

TOWN OF LUNENBURG
Office of the Planning Board

Gregory Bittner, Chair
Matthew Allison, Vice Chair
Kenneth Chenis, Clerk
David Prokowiew, Member
Tanner Cole, Member



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Adam R. Burney
Land Use Director

Marjorie J. Boggio
Administrative Assistant

Minutes
September 10, 2018

Meeting Posted: Yes
Place: Town Hall, 17 Main Street, Lunenburg, MA
Time: 6:30 PM

Present: Gregory Bittner, Matthew Allison, Kenneth Chenis (left at 10:05 PM), David Prokowiew, Tanner Cole, Adam R. Burney
Also Present: Town Counsel Adam Costa

D. Prokowiew made a Motion for a five minute recess for the Board Chair to confer with Town Counsel, M. Allison Seconded, all aye.

M. Allison made a Motion to enter into Regular Session, K. Chenis Seconded, all aye.

Board Chair requested a Motion to enter Executive Session Pursuant to G.L. c. 30A, § 21, to discuss strategy with respect to litigation, namely Town of Lunenburg v. Settlers Solar, et al., Worcester Superior Court Docket No. 1785CV01959-D, and Settlers Solar, LLC, et al. v. Town of Lunenburg, et al., Land Court Docket No. 17 MISC 000690 (HPS), where an open meeting may have a detrimental effect on the litigating position of the Town, to enter back into Regular Session. K. Chenis made the Motion to enter Executive Session, Seconded by D. Prokowiew, roll call vote, T. Cole, aye; D. Prokowiew, aye; K. Chenis, aye; M. Allison, aye; G. Bittner, aye.

PUBLIC HEARING: 994 Northfield Road, Settlers Solar- see separate minutes. There was discussion of construction hours with the agreement being Monday through Friday, 8:00 AM to 5:00 PM, Saturdays 9:00 AM to 2:00 PM, no Sundays or holidays.

G. Bittner requested a Motion to take no action at this point, reconvene at the next Board meeting, and request Town Counsel to prepare a decision, K. Chenis moved the Motion, D. Prokowiew Seconded, all aye.

Agenda items taken out of order.

Recreational Marijuana Regulations- Retail- There was limited discussion, due to the late hour.

Kim Cole, 563 Massachusetts Avenue- Wants prohibition. She realizes she may be in the minority, so regulations need to be in place if prohibition fails. State law requires a 500 foot buffer, but municipalities are allowed to decrease that distance. Whatever the distance may be, she inquired how that distance would be measured. She has viewed the regulations in various communities and notes what some other towns are putting in place. E.g., Security plan, operation and maintenance plan, emergency response plan, no drive-up, no walk-up, security lighting, signage. She would like to see it prohibited in all districts as a home occupation.

D. Prokowiew inquired as to Board of Health jurisdiction. A. Costa responded that adult use marijuana is heavily regulated at the State level, which makes it difficult for local communities to set their regulations. The Board of Health can only control issues within its jurisdiction.

9:57 PM - G. Bittner requested a Motion to continue the meeting past the allotted time, D. Prokowiew moved the Motion, M. Allison Seconded, all aye.

Both David Rodgers, 82 Highland Street and Katey Adams, Williams Drive would like to see it prohibited in Lunenburg.

The Board emphasized that a regulation needs to be in place in the event prohibition does not pass a town meeting vote.

The retail marijuana discussion will continue at the next Board meeting.

MINUTES APPROVAL:

8/27/18- D. Prokowiew made a Motion to approve, M. Allison Seconded, G. Bittner abstained due to absence, Motion passed 3-0.

8/27/18, 994 Northfield Road- M. Allison made a Motion to approve, D. Prokowiew Seconded, G. Bittner abstained due to absence, Motion passed 3-0.

COMMITTEE REPORTS: Tabled

Green Community Task Force-

Capital Planning Committee-

Storm Water Task Force-

Agricultural Commission-

MJTC-

Open Space Ad Hoc Committee-

MRPC-

Charter Review Committee-

DIRECTOR'S ITEMS: Tabled

Special Town Meeting- November 13, 2018-

§250- 6.5. Sign Bylaw-

§250- 4.15. Solar Energy Systems-

MEETING SCHEDULE:

September 24-

Discussion of Retail Recreational Marijuana
Deliberation and vote on Settlers Solar, 994 Northfield Road

October 22- Discussion of Marijuana Cultivation

ONGOING ITEMS: Tabled

Earth Removal Permitting-
Asian Imperial Restaurant, 5 & 9 Electric Avenue-
Village at Flat Hill, Drainage Review & Enforcement-
Economic Development-
§250- 8.3. Board of Appeals-

BOARD COMMENT/CONCERNS: G .Bittner noted the bins in front of Wal-Mart. Board members would like to review the Board's Decision.

ADJOURNMENT: 10:45 PM

Documents used at meeting:

Minutes-

8/27/18

8/27/18 994 Northfield Road, Settlers Solar