

TOWN OF LUNENBURG

Office of the Planning Board

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Paula Bertram, Clerk
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Minutes
Public Hearing
101 Pleasant Street
May 10, 2021

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

Meeting Posted: Yes
Time: 6:57 p.m.

The Hearing continuation, via Zoom video conference, was to hear and review an application under Chapter 325 Subdivision Regulations, Article III, Section 325-3.4. Definitive Plan of the Code of the Town of Lunenburg for a six-lot subdivision consisting of six duplex buildings at 101 Pleasant Street (Map 095, Parcel 0003), Lunenburg, MA. Owner/applicant was MA Pleasant LLC, P O Box 903, Ashburnham, MA.

The continuation this evening was specifically for review of the applicant's requested waivers and a discussion of the parking setback.

The applicant was represented by Paul Grasewicz, P.E., GRAZ Engineering, LLC, and David Plunkett, Esq.

Three waivers were listed on the cover page of the site plan:

325- 5.4. Sidewalk Requirement
325- 4.2.B(5) Intersection Radius at Pleasant Street
325- 4.2.E.(1) Dead End Street Maximum Length of 650'

At the initial hearing of April 26, the applicant was requested to formalize the requested waivers.

Sidewalk Requirement- P. Grasewicz said the proposed road was a "minor" street, not requiring a sidewalk; therefore he opined the waiver was not required.

Intersection Radius- P. Grasewicz stated the applicant met the 30 foot radius requirement on the south side of the project, but the regulations required curb radius plus tangent on each end which placed the project within the driveway of an abutter. The engineer would work to eliminate the need for that waiver by locating the road more northwest to gain the full curbing on the right hand side.

Dead End Street- Chapter 325, Subdivision Regulations, have a maximum dead-end road length of 650 feet; the proposed road had a length of 843 feet. Due to wetlands the applicant would not reach useable dry land until 300 feet into the site. Shortening

the road would result in the loss of lot(s). It was noted that Butterfly Lane, a previously approved subdivision, had a road length of ~765 feet.

M. Allison inquired if there was an advantage to Lunenburg to grant the waivers. P. Grasewicz responded the availability of additional housing. M. Allison opined there was no public benefit and that the applicant(s) for Butterfly Lane provided access to conservation land.

Attorney Plunkett emphasized the more housing available, the increase in housing affordability. He went on to stress that the increase in the length of the road was not to increase the number of housing lots, but due to the layout of the land.

T. Cole noted that under Chapter 250, Zoning Bylaw, 10% of the units would have to be affordable. He opined that waivers should be reserved for pre-existing non-conforming applications. He emphasized that the applicant was aware of the wetlands when he purchased the property and thus, the applicant should have proceeded accordingly.

P. Bertram was concerned that the 200 additional feet of pavement would have a significant stormwater impact.

M. Brenner asked for confirmation for a waiver to be granted, in addition to a site/topographic condition, a public benefit had to result from the granting of a waiver. A. Burney responded that the Board Rules and Regulations for Site Plan Approval & Special Permits contained such, and would review the subdivision regulations for same.

Andrea Adams, 118 Green Street, Woburn, MA- She spoke on behalf of her mother who resided at 39 Pleasant Street. Noted she had worked a number of years in the planning field. She viewed the subdivision regulations and noted guidance to the applicants specified it had to be in the public interest. She went on to opine that the reason for the road length was to maximize the financial benefit to the applicant.

Gregory Bittner, 32 Sandy Cove Road- Echoed A. Adams' comment that the applicant wanted to maximize the financial benefit and that the project would not be in the interest of Lunenburg.

Attorney Plunkett- Stressed that the project was also undergoing a hearing with the Conservation Commission at which wetland issues would be addressed. P. Bertram stated that the applicant would also have to be granted a stormwater management permit from the Planning Board.

P. Bertram made Motion to deny the requested waiver from the Code of the Town of Lunenburg, Section 325-4.2.E.(1), T. Cole Seconded, Roll Call Vote- P. Bertram, aye; M. Brenner, aye; T. Cole, aye; M. Allison, aye. Vote passed 4-0.

T. Cole brought to the applicant's attention the DPW memorandum that was discussed at the April 26th Hearing. The applicant had previously informed the Board that the road would remain privately owned and went on this evening to stress that in redesign the retaining walls within the right of way would be removed.

A. Adams- She inquired if the applicant should withdraw its application due to denial of the waiver, and concerns from both the DPW Director and Graves Engineering, Inc. Attorney Plunkett responded that the applicant would request a hearing continuance. P. Grasewicz requested a continuance to June 28th. A. Burney would send him the appropriate paperwork to sign and return. Once filed with the Town Clerk, the time clock would freeze between filing and June 28th.

G. Bittner- Requested he be supplied with any new data that came into the Planning Office regarding this project.

T. Cole made Motion to continue the hearing to June 28, 2021, 6:35 p.m., M. Brenner seconded, Roll Call Vote- P. Bertram, aye; M. Brenner, aye; T. Cole, aye; M. Allison. Vote passed 4-0.

Hearing recessed 7:43 p.m.