

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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Public Hearing Minutes
Tri Town Landing
Youngs Road
June 29, 2009

Meeting Posted: Yes

Time: 7:50 PM

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

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

Absent: Joanna L. Bilotta

Chair opened the Public Hearing with the reading of the legal advertisement published in the Sentinel and Enterprise on June 15 and June 22, 2009. The hearing was to hear and discuss a Modification to the 40R application under Section 4.13. Tri Town Smart Growth District, Protective Bylaw of the Town for a Development Plan Review for a 204 unit apartment complex at 37 Youngs Road, Lunenburg, MA 01462.

Great Bridge Properties, LLC (applicant) and David Fedeli (owner) were represented by William Hannigan, Hannigan Engineering, Leominster, MA. Also in attendance were Chris Davies, Great Bridge Properties, William Caselden, Great Bridge Properties, and Attorney Mark Bobrowski.

The Modification is for minor revisions. DHCD (Department of Housing and Community Development) has requested elevators be included within each building; therefore, cost had to be offset elsewhere. This was accomplished by combining buildings and reducing the total number of buildings from eight to six. DHCD also requested more open space, which will be attained due to the elimination of buildings. Internal traffic layout has changed allowing for better vehicular flow. There will be 33 units in five buildings and one building with 39 units. Project will be divided into three Phases with two buildings per Phase. The water main will be constructed along the access road to the Town land for Buildings 1 and 2 during Phase 1. In Phase 2, it will be extended to the remaining four buildings. Sewer line will be an E-One system. Each building will have its own "mini pump station" which will tie to manholes. It will then go to Youngs Road, across the bridge and tie into Fitchburg's sewer connection. Two low-pressure sewer lines will be constructed along the access road to the flushing manhole on Youngs Road. One for the project and one for the Town's use. Lighting reduced due to reduction in number of buildings. Landscaping around each building. Items in original plan rollover into revised plan with change being configuration to layout which changes configuration to utilities. Applicant hopes for funding by FY 2010 for a late-summer ground-breaking. Once Phase 1 is underway, Applicant will work on funding for Phase 2. Phase 1 will stand nicely on its own while waiting Phases 2 and 3.

Mr. Bodkin wanted to know where the bus stop is located. Mr. Hannigan indicated near development entrance for school bus. There is already an active public bus line on Summer Street. Development is within ¼ mile to satisfy the transportation element of a 40R. This was reviewed with MART (Montachusett Regional Transit Authority). Attorney Bobrowski noted the three necessary elements for a 40R- 1) transportation within ½ mile, 2) areas of highly concentrated development and 3) highly suitable.

Mr. Bakaysa inquired if there would be a sidewalk to Summer Street. Mr. Hannigan noted there are no sidewalks on Youngs Road; there is a sidewalk system within the development.

Mr. Hannigan noted there had been a previous misperception regarding the Youngs Road Bridge (pedestrian bridge). Mass Highway wanted the bridge repaired/rebuilt to get the utilities from one side to the other, originating in the original sidewalk concept to carry the utilities to the development. The water and sewer lines would be hung under the bridge. It is now known that the bridge was not a temporary fix. It is a permanent fix. The Town owns the bridge and the only requirement the Applicant now has is that the structural engineer design the hanging system which is much less than a pedestrian bridge. The Applicant will then submit the calculations to the Town for approval. The mechanism available for a pedestrian bridge no longer exists.

Reviewing Engineer Steven Marsden noted he is looking for the Maintenance Agreement, Operating Agreement, and Cross Easements for access road. Drainage has been reviewed and is fine. Applicant has drainage base so each Phase will stand on its own.

Joan Morin, 48 Youngs Road noted that newspaper articles states Applicant looking for federal funds through the stimulus package. Affordable has been reduced from 80% to 60% of median area income. When did Section 8 come into play? Section 8 people don't have to have any income and she felt police officers would be there all the time. Was the development still a 40R? Mr. Castleden noted program Applicant trying to use to fund project is 60% of median area income. Financing would have a stricter income cap than the 40R statute, but it doesn't change the underlying 40R status. Financing going forward is impossible to predict. Mr. Bakaysa stated that Section 8 is a program to help individuals be able to find an affordable place to live and insures that the landlord gets paid. The key to any project, no matter what type of tenant, comes down to the property management. Ms. Benson and Reviewing Engineer Steven Marsden previously viewed one of Great Bridge Properties projects and were very pleased with the cleanliness, landscaping, open space, and building condition. Mr. Davies noted they are audited bi-annually; by DHCD as a minimum.

Steve deBettencourt, 200 Pleasant Street inquired as to building height, building accommodations for school bus stop, and pull-off for the bus. Mr. Bakaysa stated no change to building height; buildings just longer. Modifications under discussion were drainage changes and number of buildings. Board Approval states building height has to be less than 50 feet. Mr. Hannigan and Ms. Benson noted building height of 44.63 feet. There will be an internal sidewalk system which leads to the bus stop, along with the possibility of building a closed shelter at the stop. Closed shelter would have to be discussed with Building Official. School buses will not contract to go onto private property.

Mr. deBettencourt did not feel having the sewer in a small strip was a good idea. The Town would need an easement to access the property at the rear of the development. Mr. Hannigan noted driveway is on both project land and Town land. A cross easement will be developed between the Applicant and the Town for the road to go over both properties. Applicant will lay a second sewer line for the Town's use across the bridge thereby putting a mechanism in place if the Town eventually develops land. Mr. Marsden noted the Applicant is making this development as user-friendly as possible within the purview of the area they are working in.

Mr. deBettencourt inquired as to fencing during Phase 1 to secure site. Mr. Hannigan noted the existing fencing will remain, but be replaced as the project moves forward. Road striping on Summer Street and Youngs Road improvements will now take place in Phase 1 versus Phase 2. DPW Director, Mr. Rodriquez is looking into funding for Summer Street improvements.

No proponents or opponents.

Ms. Benson read Findings into record.

1. The Lunenburg Planning Board finds that the new submittal contains minor modifications.
2. The Lunenburg Planning Board finds the Approval for 204 units in three phases was approved in Development Plan Review under Chapter 40R on January 29, 2007.
3. The Lunenburg Planning Board finds the applicant received a letter dated December 10, 2008, from the Fitchburg Waste Water Treatment Facilities Commission granting 45,000 gallon per day.
4. The Lunenburg Planning Board finds the Town of Lunenburg is extending its IMA (Inter-Municipal Agreement) with the City of Fitchburg to extend water to the site. An IMA agreement has been reached and a verification letter will be sent to the applicant shortly.

5. The Lunenburg Planning Board finds that an Order of Conditions was signed on January 21, 2007. A modification request as an Amendment to the Order of Conditions has been presented to the Conservation Commission.
6. The Lunenburg Planning Board finds a receipt of MEPA (Massachusetts Environmental Policy Act) ENF (Environmental Notification Form) certification was received on November 24, 2006. **Notice of Project Change (NPC) has been presented. Mr. Hannigan noted NPC not needed on project. Sentence will be deleted.**
7. The Lunenburg Planning Board finds the purpose of the modification proposal is requested by DHCD (Department of Housing and Community Development). A red line drawing was enclosed with the request. Modification is under Section 4.13.15.1 Protective Bylaw of the Town of Lunenburg.
8. The Lunenburg Planning Board finds changes listed as follows:
 - A. Finds inclusion of elevator was offset by reduction of number of buildings from eight to six in Phase 1.
 - B. Finds building orientation adjustment shows that Buildings 1, 3, 4 and 5 are larger in size. Buildings 2 and 3 are combined, with rental office and club house in Building 2.
 - C. Finds utility modification is proposed to keep intent of approved project by providing a mechanism of future utilities by constructing the water main in Phase 1 to serve Buildings 1 and 2 and be placed along the access road to the Town land.
 - D. Finds water main will be constructed to the second entrance to the project and extended into the project to service the four remaining buildings. Main on access road will be extended to an accessible location for future connection.
 - E. Finds connection to the municipal sewer system will be accomplished by use of low-pressure sewer main and a series of E-One pump systems. Each building would have an independent system consisting of four pumps with dual pumping capacity. The low-pressure sewer line constructed in the first phase will service Buildings 1 and 2 and be placed along the access road to Town land. In the second phase the low-pressure sewer line will be extended into the project to service the remaining four buildings.
 - F. Finds drainage has been modified due to changes in the building orientation. Revised Drainage Analysis and Report has been submitted.
 - G. Finds parking adjustments due to new orientation of buildings show changes to the layout of the on-site roadway system. Traffic flow through the site has been improved and provides the ability for more open space. Police and Fire Departments concurred with this at the June 11, 2009 Tech Meeting. Provision has also been made for reserve parking space (see plan on file in Planning Office).
 - H. Finds the parking layout will be reviewed in the plan presentation for Phases 2 and 3.
 - I. Finds that the red-line submittal of the Overall Buildout and Building Envelope of the project is maintained. The modification of the building layout moves buildings further away from the residents along Youngs Road.
 - J. Finds that the modification shows that the bridge of Youngs Road has been fully reconstructed (plans on file with Department of Public Works) and utilities serving the site can be "hung" off the bridge, thus eliminating the need for a sidewalk.
 - K. Finds the sidewalk proposed to be constructed along Youngs Road to Summer Street has been eliminated.
 - L. Finds that the applicant has reviewed with regional transportation authority MART (Montachusett Regional Transit Authority) that the location of the project to the nearest public transit route conforms to the requirement of having "access" to regional transportation.

- M. Finds that utilizing a low-pressure sewer system will eliminate the previously proposed section of gravity sewer to be constructed on the west side of Baker Brook. Provision for the Town and area residents to span Baker Brook with a separate section of low-pressure sewer has been included in the design.
- N. Finds that mitigation proposals will be addressed over time. The first 100 feet of the access road to the Town land will be paved as part of the first phase. The remaining portion will be constructed with roadway grindings until completion of the second phase.
- O. Finds that the fire access land along the rear property line (on Town land) will be constructed of a gravel base and topped with grass.

Ms. Benson read Directives into record.

The Applicant shall be accountable for all notations in the original Approval, received and filed with the Lunenburg Town Clerk January 31, 2007, except items re-addressed in the Modification Plan, dated September 28, 2006, revised through May 28, 2009, and received in the Planning Office June 2, 2009. **Mr. Hannigan noted revision date of June 24, 2009, and received in Planning Office June 25, 2009 via most current plan submitted to the office. Dates to be changed.**

Mr. Bakaysa asked for a Motion to approve Findings and Directives with corrections. Motion, Mr. Saiia, Second, Mr. Bodkin, all aye.

Attorney Bobrowski inquired if Cross Easement, Operating Agreement, and Maintenance Agreement would be a prerequisite to occupancy. Ms. Benson noted yes.

Hearing closed at 8:50 PM.

Audio recording on file in Planning Office.