

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

Emerick R. Bakaysa, Chair
Joanna L. Bilotta, Vice-Chair
Thomas W. Bodkin, Jr., Clk.
Robert J. Saiia, Mbr.
Nathan J. Lockwood, Mbr.
Marion M. Benson, Planning Director



Tel: (978) 582-4147
Fax: (978) 582-4353
960 Massachusetts Avenue
Lunenburg, MA 01462

Public Hearing Minutes
Emerald Place at Lake Whalom
July 26, 2010

Meeting Posted: Yes

Place: Town Hall, 17 Main Street, Lunenburg, MA 01462

Time: 6:30 PM

Present: Emerick R. Bakaysa, Joanna L. Bilotta, Thomas W. Bodkin Jr., Robert J. Saiia, Nathan J. Lockwood, Marion M. Benson

Chair opened the Public Hearing at 6:30 PM with the reading of the legal notice published in the Sentinel and Enterprise on July 12, 2010 and July 19, 2010. The Public Hearing was to hear and discuss a Modification to a site plan and layout for 10 Lakefront under Section 4.12. Lake Whalom Overlay District, Protective Bylaw of the Town of Lunenburg. Owner and Applicant is Emerald Place Development Co., LLC, 430 Bedford Street, Suite 195, Lexington, MA 02420.

Carl Pearson, Global Property Developers Corp., representing Applicant, presented Modification to existing plan. Modification consists of internal changes to roadway layout and residential structure placement as a result of recent land purchase. Modification eliminates proposed Road C, modifies proposed Road D, and modifies Great Pond Road. Number and size of units is reduced. Based on previous plan, Great Pond Road traverses the site and comes out on other side of R.G. Scooters as always proposed. Rose Garden Lane has been created. Change of unit style on Rose Garden Lane to villas. Clubhouse has been eliminated from Parcel C and replaced with three (3) villas. These changes benefit both the Town and the developers as the road system works in a circulatory pattern, the addition/subtraction of "hardscape" increases site permeability, better site drainage, and lesser amount of hard coverage results in more green space. Clubhouse was an area of large hardscape and replacing with villas on Parcel C reduces this as villas are garden-style flats. Style of villa is two (2) over two (2). Two units on ground level – two units above them. The ground level is handicap adaptable. This style change accommodates today's housing market and strengthens the project. Housing is now "centered" on site on Parcels A and C. The Applicant will have to come back before the Planning Board when they have a proposal for the commercial parcel (Parcel B).

Ted Aho, 54 Prospect Street, inquired if roadway would be different by R.G. Scooters as a result of recent land purchase. Mr. Pearson noted that an acre was added to the Whalom land mass as a result of the purchase. This will ease the road slope.

Michael Haley, 48 Pierce Avenue, brought up concerns with the roundabout. Chair Bakaysa informed the audience that the roundabout was not a part of this Modification, and therefore, should not be included in this evening's discussions. Mr. Haley inquired if the borderline of trees located in his neighborhood would remain. Mr. Pearson noted that residents did not want housing on the Pierce Avenue Parcel B. One of the reasons for the Modification was to move building density from Parcel B into the main Parcel. The Whalom boundary at Parcel B is the access road to the old F&L rail line adjacent to the tree line. Anything that gets built on Parcel B requires a buffer zone; whether the existing trees, or ones newly planted. Along that boundary line will probably be an ingress/egress for emergency vehicles.

Patricia Chansky, 386 Hollis Road, voiced her issues with the roundabout; i.e., too narrow, looks like two-way traffic, if it has 26 signs it can't be easy to understand. Chair reiterated Modification was not for roundabout, but went on to add that it is not complete, that the DPW, Fire and Police Departments stay up to date on its construction and that any issues will be resolved.

Robert Ebersole, 94 Main Street, inquired as Chair of the Sewer Commission if a revised Sewer Plan would be submitted to the Commission. Yes.

Steve deBettencourt, 200 Pleasant Street, inquired as to 1) what happens to the beach area; will it be passive recreation and, 2) original plan indicated four (4) large buildings; Modification shows five (5). Mr. Pearson noted there will be a sidewalk system and pathways are part of the infrastructure. Residents of Emerald Place will have rights to the beach. The inner circle of the development originally had four (4) larger buildings, but now the buildings are smaller and with a lower roofline to make 24 versus 30, 38 and 40 living units per building, thus resulting in five (5) buildings. As a result, both the footprint and road system are reduced, which also better the drainage. Mr. deBettencourt inquired if the originally proposed sidewalks are in the Modification. Yes, sidewalks remain. Mr. deBettencourt asked if the Applicant would give any consideration for affordable units. Mr. Pearson noted that under The Lake Whalom Overlay District both 55+ and affordable were options. In 2006 the developers chose to go with 10% for 55+ and Approval is for same. Units were originally proposed in the high \$200,000's - \$300,000's. By reconfiguring and offering housing from approximately 1,100 square feet up to 1,800 square feet, the smaller-sized units will come in at the low \$200,000's. Chair noted that Modification is for a different style and layout due to the land addition, not discussion of affordable versus 55+.

David Ross, Reviewing Engineer, stated that he was pleased with the Modification. By gaining land, the applicant was able to redesign and improve the roads. The change in the building plan allows for more "green" area, which reduces surface runoff. Mr. Ross is in the process of reviewing the drainage analysis.

Kathleen Vorce, 1 Ferdinand Passway, inquired if 1) density increased on Parcel C as a result of housing being taken off Parcel B, 2) was 55+ located in a specific area and, 3) pricing. Mr. Pearson stated under the original Approval, some multi-units were to be located on Parcel B. To integrate the 40 housing units originally planned for Parcel B into Parcel A, the Architect came up with the villa styling (four units per building) instead of the originally planned duplex, triplex and quad buildings. The density can be spread out across the site due to land purchase. The developer anticipates placing the 55+ in one building and will be a deed restriction. The 24-unit buildings will range approximately \$215,000 - \$240,000. The villas - \$250,000 - \$300,000.

Mr. Aho wanted to know about improvements to the roundabout. Chair noted Town Departments are involved and it is an ongoing process. Mr. Pearson informed the audience that the roundabout was a collaboration of ideas from multiple engineers. Its purpose is to keep traffic moving at a slow pace; therefore signage is exceptionally important. It is a safe addition to the Town and mid-way completed.

Mr. Haley noted that the roundabout has slowed traffic down, but has concerns with roundabout traffic during the winter months. Chair noted that the Board represents the Community and the desired results will be achieved.

Jay Simeone, 87 Beachview Road, inquired 1) if the roads were private or public, 2) voiced concern with the ingress on Lakefront Avenue, 3) wondered why Emerald Place was not a closed community for traffic safety and, 4) felt there should not be a roadway to Lakefront Avenue – should be walking path only due to safety concerns. Mr. Pearson noted the Modification has changed roadway system to better the complex. Based on the amount of development, there must be enough ingress/egress for public safety purposes. Internal roads are private, external are public. If the development had been built in 2006, it would have been a gated community. Now, in order to make it more affordable to citizens, it is open to all. Development contains an extensive walk system.

No proponents.
No opponents.

Chair asked for questions from the Planning Board.

Mr. Bodkin Jr.; concerned with 1) traffic density as a result of moving units from Parcel B to Parcel A anticipating an average of 1½ cars per household in the development, 2) would prefer to see clubhouse instead of villas on Parcel C. A clubhouse would be an iconic structure on the lakefront and, 3) type of commercial development on Parcel B. Mr. Pearson noted that the traffic

engineer encouraged the main entrance be located on Lakefront Avenue (one of the less-traveled roads in Town) for safety concerns. The clubhouse would have been a large mass on the beachfront. The villas are significantly smaller and pulled back from the beachfront. When they are ready to develop Parcel B, which is zoned commercial, they will be required to come before the Planning Board for site plan review.

Ms. Bilotta; agreed with Mr. Bodkin Jr. in regards to the traffic density and would also prefer to see a clubhouse instead of villas. Would also like the Applicant to consider affordable housing.

Mr. Lockwood had no comments.

Mr. Saiia previously resided in a community with a clubhouse and pool and other than special occasions, it was rarely used.

Chair Bakaysa inquired of Mr. Ross if the project still complied with density due to moving residential units across the street. Mr. Ross - Yes.

Ms. Bilotta noted the original Approval was for 240 units. Would two (2) commercial buildings on Parcel B be in addition to the 240? Planning Director Ms. Benson responded that the Zoning Officer, Mike Sauvageau, noted the density on the project is 238. The underlying zoning is Commercial, but under the Overlay District, Parcel B is ½ Commercial and ½ Residential. The developer cannot go into the Residential with proposed Commercial without a separate special permit. That has nothing to do with the residential density. If they go Commercial on Parcel B, it will be looked at under the Commercial section of the Bylaw.

Chair inquired if Parcel C is included in the 30 acres required for 240 units. Mr. Ross responded that the Applicant has more than 30 acres in total. Section 4.12. of the Zoning Bylaw states no more than eight (8) units per acre. Chair also asked if Parcel B is used under the underlying zoning of Commercial, how that impacts the overall Overlay District. Does it cause a recalculation of the density? Mr. Ross responded that it would not change the density of residential units. Any development on the Commercial piece would have to be approved by the Planning Board in accordance with the Commercial regulations in the Zoning Bylaw. Mr. Pearson noted that the Overlay District is the Whalom "master planning" zoning. Unlike a subdivision, this is a "master plan" community. They are allowed up to eight (8) units per acre. Parcel B's underlying zoning is Commercial; it is still part of the land of Whalom Park. The ability to ask for up to eight (8) units per acre "master planning" -wise has been granted in the permit by the Planning Board. Parcel B is part of that "master plan" zoning. If left vacant, it does not add/subtract from the 240. It just has to conform to Commercial review.

Director Benson read Findings into record.

1. The Lunenburg Planning Board finds that a Modification to a Development Plan Review, under §4.12., Lake Whalom Overlay District, Protective Bylaw of the Town of Lunenburg, was submitted on July 21, 2010 for site plan modification reflecting changes to interior roadway, and residential structure design and placement.
2. The Lunenburg Planning Board finds Modification is partly due to acquisition of 37,901± SF of land (located directly behind "R.G. Scooters") from Rhonda Newman, 86 Lakefront Avenue, Lunenburg, MA.
3. The Lunenburg Planning Board finds Applicant is Emerald Place Development Company, LLC, 430 Bedford Street, Suite 195, Lexington, MA 02420.
4. The Lunenburg Planning Board finds that the submittal, site plan number 30-D-15, dated July 19, 2010, was prepared by Whitman & Bingham Associates, 510 Mechanic Street, Leominster, MA 01453.
5. The Lunenburg Planning Board finds Site Architect is John Sullivan, Principal, Emerald Place Development Company, LLC.
6. The Lunenburg Planning Board finds that the Reviewing Engineer for the Planning Board is David E. Ross Associates, Inc., 111 Fitchburg Road, PO Box 368, Ayer, MA 01432-0368.

- A. Peer Review finds the Modification termed "Minor Modification".
 - B. Peer Review finds roadway layouts equal one less roadway cut on Lakefront Avenue than originally proposed.
 - C. Peer Review finds roadway cuts go from five (5) to three (3) on Prospect Street and Lakefront Avenue.
 - D. Peer Review finds reduction of one (1) roadway cut on Great Pond Road and Rose Garden Lane.
 - E. Peer Review finds internal roadways maintained the same as, or improved.
 - F. Peer Review finds drainage volume changes due to less impervious surface, which equals less runoff.
 - G. Peer Review finds turning radius on Great Pond Road and Rose Garden Lane improved to accommodate service vehicles.
 - H. Peer Review finds new roadway layout improves the functionality of the project.
 - I. Peer Review finds layout of residential structures poses no problem and provides eighteen (18%) percent more open space.
 - J. Peer Review finds structures on the beach parcel eliminates clubhouse.
 - K. Peer Review finds structures on the beach parcel are within the 100 foot buffer and Applicant must apply to Conservation Commission.
 - L. Peer Review finds Drainage Calculation review not completed due to time constraints.
7. The Lunenburg Planning Board finds drainage calculations were submitted for engineer review.
 8. The Lunenburg Planning Board finds Modification is for less than the previously approved total of 240 units.
 9. The Lunenburg Planning Board finds that the Modification presents for 238 units.
 10. The Lunenburg Planning Board finds a total of 30 townhouses under the Modification.
 11. The Lunenburg Planning Board finds Modification addresses portions of Carousel Lane, Great Pond Road and Rose Garden Lane.
 12. The Lunenburg Planning Board finds a new residential model, entitled "villas", are two-story units with each floor being a complete living unit.
 13. The Lunenburg Planning Board finds there are a total of 88 villas in the new proposed layout, with four units per structure. **As a result of Hearing, #13 is changed to read, "The Lunenburg Planning Board finds there are 22 villas in the new proposed layout, with four units per structure, for a total of 88 living units".**
 14. The Lunenburg Planning Board finds the previously proposed "clubhouse" deleted under the Modification, and replaced with three villa structures consisting of four units each for a total of 12 units. (These 12 units are counted in the above 238 units.)
 15. The Lunenburg Planning Board finds a Conservation Commission review for the Modification should be initiated due to 100 foot buffer zone.
 16. The Lunenburg Planning Board finds that under the Modification, the development will still receive electrical service from Unitil Fitchburg Gas & Electric Light Company.
 17. The Lunenburg Planning Board finds that under the Modification, the development will still receive cable service from Comcast. **As a result of Hearing, #17 is changed to read, "The Lunenburg Planning Board finds that under the Modification, the development will receive cable service from Comcast, Verizon or other providers".**
 18. The Lunenburg Planning Board finds that under the Modification, the development will still receive telephone service from Verizon. **As a result of Hearing, #18 is changed to read, "The Lunenburg Planning Board finds that under the Modification, the development will receive telephone service from Comcast, Verizon or other providers".**
 19. The Lunenburg Planning Board finds that under the Modification, the development will still receive gas service from KeySpan. **As a result of Hearing, #19 is changed to read, "The Lunenburg Planning Board finds that under the Modification, the development will receive gas service from National Grid (formerly known as KeySpan)".**

20. The Lunenburg Planning Board finds that under the Modification, municipal water and sewer will still be provided by Lunenburg Sewer and Lunenburg Water District.
21. The Lunenburg Planning Board finds these Findings pertain only to this Modification site plan number 30-D-15, dated July 19, 2010, and received in the Planning Office July 21, 2010.
22. The Lunenburg Planning Board finds a Public Hearing was held and closed on July 26, 2010. **As a result of hearing, #22 is changed to read, "The Lunenburg Planning Board finds a Public Hearing was held July 26, 2010, and continued to August 9, 2010".**
23. **The Lunenburg Planning Board finds this Modification affects the following Findings, Received and Filed with the Lunenburg Town Clerk, June 15, 2006.**

Numbers 5, 12, 23, 24, 28, 34, 38, 72, (see below).

5. The Lunenburg Planning Board finds the applicant is Emerald Place Development Company, LLC, 430 Bedford Street, Suite 195, Lexington, MA 02420.
12. The Lunenburg Planning Board finds the Modification will be reviewed by Peer Reviewing Engineer, David Ross, David E. Ross Associates, the Building Official, Board of Health, Conservation Commission, Fire Department, Lunenburg Water District, Sewer Department, and the Department of Public Works.
23. The Lunenburg Planning Board finds under the Approval of this Modification, the Drainage Plan will change due to roadway and residential structure changes, be reviewed by Reviewing Engineer David Ross, and other Boards as necessary.
24. The Lunenburg Planning Board finds that under the Modification, the clubhouse will be eliminated.
28. The Lunenburg Planning Board finds a change of roadway and structure layout due to property acquisition, which results in this Modification.
34. The Lunenburg Planning Board finds #34 deleted due to clubhouse not being constructed under this Modification.
38. The Lunenburg Planning Board finds the style of the project changed due to smaller multi-unit buildings and the addition of "villa" style residential structures.
72. The Lunenburg Planning Board finds #72 adjusted for townhouses, multi-family units, and villas under the Modification.

Mr. Bodkin Jr., would like to see a supplemental traffic analysis as Traffic Impact and Access Study was completed in November 2005.

Director Benson read Directives into record.

1. The Applicant shall be held accountable for all notations on Site Plan Number 30-D-15, dated July 19, 2010, prepared by Whitman & Bingham Associates, and as approved with all corrections and revisions. Said revisions and corrections noted by review of Reviewing Engineers and Town Departments and accepted by the Planning Board.
2. The Applicant shall submit for reviews from the following and copy the Planning Office:
 - Building Official
 - Board of Health
 - Conservation Commission
 - Sewer Commission
 - Department of Public Works
 - Lunenburg Water District
3. The Applicant shall remove the word "clubhouse" from Parcel D on the Modification.

4. The Lunenburg Planning Board finds this Modification affects the following Directive, Received and Filed with the Lunenburg Town Clerk, June 15, 2006.

Number 4 (see below)

4. The Applicant shall, under this Modification, be approved for 238 units consisting of five (5) multi-units of twenty-four (24), thirty (30) townhouses and eighty-eight (88) villas.

Note: These Directives are subject to periodic review by the permit granting authority (Planning Board), or zoning enforcement officer to ensure compliance with the enumerated conditions. Non-compliance to these conditions may result in revocation of this Approval.

The Planning Board, Planning Director with the Building/Zoning Officer and/or reviewing engineer will inspect the said site at any time during and after completion of construction to ensure all specifications as noted have been adhered to.

Director Benson noted that above Directives are incomplete, pending Planning Board input.

Board members discussed whether or not to close Hearing or suspend Hearing to another date. Consensus was that Hearing should be continued to another date so that the public could be updated with any new data/information gathered as a result of Board questions at tonight's Hearing.

Ms. Bilotta made Motion to suspend to August 9, 2010, 6:30 PM. Mr. Bodkin Jr., Seconded to come back at a later date. Discussion ensued as to whether or not set a tentative continuation date. Ms. Bilotta made Motion to continue to August 9, 2010, 6:30 PM, Mr. Saiia, Seconded. Roll Call Vote, Mr. Bodkin Jr., yea, Ms. Bilotta, yea, Chair Bakaysa, yea, Mr. Saiia, yea, Mr. Lockwood, yea.

Mr. Lockwood inquired of Chair as to impact to developer by postponing and not closing Hearing this date. Chair Bakaysa inquired of the Applicant- Gary Crossen, Emerald Place Development Co., LLC representing the Applicant, noted none that they could not live with.

Hearing suspended 8:09 PM.

Audio recording on file in Planning Office.