

INITIALS _____

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Joanna L. Bilotta-Simeone, Chair
Nathan J. Lockwood, Vice-Chair
Damon McQuaid, Clk.
Emerick R. Bakaysa, Mbr.
Matthew Allison, Mbr.
Marion M. Benson, Planning Director



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960 Massachusetts Avenue
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Minutes
February 10, 2014

Meeting Posted: Yes

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

Time: 6:30 PM

Present: Joanna L. Bilotta-Simeone, Nathan J. Lockwood, Damon McQuaid, Matthew Allison

Absent: Emerick R. Bakaysa, Marion M. Benson

PUBLIC COMMENT: none

Stone Farm Estates: Represented by Anthony Cleaves, Whitman & Bingham Associates. Developer is requesting a change from a single 4-plex unit to two 2-plex units. Reviewing Engineer Jesse Johnson, David E. Ross Associates, noted via electronic mail that change would create a "modest increase in impervious surface...however, I don't think it would impact the drainage infrastructure in a noticeable way. ...it is an insubstantial modification request." Impervious surface increase is of approximately 3000 sf. Motion to accept proposed modification, N. Lockwood, Second, D. McQuaid, Roll Call Vote- all aye.

MINUTES APPROVAL: All minutes signed.

Motion, N. Lockwood, to approve 1-27-14, Second, D. McQuaid.

Motion, N. Lockwood to approve 1-27-14 Leominster Shirley Road Information Meeting, Second, McQuaid

Motion, N. Lockwood to approve 1-6-14 Warrant Article Hearing, Second, D. McQuaid

Motion, N. Lockwood to approve 12-8-13, Second, D. McQuaid

COMMITTEE REPORTS:

MJTC, M. Allison- No meeting held.

MRPC, J. Bilotta-Simeone- Town was awarded District Local Technical Assistance (DLTA) by Montachusett Regional Planning Commission (MRPC) for review and analysis of providing regional animal control services and, for the Board, continued work to refine a draft Mixed Use Village District Bylaw.

School Building Committee, N. Lockwood- No update

Building Reuse Committee, D. McQuaid- No update

Capital Planning Committee, M. Benson- Tabled due to M. Benson's absence.

Green Community Task Force, M. Benson- Tabled due to M. Benson's absence.

Agricultural Commission, M. Allison- No update

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

Highfield Village- Project still under review with the Sewer Commission.

Force Corporation, 305 Leominster Shirley Road- Board waiting for revised plan showing sight distances in both directions for each driveway before endorsing Approval.

50 Elmwood Road- Represented by Anthony Cleaves, Whitman & Bingham Associates. Both DPW Director J. Rodriquenz and Fire Chief P. Sullivan provided their comments to the Board regarding basin maintenance and road length respectively. A. Cleaves noted that the project would have been before the Conservation Commission at its February 5th meeting, but the meeting was cancelled due to inclement weather. He noted one of the roadblocks in the Commission moving forward was that

they were waiting for a response from Division of Fisheries & Wildlife to the applicant's filing with the Natural Heritage & Endangered Species Program. That response has been received. Applicant will be meeting with the Commission on February 19th. Discussion ensued on requested waivers from the Rules and Regulations Governing the Subdivision of Land:

§ 3.4.3.6. from submission of tree plan as subdivision has less than 10 lots. Board wants trees planted both along Elmwood Road and the internal road. A. Cleaves noted due to the site being elevated from Elmwood Road it will be difficult to retain the current trees. Little vegetation will be retained. If street trees are planted along Elmwood Road they will have to be away from the intersection as to not impede sight distance. M. Allison Motion to waive § 3.4.3.6. conditional upon trees included in the plan set in some fashion; does not have to be a separate "tree plan", Second, D. McQuaid, all aye.

§ 3.4.3.8. from submission of tabular summary as subdivision has less than 10 lots. Motion, D. McQuaid, to grant waiver, Second, M. Allison, all aye.

§ 3.4.3.9. from submission of environmental impact statement as subdivision has less than 10 lots. Board wants to hear from Conservation Commission before voting on this waiver request.

§ 4.2.5.1. for 650 foot length for dead end street. 750 feet requested due to site topography. Board had two issues before voting on this request. One was the cul-de-sac accommodating the turning radius of the largest fire vehicle. Chief Sullivan noted it appears to meet that. The Water District will also review the plan for hydrant placement. J. Bilotta-Simeone inquired as to easement to abutting conservation land. Will be discussed further with the Conservation Commission. Board questioned parking for individuals to access easement. Two spots allocated in the cul-de-sac?

§ 4.9.1. for installation of sidewalks due to the subdivision having less than 10 lots. A. Cleaves noted Section 4.9.1. specifies "sidewalks shall be provided on one side of each street for the full length of major street." The internal road is a minor street, not a major street. Applicant did not need to request waiver; it was done as a courtesy. Motion, N. Lockwood to approve waiver, Second, D. McQuaid, all aye.

Electrical distribution will be underground. M. Allison inquired if stormwater basins could be reduced from two to one. No- A. Cleaves noted they go to two different locations. M. Allison also inquired if applicant looked into LID (Low Impact Development) approach to managing stormwater runoff. A. Cleaves noted it is difficult to fit into subdivision roads such as this one. N. Lockwood initiated discussion as to road maintenance being a financial issue for the Town. Possibly invite both the DPW Director and the Town Manager to a future meeting for discussion? He opined the possibility of updating the Rules and Regulations Governing the Subdivision of Land to include requirements for long-term maintenance. Talk to Town Counsel to find out what Board's legal options are, e.g., condo docs, etc..

Whites Woods- No report.

Emerald Place at Lake Whalom- No report.

White Tail Crossing- Still in review.

651 Chase Road Solar- Noted Building/Zoning Official's letter that engineered design of solar field has a few solar panels that will project within the setback requirement, but the projections are of a small portion of only a few panels. He determined that the minor encroachment is insignificant.

265 Pleasant Street Solar- No report

Annual Town Meeting- Creation of Marijuana Bylaw- Main issues to consider:

- Permitting Requirements
- Location
- Method of Zoning

Permitting Requirements- Special Permit? Right-of-use? By right with site plan review? Have police and fire get final review of safety. Do two different sets of regulations have to be considered; one for retail and one for growing on separate sites? N. Lockwood felt that given Town sentiment it should be by right. This makes it more enticing to invite businesses into the community. Board needs to seek Town Counsel's input on five year siting requirement with DPH vs a two year special permit within Town.

Method of zoning- Medical District? Add new use to existing district? Add overlay? Cultivation – use would be added in with reference to restrictions.

N. Lockwood opined it might be helpful to have a copy of the documents that transpire between an applicant and the state.

In creation of draft bylaw, reference 105 CMR 725.000: Department of Public Health Implementation of an Act for the Humanitarian Medical Use of Marijuana and then put in Town specifics. Board needs to be cognizant of future changes to 105 CMR 725.000 to ensure bylaw stays current with same.

Locations- Retail aspect in Commercial (limit to Mass Ave and Rt 13) and Office Park and Industrial District for cultivation. Possible overlay in Commercial District in the vicinity of the Public Safety Facility Building. Possibly old Gitto Global location on Leominster Shirley Road. (Space currently for lease.) Limited Business/Residential District excluding Leominster Shirley Road. Board questions if retail can also go in a farm location where cultivation is occurring. General consensus was overlay in Massachusetts Avenue/Rt 13 area. Cultivation could be in any District. Board would put restrictions in place. Board discussed conference call with Town Counsel. Planning Office will compile list of questions for Board review/additional questions. Once list of questions completed, will forward to Town Counsel. Board would like draft bylaw for the February 24th meeting. Need to separate cultivation and retail. Need special permitting language. Need to reference overlay?

ACTION FILE:

Citizen Survey- No report.

MEETING SCHEDULE:

February 24, 2014, 6:30 PM, Ritter Memorial Building

March 10, 2014, 6:30 PM, Town Hall

March 24, 2014, 6:30 PM, Ritter Memorial Building

PUBLIC COMMENT: None

BOARD COMMENTS: None

MEMBER ISSUES:

M. Allison opined the Board should meet more frequently. Board reaction was mixed. More discussion in March.

Adjourned 8:50 PM.

Documents used at meeting:

Stone Farm Estates Site Change

Minutes 1-27-14.

Minutes 1-27-14 Leominster Shirley Road Information Meeting

Minutes 1-6-14 Warrant Article Hearing

Minutes 12-8-13

50 Elmwood Road Subdivision List of Requested Waivers

Building/Zoning Official letter regarding 651 Chase Road Solar

Marijuana Information Packets