

LUNENBURG PLANNING BOARD

TOWN OF LUNENBURG

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



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960 Massachusetts Avenue
Lunenburg, MA 01462

Minutes
April 23, 2012

Meeting Posted: Yes

Place: Ritter Memorial Building, 960 Massachusetts Avenue, Lunenburg, MA 01462

Time: 6:30 PM

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

Absent: Nathan J. Lockwood

MINUTES – APPROVAL: Ms. Bilotta-Simeone, Motion to sign 4-9-12, 4-9-12 New England Farms Information Meeting, and 4-9-12 Town Meeting Zoning Article Public Hearing, Second, Mr. Bodkin Jr., Motion passed. All minutes signed.

APPROVAL: New England Farms Development Plan Review- Findings and Directives read into record as follows:
FINDINGS

1. The Lunenburg Planning Board finds that an application for a Development Plan Review, dated January 20, 2012 was submitted to the Lunenburg Planning Board on February 1, 2012.
2. The Lunenburg Planning Board finds the application is for construction of a gasoline station with a convenience store and take-out food service with a drive-thru window.
3. The Lunenburg Planning Board finds the applicant is SMD Development LLC, 280 Ayer Road, Harvard, MA 01451.
4. The Lunenburg Planning Board finds the current owner of the property is Tradex Corp., c/o Charles Gitto N. Jr., 18 Nancy Ct, Leominster, MA 01453.
5. The Lunenburg Planning Board finds that the property is located at 134 Leominster Shirley Road, Map 146, Parcel 26.
6. The Lunenburg Planning Board finds that the property is located in the Commercial District.
7. The Lunenburg Planning Board finds the designing engineers are MHF Design Consultants, Inc., 44 Stiles Road, Suite One, Salem, NH and Whitman & Bingham Associates, 510 Mechanic Street, Leominster, MA.
8. The Lunenburg Planning Board finds that the Site Plan, Project #303011, was prepared by MHF Design Consultants, Inc., 44 Stiles Road, Suite One, Salem, NH 03079.
9. The Lunenburg Planning Board finds the following as a result of the February, 1, 2012 In House Tech Meeting:
 - a. Fire Chief, DPW Director, and Police Chief- No issues with roadway and entrances/exits.
 - b. Board of Health, Sewer Commission, and Conservation Commission - No issues.
 - c. The traffic involved would not substantially change as the majority of use would come from vehicles that normally travel that route to access Route 2 and industries close by which also use that route.
 - d. Reviewing Engineer Jesse Johnson, David E. Ross Associates, recommended "STOP" be added to the "Do Not Enter" proposed signage at the exit of the drive-thru.
10. The Lunenburg Planning Board finds that the Reviewing Engineer is Jesse Johnson, David E. Ross Associates Inc., 111 Fitchburg Road, P. O. Box 368, Ayer, MA 01432.
11. The Lunenburg Planning Board finds as a result of March 8, 2012 drainage analysis review by Jesse Johnson (attached), Sheet 4 of 14 has been corrected as defined in the attachment.

12. The Lunenburg Planning Board finds the applicant has requested the following waivers from the Town of Lunenburg Protective Bylaw as follows:
 - APPROVED
 - a. Section 4.6.5.2.j)1. – Interior Streets, Drives, Walkways and Access
The bylaw states that parking shall be in the rear of building(s) and shall not be visible from the street line when possible. A waiver is requested from this requirement since the site is a Retail Motor Fuel Outlet located on a corner lot and parking located in the rear of the building is not feasible for this type of development. Access to the convenience store needs to be located in front of the building whenever possible to allow better “convenience” for the customers.
 - APPROVED
 - b. Section 4.6.5.2.j)2. – Interior Streets, Drives, Walkways and Access
The bylaw states that all loading docks shall be to the rear of the building(s) and shall not be visible from the street. A waiver is requested to allow the loading area to be located as shown on the Site Development Plans which provides screening from Leominster-Shirley Road. Since the site is located on a corner lot and the loading area will be visible from Pioneer Drive a four foot chain link fence with privacy slats is proposed to provide screening from this roadway.
 - APPROVED
 - c. Section 4.6.5.2.j)3. - Interior Streets, Drives, Walkways and Access
The bylaw states that all paved areas shall be separated from the lot line setbacks by a four (4) foot landscaped area of indigenous materials. Since the site is a Retail Motor Fuel Outlet and visibility is necessary for safe entrance and egress from the site, a waiver is requested to allow low growth landscape materials at the driveway entrances and provide loam and seed along the remainder of the areas between the paved parking areas and lot lines.
 - APPROVED
 - d. Section 4.6.5.2.l)1. – Screening
The bylaw states that screening of the site shall be by a four (4) foot landscaped strip at the rear and side lot lines. Since the site is a Retail Motor Fuel Outlet and visibility is necessary for safe entrance and egress from the site, a waiver is requested to allow low growth landscape materials at the driveway entrances and provide loam and seed along the remainder of the areas between the paved parking areas and lot lines.
 - APPROVED
 - e. Section 4.6.5.2.m)1. – Landscaping
The bylaw states that there shall be a minimum of a four (4) foot landscaped area along the street frontage and along the front and side of the principal building(s). The 4’ landscape buffer is not provided in front of the building to allow the cashier to have an unobstructed view of the fuel islands. The 4’ buffer has been provided along the building frontage along Pioneer Drive. A waiver is thereby requested for the reduction of the buffer along the building as indicated above.
 - APPROVED
 - f. Section 6.4.3.5. – Driveway Access Road Width
The bylaw states that a four (4) foot minimum width island with “Keep Right” sign shall be provided at Commercial entrances. A waiver is requested to allow no island at the site entrances and exits which provides better vehicular access in and out of the site for general delivery trucks and fuel delivery trucks. Additionally, double solid yellow lines and stop bars are shown at the site entrances to provide defined drive aisle paths for vehicles. This requirement was discussed at the Technical Review Meeting and the DPW Director agreed that this island is not necessary for the gas station use.
13. The Lunenburg Planning Board finds, in letter dated March 19, 2012, Building/Zoning Official notes only one pylon and two secondary signs are allowed under the bylaw.
14. The Lunenburg Planning Board finds the Sign Plan dated 03-05-12 is acceptable; however, as it is not in compliance with Lunenburg Zoning Bylaw Section 6.5. Signs, the applicant will have to apply to the Zoning Board of Appeals for a special permit dimensional variation.
15. The Lunenburg Planning Board finds an Order of Conditions was issued by the Conservation Commission.
16. The Lunenburg Planning Board finds a Traffic Count Request will be performed by MRPC (Montachusett Regional Planning Commission). If any change in future traffic is determined as a result of this Traffic Count, this may result in a change to the current Directives.
17. The Lunenburg Planning Board finds the applicant is required to seek a special permit from the Zoning Board of Appeals under Lunenburg Zoning Bylaw Section 4.6.3. Uses Permissible by Special Permit Granted by the Board of Appeals, Subsection 4.6.3.1.d).
18. The Lunenburg Planning Board finds a Public Information Meeting was advertised in the Sentinel & Enterprise on March 5, 2012.
19. The Lunenburg Planning Board finds abutters were notified by the Planning Board.
20. The Lunenburg Planning Board finds that a Public Information Meeting was held on March 12, 2012 and continued to April 9, 2012.
21. The Lunenburg Planning Board finds, as a result of the April 9, 2012 Public Information Meeting, the applicant will amend the originally proposed fencing to be comparable to the fencing at the CVS located at 454 Electric Avenue, Lunenburg, MA.
22. The Lunenburg Planning Board finds the Public Information Meeting minutes are on file in the Planning Office.

Motion, Ms. Bilotta-Simeone to approve Findings as read, Second, Mr. Bodkin Jr., roll call vote, Mr. Saiia, aye; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye.

DIRECTIVES

1. The applicant shall follow Site Plan, Project #303011 and adhere to the Lunenburg Planning Board Monitoring and Construction Procedures as attached.
2. The applicant shall apply to the Zoning Board of Appeals for a special permit dimensional variation for sign compliance to Lunenburg Zoning Bylaw Section 6.5., Subsection 6.5.1.7., per Building/Zoning Official letter dated March 19, 2012.
3. The applicant shall apply to the Zoning Board of Appeals for a special permit under Lunenburg Zoning Bylaw Section 4.6.3., Uses Permissible by Special Permit Granted by the Board of Appeals, Subsection 4.6.3.1.d).
4. The applicant shall follow the Order of Conditions issued by the Conservation Commission.
5. The applicant shall receive an addendum change to these Directives from the Lunenburg Planning Board if the MRPC Traffic Count Request notes changes in the traffic pattern and/or the addition of special signage.
6. The applicant shall submit a sketch of the proposed fencing to the Lunenburg Planning Board prior to its construction; same shall also be monitored by the Planning Board's reviewing engineer.
7. The applicant shall add "STOP" to the "Do Not Enter" signage at the exit of the drive-thru.
8. The applicant shall fill out the Weekly Progress Notification Form (attached) on a weekly basis and submit same each Monday to the Planning Office either by hand, faxed to 978-582-4353, or via electronic mail to mbenson@lunenburgonline.com.
9. This report will be submitted to the Zoning Board of Appeals regarding Lunenburg Zoning Bylaw Section 4.6.3., Uses Permissible by Special Permit Granted by the Board of Appeals, Subsection 4.6.3.1.d) and Section 8.4., Development Plan Review, Subsection 8.4.4.1.c).
10. The applicant shall submit a final As Built, which will be verified by inspection prior to issuance of an occupancy permit.

Note: These Directives are subject to periodic review by the permit granting authority (Zoning Board of Appeals), or zoning enforcement officer to insure 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 Official and/or reviewing engineer will inspect the said site at any time during and after completion of construction to insure all specifications as noted have been adhered to.

Discussion: The Directives contain no reference as to site cleanup if site goes vacant at a future time. Not believed to be under purview of the Planning Board. Will request Zoning Board of Appeals include in their approval.

Motion, Ms. Bilotta-Simeone to approve Directives as read, Second, Mr. Bodkin Jr., roll call vote, Mr. Saiia, nay; Mr. Bodkin Jr., aye; Ms. Bilotta-Simeone, aye; Mr. Bakaysa, aye.

Development Plan Review signed by Planning Board. Directives not signed by Mr. Saiia due to his nay vote.

It was noted that the barber shop in the Town Center has an issue with lack of signage to bring in business. A letter will be sent noting that the owner can apply to the Building/Zoning Official for signage approval in order to locate signage on the side of "The Village" building similar to the other Town Center businesses.

Report – Screening and Landscaping, EPG Solar: Reviewing Engineer Jesse Johnson of David Ross Associates presented his review. The basis of his review was to evaluate how the proposed landscaping would screen the proposed fencing and photovoltaic modules. EPG has proposed a 6 foot high security fence around the perimeter of the project. There will also be existing vegetation along with a mix of shrubs and evergreens. Mr. Johnson's recommendation is that the Board consider whether the intent of the screening is to be continuous and fully hide the fencing or if it is to be decorative and draw the eye away from the fencing and modules. If it is to be continuous, supplemental plantings will be required.

Mr. Johnson noted that due to upward sloping topography the modules will always be visible looking westerly; therefore, the applicant proposes a 6 foot high fence around the project perimeter. The proposed shrubbery, at maturity, will extend past the top of the fencing. Much of the proposed fencing on the west is adjacent to wetlands with appropriate proposed species.

The Board would like to see climbing plants along the fence for camouflage.

As the topography slopes downward looking north and easterly, the view would be of screening of the fencing and modules. The immediate modules would be visible from ground level. The modules, at maximum height, are proposed at nine feet and there is not much existing vegetation for screening. Screening would have to be accomplished through supplemental plantings. The proposed plantings in this area are mainly evergreens, which would be expected to reach a height of 10 feet in 5-7 years.

Mr. Bakaysa inquired of Mr. Johnson as to minimum initial height of plantings required to provide immediate screening of the fence and protection at the onset of the base installation. As fence is 6 feet, plantings would have to initially be at least 6 feet, but as the width would not have yet matured, the fence would still be visible through gaps.

The Board voiced its displeasure with the plan presented. The Board does not want a continuous straight line of screening. The applicant is to consider mounding to provide various heights of screening and possibly low planting in front with larger behind. Board member also requesting ground view rendering illustrations of landscaping.

EPG Solar was represented by Designing Engineer, Cal Goldsmith, of Goldsmith, Prest & Ringwall, Inc. He noted that this will entail grading which was not originally planned for the site. The revised plan will have to go before the Conservation Commission to ensure it is not in violation of the Order of Conditions.

Mr. Bakaysa noted that Directives will note additional landscaping may be required for an As Built submittal.

Both Mr. Prokowiew, 733 West Street, and Mr. Elder, 225 Pleasant Street noted that berming may be problematic for neighbors as neighborhood gets a lot of water.

Mr. Johnson noted continuous mounding may affect drainage and require review.

Applicant to return to the May 14th Planning Board meeting with a revised landscaping plan.

NOTICES & COMMUNICATIONS: Notices from the Conservation Commission and Zoning Board of Appeals were noted.

PLANNING DIRECTOR'S REPORTS/NEW BUSINESS:

Noted Article 21 on the Town Meeting Warrant regarding funding Lunenburg's share of the 25% design fee for the reconstruction of Summer Street. If passed, design will move forward.

Noted MRPC invitation for Low Impact Development (LID) roundtable set for May 24th.

OLD BUSINESS:

May 5, 2012 Town Meeting- Discussion was held regarding the Planning Board's solar bylaw and the citizens' petition bylaw. At the April 30th Public Hearing, the Board and the citizens will attempt to meld the two bylaws into one in order to withdraw the citizen bylaw on Town Meeting floor. Mr. Bakaysa is concerned that if going into Town Meeting with both bylaws, citizens will look at both; not know which one they want; and neither will pass.

DEVELOPMENT STATUS REPORTS:

Emerald Place at Lake Whalom, 10 Lakefront- Work continues on the villas.

Tri Town Landing, Youngs Road- Work continues on resolving water situation.

MEMBER ISSUES: Board inquired how to access their municipal e-mails. Ms. Benson to pursue.

MEETING SCHEDULE:

April 30- Public Hearing for Citizen Petition Article, Town Hall

May 5 – 8:30 AM, Planning Board Meeting, Lunenburg High School Cafeteria

May 14- Planning Board Meeting, Town Hall

May 21- tentative - Master Planning Workshop, Ritter Memorial

ADJOURNMENT: Motion, Ms. Bilotta-Simeone, Second, Mr. Bodkin Jr., Motion passed. Adjourned 9:15 PM.