



LANCASTER SELECT BOARD
Regular Meeting Agenda
Prescott Building – Nashaway Room & ZOOM
Monday, December 18, 2023
6:00 P.M.

In accordance with the Open Meeting Law, please be advised that this meeting is being recorded and broadcast over Sterling-Lancaster Community TV

I. CALL TO ORDER

Chair Stephen J. Kerrigan will call the meeting to Order at 6:00 P.M. in the Nashaway Room, located on the second floor of the Prescott Building, 701 Main Street, Lancaster, MA. Members of the public are welcome to attend this in-person or by the remote zoom connection which is provided as a courtesy. Please note that the in-person meeting will not be suspended or terminated if technological problems interrupt the remote connection.

Join Zoom Meeting

<https://us02web.zoom.us/j/84287488871?pwd=NUhqWUhaNVhrQ2tSa2dReWZiZ3JyQT09>

Meeting ID: 842 8748 8871

Passcode: 710955

One tap mobile

+13052241968,,84287488871#,,,,*710955# US

+13092053325,,84287488871#,,,,*710955# US

Find your local number: <https://us02web.zoom.us/u/kILCjZi6G>

Residents Have the Ability to Ask Questions via ZOOM.

II. APPROVAL OF MEETING MINUTES

- Review and take action on the following Select Board's Regular Meeting Minutes: November 20, 2023 (tabled 12.4.23 Meeting) and December 4, 2023
- Review and take action to approve the Executive Session Meeting Minutes December 4, 2023 (*not to be released*)

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

1. Government Study Committee – Update relative to tasks, timeline, and deliverables. (tabled from 12.4.23 Select Board Meeting)
2. Select Board and Thayer Memorial Library Trustees Joint Meeting to appoint a Trustee to fill the unexpired term of David Spanagel.

IV. PUBLIC COMMENT

Opportunity for the public to address their concerns, make comments, offer suggestions, or ask questions.



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V. ADMINISTRATION, BUDGET, AND POLICY (Vote may be taken)

1. Proposed First Amendment to October 2022 Memorandum of Agreement between Town of Lancaster and 702, LLC.
2. Earth Product Removal Discussion (Turner)
3. Board of Health recommendation for all processes and fees related to Lancaster-specific requirements for portable septic units and dumpsters be rescinded.
4. Abutter Lot Sales Discussion
5. Alcoholic Beverages Control Commission (ABCC) 2024 Seasonal Population Increase Estimation Form for the Town of Lancaster

VI. LICENSES AND PERMITS

- I. Review and take action of the following 2024 Renewal License Application
 1. Modena Motor Group – Class II
 2. Exxon/Mobile Gas Station – Common Victualler
- II. Review and take action on the following 2024 Renewal License Applications (Tabled 12.4.23)
 1. Dunkin Donuts – Common Victualler
 2. Sandee’s Restaurant – Common Victualler
 3. Crawford Truck Sales, Inc. – Class II
 4. Koch Route 2 Toyota – Class I and Common Victualler

VII. EXECUTIVE SESSION

- (1) Discussion with Counsel regarding strategy with respect to litigation in the matters of Heather Lennon vs. Town of Lancaster, pursuant to Section 21(a)(3); and
- (2) Discussion with Counsel regarding the investigation of charges of criminal misconduct and filing of criminal complaints pursuant to G.L. c. 30A, s. 21(a)(5), (7), and Suffolk Construction v. DCAM, 449 Mass. 444 (2007).

VIII. COMMUNICATIONS

- Town Offices will be closed December 25, 2023 and January 1, 2024
- Next Select Board Meetings are Monday, January 8, 2024, and January 22, 2024
- Miscellaneous Correspondence & Memorandums

IX. ADJOURNMENT

APPROVAL OF MEETING MINUTES



LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, November 20, 2023, 6:00 P.M.
Prescott Building – Nashaway Room and ZOOM

ZOOM: <https://us02web.zoom.us/j/82848467259>

Meeting ID 828 4846 7259

I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the meeting to order at 6:00PM and advised that the meeting was being recorded and broadcast via Sterling-Lancaster Cable Television.

Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.

Roll call vote taken, Jason A. Allison, present, Alexandra W. Turner, present, Stephen J. Kerrigan, present. Also present, Kate Hodges, Town Administrator.

I. APPROVAL OF MEETING MINUTES

Ms. Turner moved to accept the minutes of the November 6, 2023 meeting; Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS - NONE

IV. BOARDS, COMMITTEES, AND DEPARTMENT REPORTS - NONE

V. PUBLIC COMMENT

Opportunity for the public to address their concerns, make comments, offer suggestions, or ask questions.

Mr. Kerrigan recognized Anne Ogilvie, 4 Turner Lane, noting that he had sent her an email prior to the meeting. Ms. Ogilvie talked about an amendment to the North Lancaster MOU and asked the Town to investigate mining in the McGovern Boulevard area.

VI. TOWN ADMINISTRATOR REPORT

1. Division of Capital Asset Management and Maintenance (DCAMM) Next Steps

- Public Input – Process and Time Proposal

Ms. Hodges stated that she was looking for guidance from the Board on how to best involve the public in the DCAMM discussion. She suggested that she might visit any Board or Committee that might be involved with the DCAMM property to give them a presentation and to seek input. She also suggested that the Board consider public forums at different times of day, to be most inclusive, at a variety of different locations. Ms. Turner agrees and would like to see a large meeting with all boards and committees, like a “working group.” She suggested that somewhere warm with good acoustics, such as the school, would be a good idea. Mr. Allison would prefer a couple of smaller forums. Mr. Kerrigan would endorse Ms. Hodges’ idea of going to individual meetings and then having a general presentation. Ms. Hodges will proceed and will include additional information in the meeting materials packet for the next regular meeting.

VII. ADMINISTRATION, BUDGET, AND POLICY

1. Budget Review - FY25 Financial Outlook and Capital Budget

Mr. Kerrigan reported that the Joint Meeting with the Finance Committee last Saturday went well, extending thanks to Ms. Hodges and staff. Ms. Hodges reported that gap to balance the budget is currently about \$55,000.

2. Memorandum of Understanding (MOU) Amendment Update

During The Capital Group’s MEPA review, it was agreed that The Capital Group might turn over the entire parcel of land covered in the MOU, rather than in pieces as was originally agreed. Ms. Turner had a number of questions, including whether the 40B application had been revoked, and whether an ANR would be done. She also asked if, since the document requires a “letter of zoning,” what that would entail. It was clarified that no additional mining is going on; some previously mined materials are being mixed. Ms. Hodges asked Ms. Turner to write her questions so that they can best be accurately relayed to appropriate parties. Ms. Hodges asked if questions, from anyone, could be received by next Tuesday, in order to be discussed at the December 4 meeting. It was decided that the deadline for submitting questions from Board members would be Monday, November 27, and from the public on Tuesday, November 28. Ms. Turner asked if, since the MOU is being re-opened, if the limits on arbitration vs. mediation could be revisited. Mr. Kerrigan thought not, that it would set a bad precedent for signing contracts going forward.

Ms. Turner expressed concern about possible legal status of the companies that own or have owned the North Lancaster parcel in question. Mr. Kerrigan cautioned that the Select

Board could and should only deal with the contract's signatories, and that any change to status of the ownership of the parcel in question is not open to discussion by the Board.

3. Accounting/Budget Software (tabled from Select Board Meeting 10.2.23 (Turner))

Ms. Turner asked to remove this as an open item.

4. Update/Review Town-Wide Fees (tabled from Select Board Meeting 10.2.23 (Turner))

Ms. Turner will bring this topic back to the Board in January, specifically around Entertainment events and Earth Products removal.

5. Update on Historical Commission Office Inventory (Allison) *taken up as last agenda item*

Mr. Allison moved for the Board to enter into Executive Session, under MGL Chapter 30a, Section 21(a)5, to investigate charges of criminal misconduct and to consider the following criminal complaints, and to reconvene into Open Session for a vote to be taken. Ms. Turner seconded the motion for discussion.

Ms. Turner stated that she thought that under Open Meeting Law that Executive Sessions needed to be posted. Mr. Allison stated that first, it was unforeseen and therefore could not have been posted, and secondly, that it was an update to an existing, and correctly posted, agenda. Mr. Kerrigan stated that he has spoken to Town Counsel, that he does not believe that it is an emergency and therefore does not pass the test to enter into Executive Session at this meeting; he believes that it could be included on the December 4 agenda. Therefore, he will not vote to enter into Executive Session. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, No. Motion failed. [1-2-0].*

Mr. Allison thanked the current members of the Historical Commission. Mr. Allison stated that he was going to read information regarding findings of inventory of the Historic Commission. Mr. Kerrigan stated that he objected strenuously to Mr. Allison's reading of this, stating that it put the Town in a difficult legal position. He urged Mr. Allison to table this until December 4, stating that reading this could impact pending litigation.

VIII. APPOINTMENTS & RESIGNATION NOTIFICATIONS (Resignation votes not needed)

Resignations

Community Preservation Act Committee – Shawn Winsor

Mr. Kerrigan thanked Mr. Winsor for his service to the above referenced committee.

IX. LICENSES AND PERMITS - NONE

Special (One Day) Liquor License Application
Organization: Lancaster PTO
Event: Art and Vendor air (PTO Fundraiser)
Event Date and Time: December 2, 2023, from 12pm-4pm
Location: Lancaster Community Center, 39 Harvard Road

Ms. Turner moved to approve the application for a Special (One Day) Liquor License for the Lancaster PTO for their Art and Vendor Fair, a PTO Fundraiser, on December 2, 2023, from 12pm to 4pm, at the Lancaster Community Center, 39 Harvard Road. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; meeting adjourned. [3-0-0].*

X. COMMUNICATIONS

- Town Offices will be closed on Thursday, November 23rd and Friday, November 24th in observance of Thanksgiving.
- Next Select Board meetings will be held on Monday, December 4, 2023, and Monday, December 18, 2023, both starting at 6:00 PM.
- Affordable Housing Trust
- Miscellaneous Correspondence and Memorandums

XI. NEW BUSINESS – Unforeseen by the Board

XII. ADJOURNMENT

Ms. Turner moved to adjourn the meeting; Mr. Kerrigan seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; meeting adjourned. [3-0-0].*

Respectfully submitted,

Kathleen Rocco
Executive Assistant

Alexandra W. Turner, Clerk



LANCASTER SELECT BOARD
Regular Meeting Minutes
of Monday, December 4, 2023, 6:00 P.M.
Prescott Building – Nashaway Room and ZOOM

ZOOM: <https://us02web.zoom.us/j/89689755890>

Meeting ID 896 8975 5890

I. CALL TO ORDER

Select Board Chair Stephen Kerrigan called the meeting to order at 6:00PM and advised that the meeting was being recorded and broadcast via Sterling-Lancaster Cable Television.

Additional materials for Select Board meetings are available at <https://www.ci.lancaster.ma.us/administration-select-board> > Meeting Materials.

Roll call vote taken, Jason A. Allison, present, Alexandra W. Turner, present, Stephen J. Kerrigan, present. Also present, Kate Hodges, Town Administrator.

Mr. Kerrigan noted that because of scheduled items in this agenda, items may be taken out of order.

I. APPROVAL OF MEETING MINUTES

Ms. Turner moved to accept the minutes of the November 20, 2023 meeting; Mr. Allison seconded the motion. Mr. Allison asked for some records to be added. Mr. Allison moved to table approval of the minutes until the next meeting. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Amendment passed, approval of minutes tabled to next meeting. [3-0-0].*

III. SCHEDULED APPEARANCES & PUBLIC HEARINGS

1. 6:05 PM Petition or Joint Meeting or Identical Pole Locations

Under the provisions of Chapter 166, Section 22 of the General Laws, and any additions thereto or amendments thereof, a Public Hearing is scheduled for Monday December 4, 2023, 6:05 pm in the Nashaway Meeting Room located on the 2nd floor of the Prescott Building, 701 Main St., Lancaster, MA and Zoom

<https://us02web.zoom.us/j/89689755890?pwd=am9wRzRCOFR2dTNDVDI0NmdBMkdYdz09> to consider a petition submitted by Massachusetts Electric Company dba National Grid and Verizon New England, Inc., requests permission to locate poles, wires, and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public way Harvard

Road – National Grid to install 1 JO Pole on Harvard Road beginning at a point approximately 0 feet east of the centerline of the intersection of Route 70 and continuing approximately 190 feet in an east direction. Installing 1 JO Pole #0-75 approximately 190 feet from the intersection of Route 70.

Mr. Allison read the Notice of Public Hearing into the record (above), moving to enter the Public Hearing. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Mr. Kerrigan recognized Javier Morales, representing National Grid. Ms. Turner asked if she should recuse because she is an abutter. No questions were seen from either the Board or the audience. Mr. Allison moved to close the Public Hearing; Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Mr. Allison moved to approve the new pole as noted in the Public Hearing Notice. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

2. 6:15 PM Notice of Public Hearing – Tax Classification for Fiscal Year (FY) 2024
In accordance with G.L. c.40, §56, the Select Board will conduct a Public Hearing on the question of adoption of percentages of the total tax levy to be borne by each class of real property (residential, commercial, industrial, open space) & personal property for FY2024. The Hearing will be held hybrid & Zoom
<https://us02web.zoom.us/j/89689755890?pwd=am9wRzRCOFR2dTNDVDI0NmdBMkdYdz09> on Monday, December 4, 2023 at 6:15 P.M. All interested parties are invited to attend and be heard.

Mr. Allison read the Notice of Public Hearing (above) into the record, moving to enter said Public Hearing. Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Hearing opened. [3-0-0].*

Mr. Kerrigan introduced David Manzello, Lancaster’s Regional Tax Assessor with the Regional Resource Group, who works in conjunction with the Town Assessor, Bobbi-Jo Williams. Mr. Manzello gave a PowerPoint presentation. His organization, along with the Board of Assessors, is recommending a single tax rate of \$17.46.

Mr. Kerrigan recognized Roy Rezac, 125 Harvard Road. Mr. Rezac asked for a copy of the presentation; Mr. Kerrigan noted that it was available online under “Meeting Materials.” Mr. Rezac offered an analysis of tax rate trends in Lancaster, addressing reasons behind changes in valuation to both residential and commercial/industrial categories. He recommended a residential tax rate of \$16.79, with a CIP (Commercial, Industrial, Personal) rate of about \$20.15.

Mr. Allison respectfully disagreed with Mr. Rezac, expressing concern that this approach might hinder large future development; he views large future development as the eventual solution to Lancaster’s tax concerns.

Mr. Kerrigan noted that other towns that have gone to a split tax rate have sometimes regretted this action.

Mr. Kerrigan recognized Kendra Dickinson, 402 Oetman Way, who spoke about the impact of a split tax rate on small farms.

Mr. Kerrigan recognized George Frantz, 13 Highfield Drive. Mr. Frantz expressed surprise that the CIP properties were such a very small percentage of the tax base, urging the Select Board to reinstate the Economic Development Committee to attract additional business rather than shifting the tax burden to the small current base. **[NOTE: much of Mr. Frantz's comments not heard.]**

Ms. Turner talked about a past presentation that she had attended, during which it was discussed that a split tax rate is not something to fear, but might indicate to developers that the town had a stable tax rate with good schools and solid infrastructure. Ms. Turner suggested that this would be a good time to try a split tax rate, and that it could be returned to a flat rate later if the Town was unhappy.

Mr. Allison moved to close the Public Hearing. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Hearing closed. [3-0-0].*

Mr. Allison read the recommended verbiage as follows: "The Lancaster Board of Selectmen votes in accordance with M.G.L., Ch. 40, Sec. 56, as amended, the percentage of local tax levy which will be borne by each class of real and personal property, relative to setting the Fiscal Year 2024 tax rates and set the Residential Factor at 1.000, with a corresponding CIP shift of 1.000, pending certification off the Town's annual tax recap by the Massachusetts Department of Revenue." Ms. Turner seconded the motion. Mr. Allison stated that he was open to a split tax rate but would like to hear first from existing and potential businesses. Ms. Turner noted that tonight sets the tax rate for the next year, so that it is not possible to think about it. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed. [2-1-0].*

3. Government Study Committee – Update relative to tasks, timeline, and deliverables.

Tabled to next meeting.

IV. PUBLIC COMMENT

Opportunity for the public to address their concerns, make comments, offer suggestions, or ask questions.

No public comment was heard.

V. ADMINISTRATION, BUDGET, AND POLICY

Proposed Amendment to October 2022 MOA between Town of Lancaster and 702, LLC.

Mr. Kerrigan explained that at a previous meeting, the Board and the public were invited to submit questions. These have been sent to Counsel and answers have been prepared.

Mr. Kerrigan asked the Board if they had any questions about the format or the questions. Ms. Turner stated that she had looked at the MOA, and the benefit to the Town in re-opening the MOA, is that the Town would receive some land that would probably be conservation land, but the existing agreement does the same thing so there is no real advantage to the Town. Mr. Kerrigan replied that this land would come to the Town all at once rather than piecemeal. Ms. Turner expressed concern about the request for outdoor storage of materials. Ms. Turner suggested asking that the 40R permit be withdrawn as a concession if the MOA is to be reopened.

Mr. Allison asked for clarification as to what parties were involved in the MOA; Ms. Hodges responded.

Mr. Allison moved to accept the Amendment to the October 2022 Memorandum of Agreement between the Town of Lancaster and 702, LLC, with the end date of December 31, 2025, added to Section 7. Ms. Turner seconded the motion. Ms. Turner stated that there were currently hazardous materials on site and that she has pictures that she has been sent. Mr. Kerrigan stated that this is only speculation, and if this were so, it should have been reported. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed. [2-1-0].*

VI. LICENSES AND PERMITS

I. Review and take action on the following ABCC licenses for 2024

Michael's Bridge Diner – Retail License to Sell Wine & Malt and Common Victualler License.

Mr. Allison moved to approve the above referenced license; Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, No; Stephen J. Kerrigan, Aye. Motion passed. [2-1-0].*

Ms. Turner questioned whether or not this location had a full liquor license; Mr. Kerrigan stated that the matter before the Board was what Michael's Bridge Diner had applied for.

II. Review and take action on the following 2024 Renewal License Applications

1. Cumberland Farms – Common Victualler
2. Dunkin Donuts - Common Victualler
3. Kimball Farms - Common Victualler
4. Trolley Stop - Common Victualler
5. Sandee's Restaurant - Common Victualler
6. Murphy's Hot Dog Truck – Lunch Cart License
7. Sterling National Country Club – Dispensing Food or Beverages to Members & Guest of Clubs
8. Crawford Truck Sales, Inc. – Class II
9. F.J.S. Auto, Inc. – Class II
10. Nationwide Auto Recycling, Inc. – Class III and Collector & Dealer of Junk
11. JC Madigan – Class I
12. RBI Motors – Class II

Ms. Turner moved to table the application from Dunkin Donuts because the Town Clerk reported that there is no business certificate on file. Mr. Kerrigan seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; Dunkin Donuts application tabled. [3-0-0]*

X. EXECUTIVE SESSION (7:00 PM)

Mr. Allison moved to enter into Executive Session for the following reasons, and to reconvene into Open Session following the Executive Session, and to allow Police Chief Everett Moody and Town Counsel to participate in Executive Session.

- (1) Discussion with Counsel regarding the investigation of charges of criminal misconduct and filing of criminal complaints pursuant to G.L. c.30A, s. 21(a)(5), (7), and *Suffolk Construction v. DCAM*, 449 Mass. 444 (2007); and
- (2) Discussion with Counsel regarding strategy with respect to litigation in the matters of (a) *King vs. Town of Lancaster* and (b) threatened litigation against the Town by Heather Lennon, pursuant to Section 21(a)(3), (7) and *Suffolk Construction v. DCAM*, 449 Mass. 444 (2007).

Ms. Turner seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; the Board entered Executive Session. [3-0-0].*

The Select Board returned from Executive Session at 8:45 PM.

X. COMMUNICATIONS

- Next Select Board meetings will be held on Monday, December 18, 2023
- Miscellaneous Correspondence and Memorandums

IX. ADJOURNMENT

Mr. Allison moved to adjourn the meeting. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; meeting adjourned. [3-0-0].*

Respectfully submitted,

Kathleen Rocco
Executive Assistant

Alexandra W. Turner, Clerk

13. Ron Bouchard Auto Sales, Inc. – Honda – Class I and Class II
14. Ron Bouchard Dodge, LLC – KIA – Class I and Class II
15. Ron Bouchard Auto Sales, Inc. – Nissan – Class I and Class II
16. Route 117 Used Auto Parts, Inc. – Class II, Class III, and Collector & Dealer of Junk
17. Koch Route 2 Toyota – Class I and Common Victualler

Mr. Kerrigan asked the Board if they would like to consider voting to approve the renewal license applications as a block; Ms. Turner said that she had questions relative to the applications from Koch Route 2 Toyota, Dunkin Donuts, Kimball Farms, Crawford Truck Sales, and Sandee's Restaurant. Mr. Allison moved to approve the 2024 Renewal License Applications for the above-listed applicants with the exception of the five questioned by Ms. Turner. Ms. Turner seconded this motion. Ms. Turner moved to amend the motion by adding Sterling National Country Club to her list of exceptions. Mr. Allison moved to second this amendment. *Vote taken on the amendment, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Amendment passed. [3-0-0].* *Vote taken on the amended motion, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed. [3-0-0].*

Ms. Turner questioned the Town Clerk's notes on several applications that stated that there was not a business certificate on file, suggesting that the applications might be approved with a proviso that this needs to be addressed in order to be in compliance. Ms. Turner moved to approve the application for Sandee's Restaurant, and Koch Toyota with the proviso that they file a business certificate with the Town Clerk by the end of the year. Mr. Kerrigan seconded the motion. Ms. Turner withdrew the motion.

Mr. Kerrigan stated that he would entertain a motion to table the license renewals for Sandee's Restaurant and for Koch Route 2 Toyota. Mr. Allison made the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; Sandee's Restaurant and Koch Toyota applications tabled. [3-0-0]*

Ms. Turner moved to table license renewal application for Crawford Truck Sales. Mr. Allison seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; Crawford Truck Sales application tabled. [3-0-0]*

Ms. Turner asked the Police Chief to speak to the proviso on the Kimball's application. Chief Moody explained that it asks Kimball's to notify the Police Department of events. Mr. Allison moved to approve the application for license renewal for Kimball Farms. Ms. Turner seconded. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; Kimball Farms application approved. [3-0-0]*

Ms. Turner questioned the application from Sterling National Country Club, wondering why there was not an application for a liquor license. Ms. Hodges explained that liquor sales were in another town, not Lancaster. Ms. Turner moved to approve the license renewal for Sterling National Country Club. Mr. Allison seconded the motion. *Vote taken, Jason A. Allison, Aye; Alexandra W. Turner, Aye; Stephen J. Kerrigan, Aye. Motion passed; Sterling National Country Club application approved. [3-0-0]*

SCHEDULED APPEARANCES & PUBLIC HEARINGS



November 14, 2023

Dear Lancaster Town Clerk Amanda Cannon, and Thayer Memorial Library Trustees Chair Emily Rose,

I must officially share with you both the news that because my wife Becky and I are selling our home of over 19 years, our final day as residents of Lancaster will occur on January 14, 2024 (two months from today). The most salient consequence of this change in our legal residence pertains to my public service on the Board of Library Trustees. I must hereby resign as Library Trustee, effective January 14, 2024.

During my nearly six years of service as a Library Trustee, I have had the great honor and pleasure of working with Lancaster's Director Joseph Mulé and his outstanding staff to provide essential community services in a fiscally responsible manner; engaged actively in collaboration with the vibrant volunteer Friends of Thayer Memorial Group as their Trustee liaison; lead the work of the Fundraising and Advocacy Subcommittee (which raised nearly \$27,000 in private donations to support the restoration of the historic wing's Childrens Room Windows); served on a Building Committee that has consulted with architects from the Spencer Group to examine urgent infrastructure needs, explore novel space re-use ideas, and develop plans that will sustain the Library for the next generation of Lancastrians in a comfortable and sustainable climate-change resilient manner; and most recently served as the Vice-Chair of the Board under Emily's peerless oversight.

In preparation for my premature departure (my second consecutive 3-year term as an elected Trustee was due to conclude in May 2024), I have encouraged Trustee Ann Frantz to step in as Chair of the Fundraising and Advocacy Subcommittee until the expenditure of all those donated funds to pay for windows restoration work has been fully executed, at which time that ad hoc committee may choose to release its members from regular meetings and further obligations until a new project or need may call upon a similar subcommittee to reconvene and render active service to the Board.

Obviously, my departure in mid-January will also force the Board to reorganize its leadership for the period February-April 2024. By submitting this letter of my intention to resign this far in advance, I hope that I may afford the town ample opportunity to solicit and appoint an excellent successor who is willing and able to serve out the final 3 months of my term, bringing their new skills, capabilities, and distinct perspective to the Board.

A handwritten signature in black ink, appearing to read "David I. Spanagel".

David I. Spanagel

BOARDS, COMMITTEES & DEPARTMENT REPORTS

PUBLIC COMMENTS

ADMINISTRATION, BUDGET AND POLICY

#1

FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT

THIS FIRST AMENDMENT TO MEMORANDUM OF AGREEMENT (this “**Amendment**”) is dated and made as of December 4, 2023, by and between the Town of Lancaster, acting by and through its Select Board, (the “Town”) and 702, LLC, a limited liability company organized under the laws of the Commonwealth of Massachusetts with an address of 259 Turnpike Road, Suite 100 Southborough, MA 01772 (the “Owner”).

WHEREAS, the Town and Owner entered into that certain Memorandum of Agreement, dated as of November 2022, and executed by all parties on November 14, 2022 (the “**Original Agreement**”), with respect to the development and future use of the Property more particularly described in the Original Agreement, a duly executed copy of which is attached hereto as **Amendment Exhibit 1**; and

WHEREAS, the Town and Owner wish to amend certain terms of the Original Agreement which pertain only to the Town and Owner, to (i) clarify that upon consummation of this Amendment the Enterprise Project Site, as delineated in the Original Agreement, may continue to be utilized by Owner for the purposes hereinafter set forth, and (ii) to accelerate the conveyance of all land to be conveyed to the Town as set forth herein.

NOW, THEREFORE, in consideration of good and valuable consideration, the mutual receipt and legal sufficiency of which are hereby acknowledged, the Town and Owner agree as follows:

1. **Incorporation of Preamble and Recitals.** The preamble and recitals to this Amendment are incorporated herein by reference and made a part of this Amendment.
2. **Defined Terms.** All capitalized terms used and not otherwise defined herein shall have the meanings ascribed to them in the Original Agreement.
3. **Effective Date.** The Effective Date of this Amendment shall be that date on which the last party executes the same.
4. **The Original Agreement; Certain Defined Terms.** All references in the Original Agreement to “this Agreement” or words of similar import shall be deemed to be the Original Agreement *as amended by this Amendment* unless the context requires otherwise.
5. **No Other Modifications; Continued Force and Effect.** This Amendment may not be amended, modified or otherwise changed without the mutual agreement in writing of the parties hereto. The Town and Owner ratify and confirm the Original Agreement and acknowledge and agree that, as amended by this Amendment, the Original Agreement is binding and is and remains unchanged and in full force and effect. In the event of a conflict between the terms of the Original Agreement and this Amendment, the terms of this Amendment shall control.
6. **Specific Acknowledgements and Amendments**

6.a The parties acknowledge and confirm that the deed to Assessor's Parcel 14-15 as required by Section 6.1 of the Original Agreement has been delivered to the Town and that the Owner's obligation thereunder has been satisfied and completed.

6.b Sections 6.2, 6.3 and 6.4 of the Original Agreement are hereby deleted in their entirety and replaced with the following:

"6.2 Conveyance of Additional Land: Upon delivery to Owner of the zoning determination letter as provided below, Owner, shall simultaneously deliver to the Town a Quitclaim Deed conveying title, free and clear of any encumbrances, liens, or liabilities not specifically set forth herein, to the land identified on **Exhibit L** (Land Transfer Plan") of the Original Agreement, (a copy of which Exhibit L is attached hereto as **Amendment Exhibit 2**), as **Parcel 2, Parcel 3 and Parcel 4** (said parcels being current Assessor's Parcel 19-11) containing +/- 72.7 acres, to the Town by single deed as a single Parcel, without reference to the ANR Plan specified in the Original Agreement which the parties each acknowledge has not been prepared. A draft copy of the **Deed** to be provided to the Town is attached hereto as **Amendment Exhibit 3**. The parties shall deliver the zoning determination and the deed simultaneously, within five (5) days following execution of this amendment.

The zoning determination letter shall provide the opinion of the Town Building Commissioner that the continued and future use of Owners Land within the re-zoned Enterprise Zoning District, as such district was expanded and approved by Town Meeting on January 28, 2023 and the Attorney General on June 9, 2023 as such use is defined hereinbelow, is a use specifically allowed under the Lancaster Zoning Bylaw.

The processing of earth materials together with ancillary activities including the installation, use, relocation, and maintenance of improvements; parking areas, parking and storage of heavy equipment, and the importation and stockpiling of earth materials or products transported to the site. No earth removal of existing materials currently located on the Premises is permitted.

Additionally, the zoning determination letter shall affirm that the Owner or occupant may erect and maintain a sign consistent in size, shape, design, and location as illustrated on the signage plan attached hereto as Amendment Exhibit 4.

The failure of the Building Inspector to provide such zoning determination letter within five (5) business days after execution of this Amendment shall operate as a termination of this Amendment without recourse to either party and without giving effect to any of the modifications contained in this Section 6.b and Section 6.c below. A proposed draft of

the zoning determination letter is attached hereto as **Amendment Exhibit 5**.

Sections 6.4, 6.5, 6.6 and 6.7 of the Original Agreement shall remain unchanged and shall retain original paragraph numbering.

6.c Section 7 of the original Agreement is hereby amended by deleting “open storage facilities for lumber, stone, brick, gravel, cement or other bulk materials” as a prohibited supplemental use in the Enterprise District for Owner’s Land.

7. **Time.** Notwithstanding anything contained in Section 6, above, the Owner remains committed to permitting, development and construction of the EZ Project as described in the original Enterprise MOA. To that end, the Owner agrees to limit the use of the property for earth processing operations to a term ending on December 31, 2025.

8. **Authority.** Each of the individuals, entities, or representatives (as applicable) executing this Amendment as set forth below hereby represents and warrants to the other party hereto that such individual, entity, or representative (as applicable) has(have) the right, power, authorization, and legal capacity to execute this Amendment.

9. **Successors and Assigns.** This Amendment shall be binding upon and inure to the benefit of the successors, legal representatives, heirs and assigns (to the extent permitted under the Original Agreement) of the parties hereto.

10. **Counterparts; Electronic Signatures.** This Amendment may be executed in two (2) or more counterpart copies of the entire document or of signature pages to the document, each of which may be executed by one or more of the parties hereto, but all of which, when taken together, shall constitute a single agreement binding upon each of the parties hereto. A signed copy of this Amendment delivered by facsimile, e-mail or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Amendment.

11. **Captions Not Binding.** The captions in this Amendment are inserted for reference only and in no way define, describe or limit the scope or intent of this Amendment or of any of the provisions hereof.

12. **Governing Law.** This Amendment shall be governed by and construed in accordance with the laws of the Commonwealth of Massachusetts, without giving effect to principles of conflicts of law.

13. **Interpretation.** Whenever the singular number is used in this Amendment and when required by the context, the same shall include the plural, and the masculine gender shall include the feminine and neuter genders. Whenever the words “include” or “including” are used in this Amendment, they shall be construed as incorporating, also, “but not limited to” or “without limitation” unless such words already immediately follow. The words “hereof”, “herein” and “hereunder” and words of similar import when used in this Amendment shall refer to this Amendment unless otherwise specified.

IN WITNESS WHEREOF, the parties have executed this Amendment as of the dates first set forth below:

The Town of Lancaster by

By:  .

Title: Authorized Signer

Date: 12-4-2023

Owner

702, LLC,
a Massachusetts limited liability company

By: _____

Name: William Depietri

Title: Manager

Date: _____

#2

#3



TOWN OF LANCASTER

BOARD OF HEALTH

701 Main Street, Suite 6

Lancaster, MA 01523

Tel: (978) 365-3326 ext. 1086

Fax: (978) 368-4009

December 5, 2023

To: Town Administrator and Select Board

The Board of Health (BOH) would like to bring your attention to the current Lancaster Portable Septic and Dumpster Fee schedules, and to propose a cessation to the current process requiring permits and fee collection, to eliminate the monetary burden for our town residents and businesses and expensive and time-consuming paperwork and internal processes by the BOH and its town-funded support staff.

Currently, the town of Lancaster requires residents and commercial entities to request a permit and pay a fee to obtain a portable septic unit or dumpster on their property. Once a permit is pulled, the resident or commercial entity then pays a fee to the BOH; see the current Portable Septic Fee Schedule (Table 1) and Dumpster Fee (Table 2).

Table 1: Lancaster Board of Health Portable Septic Fee Schedule

Coverage	Fee
Residential	\$10/per unit/per year
Commercial – 1 to 10 units	\$15/per unit/per year
Commercial – 11 to 50 units	\$10/per unit/per year
Commercial – 51+ units	\$7/per unit/per year

An installation/de-installation schedule must accompany the permit application.

Table 2: Lancaster Board of Health Dumpster Fee Schedule

Coverage	Fee
Trash dumpster per location	\$10.00

Based on the town's available data for collecting fees from issued permits for Portable Septic units (Table 3) and Dumpster Permits (Table 4) and the Board of Health's knowledge of historical activity, it is clear that most residents of Lancaster do not even know; 1) that the process exists to require permits and 2) that they must pay a fee to the BOH.

Utilizing data from 2020 to the present for portable septic permits; the following breakdown of information is available:

Table 3: Portable Septic Permits

<p><u>2023:</u> Residents: 0 Contractors: 6 (3 larger accounts with Multiple Units) Kimball Farms- 5 units- pd \$15 Lancaster Fairgrounds- pd \$300 Orchard Hills- 5 units- pd \$15</p>
<p><u>2022:</u> Residents: 1 Contractors: 4 (1 large account) Lancaster Fairgrounds- pd \$300 & \$100</p>
<p><u>2021:</u> Residents: 1 Contractors: 5 Kimball Farms- 5 units- pd \$15 Orchard Hills- 4 units- pd \$15 Lancaster Fairgrounds- Max 30 units- \$</p>
<p><u>2020:</u> Residents: 1 Contractors: 3 Orchard Hills- 4 units- pd \$15</p>

Utilizing data from 2021 to the present for Dumpster permits; the following breakdown of information is available:

Table 4: Dumpster Permits

<p><u>Dumpster Permits:</u> <u>2023:</u> Resident: 2 Contractor: 13 Trash Haulers: 10</p>
<p><u>2022:</u> Residents: 1 Contractors: 5 Trash Haulers: 11</p>
<p><u>2021:</u> Residents: 1 Contractors: Trash Haulers: 10</p>

As you can see by looking at the Portable Septic Permits as reflected in Table 3, the residents of Lancaster make up a minimal portion of the fees collected over the years, e.g., 0 in 2023, 1 in 2022, 1 in 2021, and 1 in 2020 at a rate of \$5/year. Therefore, the residential fees are reflective of a monetary gain of only \$15 over a 4-year period, with a good deal more than that spent on time and effort by the BOH, BOH support staff, and residents. Other than the Fairgrounds, fees paid commercially are quite minimal.

As you can see by looking at the Dumpster Permits as reflected in Table 4, the residents of Lancaster again provide a miniscule portion of fees over the years when obtaining dumpsters, e.g., 2 in 2023, 1 in 2022, and 1 in 2021 at a rate of \$10/year. The residential fees are reflective of a monetary gain of \$40 over a 3-year period. Fees paid commercially are quite minimal.

The only towns in the surrounding area that require their residents to apply for permits and pay fees to their associated BOH's for portable septic units are Ashburnham, Ashby, and Groton. The only town other than Lancaster to require their residents to apply for permits and pay fees to their associated BOH's for dumpsters is Stow. It should be noted that the Nashoba Associated Boards of Health has regulations designed to assure public safety and health regarding portable septic units under Title V, permanently installed commercial refuse dumpsters, under food service permitting processes.

In summary, the data shows that very few residents are aware they need to receive a permit to obtain a portable septic unit or a dumpster or that these fees are to be paid to the BOH. The BOH believes the benefit of requiring application and approval processes, the issuance of permits and certificates, and the collection very little in the way of fees, is outweighed by the administrative burden required. Therefore, the BOH recommends to the Town Administrator and the Select Board that all processes and fees related to Lancaster-specific requirements for portable septic units and dumpsters be rescinded.

The BOH greatly appreciates your work on behalf of the Town and requests your consideration of our proposal. We look forward to working with you to eliminate a monetary burden for our residents, businesses, and to streamline BOH processes and administrative support. Please let us know of your decision regarding this so that we may update BOH documents, policies, and regulations.

Respectfully,



Jeff Paster
BOH Chairman

Cc:
NABH
File

#4

#5

Kathi Rocco

From: Amanda Cannon
Sent: Thursday, December 14, 2023 3:24 PM
To: Kathi Rocco
Subject: Population estimation

The population in Lancaster 2020 was 8,441
The estimated population for 2022 is 8394

For 2023 I would best estimate the population to be around a similar number of people likely not exceeding 8500 certainly not close to 10,000.

*Thank you,
Amanda Cannon (Mandy)
Town Clerk
Justice of the Peace
Lancaster, MA
978-365-3326 X1090*

Posting Deadline for Agendas	
48 hours PRIOR to scheduled meeting & DURING BUSINESS HOURS	
<i>To Have Meeting On:</i>	<i>Posting By:</i>
Mondays	Thursday (prior to mtg) by 4:00 p.m.
Tuesdays	Friday (prior to mtg) by 12:00 p.m.
Wednesdays	Monday (prior to mtg) by 4:00 p.m.
Thursdays	Tuesday (prior to mtg) by 4:00 p.m.
Fridays	Wednesday (prior to mtg) by 4:00 p.m.

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The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

COMMONWEALTH OF MASSACHUSETTS
ALCOHOLIC BEVERAGES CONTROL COMMISSION

95 Fourth Street, Suite 3, Chelsea, MA 02150

2024 Seasonal Population Increase Estimation Form

Municipality:

Date:

Alcoholic Beverages Control Commission
c/o Licensing Department
95 Fourth Street, Suite 3
Chelsea, MA 02150

To Whom It May Concern:

Acting under authority contained in M.G.L. Ch. 138, s17, as amended, our Board at a meeting held on

estimated that the temporary increased resident population

of , as of July 10, 2024 will be .

This estimate was made and voted upon by us at a meeting called for the purpose, after due notice to each of the members of the time, place and purpose of said meeting, and after investigation and ascertainment by us of all the facts and after cooperative discussion and deliberation. The estimate is true to the best of our knowledge and belief. The above statements are made under the pains and penalties of perjury.

Very truly yours,

Local Licensing Authorities

LICENSES AND PERMITS



**TOWN OF LANCASTER
SELECT BOARD**
 Prescott Building, 701 Main Street, Suite 1
 Lancaster, MA 01523
 Tel: 978-365-3326 (ext. 1201) Fax: 978-368-8486
 Email: krocco@lanasterma.gov

Annual License Fee - \$200.00

TOWN OF LANCASTER
 SELECT BOARD'S OFFICE
 RECEIVED
 Date Received
 DEC 12 2023
 Town Administrator's Office

**APPLICATION FOR LICENSE
SALE OF MOTOR VEHICLES**
 G.L. c.140, §58

New Application ___ Class 1 Class 2 Class 3 Renewal ___

Circle all that apply

1. Name of Concern: B+M Investments dba Modena Motor Group
2. Business Address of Concern: 121 Mill St. Lancaster
3. Is the business an individual, partnership, an association or corporation? LLC
4. If an individual, state full name and residential address: _____
5. If a partnership, state full names and residential addresses of partners: Brian Lussier, Manager
2100 Lakewood Ave. Dorch MA 01826
6. If an association or corporation, state full names of the principal officers:
 President _____
 Secretary _____
 Treasurer _____
7. Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? yes
 If so, is your principal business the sale of new motor vehicles? _____
 Is your principal business the buying and selling or exchanging of second hand motor vehicles? yes
 Is your principal business that of a motor vehicle junk dealer? _____
 Is your principal business that of a "Repairs"? _____
 Is your principal business that of "Repossession"? _____
8. Provide a complete description of all the premises to be used for the purpose of carrying on the business:
Garage at 121 Mill St. Lancaster
9. Are you a recognized agent of a motor vehicle manufacturer? YES _____ NO X
 If yes, state the name of the manufacturer: _____

10. Do you have a signed contract as required by Section 58, Class I? YES _____ NO _____
11. Have you ever applied for a license to deal in secondhand motor vehicles or parts thereof? YES _____ NO X
- If yes, in what city or town? _____
- Did you receive a license? YES _____ NO _____ For what year? _____
12. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES _____ NO X If yes, please explain: _____

Attach the following documentation the completed application form:

- Parking Plan** (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Zoning Opinion** from the Building Commissioner.
- Surety Bond** in the amount of \$25,000 executed by a surety company authorized to transact business in Massachusetts. A separate bond shall be required for each different name under which the dealer conducts his business.
- Planning Board and/or Board of Appeals Decisions (*if applicable*).

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

[Signature] DATE SIGNED 12/7/23
 INDIVIDUAL PARTNER OR AUTHORIZED CORPORATE
[Redacted]
[Redacted] (REQUIRED)

License Fee must be submitted with this form. Make check payable to *Town of Lancaster*. Mail Application Form, Workers' Compensation Affidavit and check to: *Select Board, Prescott Building, 701 Main Street, Suite 1, Lancaster, MA 01523*.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



**TOWN OF LANCASTER
SELECT BOARD**
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523-0293
Tel: 978-365-3326 Fax: 978-368-8486

Annual License Fee - \$100.00

Date Received

TOWN OF LANCASTER
RECEIVED

DEC 12 2023

**APPLICATION FOR LICENSE
COMMON VICTUALLER**

New Application Renewal

Town Administrator's Office

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Common Victualler's License, in accordance with the provisions of Chapter 140 of the General Laws.

Applicant's Full Legal Name: Johnny Kayrouz

Applicant's Legal Home Address: 179 North St, Upton, MA 01568

Applicant's Mailing Address (if different): 16 East Main St, Westborough, MA 01581

Applicant's Home Telephone Number: (508)366-1529 Cell Phone: (508)878-7664 Fax No. (888)503-6563

Applicant's E-Mail Addresses: Primary Johnny@Racingmartfuels.com Secondary Johnny@kayrouzrealty.com

Full Legal Name of the Business Concern: N & K Lancaster LLC

Full Street Address of the Business Concern: 1424 Lunenburg rd, Lancaster, MA 01523

Give a complete description of all the premises to be used for the purpose of carrying on the business (e.g. number of dining rooms, cooking facilities, etc.): A 5,000 SF gas station with convenience store situated on 2.08 acres of land at the corner of McGovern Blvd and Lunenburg Rd. Building consists of a sales area, utility room, dry storage room, food prep and storage room, 2 restrooms and a walk-in cooler. Gas station consists of 5 gas islands with overhead canopy and 2 diesel lanes with overhead canopy.
Have you ever applied for or held a Common Victualler's license? Yes (Yes or No)

If so, in what Town? Lancaster

Did you receive a license? Yes For what year? 2023
(Yes or No)

Has any Common Victualler's license issued to you in Massachusetts or any other state ever been suspended or revoked? No
(if yes, please explain in detail)

Attach the following information to the completed application form: Below information is on file with town.

- Building floor plan** showing all seating, bar or lounge area (if applicable), entrances, exits, loading dock or receiving areas, and other relevant information. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, lighting, and location of trash containers. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Menu** or description of food to be served and the manner in which such food shall be served.
- Zoning Opinion** from the Building Commissioner.
- Planning Board and/or Board of Appeals Decisions** (if applicable).

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

 _____ 12/11/23 _____
Signature of Applicant Date

Tax ID# Required: _____

License Fee must be submitted with this form. Make check payable to *Town of Lancaster*. Mail Application Form, Workers' Compensation Affidavit and all required documents, along with check to: *Select Board, Suite 1, 701 Main Street, Lancaster, MA 01523*.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



**TOWN OF LANCASTER
SELECT BOARD**
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523-0293
Tel: 978-365-3326 Fax: 978-368-8486

Annual License Fee - \$100.00

Date Received
**TOWN OF LANCASTER
RECEIVED**
NOV 18 2023

Town Administrator's Office

**APPLICATION FOR LICENSE
COMMON VICTUALLER**

New Application Renewal

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Common Victualler's License, in accordance with the provisions of Chapter 140 of the General Laws.

Applicant's Full Legal Name: John M. Nadreau

Applicant's Legal Home Address: 456 Main St. Leomionster Ma 01453

Applicant's Mailing Address (if different): _____

Applicant's Home Telephone Number: 978-407-0372 Cell Phone: _____ Fax No. _____

Applicant's E-Mail Addresses: Primary JJDunkin@aol.com Secondary _____

Full Legal Name of the Business Concern: Cadette and Nadreau LLC DBA Dunkin Donuts

Full Street Address of the Business Concern: 1410 Lunenburg St. Lancaster Ma 01523

Give a complete description of all the premises to be used for the purpose of carrying on the business (e.g. number of dining rooms, cooking facilities, etc.): Retail Coffee Shop

Have you ever applied for or held a Common Victualler's license? Yes (Yes or No)

If so, in what Town? Lancaster

Did you receive a license? Yes For what year? 2022 2023
(Yes or No)

Has any Common Victualler's license issued to you in Massachusetts or any other state ever been suspended or revoked? No
(If yes, please explain in detail)

Attach the following information to the completed application form:

- Building floor plan** showing all seating, bar or lounge area (if applicable), entrances, exits, loading dock or receiving areas, and other relevant information. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, lighting, and location of trash containers. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Menu** or description of food to be served and the manner in which such food shall be served.
- Zoning Opinion** from the Building Commissioner.
- Planning Board** and/or Board of Appeals Decisions (if applicable).



TOWN OF LANCASTER
SELECT BOARD

Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523-0293
Tel: 978-365-3326 Fax: 978-368-8486

Annual License Fee - \$100.00

RECEIVED
Selectmen's Office

Date Received
NOV 13 2025

Board of Selectmen

APPLICATION FOR LICENSE
COMMON VICTUALLER

New Application ___ Renewal x

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Common Victualler's License, in accordance with the provisions of Chapter 140 of the General Laws.

Applicant's Full Legal Name: Jennifer Macellari

Applicant's Legal Home Address: 105 Rowley Hill Road, Sterling, MA 01564

Applicant's Mailing Address (if different): _____

Applicant's Home Telephone Number: _____ Cell Phone: 508-733-7967 Fax No. _____

Applicant's E-Mail Addresses: Primary ejmaceinc@gmail.com Secondary _____

Full Legal Name of the Business Concern: EJMacelINC DBA Sandee's Restaurant

Full Street Address of the Business Concern: 162 Main Street, Lancaster, MA 01523

Give a complete description of all the premises to be used for the purpose of carrying on the business (e.g. number of dining rooms, cooking facilities, etc.): 1 Dining room & 1 Kitchen separated from each other.

Have you ever applied for or held a Common Victualler's license? yes (Yes or No)

If so, in what Town? Lancaster, MA

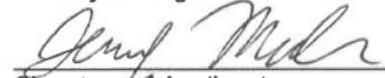
Did you receive a license? Yes For what year? 2008-2023
(Yes or No)

Has any Common Victualler's license issued to you in Massachusetts or any other state ever been suspended or revoked? No
(If yes, please explain in detail)

Attach the following information to the completed application form:

- Building floor plan showing all seating, bar or lounge area (if applicable), entrances, exits, loading dock or receiving areas, and other relevant information. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
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- Menu or description of food to be served and the manner in which such food shall be served.
- Zoning Opinion from the Building Commissioner.
- Planning Board and/or Board of Appeals Decisions (if applicable).

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.

 _____ 11/12/2023
Signature of Applicant Date

Tax ID# Required: _____

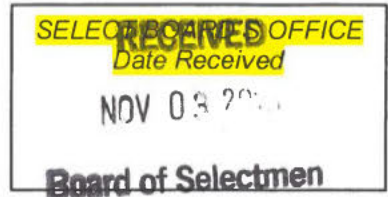
License Fee must be submitted with this form. Make check payable to *Town of Lancaster*. Mail Application Form, Workers' Compensation Affidavit and all required documents, along with check to: *Select Board, Suite 1, 701 Main Street, Lancaster, MA 01523*.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



TOWN OF LANCASTER
SELECT BOARD
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523
Tel: 978-365-3326 (ext. 1201) Fax: 978-368-8486
Email: krocco@lanasterma.gov

Annual License Fee - \$200.00



APPLICATION FOR LICENSE
SALE OF MOTOR VEHICLES

G.L. c.140, §58

New Application ___ Class 1 Class 2 Class 3 Renewal

Circle all that apply

- Name of Concern: Crawford Truck Sales Inc
- Business Address of Concern: 2176 Main St Lancaster MA 01523
- Is the business an individual, partnership, an association or corporation? Corporation
- If an individual, state full name and residential address: _____
- If a partnership, state full names and residential addresses of partners: _____
- If an association or corporation, state full names of the principal officers:
President John LaMarche
Secretary _____
Treasurer _____
- Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? yes
If so, is your principal business the sale of new motor vehicles? NO
Is your principal business the buying and selling or exchanging of second hand motor vehicles? yes
Is your principal business that of a motor vehicle junk dealer? NO
Is your principal business that of a "Repairs"? NO
Is your principal business that of "Repossession"? NO
- Provide a complete description of all the premises to be used for the purpose of carrying on the business:
office space for vehicles & parts; sales; book keeping
garage for upfitting & service
- Are you a recognized agent of a motor vehicle manufacturer? YES _____ NO

If yes, state the name of the manufacturer: _____

Class I, II, III License Application Form

10. Do you have a signed contract as required by Section 58, Class I? YES _____ NO ✓
11. Have you ever applied for a license to deal in secondhand motor vehicles or parts thereof? YES ✓ NO _____
 If yes, in what city or town? Lancaster
- Did you receive a license? YES ✓ NO _____ For what year? 2023
12. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES _____ NO ✓ If yes, please explain: _____

Attach the following documentation the completed application form:

- Parking Plan** (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Zoning Opinion** from the Building Commissioner.
- Surety Bond** in the amount of \$25,000 executed by a surety company authorized to transact business in Massachusetts. A separate bond shall be required for each different name under which the dealer conducts his business.
- Planning Board and/or Board of Appeals Decisions (*if applicable*).

THE APPLICANT CERTIFIES THAT ALL STATE TAX RETURNS HAVE BEEN FILED AND ALL STATE AND LOCAL TAXES REQUIRED BY LAW HAVE BEEN PAID AND AGREES TO COMPLY WITH THE TERMS OF ITS LICENSE AND APPLICABLE LAW, AND ALL RULES AND REGULATIONS PROMULGATED THERETO. I FURTHER CERTIFY THAT THE INFORMATION CONTAINED IN THIS APPLICATION IS TRUE AND ACCURATE AND ALSO AUTHORIZE THE LICENSING AUTHORITY OR ITS AGENTS TO CONDUCT WHATEVER INVESTIGATION IS NECESSARY TO VERIFY THE INFORMATION CONTAINED IN THIS APPLICATION.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

[Signature] DATE SIGNED 10/30/2023
 INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT
 FE [REDACTED]

License Fee must be submitted with this form. Make check payable to Town of Lancaster. Mail Application Form, Workers' Compensation Affidavit and check to: Select Board, Prescott Building, 701 Main Street, Suite 1, Lancaster, MA 01523.

NOTICE: The filing of this application confers no rights on the part of the Applicant to undertake any activities until the license has been granted. The issuance of a license under this section or sections is subject to the Applicant's compliance with all other applicable Federal, State or local statutes, ordinances, bylaws, rules or regulations. The Licensing Authority reserves the right to request any additional information it reasonably deems appropriate for the purpose of determining the terms and conditions of the License and its decision to issue a License. The provisions of G.L. c.152 may require the filing of a Workers' Compensation Insurance Affidavit with this application. Failure to file the Affidavit, along with any other required information and/or documentation, shall be sufficient cause for the denial of the License application.



The Commonwealth of Massachusetts
 Department of Industrial Accidents
 1 Congress Street, Suite 100
 Boston, MA 02114-2017
 www.mass.gov/dia

Workers' Compensation Insurance Affidavit: General Businesses.
 TO BE FILED WITH THE PERMITTING AUTHORITY.

Applicant Information

Please Print Legibly

Business/Organization Name: Crawford Truck Sales Inc

Address: 2176 Main St

City/State/Zip: Lancaster MA Phone #: 978 586 5339

Are you an employer? Check the appropriate box:

1. I am an employer with 17 employees (full and/or part-time).*
2. I am a sole proprietor or partnership and have no employees working for me in any capacity. [No workers' comp. insurance required]
3. We are a corporation and its officers have exercised their right of exemption per c. 152, §1(4), and we have no employees. [No workers' comp. insurance required]**
4. We are a non-profit organization, staffed by volunteers, with no employees. [No workers' comp. insurance req.]

Business Type (required):

5. Retail
6. Restaurant/Bar/Eating Establishment
7. Office and/or Sales (incl. real estate, auto, etc.)
8. Non-profit
9. Entertainment
10. Manufacturing
11. Health Care
12. Other _____

*Any applicant that checks box #1 must also fill out the section below showing their workers' compensation policy information.

**If the corporate officers have exempted themselves, but the corporation has other employees, a workers' compensation policy is required and such an organization should check box #1.

I am an employer that is providing workers' compensation insurance for my employees. Below is the policy information.

Insurance Company Name: Associated Employers Insurance Agency

Insurer's Address: 54 Third Ave PO Box 4070

City/State/Zip: Burlington MA 01803

Policy # or Self-ins. Lic. # WCC5005013496@023A Expiration Date: 6/11/24

Attach a copy of the workers' compensation policy declaration page (showing the policy number and expiration date).

Failure to secure coverage as required under Section 25A of MGL c. 152 can lead to the imposition of criminal penalties of a fine up to \$1,500.00 and/or one-year imprisonment, as well as civil penalties in the form of a STOP WORK ORDER and a fine of up to \$250.00 a day against the violator. Be advised that a copy of this statement may be forwarded to the Office of Investigations of the DIA for insurance coverage verification.

I do hereby certify, under the pains and penalties of perjury that the information provided above is true and correct.

Signature: [Signature] Date: 10/30/2023

Phone #: 800 427 7404

Official use only. Do not write in this area, to be completed by city or town official.

City or Town: _____ Permit/License # _____

Issuing Authority (circle one):

1. Board of Health
2. Building Department
3. City/Town Clerk
4. Licensing Board
5. Selectmen's Office
6. Other _____

Contact Person: _____ Phone #: _____

Information and Instructions

Massachusetts General Laws chapter 152 requires all employers to provide workers' compensation for their employees. Pursuant to this statute, an *employee* is defined as "...every person in the service of another under any contract of hire, express or implied, oral or written."

An *employer* is defined as "an individual, partnership, association, corporation or other legal entity, or any two or more of the foregoing engaged in a joint enterprise, and including the legal representatives of a deceased employer, or the receiver or trustee of an individual, partnership, association or other legal entity, employing employees. However, the owner of a dwelling house having not more than three apartments and who resides therein, or the occupant of the dwelling house of another who employs persons to do maintenance, construction or repair work on such dwelling house or on the grounds or building appurtenant thereto shall not because of such employment be deemed to be an employer."

MGL chapter 152, §25C(6) also states that "every state or local licensing agency shall withhold the issuance or renewal of a license or permit to operate a business or to construct buildings in the commonwealth for any applicant who has not produced acceptable evidence of compliance with the insurance coverage required." Additionally, MGL chapter 152, §25C(7) states "Neither the commonwealth nor any of its political subdivisions shall enter into any contract for the performance of public work until acceptable evidence of compliance with the insurance requirements of this chapter have been presented to the contracting authority."

Applicants

Please fill out the workers' compensation affidavit completely, by checking the boxes that apply to your situation and, if necessary, supply your insurance company's name, address and phone number along with a certificate of insurance. Limited Liability Companies (LLC) or Limited Liability Partnerships (LLP) with no employees other than the members or partners, are not required to carry workers' compensation insurance. If an LLC or LLP does have employees, a policy is required. Be advised that this affidavit may be submitted to the Department of Industrial Accidents for confirmation of insurance coverage. Also be sure to sign and date the affidavit. The affidavit should be returned to the city or town that the application for the permit or license is being requested, not the Department of Industrial Accidents. Should you have any questions regarding the law or if you are required to obtain a workers' compensation policy, please call the Department at the number listed below. Self-insured companies should enter their self-insurance license number on the appropriate line.

City or Town Officials

Please be sure that the affidavit is complete and printed legibly. The Department has provided a space at the bottom of the affidavit for you to fill out in the event the Office of Investigations has to contact you regarding the applicant. Please be sure to fill in the permit/license number which will be used as a reference number. In addition, an applicant that must submit multiple permit/license applications in any given year, need only submit one affidavit indicating current policy information (if necessary). A copy of the affidavit that has been officially stamped or marked by the city or town may be provided to the applicant as proof that a valid affidavit is on file for future permits or licenses. A new affidavit must be filled out each year. Where a home owner or citizen is obtaining a license or permit not related to any business or commercial venture (i.e. a dog license or permit to burn leaves etc.) said person is NOT required to complete this affidavit.

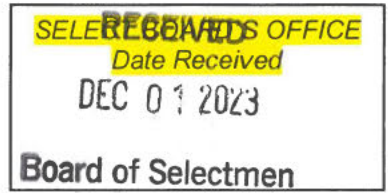
The Department's address, telephone and fax number:

The Commonwealth of Massachusetts
Department of Industrial Accidents
1 Congress Street
Boston, MA 02114-2017
Tel. # 617-727-4900 ext. 7406 or 1-877-MASSAFE
Fax # 617-727-7749
www.mass.gov/dia



TOWN OF LANCASTER
SELECT BOARD
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523
Tel: 978-365-3326 (ext. 1201) Fax: 978-368-8486
Email: krocco@lanasterma.gov

Annual License Fee - \$200.00



APPLICATION FOR LICENSE
SALE OF MOTOR VEHICLES
G.L. c.140, §58

New Application ___ Class 1 Class 2 Class 3 Renewal X

Circle all that apply

- Name of Concern: KOCH LANCASTER INC
- Business Address of Concern: 700 Old Union Turnpike Lancaster MA
- Is the business an individual, partnership, an association or corporation? Corporation
- If an individual, state full name and residential address: _____
- If a partnership, state full names and residential addresses of partners: _____
- If an association or corporation, state full names of the principal officers:
President KURT KOCH
Secretary KURT KOCH
Treasurer KURT KOCH
- Are you engaged principally in the business of buying, selling, or exchanging motor vehicles? yes
If so, is your principal business the sale of new motor vehicles? yes
Is your principal business the buying and selling or exchanging of second hand motor vehicles? yes
Is your principal business that of a motor vehicle junk dealer? no
Is your principal business that of a "Repairs"? yes
Is your principal business that of "Repossession"? no
- Provide a complete description of all the premises to be used for the purpose of carrying on the business:
We are a new car Toyota dealership that engages in business that results in sales of second hand motor vehicles and services the retail and customer units.
- Are you a recognized agent of a motor vehicle manufacturer? YES NO _____
If yes, state the name of the manufacturer: Toyota

10. Do you have a signed contract as required by Section 58, Class I? YES NO
11. Have you ever applied for a license to deal in secondhand motor vehicles or parts thereof? YES NO
 If yes, in what city or town? _____
 Did you receive a license? YES NO For what year? _____
12. Has any license issued to you in Massachusetts or any other state to deal in motor vehicles or parts thereof ever been suspended or revoked? YES NO If yes, please explain: _____

Attach the following documentation the completed application form:

- Parking Plan** (scaled 1" = 40 ft.) showing Building Department-approved parking layout. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, entrances and exits, building location, etc. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Zoning Opinion** from the Building Commissioner.
- Surety Bond** in the amount of \$25,000 executed by a surety company authorized to transact business in Massachusetts. A separate bond shall be required for each different name under which the dealer conducts his business.
- Planning Board and/or Board of Appeals Decisions (if applicable).

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SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY.

 INDIVIDUAL, PARTNER OR AUTHORIZED CORPORATE OFFICER OR APPLICANT

 FEDERAL IDENTIFICATION NUMBER (REQUIRED)

DATE SIGNED 11/12/2023

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**TOWN OF LANCASTER
SELECT BOARD**
Prescott Building, 701 Main Street, Suite 1
Lancaster, MA 01523-0293
Tel: 978-365-3326 Fax: 978-368-8486

Annual License Fee - \$100.00

TOWN OF LANCASTER
RECEIVED
DEC 01 2023
Town Administrator's Office

**APPLICATION FOR LICENSE
COMMON VICTUALLER**

New Application Renewal

I, the undersigned, duly authorized by the concern herein mentioned, hereby apply for a Common Victualler's License, in accordance with the provisions of Chapter 140 of the General Laws.

Applicant's Full Legal Name: Koch Lancaster Inc
 Applicant's Legal Home Address: 700 Old Union Turnpike Lancaster MA
 Applicant's Mailing Address (if different): _____
 Applicant's Home Telephone Number: 978 353 1731 Cell Phone: _____ Fax No. _____
 Applicant's E-Mail Addresses: Primary amackinnon@koch2toyota.com Secondary _____
 Full Legal Name of the Business Concern: Koch Lancaster Inc
 Full Street Address of the Business Concern: 700 Old Union Turnpike Lancaster MA

Give a complete description of all the premises to be used for the purpose of carrying on the business (e.g. number of dining rooms, cooking facilities, etc.): we have a small dining area with 5 tables, seating approximately 25 people. It is not currently being utilized but may have future plans

Have you ever applied for or held a Common Victualler's license? yes (Yes or No)

If so, in what Town? Lancaster

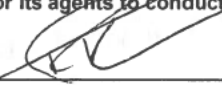
Did you receive a license? yes (Yes or No) For what year? 2022

Has any Common Victualler's license issued to you in Massachusetts or any other state ever been suspended or revoked? no
(If yes, please explain in detail)

Attach the following information to the completed application form:

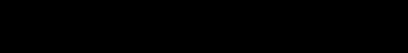
- Building floor plan** showing all seating, bar or lounge area (if applicable), entrances, exits, loading dock or receiving areas, and other relevant information. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Site Plan** (scaled 1" = 40 ft.) showing all available parking, driveways, lighting, and location of trash containers. Six (6) copies shall be reduced to either 8½" x 11", or if applicable, 11" x 17".
- Menu** or description of food to be served and the manner in which such food shall be served.
- Zoning Opinion** from the Building Commissioner.
- Planning Board and/or Board of Appeals Decisions (if applicable).

The applicant certifies that all state tax returns have been filed and all state and local taxes have been paid as required by law and further agrees to comply with the terms of the License and applicable law, and all rules and regulations promulgated thereto. The Applicant further certifies that the information contained in this application is true and accurate and also authorizes the Licensing Authority or its agents to conduct whatever investigation is necessary to verify the information contained in this application.



Signature of Applicant

11/12/2023
Date

Tax ID# Required: 

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EXECUTIVE SESSION

COMMUNICATIONS

ADJOURNMENT
