to amend the Lancaster Zoning Bylaw to prohibit "marijuana establishments" as defined in G.L. c. 94G, §1, in order to prohibit the sale, cultivation, testing, manufacture, and any other commercial use of recreational marijuana in all of the Lancaster Zoning Districts and Overlay Districts.

A copy of the text of the proposed Bylaw amendment is on file and available for review at the Community Development and Planning Office, Lancaster Town Hall, 695 Main Street, Lancaster, MA, 978-365-3326 x1311 and on the Town web site (www.ci.lancaster.ma.us) on the Planning Board page.

Philip Lawler, *Chair*
Lancaster Planning Board

Ms. Noreen Piazza reported that the warrant article for the zoning amendment to ban recreational marijuana establishments was submitted to the Board of Selectmen for their consideration to add to the warrant for the October 2, 2017 Special Town Meeting. The BOS met on September 5, 2017 and voted not to place the article on the warrant for reasons of not having an adequate attendance at a special town meeting. In their opinion, this article is of enough importance to have it on the Annual Town Meeting in May 2018. BOS Member, Mark Grasso, also added that this can be placed on the STM warrant by a citizen's petition, if necessary. Mr. Russ Williston stated that the BOS should not take away the right of the town's people to vote on this matter at the Special Town Meeting.

Noreen Piazza added that because the ballot question in November 2016 was so close (Town voted down by three votes), that our Town Counsel will be asked their opinion if this should go to a Town

Meeting vote or to a Ballot vote. She reported that Town Administrator, Orlando Pacheco, would check with Counsel on this matter. Mr. Grasso commented that he would prefer a ballot vote.

Mr. Frank Streeter of Bull Hill Road stated that the ban on all recreational marijuana establishments is not appropriate. Emphasis should be placed on retail sales of recreational marijuana as that is where the strongest opposition lies. The other types of recreational marijuana establishments (cultivators, testing laboratories, manufacturers) are not open to the public and not posing any threat to the public, while bringing in much needed tax revenue to the Town.

George Frantz of 13 Highfield Drive suggested that the Planning Board wait until after the new regulations are issued by the State, which could potentially change the regulations for recreational marijuana establishments. A better suggestion may be to apply a temporary moratorium on recreational marijuana retailers.

Both the Planning Board and Mr. Grasso thought this suggestion was more thoughtful at this time. A moratorium could be placed on the warrant for the STM and then be in place through 2018, giving the State enough time to issue their regulations and the Board to craft a zoning bylaw to fit with the Town's preferences.

At 9:35 PM, Russ Williston made a motion to close the public hearing for the Zoning Amendment to Prohibit Recreational Marijuana Establishments. Jeanne Rich seconded the motion. No discussion. VOTE: 5-0-0.

At 9:37 PM, Jeanne Rich made a motion to indefinitely table the warrant article on the Zoning Amendment to Prohibit Recreational Marijuana Establishments. Russ Williston seconded the motion. No discussion. VOTE: 5-0-0.

At 9:39 PM, Jeanne Rich made a motion to authorize Chair Lawler to draft a warrant article to establish a Temporary Moratorium on Recreational Marijuana Retailers for submission to the Board of Selectmen before September 18, 2017 which is when the warrant must be posted. Russ Williston seconded the motion. No discussion. VOTE: 5-0-0.

Vote, Chapter 61A Release, 122 Hilltop Road and 142 Hilltop Road

After some discussion, the Board decided to not purchase the aforesaid properties.

At 9:45 PM, Jeanne Rich made a motion for the Planning Board to not exercise its option to purchase the following parcels of land:

- 1) 122 Hilltop Road (15.34 acres), Book 23382, Page 215**
- 2) 142 Hilltop Road (10.13 acres), Book 39103, Page 313**

owned by Poras Realty Trust and Wienerwald II Realty Trust. Tom Christopher seconded the motion. No discussion. VOTE: 5-0-0.

General Business

The Board reviewed the following information: Voucher from Hamwey Engineering

At 9:48 PM, Tom Christopher made a motion to pay the invoice from Hamwey Engineering for \$1,850.00 for inspections at the Jones Crossing development. Jeanne Rich seconded the motion. No discussion. VOTE: 5-0-0.

Adjourn

At 9:55 PM, Jeanne Rich made a motion to adjourn the Planning Board meeting. Russ Williston seconded the motion. No discussion. VOTE: 5-0-0.

Respectfully submitted,

Noreen Piazza
Planning Director