

INITIALS \_\_\_\_\_

**LUNENBURG PLANNING BOARD  
TOWN OF LUNENBURG**

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



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Minutes  
March 4, 2013

Meeting Posted: Yes  
Place: Town Hall, 17 Main Street, 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

**PUBLIC HEARING (continuation): Aro Estates, Howard Street, Waiver Decision-** See separate minutes

**PLAN ENDORSEMENT: ANR, Heli Kokk, 552 West Townsend Road-** Motion, Ms. Bilotta-Simeone to endorse Plan, Second, Mr. Bodkin Jr., Motion passed.

**Board Meeting Dates:** Board discussion was not to hold a meeting on March 11<sup>th</sup> due to Town Caucus. The Board hopes to close the Aro Hearing on March 16<sup>th</sup>. Deadline date for a Decision is April 23<sup>rd</sup>, but if the Board has not received all necessary information from the Applicant, the Board will request an extension.

**35 Leominster Road- Findings and Directives-** Mr. Bodkin Jr. recused himself.

Mr. Bakaysa noted the Findings are statements of fact. Draft Findings were reviewed by Board with changes/additions/comments provided to Ms. Benson for incorporation into draft Findings. Ms. Benson will prepare a second draft of the Findings for Board review.

Board has discussion regarding what to put into the draft Directives.

Mr. Lockwood wants cleanup of site before Building Official issues permit. Ms. Benson noted that the Cease and Desist was lifted by the Building Official/Zoning Officer when Mr. Brown applied for the Special Permit. Ms. Bilotta-Simeone wants completion of barn by October 31, 2013 or Permit will be revoked. Mr. Bakaysa noted he would prefer Ms. Benson references Mr. Brown's letter as it states more than just the October 31<sup>st</sup> date – letter mentions some caveats – e.g. roof shingles. Ms. Bilotta-Simeone noted abutters complained they hear the planer more than the sawmill. Mr. Brown said he could take care of that. Ms. Benson noted first complaint was from a realtor who was unable to sell a property due to the unsightly piles.

The Board will schedule a meeting for a site visit. Mr. Lockwood wants boundary decibels readings and to know if noise can be heard 200 feet from the property. Ms. Bilotta-Simeone notes noise level will be different in the winter as there are no buffers, e.g. trees. The Board discussed the list of concerns submitted and signed by petition in regards to Directives, but noted that the residents provide their opinions, the Board provides the Directives. Directives will be based on citizen letters, Attorney Bowen's letter and Fire Chief's directives. Many of the Directives can be formulated from Attorney Bowen's letter. Mr. Bakaysa noted they need to be specific, e.g. a safety Directive would be delivery of materials. The Directive should specify that delivery can only occur during (insert hours). Maybe when there is less traffic on the roads? Possibly 9-1? Another Directive should state that noise be

muffled so it cannot be heard. Ms. Bilotta-Simeone questioned if the noise CAN be muffled – will inquire of Mr. Brown during walk-through. Mr. Bakaysa noted that the planer is not subject to a special permit – that is part of his home occupation – only the sawmill is subject to a special permit. Ms. Bilotta-Simeone noted abutters may be mixing up noise from the planer with noise from the sawmill. Abutters saying noise is all summer long, but sawmill only averaging 150 hours a year. Mr. Bakaysa noted if a special permit is denied, the Board has no jurisdiction over noise generated by the planer. Mr. Lockwood noted neighbors' concern that if approved, it would turn into a major sawmill operation. He wants the Directives to give a specific number of hours of sawmill operation. He felt a maximum of 200/year would be sufficient, not to exceed 80/month, and that Mr. Brown maintain a log (subject to annual review by the Building Official) of his usage. If at any time he is out of compliance, the Special Permit would be suspended. Mr. Bakaysa inquired as to how the Board would enforce this. Check with Attorney Bard to see if the Board has that power. Question arose if Mr. Brown moved, would the Special Permit still apply. Ms. Benson noted the Special Permit can be made subject to Mr. Brown and not the land. Directives have to list specific completion date of the barn. Also, once the area is cleaned up, the site has to be maintained, or the Special Permit will be revoked. Ms. Bilotta-Simeone stated that the months prior to October should be cleanup time for unsightliness. Mr. Lockwood wants Directives to reflect wood drying and going in barn – maybe give him more time. Ms. Benson noted that if you give him a Special Permit, you have to allow him to do the business.

Ms. Bilotta-Simeone, Motion to adjourn Board meeting, Second, Mr. Lockwood, adjourned 9:00 PM