

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
Public Hearing
Town Meeting Warrant Articles
April 12, 2021

Meeting Posted: Yes
Time: 7:03 PM

CALL TO ORDER: Roll Call conducted by Adam Burney, Land Use Director: Matthew Allison, present; Tanner Cole, present; Paula Bertram, present; Matthew Brenner, present.
Absent: 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: 87060964250. 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.

The hearing was to make alterations to Code of the Town of Lunenburg, MA, Chapter 250, Zoning, Article IV Use Regulations, Section 250-4.1H(5), Two-Family Dwelling, and Article VI, General Provisions Affecting All Districts, Section 250-6.1. Off Street Parking and Loading Areas.

A. Burney went through a PowerPoint presentation noting that the two Board articles were to, 1) add to the Definition of Two-Family Dwelling and, 2) update the minimum parking calculations to reflect current Use Definitions and parking needs.

ARTICLE 28. To see if the Town will vote to amend the Code of Lunenburg, Section 250-4.1, which is a Section of the Protective Bylaw entitled "Permitted and prohibited uses," Subsection H(5), as depicted below, with additions underlined and deletions stricken-through, or take any other action relative thereto. (Submitted by the Planning Board)

250-4.1H(5) Two-Family Dwelling: A residential structure designed to house a single-family unit from lowest level to roof, with a private outside entrance, but not necessarily occupying a private lot, and sharing a common wall with adjoining dwelling units. Two-family dwellings shall have 1.5 times the lot size required in the Zoning District in which they are located.

The above language had previously been in the Protective Bylaw and was accidentally omitted from the definition in the 2018 update that created the Use Table in Section 250-4.1. This Bylaw would amend a clerical error.

ARTICLE 29. To see if the Town will vote to amend the Code of Lunenburg, Section 250-6.1, which is a Section of the Protective Bylaw entitled “Off-street parking and loading areas,” by deleting the entirety of the existing text and substituting the following therefor, or take any other action relative thereto. (Submitted by the Planning Board)

250-6.1: Off-street Parking and Loading Areas: Parking shall be provided per the chart below unless otherwise provided for in the Code of Lunenburg. When the computation of required parking spaces results in a fractional space, any fraction over one-half shall require one (1) space.

The following comment had been provided by Town Counsel. “The calculations mandated by the Table below are likely to result in fractional space requirements, so expressly addressing the (accepted but sometimes contested) practice of “rounding up” is strongly recommended.”

Accessory Dwelling	1 Parking Space*
Boarding House	1 space per sleeping accommodation plus 1 space per employee on the largest shift
Single-Family Home; Two-Family Detached; Multi-Family Dwelling; Townhouse	2 spaces per dwelling unit*
Assisted Living	0.5 spaces per living unit plus 1 space per employee on the largest shift
Charitable Institution; Government Building	Parking calculated per the most closely associated Use Category to the function of the space, as determined by the Building Commissioner
Church; Educational Use	1 space per 5 seats in the largest assembly area
Hospital	1 space per 2 beds plus 1 space per employee on the largest shift
Public Utility; Outdoor Entertainment; Golf Course; Drive-in Theater	As required by Site Plan Approval
Water Supply	1 space
Indoor Entertainment	6 spaces per 1,000 square feet of net floor area

Restaurant; Private Club	1 space per 3 seats plus 1 space per employee on the largest shift
Private Camp	1 space per 5 campers plus 1 space per overnight campsite plus 1 space per employee on the largest shift
Child Care Facility	1 space per 5 children plus 1 space per employee on the largest shift
Adult Use	As required by the Special Permit Granting Authority
Auction House	1 space per 2 seats plus 1 space per employee on the largest shift
Bed & Breakfast	1 space per sleeping room plus 1 space per employee, that does not reside at the location, on the largest shift
Hotel; Motel	1 space per sleeping room plus 1 space per employee on the largest shift. With a conference facility add 1 space per 200 square feet of conference space, with a restaurant space add 1 space per 5 seats in the restaurant.
Retail Establishment; Personal Improvement Service; Service Establishment; Repair Shop; Pawn Shop; Laundry Service; Liquor Store	1 space per 250 square feet of net floor area
Marijuana Retailer; Registered Marijuana Dispensary	1 space per 200 square feet plus 1 space per employee on the largest shift
Medical Clinic; Professional Office; Trade Shop	1 space per 300 square feet of net floor area
Mixed Use; Office Park; Shopping Center; Industrial Parks	Sum of the required parking for each use
Restaurant Carry-Out	1 space per 300 square feet of net floor area plus <u>1 space per 3 seats provided (indoor or outdoor)</u> plus 1 space per employee on the largest shift

Auto Sales; Equipment Sales	1 space per 500 square feet of sales floor and/or office plus 1 space per repair bay or work area, plus 1 space for each employee on the largest shift, plus 1 space per vehicle, trailer and/or other piece of rolling stock for sale
Auto Repair Facility; Boat Service Yard	2 spaces per repair bay or work area
Car Wash	1 space per vacuum or other external consumer equipment plus 1 space per employee on the largest shift
Construction Sales & Service	1 space per 250 sq. ft. of net floor area of sales floor, plus 1 space per 2,000 square feet of net floor area for the first 20,000 square feet of lumber or material storage plus 1 space for each additional 10,000 square feet of net floor area, plus 1 space per employee on the largest shift
Contractor Yard	1 space per 300 square feet of net floor area of office plus 1 space per employee on the largest shift, plus 1 space per piece of equipment or rolling stock
Equipment Repair	1 space per repair bay or work area
Fuel Service Station	1 space per fuel dispenser
Distribution; Manufacturing; Marijuana Cultivator; Marijuana Product Manufacturer	1 space per 2,000 square feet of net floor area for the first 20,000 square feet plus 1 space for each additional 10,000 square feet of net floor area or 1 space per employee on the largest shift, whichever is greater.
Research Establishment; Marijuana Testing Facility; Marijuana Researcher	1 space per 500 square feet of net floor area
Agriculture	One space per 1,000 square feet of display area whether indoors or outdoors, plus 1 space per employee based on the largest work shift; however, there shall be a minimum of 5 spaces.

Agricultural Sales & Service	1 space per 500 sq. ft. of sales floor/office plus 1 space for each repair bay, plus 1 space for each employee on the largest shift plus 1 space per vehicle, trailer or other rolling stock for sale.
Kennel; Veterinary Hospital	1 space per patient room plus 1 space per 3 kennel berths, plus 1 space per employee on the largest shift
Marijuana Transporter	1 space per employee on the largest shift plus 1 space per vehicle used in the business operation

* Parking calculations shall not include spaces within a garage.

The current minimum parking standards didn't reflect many of the uses outlined in the Use Table nor did the minimum calculations reflect contemporary standards. The PowerPoint presentation presented examples of parking calculations under the existing Bylaw and then calculations under the proposed Bylaw.

PUBLIC COMMENT:

David Passios, 56 Whiting Street- He asked for a number comparison between the current and proposed bylaw for a 35,000 square foot office building. Under the current, thirty-five (35) are required; under the proposed, one hundred (100). He had concerns with stormwater runoff with an increase in impervious surface from additional parking spaces. M. Allison responded that the surface was not required to be paved; only durable and dustless.

Dave Rodgers, 82 Highland Street- He inquired as to what Use the Town Hall, which has no designated parking, would fall under for parking requirements. A. Burney responded it would be the closest associated Use to that municipal building. D. Rodgers felt it was important to focus on specific situations, e.g., there was no parking for Town Hall, ensuring there was sufficient parking at TC Passios in the event it became the Town offices. He also remarked that he would not want the parking requirements to change for Conrads. A. Burney responded that the proposed Bylaw would not apply retroactively to existing businesses; it would apply to new businesses/construction.

The parking requirement under Public Utility; Outdoor Entertainment; Golf Course; Drive-in Theater was "As required by Site Plan Approval." T. Cole made reference to the following comment provided by Town Counsel. "Due to the nondiscretionary nature of site plan review and approval, note that it may be difficult to mandate a minimum parking requirement through that process." A. Burney responded that usually the developer would know the amount of parking it needed.

P. Bertram made Motion to close the Public Hearing, T. Cole Seconded, Roll Call Vote- P. Bertram, aye; M. Brenner, aye; T. Cole, aye; M. Allison, aye. Vote passed 4-0.

Hearing closed 7:55 p.m.