

**Lancaster Planning Board
Minutes of Meeting**

Meeting held in Lancaster Town Hall Second Floor

Wednesday September 8, 2021

The meeting was called to order by Chairman Andy Nadeau at 6:30 P.M. followed by the Pledge of Allegiance.

Initial Business:

Roll Call:

Regular Members:

Present: Chairman Andy Nadeau, Vice Chairman Justin Carter, Selectmen's Representative Leon Rideout and Mark M. E. Frank.

Absent: Mark M. St. Pierre and Maggie Jones.

Alternate Members:

Present: Selectmen's Representative Alternate Troy Merner, Greg Westcott, Don Doolan and Vicki Gibbs.

Absent: Rick McCarten.

Others attending:

Town Manager Benjamin Gaetjens-Oleson, and Alan Savage.

Chairman Andy Nadeau appointed Alternate Member Don Doolan as a voting member during the Public Hearing for Case# 824 and stated Selectmen's Representative Alternate Troy Merner would also act as a voting member during the Public Hearing of Case# 824 due to them being voting members when the case began.

To review and approve the minutes of the August 8, 2021 meeting.

Chairman Andy Nadeau wanted it noted in the minutes that the applicant for Case# 824, Alan Savage, had stated he was not going to hire a consultant for his project.

A motion was made by Leon Rideout and seconded by Mark M. E. Frank to approve the minutes with the addition stated by Chairman Andy Nadeau. A vote was taken and the motion carried. Leon Rideout abstained.

Appointment(s): None.

Public Hearing(s):

Minor Site Plan Review:

Case #824 - Alan M. & Joanne Savage – Applicants/Owners request approval to construct up to three self-storage buildings on slab with no utilities. The initial building would be approximately 30' x 160' with the remaining two measuring 30' in width with reduced lengths from the original to accommodate the narrowing lot. Ample setbacks will be maintained to allow for appropriate traffic flow, snow storage and stormwater management. Land Zoned Commercial/Industrial. (Tax Map R02 Lot 050 (1.0 acre), Main Street). **Vote on Final Approval. Continued from August 11, 2021.**

Chairman Andy Nadeau explained the Planning Board would be considering and voting on the request tonight. The Board could either deny, approve or approve with conditions. He also reminded the Board of the concerns identified at the last meeting which were post construction stormwater management and Alan Savage's previous Wetlands Permit which he stated they had copies of. Chairman Nadeau did state the Planning Board does not issue DES Wetlands Permits. Chairman Nadeau did ask Mr. Savage if he had a plan for stormwater management as was requested at the last meeting. Mr. Savage stated he did not. Chairman Nadeau read through the Wetlands Permit and stated concerns with a condition that stated "Any change in use to a non-agricultural purpose will require further permitting by the DES Wetlands Bureau".

Mr. Savage was asked how much area he would be developing. He stated the bigger building would be about 4,800 sq. ft. with the other two decreasing in length due to the narrowing of the lot. He expects there will be at least a 24' buffer between the buildings and the property lines. He also stated he provided the required information and felt he was being required to provide more than was necessary and didn't feel it was right that the requirements had changed. Town Manager Benjamin Gaetjens-Oleson stated that the Preliminary/Conceptual Consultation phase is always recommended so the applicant can find out if there are certain things necessary based on the particular lot being developed.

Chairman Nadeau stated the Planning Board treats each applicant the same. The particular development and its location will be what causes change in the amount of information to be provided. Mr. Savage stated that he has developed several of these facilities around Town and does not create any issues with his neighbors. He explained how he did adjust a previous facility to make it better for an abutter. Mr. Savage asked if anyone visited the site. Greg Westcott, Mark M. E. Frank and Don Doolan all stated they had.

It was asked if the lot would be paved or gravel. Mr. Savage stated it would be gravel as it absorbs the water better than paving. Mr. Frank read from the State Shoreland Protection Act Statute which stated gravel was considered impervious. Leon Rideout stated that the Board needs to use common sense and he didn't agree that gravel was impervious. He feels if the Board makes the process burdensome then development in Town could be stymied.

Mr. Savage did state there are already swales on the property that do hold water and some water on site does leave the property through culverts on neighboring lots. He stated again that he does not create issues with his neighbors with his facilities. Vicki Gibbs asked if the Board could use prior projects of the applicant when considering this proposal. The answer was no, each proposal needs to be considered on its own merits.

Mr. Westcott stated that each applicant is reviewed differently and if necessary they can seek a waiver from some requirements. Mr. Gaetjens-Oleson stated that the Board can approve the project with a waiver from some standards and requirements like showing stormwater plans. Chairman Nadeau stated he felt, if approved, the applicant should submit an as-built plan and certify the stormwater is being managed on site. Mr. Rideout asked if there was a drainage plan for Mr. Savage's most recent facility on Summer Street. Mr. Gaetjens-Oleson stated there was not a need for a full plan as the lot was already developed with gravel and sloped to the back where there was a drainage swale already handling the runoff.

Chairman Nadeau stated he did not feel the Board could approve the plan as it has not met the requirements of showing how drainage on the lot will work. There was no plan for the Board to review. Mr. Savage demanded the Chairman Nadeau recuse himself from the case and let the Vice Chairman continue. Mr. Savage stated he felt Chairman Nadeau was trying to

persuade the Board to his way of thinking. Chairman Nadeau vehemently refused to recuse himself and the meeting continued.

Mr. Gaetjens-Oleson stated that if the Board approved the waiver of requirements to provide a drainage plan they could continue to consider the request. Mr. Savage stated he did not feel he needed one but agreed to make the request.

A motion was made by Troy Merner and seconded by Justin Carter to grant a waiver from the Planning Board's Site Plan Review requirements, Section 10.04 Runoff and Water Drainage, to not require a designed stormwater management system based on the lots location and the existing drainage features on site, displayed on the applicant's plan. A vote was taken and the motion carried with Don Doolan, Justin Carter and Troy Merner voting for and Mark M. E. Frank voting against.

It was asked if the Board needed to do something about the Wetlands Permit. Chairman Nadeau stated that is not up to the Planning Board to enforce that. If something needed to be done it would be DES. Mr. Gaetjens-Oleson stated that there would be the standard condition about receiving any other permits

Mr. Doolan asked Mr. Gaetjens-Oleson if it was true that the Planning/Zoning Coordinator could determine if something should be a Major or Minor Site Plan. He recalls hearing that at the last State conference. Mr. Gaetjens-Oleson did state that it is correct but only after speaking with the Planning Board Chairman.

Noting that there was no further discussion on the case Chairman Nadeau opened the hearing to the abutters. There being none present he opened the hearing to the public. There being none present he closed the public hearing and opened it only to the Board.

A motion was made by Justin Carter and seconded by Troy Merner to approve the site plan with the condition that any and all other Federal, State and local permits are received prior to beginning construction. A vote was taken and the motion carried with Mark M. E. Frank abstaining.

Other Business:

Preliminary Conceptual Consultation(s): None.

Commercial Building Permit(s): None.

Recent Zoning Decision(s): None.

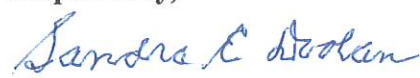
Training Topic(s)/Material(s): None.

Announcement(s)/Correspondence(s): None.

Other Business as may legally be brought before said meeting.

A motion was made by Troy Merner and seconded by Justin Carter to adjourn the meeting. A vote was taken and the meeting adjourned.

Respectfully,


Sandra E. Doolan – Clerk

Approved, ^{10/13/21}

Andy Nadeau - Chairman