

INITIALS _____

LUNENBURG PLANNING BOARD TOWN OF LUNENBURG

Joanna L. Bilotta-Simeone, Chair
Nathan J. Lockwood, Vice-Chair
Damon McQuaid, Clk.
Kenneth Chenis, Mbr.
Matthew Allison, Mbr.



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960 Massachusetts Avenue
Lunenburg, MA 01462

Minutes
August 11, 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, Kenneth Chenis, Matthew Allison

Also Present: Chantell Fleck, MRPC

INFORMATION MEETING, 1259 Massachusetts Avenue- See separate minutes.

APPOINTMENTS:

Emerald Place at Lake Whalom- Jack Sullivan, Emerald Place Development, requested both a bond reduction and a bond release. He noted review by Jesse Johnson, David Ross Associates, which recommended all but approximately \$70,000 be released. The letter from DPW Director noted release all but \$65,000, but intent of letter was to release \$65,000 and hold the rest. Money being released to pave Lakefront. Weather permitting, paving may be done by Friday. After that, Great Pond Road will be redone and the applicant will be looking for more funds to be released for that paving. J. Sullivan questioned the bond being put on a private development. Emerald Place Development Co., LLC opines they own Lakefront; once paving is complete, proper legal procedure will be followed to deed to Town. K. Chenis questioned original intent of the Bond. Approximately 38 more units are left to be built. M. Allison felt that would generate a large amount of traffic. M. Allison also questioned lease-to-own. J. Sullivan noted all units are full. Motion, N. Lockwood, to release \$65,000 of the \$202,702 Bond as recommended by DPW Director, Second, D. McQuaid, Roll Call Vote- M. Allison, nay; K. Chenis, aye; D. McQuaid, Aye; N. Lockwood, aye; J. Bilotta-Simeone, aye; vote passed 4-1. Remaining Bond balance will be discussed at the August 25th Board meeting.

Whites Woods, Ph. III- Developer represented by project engineer Bill Hannigan, Hannigan Engineering. Final construction is underway. During survey work it was discovered that Building No 6 was installed with the same jogged footprint as the other three duplexes. On the design plan, the jog was reversed to provide conformance with the setbacks in the Approval. The building was constructed 39.2 feet from the property line, 64.2 feet from the centerline of the right-of-way, which is less than the approved 65 feet. The developer is asking for approval of a minor modification for Building 6 to be 63 feet from the centerline of the right-of-way. Also, the building is constructed 39.2 feet from the property line; less than the 40 feet required by the bylaw. The Board's Approval allowed the property line setback to be reduced to 30 feet. The developer is asking for Board approval of a minor modification for Building 6 to be set back a minimum of 38 feet from the property line. Correspondence from the Building/Zoning Official noted that "...It is my opinion that a new waiver could be granted to allow the building location. The Planning Board has the ability to grant this new waiver which will bring the building into compliance. If the waiver is denied, then the applicant can seek the needed relief from the Zoning Board of Appeals." C. Fleck opined that as this is a special permit, she believes it would not be a minor modification and that a public hearing is required. W. Hannigan disagreed. C. Fleck recommended the Board seek Town Counsel guidance. W. Hannigan opined once the Planned Residential Area (PRA) was approved, making a minor modification within the PRA is at the Board's discretion. D. McQuaid was of the opinion this was a minor change. C. Fleck is concerned with the Board following proper procedure. K. Chenis inquired if Board approval could be contingent upon Town Counsel's recommendation. Motion, N. Lockwood, to support the two requested waivers contingent upon legal counsel verifying Board's authority to do so, Second, K. Chenis; D. McQuaid requested Motion be amended to include that the Board believes this is a minor change, Second, K. Chenis, all aye.

MINUTES APPROVAL: All minutes signed.

Motion, N. Lockwood to approve 7-22-14, Second, D. McQuaid. M. Allison questioned wording used in the minutes – “stated” vs. “noted” vs. “opined”. K. Chenis noted that approval of the minutes is based on an accurate reflection of the meeting.

Motion, N. Lockwood, to approve 7-28-14, Second, D. McQuaid, Roll Call Vote- M. Allison, aye; K. Chenis, abstain; D. McQuaid, aye; N. Lockwood, aye; J. Bilotta-Simeone, aye.

COMMITTEE REPORTS:

MRPC, J. Bilotta-Simeone- Budget discussion at last meeting. MRPC relocating across street from current location.

School Building Committee, N. Lockwood- Upcoming meeting with abutters and School Committee on September 4, 2014, 6:00 PM. Meeting will concentrate on project landscaping. A second public meeting will be held November 6th. A local firm, Powell Stone and Gravel, is doing quite a bit of the site work.

Building Reuse Committee, D. McQuaid- No meeting.

MJTC, K. Chenis- Election of new officers. Wachusett Smart Growth plan distributed; includes an analysis of stormwater on federally funded roads. A portion of that study will include Lunenburg. Bylaws were not voted in. Next meeting in September.

NEW BUSINESS/DEVELOPMENT STATUS REPORTS:

Tri Town Landing- In house tech meeting held July 30, 2014. Notes on file in the Planning Office. Developer hopes to file for a building permit for the fourth building within the next 60 days.

Open Space and Recreation Committee- J. Bilotta-Simeone will be the Planning Board's liaison.

Green Community Task Force- Planning representation is required. Put on hold until new Director on board.

145 Page Street- Revised Right of First Refusal received. Board comment remains the same – support Conservation Commission and Open Space recommendations. K. Chenis noted he attended the Conservation meeting and the Commission noted they did not have an interest in Town acquisition of the land at the purchase price. Motion, N. Lockwood to reaffirm Board's position with the updated parcel information, Second, D. McQuaid, all aye.

MS/HS Project- No report

Highfield Village- No report

Force Corporation, 305 Leominster Shirley Road- No report

Definitive Subdivision, 50 Elmwood Road- Continuing stump removal, strip loam and stockpile.

Whites Woods, Mass Ave- See above

Emerald Place at Lake Whalom- See above

651 Chase Road Solar- Site on line. Applicant looking to close building permit.

65 Pleasant Street Solar- Site on line. Applicant looking to close building permit.

White Tail Crossing- No report

ACTION FILE:

1259 Massachusetts Avenue- See above

250 Whalom Road, Lunenburg Village- No report

40 Leominster Shirley Road- No report

Master Plan, Economic Development Element- Board to set joint meeting with a representative from each Board/Commission. C. Fleck recommended attendance by J. Hume from MRPC. Tentative meeting early September.

Village District Draft Bylaw- Charrette questions reviewed. Minor changes will be made. Assignment of breakout groups as follows:

#1 –N. Lockwood

#2 – K. Chenis

#3 – D. McQuaid

#4 – J. Bilotta-Simeone

#5 – M. Allison

Charrette results will be in a White Paper report. Could be placed on the Town's web and summarization published in the Ledger.

NOTICES & COMMUNICATIONS: Noted preparation of Fall 2014 workshop series by the Citizen Planner Training Collaborative (CPTC). Board members interested in attending workshops on; 1) Master Planning, 2) Planning with Community Support, and 3) Site Plan Review.

MEETING SCHEDULE:

August 14, 6:00 & 7:00 PM – Charrette - Ritter Building and Town Hall

August 18, 6:30 PM, Ritter Building – review State Village District Bylaw and Village District Draft Bylaw

August 25, 6:30 PM, Town Hall – work on Village District Draft Bylaw/public input (C. Fleck not available)

PUBLIC COMMENT: P. Bertram noted that the issue was never legally resolved as to whether Emerald Place Development Co., LLC or the Town of Lunenburg owned the roadway.

Motion, N. Lockwood, to enter into Executive Session not to return to public session, Second, D. McQuaid, Roll Call Vote- M. Allison, aye; K. Chenis, aye; D. McQuaid, aye; N. Lockwood, aye; J. Bilotta-Simeone, aye. Adjourned regular session 8:40 PM.

Documents used at meeting:

Development Plan Review Application, 1259 Massachusetts Avenue

Emerald Place at Lake Whalom- Correspondences from David Ross Associates (7/21/14), DPW Director (7/31/14), and Building/Zoning Official (7/27/14)

Whited Woods- Correspondences from Hannigan Engineering (8/4/14), and Building/Zoning Official (8/5/14)

Minutes 7-22-14

Minutes 7-28-14

Tri Town Landing In House Tech Notes 7/30/14

145 Page Street, Right of First Refusal

50 Elmwood Road Progress Form

Solar Sites Progress Form

Charrette Questions – Draft 3