

Approved: April 22, 2019

MINUTES OF THE PROCEEDINGS OF THE
PLANNING BOARD OF THE TOWN OF LANCASTER
Prescott Building, Nashaway Meeting Room
Monday, April 8, 2019

Present: Phil Lawler, Chair; Jeanne Rich, Vice-Chair; Thomas Christopher, Russ Williston

Absent: Frank Sullivan

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

List of Documents:

- Planning Board Agenda: April 8, 2019
- Site Plan and Storm water Applications for both 438 & 0 Old Union Turnpike
- Drainage & Stormwater Calculations for 0 & 438 Old Union TPKE
- Letter of peer review by Autumn Kellar, Haley & Ward
- Response to Haley & Ward letter, Hannigan Engineering
- February 11, 2019 minutes
- March 11, 2019 Minutes
- March 25, 2019 minutes

Chair Phil Lawler called the meeting to order at 7:00 PM.

Old Business

1. 0 Old Union Turnpike – Site Plan and Stormwater Permit for proposed Ground-mounted solar

The board took up the continued items of 0 & 438 Old Union Turnpike for Site Plan and Stormwater Permit approval. Present for the applicant were Peter Forte, Bill Hannigan and Autumn Kellar.

Bill Hannigan, Hannigan Engineering, presented the applications before the board. Mr. Hannigan explained that a ANR plan would be coming to the board for their next meeting concerning the proposed lot line of the project. Mr. Hannigan explained that there are two

separate projects before the board, 0 Old Union Turnpike and 438 Old Union Turnpike. The proposed use is by-right and waivers requested are approvable through the site plan process as described in the zoning bylaws.

Mr. Hannigan then went through his comment letter dated April 8, 2019 in response to the peer review letter issued by Haley and Ward.

Mr. Hannigan offered the condition of approval that updates to the Maintenance plan to be approved by the board.

The board discussed lighting for the project and questioned the necessity of providing light.

Mr. Antonellis asked what the boards concerns were regarding lighting.

Mr. Hannigan explained that if there were to ever be an issue with the panels regarding tampering or other issue that would affect the panel and create a safety hazard that the panels would be shut down immediately by National Grid.

Mr. Hannigan discussed proposed house lots on the site as well as a possible commercial lot fronting Old Union Turnpike and that the ANR plan would utilize a reduced frontage provision in the bylaws.

Jeanne Rich asked if Haley and Ward had any concerns regarding the setbacks.

Autumn Kellar stated there were no real concerns and that the incoming ANR plan answers a lot of the questions that came up as a result of the review.

Mr. Antonellis stated that per the determination of the Building Commissioner a Special permit for Earth Product Removal will not be required through the Board of Selectmen. Mr. Antonellis acknowledged that the language of the bylaw is somewhat confusing but after discussions with the Building Commissioner and Town Administrator it was mutually agreed that the intention is to regulate commercial earth product removal operations and not limit other projects where earth removal is incidental.

Chair Phil Lawler expressed concern over the setbacks waiver request.

Mr. Hannigan gave an overview of the setbacks waivers requested in the context of the landscape buffers provided.

Ms. Rich asked if a bond amount had been agreed on.

Mr. Antonellis commented that the bond amount would be a condition of approval for the applicant to follow up with the planning office and Haley & Ward for the confirmation of a bond amount and ultimate submittal into the escrow fund.

Upon a motion by Ms. Rich and seconded by Russ Williston the board voted 4-0-0 to close the public hearing.

Upon a motion by Ms. Rich and seconded by Mr. Williston the board voted 4-0-0 to approval the Stormwater Permit with the suggested conditions within the Haley & Ward letter and the Hannigan Engineering response letter.

Upon a motion by Ms. Rich and seconded by Mr. Williston the board voted 4-0-0 to approve the Site Plan with conditions noted in the review memo from Michael Antonellis, Planning Director, striking condition #1, #2, #6, and amending #8 to include "Only emergency access and limited construction traffic access shall be granted through White Pond Road", and adding the conditions as described by Chair Lawler 1 – that the applicant appear in front of the board 20 years from the date of approval with an updated Maintenance Plan or status of decommissioning, whichever is first; and 2 – that the applicant coordinate with the Police Department concerning the construction phase.

2. 438 Old Union Turnpike – Site Plan and Stormwater Permit for proposed Ground-mounted solar

See minutes above as items #1 & #2 were taken contemporaneously.

Upon a motion by Ms. Rich and seconded by Russ Williston the board voted 4-0-0 to close the public hearing.

Upon a motion by Ms. Rich and seconded by Mr. Williston the board voted 4-0-0 to approval the Stormwater Permit with the suggested conditions within the Haley & Ward letter and the Hannigan Engineering response letter.

Upon a motion by Ms. Rich and seconded by Mr. Williston the board voted 4-0-0 to approve the Site Plan with conditions noted in the review memo from Michael Antonellis, Planning Director, striking condition #1, #2, #6, and #8, and adding the conditions as described by Chair Lawler 1 – that the applicant appear in front of the board 20 years from the date of approval with an updated Maintenance Plan or status of decommissioning, whichever is first; and 2 – that the applicant coordinate with the Police Department concerning the construction phase.

3. Minutes: February 11, 2019 – Upon a motion by Ms. Rich and seconded by Mr. Williston the board voted 4-0-0 to approve the minutes

March 25, 2019 – Upon a motion by Jeanne Rich and seconded by Thomas Christopher the board voted 4-0-0 to approve the minutes.

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February 25, 2019 – the board did not vote on the minutes due to cancellation of the February 25 meeting.

4. Correspondence

The board made brief comments regarding correspondence and suggested eliminating half of the Board meeting proposed for summer due to anticipated lack of agendas and quorums.

Adjourn

At 8:39 PM, Jeanne Rich made a motion to adjourn the Planning Board meeting. Russ Williston seconded the motion. VOTE: 4-0-0.