

TOWN OF LUNENBURG
Office of the Planning Board

Gregory Bittner, Chair
Matthew Allison, Vice-Chair
Kenneth Chenis, Clk.
David Prokowiew, Mbr.
Michael-Ray Jeffreys, Mbr.



Tel: (978) 582-4147, ext 5
Fax: (978) 582-4353
960 Massachusetts Avenue
Lunenburg, MA 01462

Adam R. Burney
Land Use Director

Marjorie J. Boggio
Administrative Assistant

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**LUNENBURG TOWN
CLERK OFFICE**

Minutes
Public Hearing
Town Meeting Warrant Article
March 26, 2018

Posted: Yes

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

Time: 7:49 PM

Present: Gregory Bittner, Matthew Allison, Kenneth Chenis, David Prokowiew, Michael-Ray Jeffreys, Adam R. Burney

The Hearing was to make alterations to Code of the Town of Lunenburg, Chapter 250: Zoning, Article IV, Use Regulations, Article VII, Administration, 250-8.3., Board of Appeals, and amend the Zoning Map by taking the land adjacent to the east side of Townsend Harbor Road in the Retail Commercial District and reassigning it to the Commercial District. Notices were sent to abutting towns, cities, agencies and Town departments.

The Planning Board is submitting five articles for May 2018 Town Meeting. (Complete texts for all Planning Board Articles are on file in the Planning Office.)

Article 1 - Uses and Use Table; amends §250-4.1, 250-4.2, 250-4.3, 250-4.4, 250-4.5, 250-4.6, 250-4.7, 250-4.17 by adding Section 250-4.1.G-N.

Article 2 - Overlay Districts; amends §250-4.9 Water Supply Protection District by making minor language clarifications, deleting 250-4.10 Route 2A Overlay, 250-4.12 renumbering to 250-4.10 and making changes to Section 250-4.12.E, renumbering 250-4.13 Tri-Town Smart Growth to 250-4.11 and 250-4.14 Summer Street Overlay to 250-4.12.

Article 3 - Special Uses (solar and registered marijuana dispensaries); amends §250-4.15, 250-4.16 & 250-4.18 by renumbering and altering the language of Section 250-4.14.D.(2) to require indoor cultivation by Special Permit and increase the required property offset and 250-14.E.(2) to increase the required offset.

Article 4 - Amendment to special permit procedures; modifies §250-8.3.C(1) by inserting the number 9 and deleting §250-8.3.C.(3) and (4) and renumbering §250-8.3.C(5) as §250-8.3.C.(3).

Article 5 - Zoning Map change; amends the Zoning Map by taking the land adjacent to the east side of Townsend Harbor Road in the Retail Commercial District and reassigning it to the Commercial District.

The Board was in receipt of a memorandum dated March 26, 2018 from the Building Commissioner with comments/concerns.

Nick Pirro, 12 Robbs Terrace- He provides a vehicle towing service for the Lunenburg Police Department, but has no storage yard in Lunenburg; therefore he tows the vehicles to Leominster. He would like to locate a vehicle storage yard at property he owns at 40 Leominster Shirley Road, but there is no definition for a vehicle storage yard. Board discussion ensued. The Board needs to decide whether or not it will be considered a "Use" in the Town of Lunenburg. If not, it would not be allowed in Lunenburg. (There is no use variance for the Zoning Board of Appeals.) It was suggested that he could submit a citizen petition for inclusion in the Use Table. A. Burney will research the issue for possible fall town meeting.

David Passios, 56 Whiting Street- Section 250-4.2A(2) refers to "small flock". Would this limit a 4H project?

There was discussion of striking "small flock". **K. Chenis made a motion to delete the wording "a small flock of", M. Allison seconded, roll call vote- M. Jeffreys, nay; D. Prokowiew, aye; K. Chenis, aye; M. Allison, aye; G. Bittner, aye. Vote passed 4-1.**

Article 5 - To see if the Town will vote to amend the Zoning Map by taking the land adjacent to the east side of Townsend Harbor Road in the Retail Commercial District and reassigning it to the Commercial District. Currently the Article is just the elimination of the Retail Commercial District; turning it into Commercial. A. Burney suggested adding the relabeling of Aquifer Boundary to Water Supply Protection District, and add the removal of the Rt. 2A Overlay District.

Article 2 includes the Water Supply Protection District, which currently requires a special permit for farming. A. Burney will confer with Town Counsel as to the legality of same.

Article 3 – A. Burney will verify with Town Counsel if the Board waives dimensional standards as noted in 250-4.14F(4), does this violate MGL 40A. Board consensus was to strike 4.14F(4). A. Burney noted that would eliminate the Board's ability to waive design standards. K. Chenis suggested re-wording to state the Board may waive any of the non-dimensional standards. 250-4.14G(2) – A. Burney will confer with Town Counsel.

Article 4 "cleans up" 8.3. for special permits to make the Planning Board's timeline identical to those of the Commonwealth's statute.

K. Chenis made motion to continue the Hearing to April 9, 2018, 6:35 PM, M. Allison seconded, all aye.

Hearing recessed 9:15 PM.

Documents used at hearing:
Zoning Warrant Articles
Memo, Building Commissioner, dtd 3/26/18