

TOWN OF LUNENBURG

Office of the Planning Board

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Tanner Cole, Vice Chair
Paula Bertram, Clerk
Matthew Brenner, Member
Erik Torgersen, Member



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Adam R. Burney
Land Use Director

Marjorie J. Boggio
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Minutes
September 14, 2020

Meeting Posted: Yes
Time: 6:30 PM

Roll Call conducted by Adam Burney, Land Use Director: Matthew Allison, present; Tanner Cole, present; Paula Bertram, present; Matthew Brenner, present; Erik Torgersen (left 10:05 PM), present.

A. Burney prefaced the meeting with the following reading. In accordance with the requirements of the Open Meeting Law, please be advised that this meeting is being recorded but not broadcast live due to technical difficulties. It will be available on the You Tube channel tomorrow. The meeting of the Planning Board is being conducted remotely. The Town of Lunenburg, in response to the COVID-19 (Corona Virus), is currently following the guidance from the Lunenburg Board of Health, Massachusetts Department of Public Health and the CDC regarding the virus and steps communities can take to prevent the spread. All town facilities are currently closed to the public with the exception of 10:00 a.m. to 2:00 p.m.; Monday through Thursday. In accordance with the Governor's Order Suspending Certain Provisions of the Open Meeting Law, G.L.c.30A, Section 20, all public meetings are being conducted remotely. The Governor's Order, which you can find posted on the Town's website COVID-19 Information Center page, accessed through the Town Manager's webpage allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment both at the beginning and end. For this meeting the Planning Board is convening by video conferencing via Zoom as posted on the Town's website identifying how the public may join. For Zoom meetings, please note that this meeting is being recorded and that some attendees are participating by video conference. Accordingly please be aware that other folks may be able to see you and take care not to screen share your computer. Anything that you broadcast may be captured by the recording.

A. Burney then covered the ground rules for effective business and to ensure accurate meeting minutes.

ANR PLANS:

237 Prospect Street- M. Allison noted letter from the Building Commissioner stating this was not a building lot. The Plan took a parcel of beachfront property and split it in two. One of the parcels to be deeded to property across the street to provide lake access. **P. Bertram made Motion to approve the ANR Plan for 237 Prospect Street, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. Vote passed 5-0.**

422 Mulpus Road- Both the property owner Donald Solovei and his representative Steve Marsden of Marsden Engineering were present. Perc testing had been done for the existing home and the four new frontage lots. The plan was revised to 9-9-2020 per request of the Building Commissioner to show shed offsets. **T. Cole made Motion to approve the ANR Plan for 422 Mulpus Road, P. Bertram Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. Vote passed 5-0.**

PUBLIC HEARINGS:

Northfield Road- See separate minutes. **P. Bertram made Motion to approve the application for common drive and scenic road on Northfield Road, property formerly part of 300 Holman Street West, and 524 Northfield Road, M. Brenner Seconded for discussion.** Approval would be contingent on the applicant adhering to the plan submitted and approved this evening. **Roll Call Vote-** T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. **Vote passed 5-0.**

361 Massachusetts Avenue, BrightFarms- See separate minutes.

DE MINIMIS CHANGE: Baker Brook, Tri Town Landing- There was a fire hydrant and water main extension located on the southeast side of the building under construction. With the relocation of the connection to the northeast side of the building, the additional hydrant and extension were no longer necessary and they wanted to remove it. The Fire Chief reviewed the request and had no issue with the hydrant removal. **T. Cole made Motion to approve the De Minimis Change for Baker Brook, Tri Town Landing, P. Bertram Seconded, Roll Call Vote-** T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. **Vote passed 5-0.**

MINUTES APPROVAL:

08.24.2020- P. Bertram made Motion to approve, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. **Vote passed 5-0.**

08.24.2020, Northfield Road/Holman Street West- P. Bertram made Motion to approve, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; E. Torgersen, aye; M. Allison, aye. **Vote passed 5-0.**

COMMITTEE REPORTS:

Storm Water Task Force- No report.

Agricultural Commission- Commission at full membership. Worked on letter regarding animal complaints. Farmers' Market will conclude for the season on October 11th.

TCP Building Design Committee- Various organizations in Town expressed interest in occupying space in the building. The Committee hoped to have an article ready for fall special town meeting. T. Cole opined that special town meetings aren't as well attended and as the Board's representative to the Committee, he sought feedback from the Board. If an article was approved at special town meeting it would most likely require a ballot vote and a special election would have to be called for a debt exclusion to fund the project. Board members felt there would be better attendance at annual town meeting. Neither would a special election be required as there would be spring annual election. Additionally, architectural plans were not firm at this time. If the Committee planned on going to fall special town meeting, an article would have to be finalized at its next meeting. Board members voiced various concerns which T. Cole would bring up to the Committee.

Open Space Ad Hoc Committee- Meeting scheduled for September 22, 2020.

MRPC- Meeting held September 3, 2020. MRPC provided update on conservation mapping in Town. The Conservation Commission received a grant to put small maps at trail intersections.

MJTC- Meeting held September 9, 2020. Discussed master planning services provided. MA DOT communicated the shared streets and spaces grant program. The program provided grants in quantities of \$5,000 – \$300,000 for quick build projects relating to mitigating COVID issues in towns, e.g., projects that would provide for social distancing such as walking paths, enhancing ability for sidewalk dining. Projects needed to be submitted by September 29, 2020.

Capital Planning Committee- No report

WORKSHOP:

ANR Process- Frontage and access are the two key elements for approval of an ANR Plan. There is no requirement for conformance with other laws. A. Burney spoke with other communities to see how their process compared with Lunenburg's and he also conferred with Town Counsel. If the Board approved a plan that made someone's septic system noncompliant; that would be an enforcement issue for the Board of Health through the Title 5 process. If it so desired, The Planning Board had the authority to add a Board of Health requirement to the ANR process. The Board viewed two drafts of the process. T. Cole was concerned with a homeowner dividing land and then discovering they should have taken into consideration land that should have been retained for a septic system. He was of the opinion that the Board of Health should sign off on a Plan prior to its submittal to the Planning Office. P. Bertram recommended that the ANR process require that septic system, reserve area, and wells

be indicated on a Plan that had an existing dwelling; also that the approval contain a statement that the land division did not necessarily comply with Board of Health requirements. A public hearing will be scheduled for the end of October to amend Ch. 325, Subdivision Regulations, §325-3.2. Plan believed not to require approval. T. Cole inquired if an applicant requested a waiver for items required in the submittal and the 21-day time clock had commenced, how the waiver would affect that time clock. A. Burney responded the time clock would continue without interruption. Discussion was had on whether or not applicants needed to file the Plan with the Registry of Deeds within 14 days as specified in the current process. P. Bertram inquired what would happen if a Plan was not recorded and there was a zoning change subsequent to the Plan's endorsement. A. Burney responded that there was a three-year zoning freeze from the date the Plan was endorsed. If the Plan was recorded after the three year zoning freeze, current zoning would apply. A. Burney will make changes to the draft for Board discussion at the next meeting.

Master Planning- Tabled to next meeting.

MEETING SCHEDULE:

September 28- BrightFarms

October 26- BrightFarms

ADJOURNMENT: P. Bertram made Motion to adjourn, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye. Vote passed 3-0. Adjourned 10:21PM

Documents used at meeting:

Minutes:

08.24.2020

08.24.2020, Northfield Road/Holman Street West

ANR Plans:

237 Prospect Street

422 Mulpus Road

Tri Town Landing, Request for De Minimis Change

§325-3.2., DRAFT