

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

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



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Minutes
Information Meeting Continuation
100 Pleasant Street
July 13, 2009

Meeting Posted: Yes

Time: 6:30 PM

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

Present: Emerick R. Bakaysa, Chair, James A. Halloran, Joanna L. Bilotta, Robert J. Saiia, Thomas W. Bodkin, Jr., Marion M. Benson, Planning Director

Chair opened the Information Meeting Continuation to hear and discuss an application for a Development Plan Review under Section 8.4. of the Protective Bylaw of the Town of Lunenburg for repair of machinery and operation of a service establishment at 100 Pleasant Street.

The Applicant, Michael DeLuca, 74 Bolton Woods Way, Bolton, MA was represented by Steven Marsden, Marsden Engineering.

Mr. DeLuca will take care of the issues noted by the Fire Department at the initial Information Meeting of June 29th. Before occupancy, he will do improvements and walk the Fire Department through. He will also paint, repair broken windows, landscape, mark front parking, and install gutters. There is sufficient parking as required by the bylaw in the front of the building. Back parking will be for overflow. Not changing impervious rear surface at this time, but may repave at a future date. In preparation for possible paving at building rear, Mr. Marsden is recharging roof drainage. There is sufficient room for a small tractor trailer truck at the existing loading dock. A new septic system was submitted to the Board of Health. Mr. DeLuca will appear before the Zoning Board of Appeals (ZBA) July 22nd for approval of a new use. At a ZBA hearing, two abutters were concerned with trash and area being used for vehicle dismantling. Building Official made site visit; area cleaned up. Once Mr. DeLuca owns lot, Mr. Livergood's (current owner) property will be removed; i.e., concrete forms, bricks. Area regraded to comply with parking regulations.

Ms. Benson noted she was contacted by the ZBA Chair who is aware of the ANR (Approval Not Required) Plan to separate lots. Both Building Official and ZBA Chair did site visit this date, and are not opposed to lot separation under the Special Permit. Mr. DeLuca will then go before ZBA for change of use. Planning Office will supply ZBA with DPR. Plans went to David Ross Engineering for review this date as submittal was not received in the Planning Office until July 10th. Mr. Ross will have report to Director July 17th.

Mr. Marsden noted Mr. DeLuca is hoping to close by end-July.

Chair Bakaysa inquired if there is already a use in the building. Mr. Marsden noted current contractor storage yard and a tenant-at-will with a woodshop in a corner of the basement. If Mr. DeLuca expands to the basement, he will ask the tenant to vacate. When Mr. DeLuca goes before the ZBA he will ask for that use as well so it will be documented. Ms. Benson noted the ZBA will require the tenant to file for a business license.

Mr. Bakaysa asked if there was enough parking. Yes.

Ms. Benson read Findings into record.

1. The Lunenburg Planning Board finds submittal of a Development Plan Review (DPR) for location of a new business.
2. The Lunenburg Planning Board finds application for change of use will require Zoning Board of Appeals (ZBA) approval.
3. The Lunenburg Planning Board finds the site, before Approval Not Required (ANR) separation, approved by the Planning Board July 6, 2009, was part of a Special Permit granted by the ZBA to Mr. Joseph Livergood.
4. The Lunenburg Planning Board finds the applicant is seeking, through the signing of the ANR plan, release of the former Special Permit and seeks new permit for new use.
5. The Lunenburg Planning Board finds the site is zoned Commercial.
6. The Lunenburg Planning Board finds the new use is for a circuit board testing facility.
7. The Lunenburg Planning Board finds the applicant can provide seventeen parking places.
8. The Lunenburg Planning Board finds the number of employees will begin with three and not exceed ten.
9. The Lunenburg Planning Board finds the building location is on a clear paved area.
10. The Lunenburg Planning Board finds that two buildings will be removed from the site. **Mr. Marsden noted the two buildings have already been removed. Item 10 will be deleted and Findings renumbered accordingly.**
11. The Lunenburg Planning Board finds there are no wetlands on the site as confirmed by the Conservation Commission office.
12. The Lunenburg Planning Board finds there is a submittal to the Board of Health for a new septic system.
13. The Lunenburg Planning Board finds drainage details have been submitted for Peer Engineer review.
14. The Lunenburg Planning Board finds that an Environmental Impact Statement (EIS) has been submitted.

Section A- Environmental Impacts

- a) Physical Environment- Notes compliances to the physical environment and notes that the site is surrounded by other commercial and retail uses.
- b) Transportation Element- Notes compliances and little impact on traffic.
- c) Public Utility Element- Site will be served by Lunenburg Water District and a new Title Five septic. Drainage will be reviewed by peer reviewer. An onsite dumpster will be required.
- d) Neighborhood and Community Element- Plan shows no new impact on schools, police and fire services. Fire compliances are noted on the plan. The Fire Department shall review and approve (with additions, if necessary). All other items are either Not Applicable (N/A) or in compliance.
- e) Social-Economic Elements- N/A
- f) Aesthetics Element- Painting, exterior lighting and landscaping as noted on plan and narrative will be done.
- g) Master Plan Element- compliance
- h) Municipal Benefit/Cost- Additional tax revenue, both real estate and business, will benefit the Town. No anticipated cost to Town.

Section B-

- a) Adverse Environmental Impacts- Present "junk" will be removed. New use will be interior with no increased noise generated and no outside storage.

Section C

- a) Alternative: N/A

Section D- Minimize Adverse Environmental Impacts

- a) Measures used will be to recharge storm water and provide stabilized surfaces that will not discharge surface water to adjoining property.

15. The Lunenburg Planning Board finds that a Sedimentation Erosion Control Plan has been submitted and will require review.

16. The Lunenburg Planning Board finds that Drainage Calculation and Design of drainage system has been submitted and will require approval.

Note: The Lunenburg Planning Board finds additional use in lower part of building has not been permitted. Building Official and Zoning Board of Appeals will address.

Mr. Bakaysa asked if any hazardous material will be associated with the business. Mr. DeLuca responded no.

Ms. Benson read proposed Directives into record.

- 1. The Applicant shall conform to the Plan- Job No. 807, to all statements confined in the document entitled Development Plan Review 100 Pleasant Street, Lunenburg, MA, and to all directives resulting from the empowerments of Land Use and Service Departments and technical reviews.

Included in, but not exclusive to, the above umbrella Directive:

- A. Board of Health permit of a new septic system as defined on the plan, including location.
- B. Drainage plan approval as defined by the Peer Engineering Reviewer and/or any corrections or additions to same.
- C. Statement of provision of water service by the Lunenburg Water District.
- D. All "junk" will be removed with date notice to the Lunenburg Planning Board.
- E. Painting and landscaping as depicted will be done. Notice of completion given to the Lunenburg Planning Board.
- F. Completion of landscaping as depicted on plan via notice to the Lunenburg Planning Board.
- G. Completion of the Stormwater plan and/or any additions to the plan via the result of the Peer Review, or the DPW, as reported to Lunenburg Planning Board.
- H. Approval of the Sedimentation Erosion Control Plan and/or correction or addition to via the Peer Review.
- I. Approval and permitting of the Fire Department and/or any corrections or additions as noted under the Fire Code.

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2. The Applicant shall adhere to all monitoring and inspecting procedures under the Lunenburg Planning Board criteria and all other Permitting Boards and Commissions.
3. The Applicant shall seek Special Permit release for the Special Permit under Mr. Joseph Livergood and seek a new Special Permit for operating under a new use.

The above Approval shall be changed only if, as noted, corrections or additions are necessary.

Mr. Bakaysa inquired if any timeframe on painting and landscaping. Mr. Marsden and Mr. DeLuca responded painting will be done before winter and landscaping next spring. **Directive E. shall be changed to read, "Painting and Landscaping as depicted will be done. Notice of completion for painting shall be by November 15, 2009. Notice of completion of landscaping shall be by May 15, 2010. Verification shall be submitted to the Lunenburg Planning Board."**

Motion to approve DPR for 100 Pleasant Street, Ms. Bilotta, Second, Mr. Halloran, Motion passed.

Information meeting closed 6: 56 PM.

Audio recording on file in Planning Office.