

TOWN OF LUNENBURG

Office of the Planning Board

Matthew Allison, Chair
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
Administrative Assistant

Minutes
March 22, 2021

Meeting Posted: Yes
Time: 6:30 PM

CALL TO ORDER: Roll Call conducted by Adam Burney, Land Use Director: Matthew Allison, present; Tanner Cole, present; Matthew Brenner, present.
Absent: Paula Bertram, Erik Torgersen

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 and will be broadcast over the LunenburgAccess channel. 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 open 10 a.m. to 2 p.m. and by appointment outside of those hours. 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. Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment. For this meeting the Planning Board is convening by video conferencing via Zoom as posted on the Town's website. The public may join using a smart phone, tablet or computer, go to zoom.us and enter the meeting ID number or call 888-475-4499. The meeting ID for this meeting is: 89094139393. 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.

925 MASSACHUSETTS AVENUE: Town Manager Update- The Town Manager updated the Board on what steps had taken place over the past two years towards the reuse/redevelopment of 925 Massachusetts Avenue. The site was an abandoned gas station located in the Village Center District and consisted of .19 acres with the building approximately 1800 square feet. The gas pumps had a self-supporting overhead canopy. The property had been in tax title since 2005 and the town would foreclose once it was determined there were no imminent hazards that the town would be responsible for. September 2019 the town gained legal access to the property in order to perform an environmental site assessment. A Phase I assessment was conducted and completed in February 2020. As a result of the Phase I assessment, a Phase II assessment was recommended. The Town Manager, in November 2019, submitted a brownfields site nomination and EPA approval form to the Montachusett Brownfield Group, which administered site assessment grants. The Brownfield Group approved the town's grant in the amount of \$30,000 towards the Phase II assessment. The Phase II assessment has been submitted to the EPA for review. Hazardous materials were determined to be on site. There were five underground storage tanks, a septic system, along with soil contaminants. As cleanup would be involved, the town requested additional funds through the Brownfield Group. \$6,000 was received for a Phase III assessment. This assessment would identify the cost of cleanup. The next step in the process would be

a request for interest for redevelopment by private entities. This would show Ma Development an interest in the property which would make it eligible for cleanup funding. The Town Manager wanted to determine if the Planning Board felt the property should be auctioned or put out for an RFP for property reuse.

PUBLIC HEARING: North End Subaru, 757 Chase Road- see separate minutes

**305 REALTY LLC, 305 LEOMINSTER SHIRLEY ROAD:
Waiver Request from Public Hearing and Site Plan Approval-
Site Plan Approval-**

Presentation given by Christopher Anderson, Hannigan Engineering, Inc. Application was for repurposing the commercial lot at 305 Leominster Shirley Road. The site consisted of ~2.5 acres of land located on the northerly side of Leominster Shirley Road. The site would not change, but would be repurposed as a contractor yard for the main office and headquarters of GVC Construction, Inc. The property was in receivership due to legal and financial troubles of the previous owner. M. Allison opined there was a lack of sight distance from the east. He would also like to see the entrance to the rear storage yard moved ~100 feet to the west. Chris Valenti, 305 Realty and GVC Construction, noted it would not be able to move forward with the project unless it had the full support of the Board. The project had already received a Special Permit from the Zoning Board of Appeals for the intended uses. The applicants did not intend to make any changes to the site and had not been aware of any concerns with sight distance or the entrances until this hearing. It would be detrimental to the project if it had to wait for more Board members to be present at a meeting. M. Brenner inquired as to anticipated changes in traffic volume from the previous use. M. Allison responded that the road is heavily trafficked by large vehicles and he was concerned with the grade and sight distance, but he did not feel there would be any major change in the traffic flow. C. Valenti noted the yard would be quiet during the day; the crews typically left between 5:00 a.m. and 6:30 a.m. to travel to their sites. C. Anderson elaborated there would be some renovations to the existing office building, e.g., repainting. There would also be interior modifications. The fencing and gate system would be repaired. **T. Cole made Motion to approve the site plan approval waiver for 305 Leominster Shirley Road, M. Brenner Seconded. The following Conditions would be placed on the project: 1) Work with the DPW to address the sight distance as much as practicable, and 2) Adhere to the Plan entitled Site Development Plan in Lunenburg, Massachusetts, Dated March 8, 2021. T. Cole amended his Motion to include the two mentioned Conditions, M. Brenner Seconded, Roll Call Vote- T. Cole, aye; M. Brenner, aye; M. Allison, aye. Vote passed 3-0.**

BRIGHTFARMS:

Board Endorsement, Final Site Plan- The final site plan was received and Board members needed to come into the office to sign it.

Phase 1 Land Development Plan- The Phase I Development Plan contained minor revisions to the current approved plan. Grades were raised resulting in less rock excavation. The applicant was requesting these changes as a de minimis change; A. Burney requested Graves Engineering, Inc. to review the Plan. M. Allison noted that if the grade was raised, pavement runoff would be affected. He was also concerned with visual impact to abutters.

PUBLIC HEARING: Rules and Regulations for Site Plan Approval & Special Permits- Hearing continuation opened at 8:25 p.m. Hearing was to discuss revisions to the Board Rules and Regulations for Site Plan Approval and Special Permits. The updated version was supplied to the Board members. Section 4.1 f. would adjust the submitted number of full size and reduced size plans. Full size plans would increase from eleven (11) to eighteen (18) sets and reduced size plans would no longer be required. This would allow each Board member to be possession of a full-size copy. 4.1 h. *Stormwater* would change compliance from the Massachusetts Department of Environmental Protection Stormwater Management Policy Handbook and Technical Handbook to Section 204 of the Code of Lunenburg. Sections 4.2 a. and 4.2 b. would increase the number of full size plans from four (4) to (12) sets, and reduced size would no longer be required. Section 4.4 b.3. Drainage would be preceded with the word "Minor". Section 4.4 c. changed the number of plans submitted for de minimis change from two (2) full size to seven (7) full size and 11 x 17 from ten (10) to five (5). **M. Brenner made Motion close the Public Hearing and to approve the Board Rules and Regulations for Site Plan Approval & Special Permits, T. Cole Seconded, Roll Call Vote- M. Brenner, aye; T. Cole, aye; M. Allison, aye. Vote passed 3-0. Hearing closed 8:30 p.m.**

MINUTES APPROVAL: 03/08/21- M. Brenner made Motion to approve, T. Cole Seconded, Roll Call Vote- T. Cole, aye; M. Brenner aye; M. Allison, aye. Vote passed 3-0.

COMMITTEE REPORTS:

Storm Water Task Force- A meeting was scheduled for March 23rd. The Task Force would reorganize and anticipated an update from its consultant CEI.

Agricultural Commission- The Commission updated and approved its rules and regulations for the 2021 season of the farmers' market. The Market would reopen in June 2021. Hours would be from 10 – 12:30. Vendor fee would decrease.

TCP Building Design Committee- No report

Open Space Ad Hoc Committee- No report

Capital Planning Committee- No report

MRPC- A meeting was scheduled for April 1st.

MJTC- Work would be taking place at the intersection of Routes 117 and 70 in Lancaster. UMass Memorial Health Alliance would be doing a Community Health Needs Assessment.

DIRECTOR'S ITEMS:

District Local Technical Assistance (DLTA) Request for Service Delivery (RSD)- Packet provided to Board members. This would be cost-free technical assistance provided by MRPC.

Chase Road and Northfield Road, Map 33, Parcel 6, and Map 38, Parcels 17 and 24.2, Agricultural Preservation Restriction (APR) Update- Known as "Pierce's Christmas Tree Farm", it would be placed on the May town warrant for an Agricultural Preservation Restriction. The town would be responsible for 10% of the purchase price.

MEETING SCHEDULE:

April 12- Hearing for Board Warrant Articles

April 26-

ONGOING ITEMS:

Chapter 325, Subdivision Regulations, Procedure for Submission and Review of Plans-

Chapter 250, Zoning, Section 250-6.1. Off Street Parking and Loading Areas- The Board had been looking for additional information regarding private camps and also take-out only services. A. Burney reached out to other planners, with the majority of them stating that they didn't have regulations in place as there had never been issues with parking for private camps and take-out services. He went on to opine that what Lunenburg had adequately serviced what would be anticipated. He would continue to research to see if any information would be available. M. Brenner felt language should be included for outdoor seating for take-out. A. Burney noted changes could be made during the public hearing.

PUBLIC COMMENT: David Rodgers, 82 Highland Street- He was looking for a better understanding of the parking calculation warrant article. He was also concerned if the new parking calculations were more restrictive how it would affect both the town businesses and municipal buildings.

ADJOURNMENT: M. Brenner made Motion to adjourn, T. Cole Seconded, Roll Call Vote- T. Cole, aye; M. Brenner, aye; M. Allison, aye. Adjourned 8:55 p.m.

Documents used at meeting:

305 Leominster Shirley Road, Site Plan Approval Application

BrightFarms:

Final Site Plan

Phase 1 Land Development Plan

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DLTA RSD

Chase and Northfield Road, APR Update

Rules and Regulations for Site Plan Approval & Special Permits