

INITIALS _____

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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Minutes
December 10, 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., Nathan J. Lockwood, Marion M. Benson
Absent: Robert J. Saiia

MRPC (Montachusett Regional Planning Commission)- Presentation by John Hume on Lunenburg Priority Development/Preservation Areas. Presentation attached.

Aro Estates: Mr. Bakaysa asked for a Board vote to move Aro Estates ahead on the agenda. Mr. Brian Milisci, Whitman and Bingham Associates (W&B), presented a letter on behalf of Kevin O'Brien, O'Brien Homes. The letter, dated December 7, 2012, was in response to the review letter of October 22, 2012 from Jesse Johnson, David E. Ross Associates. The Board will review W&B's response letter to see if all issues are addressed and appropriate steps will be taken from there. Mr. O'Brien wanted to go through the letter immediately as he did not receive the review from Ross Associates until November 26th. He noted the extent of time that had lapsed from his appointment before the Planning Board on September 10th (at which time he dropped off a set of plans) to the present date. He anticipates there will be disagreement between the Board and himself as to the official submittal date and timeframe. He noted that the submittal he supplied to the Board on September 10th is a resubmittal of the initial application from 2009; excepting that it has been broken down into subdivisions of 25 acres or less per the Court Decision. Mr. Bakaysa noted that once the Board has a complete submittal, the statutory time frame will commence. Ms. Benson will forward the letter received tonight from W&B to Ross Associates, request an anticipated review time response, and then notify Mr. O'Brien of the anticipated response time. Mr. O'Brien requested that he be kept informed as to where the Board is in the process. Mr. Bakaysa noted that when any future public record documents are received in the Planning Office regarding Aro Estates, those documents will be sent to Town Counsel and Mr. O'Brien simultaneously. Mr. O'Brien wanted the Board to be aware that he will be doing site testing throughout the winter months. He will also be meeting with the Water District and Sewer Commission.

MINUTES APPROVAL: Ms. Bilotta-Simeone, Motion to approve 11-26-12, and Executive 10-23-12, Second, Mr. Lockwood, Motion passed.

COMMITTEE REPORTS:

MJTC- No report. Mr. Saiia absent.

MRPC- Working on relocation space for MRPC.

School Reconfiguration Committee- Joslin, Lesser & Associates, Inc. has reviewed the Request for Designer Services (RFS) with the Committee. Three Committee representatives will serve on the MSBA Designer Selection Panel. Eight Committee members were selected for a Project Coordination Group (PCG) which will meet regularly for a variety of items under discussion and present results to the Committee. Next Committee meeting will be December 17th.

Capital Planning Committee- Form Bs and Five Year Plans have been submitted by Town departments. The Committee has begun the review process and is meeting with various department heads.

OLD BUSINESS: Highfield Village, Northfield Road- Current extension expires December 31, 2012. Applicant is requesting an extension to April 2013. The Sewer Commission is still awaiting new plans to review. Motion, Ms. Bilotta-Simeone, for Board to extend to March 31, 2013 on the condition that the Applicant is proceeding with the permitting process with the Sewer Commission.

PLANNING DIRECTOR'S REPORTS/NEW BUSINESS/DEVELOPMENT STATUS REPORTS:

Member Resignation- Motion, Ms. Bilotta-Simeone, to accept resignation of Board member Robert J. Saiia. Ms. Benson will prepare a response letter from the Board accepting Mr. Saiia's resignation effective January 1, 2013. Discussion ensued regarding a Board replacement for MJTC. Motion, Mr. Lockwood, for Ms. Bilotta-Simeone to replace resigning member Saiia as the representative to MJTC, effective January 1, 2013, Second, Mr. Bakaysa, Motion passed.

Board Vacancy- Notice of Vacancy will be posted at the official posting locations. Ms. Benson will check with the Town Manager's office to see if there are any completed Talent Bank forms indicating interest in the Planning Board. If so, the individual will be contacted and asked to complete an Application Form.

APR Applications- Lanni Orchards, 294 Chase Road, and Pierce Farm, 490 Chase Road have filed applications with the State Department of Agricultural Resources for the Agricultural Preservation Restriction program. Board requesting financial information prior to sending a letter of support to the Board of Selectmen.

Cease & Desist, 35 Leominster Road- Cease & Desist issued by Building Official. "Saw Mill" operating in violation of the bylaw. Application for a special permit needs to be filed with the Planning Board.

Asian Imperial, 5 Electric Avenue- Progress reports note progression of work. Weekly reports on file in the Planning Office.

Emerald Place at Lake Whalom- Progress reports note work continuing on villa at 33-39 Carousel Lane.

Tri Town Landing, Youngs Road- Progress reports note progression of work. Weekly reports on file in the Planning Office.

Aro Estates, Howard Street- Board had discussion regarding status. Town Counsel has not presented a definitive picture as to whether or not the Town and the Applicant are proceeding directly to court. The Board feels they should be following the planning process even while legal strategy is ongoing. Once the office is in receipt of Jesse Johnson's review response to Whitman and Bingham's December 7, 2012 letter, his response will be provided to Town Counsel and Mr. O'Brien. Ms. Benson to compile a chronological list of events beginning with the partial project submittal to the Planning Office. Board is requesting summarization from Town Counsel as to discussions/actions taken to date following joint meeting with Board of Selectmen on October 23, 2012. Board feels there should be a joint meeting with the Board of Selectmen and Town Counsel for discussion as to Right of First Refusal on the Aro property.

MEETING SCHEDULE: January 14, Town Hall, and January 28, Ritter Memorial Building.

ADJOURNMENT: 10:15 PM

Attachment
MRPC Presentation