

TOWN OF LANCASTER
BOARD OF APPEALS
701 Main Street, Nashaway Room
Thursday, June 20, 2019

Present: Chair Jeanne Rich, Sarah Gulliver, Robert Baylis, Hannah Meyer and Matthew Mayo

Absent: Scott Miller, Frank Sullivan and David Stadtherr

Also Present: Legal Counsel for the Town Adam Costa, from Mead, Talerman and Costa; Michael Antonellis, Director Community Development & Planning

List of Documents:

- Board of Appeals Agenda: June 20, 2019
- Draft Decision by Attorney Costa
- All documents submitted to the board throughout the hearing process for the Comprehensive Permit for Goodridge Brook Estates were made available to the board.

There being a quorum present, Chair Rich called the meeting to order at 7:00 PM.

Old Business

Jeanne Rich gave an overview of the issues and important topics surrounding the application. She said tonight they will be talking about sewer, water and the environment.

Michael Antonellis gave an overview of the plan and how he highlighted the wetlands, the Board requested the twenty five foot no build and the 200 foot river protection line be shown.

The Board discussed the waivers that has been requested for the within twenty five foot no build and a two hundred foot river front.

Attorney Costa stated that the Board needs to decide on the twenty five foot and the two hundred foot river front waivers which are local standards.

After much discussion the majority of the Board members said they were in favor of the 25 feet “no build” waiver that is being requested in certain spots concerning the roadways only. They discussed putting conditions. The Board discussed the 200 foot river protection waiver request. The consensus of the Board was they were in favor of this waiver.

Attorney Costa stated that the board must justify decisions to deny waivers or conditions.

WATER

Chair Rich said the water department and their engineer has said there is sufficient water for this project. The Board discussed the suggestions from Haley and Ward. They reviewed the

conditions that were placed on Fieldcrest Estate. They also discussed irrigation, meters, and a booster pump.

SEWER

Adam Costa commented stated that the board is acting as the local permit granting authority to issue all permits and approvals that other local Boards would issue and that If this was another department of the Town that there wouldn't be an issue but because the sewer is a district it is in question. He said in his opinion the Board acts on behalf of the sewer district in issuing a permit.

The Board discussed the issuance of the permit subject to capacity and also a denial on the grounds of the one and two out of five factors stated by the Sewer District. The Board discussed having the applicant correct issues identified in reviews conducted by Weston and Sampson on the Sewer District's behalf, in September 2018 and March 2019. Weston and Sampson confirms prior to construction that the proposed sewer extension design for the project incorporate any modifications to meet engineering standards for sewer utilities.

ENVIRONMENTAL

The Board discussed the Environmental Justice Community which is a statute in Mass. It is to make sure you don't allow lower income class live close to an industrial site. There is a site in Lancaster that is classified as an Environmental Justice Community. The proposed site of the 40B does not fall within this area.

The Board discussed the six foot high privacy fence which is included in the plan and adding an associated berm of no less than two feet in height be constructed along the Locus boundary with adjacent property of Bestway, and also a vegetative buffer between the Locus and the Rental Component of the Project.

Attorney Costa handed out a draft of the decision.

The next deliberation meeting will be July 18, 2019 at 7:00PM. An extension will be needed by the applicant.

The meeting was adjourned at 9:44 PM

Respectfully submitted

Debra Dennis