

JUN 21 2021

TOWN OF LUNENBURG
Office of the Planning Board

LUNENBURG TOWN
CLERK OFFICE

Tanner Cole, Chair
 Matthew Allison, 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
 May 24, 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; 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 open to the public. 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: 85403298221. 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.

BOARD REORGANIZATION/COMMITTEE ASSIGNMENTS:

Chair- P. Bertram made Motion to nominate Tanner Cole, M. Brenner Seconded. M. Brenner made Motion to nominate M. Allison, Motion not Seconded. Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; M. Allison, aye. Vote passed 4-0 for Tanner Cole.

Vice Chair- P. Bertram made Motion to nominate Matthew Allison, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; M. Allison, aye. Vote passed 4-0.

Clerk- M. Brenner made Motion to nominate Paula Bertram, T. Cole Seconded, Roll Call Vote- T. Cole, aye; P. Bertram, aye; M. Brenner, aye; M. Allison, aye. Vote passed 4-0.

MRPC- P. Bertram made Motion to nominate Matthew Brenner, M. Allison Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

MJTC- P. Bertram made Motion to nominate Matthew Brenner, M. Allison Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; T. Cole, aye; M. Brenner, aye. Vote passed 4-0.

Capital Planning Committee (three year appointment)- P. Bertram continued in Year Two.

Open Space Ad Hoc Committee- M. Allison made Motion to nominate Paula Bertram, T. Cole Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

Stormwater Task Force- M. Allison made Motion to nominate Paula Bertram, M. Brenner Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; T. Cole, aye; M. Brenner, aye. Vote passed 4-0.

TCP Building Design Committee- P. Bertram made Motion to nominate Matthew Allison, M. Brenner Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

Economic Development Committee- M. Allison made Motion to nominate Paula Bertram, M. Brenner Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

ANR PLAN: 388 & 390 Goodrich Street- Property owner William Chisholm was adjusting the lot line to straighten it out as he was selling #390. P. Bertram made Motion to approve the ANR Plan for 388 and 390 Goodrich Street, M. Allison Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

APPOINTMENT: David Maki- Bylaw Discussion- Citizen David Maki proposed an update to Section 250-4.1 H (5). The current bylaw defined a two-family dwelling as follows: "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 adjoining dwelling units." D. Maki proposed the following: "A single residential structure designed to house not more than two single family dwelling units, each unit adjoining by wall, floor, or both, and each having a private entrance, but not necessarily occupying a private lot." He noted benefits to updating the bylaw, and opined that the current definition was without justification. Instead of a citizen petition, D. Maki requested the bylaw change be proposed by the Board at town meeting. **P. Bertram made Motion to move forward the proposed definition of a two-family dwelling, with the provision that the definition contained the one and a half lot area requirement.** The Motion did not move forward. The Board informed D. Maki he would have to present the bylaw change by citizen petition.

PUBLIC HEARING: 150 Holman Street- see separate minutes

MINUTES APPROVAL:

05/10/2021- P. Bertram made Motion to approve, M. Brenner Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

05/10/2021, 711 Massachusetts Avenue-

05/10/2021, 101 Pleasant Street-

05/10/2021, 757 Chase Road-

P. Bertram made Motion to approve minutes of 711 Massachusetts Avenue, 101 Pleasant Street, and 757 Chase Road, M. Allison Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0.

COMMITTEE REPORTS:

Storm Water Task Force- no report

Agricultural Commission- Letter distributed to appropriate town departments/officials regarding the handling of farm complaints.

TCP Building Design Committee- no report

Open Space Ad Hoc Committee- The Committee listened to a citizen presentation regarding 671 West Street and 225 Pleasant Street; both town-owned parcels. 671 West Street is ~66 acres with wetlands and a pond and 225 Pleasant Street is ~40 acres of open fields. The citizens would like the town to designate the two parcels as conservation or recreation land. The Committee was endorsing the idea and was looking to appropriate town departments/commissions/boards for input. The

Committee continued to look at land around Lake Shirley for meaningful public access. M. Allison said that the ownership of the Lake was questionable. A full title search was never done on the Lake; the Town had part ownership, but it was not clear who were the remaining entities.

Capital Planning Committee- no report

Economic Development Committee- no report

MRPC- no report

MJTC- Beginning in June, the MART website would carry automated passenger counts and bus tracking.

WORKSHOP:

Master Plan, IFB- P. Bertram questioned why the Board was unable to do a request for proposal instead of an invitation for bids. A. Burney spoke with the Town Manager who responded that the information came from the Inspector General's Office. A. Burney is awaiting Board member input for updates.

ANR Plans- At a previous Board meeting, P. Bertram opined that in reviewing the ANR Handbook, a Planning Board could consider topographical issues, e.g. wetlands, in the endorsement/non-endorsement of ANR Plans. A. Burney sought an opinion from Town Counsel, which was presented to the Board. P. Bertram's interpretation of Town Counsel's response was that wetlands along the property frontage, that prevented access to the property, without an order of conditions, could be considered illusory frontage. This would allow for Board denial of an ANR Plan.

DIRECTOR'S ITEMS:

101 Pleasant Street- Extension Update- An extension was filed with the Town Clerk, thereby freezing the time clock.

Ch. 40B, Potential Comprehensive Permit- Kevin O'Brien put forth a proposal to the Land Use Director for two hundred (200) rental units spread across three 4-story buildings over 19 lots from a previously approved subdivision on Howard Street. The remaining lots, ~80, would still be developed per the approved subdivision. Town Counsel was aware of the proposal. Mr. O'Brien noted that he planned for the project to be serviced by water and sewer systems. No official application had been received by the Town. A. Burney ran through the application process for the Board.

MEETING SCHEDULE: After the current State of Emergency is lifted on June 15th, meetings would resume at Town Hall.

June 14-

757 Chase Road, North End Subaru, Public Hearing

150 Holman Street, Public Hearing

June 28-

101 Pleasant Street, Public Hearing

711 Massachusetts Avenue, Public Hearing

BOARD COMMENTS/CONCERNS:

P. Bertram inquired if the letter had been sent to Board member Erik Torgersen. The office was in receipt of the signed certified of mailing.

M. Allison noted that agricultural commissions were allowed to hold land within its care/custody.

ADJOURNMENT: P. Bertram made Motion to adjourn, M. Brenner Seconded, Roll Call Vote- M. Allison, aye; P. Bertram, aye; M. Brenner, aye; T. Cole, aye. Vote passed 4-0. Meeting adjourned 9:25 p.m.

Documents used at meeting:

ANR Plan, 388 & 390 Goodrich Street

Proposed Update to Section 250-4.1 H (5)

Electronic Mail, Mead, Talerman & Costa, LLC, dated 05.19.2021, subject: Follow up (ANR Plans)

Chapter 40B Handbook for Zoning Boards of Appeal, dated March 2017

Minutes:

05/10/2021

05/10/2021, 711 Massachusetts Avenue

05/10/2021, 101 Pleasant Street

05/10/2021, 757 Chase Road