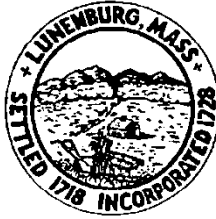


TOWN OF LUNENBURG

Office of the Planning Board

Matthew Allison, Chair
Damon McQuaid, Vice-Chair
Gregory Bittner, Clk.
Kenneth Chenis, Mbr.
David Prokowiew, Mbr.



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

Adam R. Burney
Land Use Director

Minutes
Public Hearing (cont'd)
Asian Imperial, 5 Electric Avenue
February 27, 2017

Meeting Posted: Yes
Time: 6:42 PM
Place: Town Hall, 17 Main Street, Lunenburg, MA 01462
Present: Matthew Allison, Damon McQuaid, Gregory Bittner, David Prokowiew, Adam R. Burney
Absent: Kenneth Chenis

(The continuation scheduled for February 13th was postponed to this date due to inclement weather.) The Public Hearing was to hear and discuss an application for Site Plan Approval under Section 8.4. of the Protective Bylaw of the Town of Lunenburg for construction of a parking lot at 9 Electric Avenue (Map 074, Parcel 0009) and a building addition at Asian Imperial Restaurant, 5 Electric Avenue (Map 074, Parcel 0008).

Senior Project Manager Robert Oliva, David E. Ross Associates, Inc. represented the Applicant- Min Xu, d/b/a Asian Imperial. R. Oliva noted tonight was to be a continuation of the Hearing, but the Applicant is now submitting a request to Withdraw without Prejudice. (David E. Ross Associates letter dated February 10, 2017.) The Owner/Applicant wishes to reevaluate a course of action with the property and may return to the Board with a revised plan at a future time.

Discussion ensued. If the Applicant withdraws, the proposed upper parking lot cannot be used because it would not meet the parking requirements; the Applicant would have to take some kind of action to prevent parking in the upper lot. It was suggested that the Hearing remain open and the Applicant come in and have a discussion with the Board. R. Oliva noted that he could convey to the Applicant that the area will no longer be useable for parking, but G. Bittner was concerned as vehicles are already parking outside of the designated parking, individuals will continue to park cars in the upper lot. In reviewing the current application G. Bittner found deficiencies with the existing plan, e.g., restaurant seating, snow storage and landscaping. The upper lot will need to be stabilized through vegetation.

A. Burney recommended that the Board take the withdrawal under advisement and ask the Applicant to talk with the Board. At that time the Board could either accept the Withdrawal or modify it to an extension.

D. McQuaid inquired if the Board accepts the Withdrawal, would the parking then become an enforcement issue with the Zoning Official as no approval was issued by the Board? Yes. G. Bittner wants to work with the Applicant to address the issue and recommended continuing the Hearing for discussion with the Applicant to come to an agreeable plan. D. McQuaid opined that it would be strange to continue the Hearing as no work is being proposed.

M. Allison brought up possibly waiving the fee if the Applicant return with another application, but G. Bittner opined that if that discussion takes places, it should be at the time of the new application.

G. Bittner is concerned with the lighting now shining onto the abutting property with no buffer in place and also wants the Zoning Enforcement Officer made aware that the upper parking lot can no longer be used. A. Burney said that could be addressed outside a hearing.

Motion, D. McQuaid, to accept the withdrawal without prejudice, but to notify the Zoning Enforcement Officer of Board concerns with the site being used as parking, in addition to some issues in the existing Special Permit such as seat count, snow storage, and landscaping, Second, G. Bittner, discussion- would the abutting site have to be stabilized? Yes. D. Prokowiec requested that a letter be sent to the Applicant noting the Board would like a discussion with her. The lighting situation also needs to be addressed. **All aye.**

Hearing closed 7:04 PM.

Document used:
David E. Ross Associates Letter dated February 10, 2017, re Request for Withdrawal