

Economic Development Committee

September 15, 2021 Meeting Minutes (With updates incorporated 9-19-21)

Members Present:

Phil Eugene, Chair

George Frantz, member

Rebecca Young-Jones, member

Glenn Fratto, member (present until 8:30 PM)

Joe D'Eramo, member

Roy Mirabito, member

Guest: Bob Depietri, Capital Group

Members of public who spoke in meeting: Greg Jackson, Anne Ogilvie

Chair called meeting to order at 7:02 PM

Committee reviewed July 14, 2021 meeting minutes. Noted a misspelling to correct.

Motion made to accept the corrected version of the July 14, 2021 minutes. Motion carried with unanimous vote in favor.

Committee reviewed Sept 1, 2021 meeting minutes. Noted two misspellings to correct.

Motion made to accept the corrected version of the Sept 1, 2021 minutes. Motion carried with unanimous vote in favor.

Reviewed proposed ICOD bylaw section by section.

In section A1, Roy raised concern about the use of on site or offsite, noting that terminology was vague. Rebecca suggested deleting off site.

For section A2, Rebecca And Roy raised concern about circumventing special permit process.

Action: Phil to consult with town counsel about this.

George raised question about approval authority -- planning board or ZBA.

On section B1, Rebecca suggested plan approval by planning board not ZBA.

At this point, the committee shifted to a different agenda item to discuss a standalone approval committee. Joe raised a question about the need for a separate approval committee and whether it had any legal authority. Roy read from a state law that empowers planning boards with many responsibilities, including those relevant to the ICOD.

George noted prior planning board hostility toward this project, though he acknowledged that the planning board chair has lately seemed more accommodating.

Phil said that Mike Antonellis has questions about the legality of the new committee, though he's not received the town counsel approval of new committee.

Rebecca raised questions about the role of EDC and its ability to create new committees. George said that under the circumstances we should let the planning board do the job.

Greg expressed concerns about the legal basis for the approval committee and concern about planning board being called hostile.

Bob Depietri noted that the ZBA is the approval authority for 40B developments, and that the ZBA sometimes takes the approval lead in some towns.

Motion made to end discussion on the separate approval committee and to not proceed with forming such a committee. Motion carried with unanimous vote in favor.

Motion made to establish the planning board as the approval authority for the ICOD. Motion carried with unanimous vote in favor.

Moving to page 3. Section B3 needs clarification from town counsel on by-right or special permit approvals.

Rebecca suggests distilling section B3 down to B3C to expressly prohibit auto sales and service facilities.

On section B4, currently 5% devoted to pedestrian walkways and plazas. One member suggested making this 10% as in the IPOD bylaw. Bob said this industrial commercial development is different from the IPOD, which had residential development included. After discussion, the group seemed agreeable on mandating 20% open space in the ICOD project.

Action: Bob will check the plan to confirm this percentage works.

Under design requirements and traffic. Roy said the terminology is too vague, i.e., "result in a reasonably acceptable level of traffic." The IPOD bylaw has a quantified traffic requirement -- 20 trips per acre. George asked whether we could define the number of trips.

Action: Phil suggests holding this discussion for when we are presented the peer traffic report late in September.

The group seemed fine with building height at 50 foot maximum.

Roy raised concern about the 100-foot buffer to residential areas and questioned whether the berm could be in addition to the 100-foot buffer rather than part of the 100-foot buffer. Bob seemed agreeable with this proposal.

Greg raised a question about integrated IPOD plans versus ICOD site plan. Bob explained why the multi-use IPOD (including residential) required integrated plans, while a commercial-only focused ICOD would not.

Section 4 on parking.

Motion made to strike paragraph B, which defined on-street parking. Motion carried with unanimous vote in favor. Bob said no such parking will be allowed in the development.

Under Procedures, D1, abutter notifications, Roy noted there is a standard process for this and questioned whether we needed that language in the bylaw. Roy also raised concern about the term site plan, and suggested we need a broader term.

Section D2, the committee agreed needs clarification and Phil is to look into this. Greg says there is a special permit for integrated overlay district in the iPod by law.

Action: Needs Clarification

On section D3-a, Roy mentioned the transfer settlement agreement for 86 acres already agreed with 702 LLC, but not yet transferred to the town. Bob said there were title issues with the transfer, and it will happen. Roy reiterated that transfer should not be identified as a benefit associated with the planned ICOD project.

George said he would like a bulleted list of specific agreements in this section. Roy mentioned the memorandum of agreement between Capital Group and Maynard as a model to follow. Bob said, "I'm sure we'll have something similar on this project."

On section D3-b, Bob said they will amend the traffic analysis based on the build-out phases and the specific uses of the tenants in those buildings.

Rebecca raised a point about zero-emission trucks being mandated in 2024 and beyond.

On section D4, approval considerations, Joe raised concerns about the limited list of considerations to be factored into the approval, and about having the approval tied specifically to this list. Roy said the planning board can help with review of this section and come up with a broader list. George suggested that one consideration is to focus on the timeliness of the approval process.

The committee discussed having a joint meeting between the Economic Development Committee and the Planning Board.

The ICOD discussion will continue at the next meeting, on Wednesday, September 22 at 7:30. The joint meeting will be tentatively scheduled at that time.

Action: Phil to schedule

The group discussed particulate emissions and possibly measuring them. George mentioned that there are two classes of particulate, PM10, and PM2.5. The PM2.5 μm particles are worse because they are so small and are known precursors to lung problems. Particulate traps on trucks have reduced particulates by 90%.

Phil shared details on pollution monitoring locations around Lancaster. There are two stations near Route 2, including one at the Route 70 rotary.

Regarding traffic, Phil mentioned that the peer review report is currently on the Economic Development Committee page.

Action: Phil to schedule for Sept 29

We are awaiting submission of the cost-benefit analysis.

Actions: Phil to get Status

As part of a general discussion about the Economic Development Committee, Roy noted that it to our committee's benefit to involve the planning board, and the group generally agreed with this.

In the public comment period, Anne Ogilvie asked some questions about the process going forward for bylaw review and town approval via town meeting vote. Phil explained the process, which will include public input (open meetings and a public hearing).

Anne also asked for separate meetings for the traffic report and Phil assured her that this was planned – and also that the planning board will cover traffic as well.

Action: Phil said that he would post summary slides covering the initial traffic study on the EDC site.

Anne also asked about North Lancaster representation on the Economic Development Committee. Phil said that there is a new vacancy on the Committee, given that a member has resigned for a move out of town.

Motion made to adjourn the meeting at 9:25 PM. Motion carried with a unanimous vote.