

Lancaster Planning Board

Minutes of Meeting

**Location: Lancaster Town Hall, 25 Main Street, 2nd Floor
2022**

Date: Wednesday, January 12,

Chairman Nadeau opened the meeting at 1830H and proceeded with the Pledge of Allegiance.

Chairman Nadeau immediately addressed the loss of long-standing volunteer clerk, Sandra Doolan, whose husband is Don Doolan. Nadeau would like the Planning Board to formally do something as she will be greatly missed. Further discussion will be at the end of the meeting.

Initial Business: Roll Call

Regular Members

Present: Chairman Andrew Nadeau, Mark St. Pierre, Mark M. E. Frank, Maggie Jones Selectman's Representative Leon Rideout (LATE—entered meeting at 1920H)

Absent: Vice Chairman Justin Carter

Alternate Members

Present: Vicki Gibbs, Greg Westcott, Selectman's Representative Troy Merner

Absent: Rick McCarten

Others Attending: Land Use Coordinator Robin L. Irving, Town Manager Benjamin Gaetjens-Oleson, Leo H. Rideout Jr., Michelle Rideout, Shane Beattie, Tyler Phillips, Raymond Dubreuil Jr., Rob Christie

Review and Approve Minutes:

Mark M.E. Frank moved to approve the draft minutes from 12/8/2021. Maggie Jones seconded the motion. All approved. The motion carried.

Technical Subdivision/Lot Line Adjustment

Case# 829 – Mark M. & Teresa A. Emerson (Map P11 Lot 056) and Lorelee A. Wetherbee (Map P11 Lot 057) – Applicant(s)/Owner(s) request a Technical Subdivision/Lot Line Adjustment to adjust various lot lines between two abutting parcels Portland Street/US Route 2 in Lancaster with Tax Map P11-Lot 057 receiving approximately 0.22 acres from Tax Map P11-Lot 056. No new lots to be created. Land Zoned Residential. (Tax Map P11-Lot 056 (0.79 acres), 56 Portland Street, and Tax Map P11-Lot 057 (0.58 acres), 60 Portland Street).

Town Manager Ben Gaetjens-Oleson presented the case on behalf of Surveyor Donald Doolan. Gaetjens-Oleson had worked with Lorelee Wetherbee previously and was familiar with the intent of the application. Lorelee Wetherbee has for years been mowing up to a maple tree the section of property requested for transfer; she feels it adds character and beauty to her parcel and wants the piece that she

has been using all along. The line moves over roughly forty (40) feet to the west adding 0.22 acres to her parcel. Gaetjens-Oleson pointed out that the plan clearly has the setbacks demarcated, which these plans often have missing. LUC Irving confirmed that the abutters were notified. Chairman Nadeau commented that since this was a full survey, the items on the checklist appear to be met.

Mark M.E. Frank moved to accept the application as complete. Troy Merner seconded the motion. All members agreed. The motion carried. **THE APPLICATION IS ACCEPTED AS COMPLETE.**

Ben Gaetjens Oleson mentioned that abutter Claire Senecal had come to his office because she had a question about a pin on one of the properties. Gaetjens-Oleson showed her the plans and location of boundary lines and the mapping cleared up her concerns and confusion.

Mark M.E. Frank asked whether the properties were serviced by town sewer and if the land adjustments would affect anything or make the parcels substandard after the change. Gaetjens-Oleson confirmed that the changes would not affect the town utilities.

Chairman Nadeau closed the public hearing. Chairman Nadeau opened the meeting to the abutters and the public. Being none, Chairman Nadeau closed the meeting to the public.

Mark M.E. Frank moved to approve the application for a technical subdivision/lot line adjustment. Maggie Jones seconded the motion. All members agreed. The motion carried. **THE APPLICATION FOR A TECHNICAL SUBDIVISION/LOT LINE ADJUSTMENT IS APPROVED.**

Major Site Plan

Case# 830 – Rideout Jr., Leo H. & Rideout, Michelle– Applicant(s)/Owner(s) request a Major Site Plan to construct a 20-unit, one-story, stick-built, 30'x100' unheated self-storage facility on a concrete slab with no water, sewer, or electrical utilities, situated on a dead-end street. Land zoned Commercial/Industrial. (Tax Map P02-Lot 020 (1.30 acres), 36 Causeway Street).

Chairman Nadeau pointed out that the Planning Board did conduct a pre-conceptual consultation with the parties at the December 8, 2021 meeting. Considering this, the Board should be able to run through the checklist as most of them were identified at the previous meeting as well as three (3) possible waiver requests (boundary survey, wetlands survey, and traffic study). The applicant provided a plan and Chairman Nadeau specifically noted that this Planning Board does not require that a plan be prepared by a surveyor/engineer so long as the requisite items are included on the plan. The name is on the plan. The vicinity sketch is not on the plan, however, Mark M.E. Frank noted that the Google aerial includes the vicinity. Chairman Nadeau explained that the property area is well-defined and has likely been surveyed (the applicant assured that it had been). The property is currently being used in a commercial manner for vehicle storage. The most important factor to consider is whether the proposal creates a situation wherein the applicant encroaches on the boundaries.

Chairman Nadeau raised the issue of the waiver request for the boundary survey and asked the board members if they thought that the request was reasonable. The members agreed that it was.

Mark M.E. Frank moved to waive the boundary survey requirement. Troy Merner seconded the motion. All members agreed. The motion carried. **WAIVER OF THE BOUNDARY SURVEY REQUIREMENT IS APPROVED.**

Chairman Nadeau mentioned that the plan does not have contours, however, Nadeau supported the absence by pointing out that the site is a reasonably flat, gravel-packed parking lot. Board members agreed that contours are not applicable. Chairman Nadeau asked the Applicant why the application is marked "N/A" for "natural features such as stream, marshes, wetlands, lakes or ponds; and manmade features such as existing roads and structures." The applicant explained that the Indian Brook abutting the property is not natural and is man-made and does not meet the definition of natural feature per statute. The applicant demarcated town roads pursuant to the next item on the checklist. Mr. Rideout mentioned that the aerial photo further delineates the features that these criteria refer to. There will be no delineated driveway per se, but Mr. Rideout plans to mark the culvert because people sometimes get stuck in the ditch. The idea is to use the frontage as the ingress/egress. The house on the lot has its own driveway and there is a grass strip between the two areas on the lot. Traffic flow pattern is also not applicable. There is only one way in and one way out as it is not a through-way nor a cul-de-sac. The area has ample room for vehicles to turn around. The units are about 55 feet from the house.

The applicant formally requests a waiver of the wetlands delineation which is a requirement for a major site plan review. Chairman Nadeau characterized the site as a "gravel pad utilized for vehicle storage." Maggie Jones supported a waiver because the proposal is not disturbing any wetlands in any way.

Maggie Jones moved to waive the wetlands delineation requirement. Troy Merner seconded the motion. All members agreed. The motion carried. **WAIVER OF THE WETLAND DELINEATION REQUIREMENT IS APPROVED.**

Chairman Nadeau addressed whether or not there was a need for a detailed traffic study and expressed his opinion that he does not expect that the Board will need one. Mr. Rideout explained that, with 20 units in the building, and for arguments sake, 1 car per unit-so 20 vehicles, it is highly unlikely that there would be a vehicle at each unit every day. Therefore, this proposal is not a high-traffic-volume risk. Mr. Rideout indicated that some storage facilities allow yard sales but he is inclined to not allow this activity for security reasons. Also, his hours of operation are from sun-up to sun-down to discourage customers being on site after dark. Activity on the site should be easily monitored from the rental office/building. Following this explanation, Chairman Nadeau made the distinction that traffic studies are not required but are an additional item that can be requested if the Planning Board agrees it is necessary. Based on the information presented, Chairman Nadeau was not inclined to request a traffic study. The rest of the Board agreed that **A TRAFFIC STUDY WOULD NOT BE REQUIRED.**

Mark M.E. Frank moved to accept the application as complete with the 2 waivers. Greg Westcott seconded the motion. All members agreed. The motion carried. **THE APPLICATION FOR MAJOR SITE PLAN IS ACCEPTED AS COMPLETE WITH THE 2 WAIVERS.**

***Regular Member Leon Rideout arrived late @ 1920H and sat in the gallery for this portion of the meeting as he would have a conflict of interest because he is the landowner of the proposed project

Chairman Nadeau asked how the waivers would be noted in any decision regarding completeness. LUC Irving explained that the waivers can be included in the Notice of Decision when it is filed with the Registry.

Mark M.E. Frank asked if there any barriers or boundary markers regarding the 20 feet with the abutter because a vehicle (a full-sized truck is 19-feet long) that is turning around could cross over the land boundary. Mr. Rideout assured the Board that there will be a fence or demarcation to prevent this. Mark M.E. Frank wants the applicant to come back to the Board with an amended plan showing this. Vicki Gibbs mentioned that this proposal seems to be a situation wherein there is more monitoring than the typical storage facility, but people could still freely have access if the area is not gated or restricted in some way. Michelle Rideout mentioned that since there is no electricity on the premises, they would notice anyone going by their house and any lights on the site. Mark M.E. Frank asked if this plan had been discussed with Lancaster Fire and Police. LUC Irving indicated that the plans were shared with both and only the police responded with comments that these units were consistent with other buildings in the area. Mark M.E. Frank stressed both using the separate driveway for ingress/egress and the importance of marking the ditch.

Chairman Nadeau closed the public hearing. Chairman Nadeau opened the meeting to abutters and the public.

Abutter Raymond Dubreuil Jr. stated that he is not against the project but he is concerned about the land because historically there has been a water problem. In the past, Hooper tried to fix the drainage by ditching and it helped but it needs to be done again. If there is going to be a building on the lot 20 feet from the right-of-way, there will probably have to be some drainage pipes or catch basins installed by the Town. In the rear of both his lot and Rideout's lot, it can hardly be mowed due to the standing water. At the very least, a culvert could be put in at the corner of Rideout and Dubreuil that goes straight to the brook. Mr. Dubreuil also said that it is very important to mark out or fence off the ditch because it is a 4-foot drop.

Chairman Nadeau posed the question as: "Does the Applicant propose something that will negatively impact the abutter regarding the drainage?" Greg Westcott stressed that the problem was pre-existing and nothing that the applicant is doing is affecting the drainage or the existing water issue. Vicki Gibbs said that the Board previously decided that a building is legally not any different than gravel. Chairman Nadeau again posed the question, if there is a drainage problem there, does the proposed building make the current issue worse? The Board agreed that it did not.

Mr. Dubreuil stated that he would like a fence between the properties. Mr. Rideout was agreeable and said that it could run along the boundary. Chairman Nadeau indicated that the fencing would be a condition of approval.

Mr. Dubreuil asked whether there would be extra vehicle storage around the proposed building. Mr. Rideout said that the existing vehicles would be removed and any vehicles from customers are expected to be stored inside the units.

Chairman Nadeau closed the meeting to the public.

Chairman Nadeau stipulated that, based on an agreement between the Applicants (Rideout) and the Abutter (Dubreuil), there will be fencing. This agreement between the parties shall be submitted to the Town and shall be approved by LUC Irving as a condition of approval in the Notice of Decision and amended into the plan.

Mark M.E. Frank moved to approve the application with the condition that abutter and applicant(s) agree on a fence and the agreement is approved by the LUC. Maggie Jones seconded the motion. All members agreed. The motion carried. **APPLICATION FOR MAJOR SITE PLAN IS APPROVED WITH CONDITION THAT ABUTTER AND APPLICANTS AGREE ON A FENCE AND THE AGREEMENT IS APPROVED BY THE LAND USE COORDINATOR.**

Major Site Plan

Case# 831 –Beattie, Shane– Applicant(s)/Owner(s) request a Major Site Plan to construct a 2-story, metal, 98'x125' workshop/office facility on a concrete slab. The ground floor includes four (4) equipment workbays, administrative offices, and retail space. The second floor is open except for a mezzanine with storage over the offices. The plan proposes a single workbay expansion option. Access to the facility will be via the existing driveway. *Waiver request for Public Hearing to be conducted at same meeting as Review for Completeness of Application.* Land zoned Commercial. (Tax Map P01-Lot 008 (4.74 acres), 369 Main Street).

Chairman Nadeau introduced the case and read the description of the proposed project and the request for a waiver. He asked LUC Irving why there was a specific waiver request for this case. LUC Irving explained that, for site plan and subdivisions, due to the amount of information to be presented just to meet the criteria for completeness of the application, the hearings are supposed to be separated into 2 Planning Board meetings, one meeting for completeness, and one meeting for the public hearing. Chairman Nadeau asked why this did not happen for the Rideout case. LUC Irving stated that it should have, however, the Rideouts did engage in the pre-conceptual consultation meeting, at which, the Planning Board went through the checklist for completeness and recommended to the applicants that the plan be re-done more thoroughly to adhere to the checklist components. The only substantive things to reconsider were the waivers and whether the plan was amended enough to satisfy the Board, so proceeding to the public hearing was not unreasonable. The process was also noticed in a manner to cover this option. Chairman Nadeau said that he did not realize that hearings on the completeness and merits were separate and would like to be reminded in the next instance.

Chairman Nadeau recused due to conflict of interest. Greg Westcott recused due to conflict of interest. Mark St. Pierre served as Chairman. Chairman St. Pierre voted to move Vicki Gibbs from alternate to regular member to create quorum.

Tyler Phillips from Headwaters Consulting presented the project to the Board. He explained that the site will primarily serve as a retail site selling skidder chains and heavy equipment and will also have a 2-chair hair salon and vehicle service bays in the rear of the building. The site has 4.74 acres and is located next to the CDL Maple place off Route 3. The intent is to align the building in a similar way on the lot as the CDL building is situated. Employee parking will be in the back and customer parking in the front. Entrances with large bay doors are in the rear of the building and a small service entrance is to the side

of the building. The proposal includes trees between the parking and roadway; the types of trees meet the standards outlined in zoning and are prescriptive as to what can be planted. The parties are aware that the Town wants to honor the stately feel of trees along the road. The plan includes two (2) drainage ponds to capture water from the site. These ponds will have roughly 2-3 feet of water that fluctuates; the ponds will have plantings around the periphery. Wetlands are delineated and they are in the process of getting an Alteration of Terrain Permit approved. Finally, the intent is to use the existing driveway. Mark M.E. Frank asked about the 'pad' that is intended to display the equipment and whether it is level or elevated. Consultant Phillips confirmed that the area is essentially level as it is just there to serve as an obstacle-free area for merchandising.

Mark M.E. Frank asked where water will flow to get to the ponds. Consultant Phillips stated that engineering used the contours to know where the water will flow and how it travels to the ponds as well as determination of the most viable location of the ponds themselves.

Maggie Jones asked for more details regarding the plantings because she did not see anything in the renderings. Consultant Phillips explained that the specifics are fairly fluid at this juncture, however, the applicant commits to adhering to the zoning requirements. The plan for the front of the building is to have 2 maple trees, a highbush cranberry, and another maple, however the parties are hesitant to commit to the specific location until the drainage is completed. Maggie Jones asked if the base will be mulch or riverstone etc. Consultant Phillips stated that there will be some riverstone in the front near the building. Given the landscaping, it may be lawn in the front near the road frontage, but it is still undetermined.

Maggie Jones asked about the lighting plan. Consultant Phillips stated that there will be building-mounted wallpacks, so the lighting will be downcast lighting from the building and not from poles in the parking lot(s). This is to reduce and/or eliminate glare across the property lines.

Vicki Gibbs asked for more details about traffic flow. Applicant Shane Beattie responded that there should be the same traffic from heavy equipment as what exists now plus that from an additional 2 bed trucks as well as roughly 16-20 vehicles/day that are customers at the 2-chair salon.

Chairman St. Pierre asked if there were any issues with completeness of the application. LUC Irving stated that she reviewed the checklist for the Major Site Plan for both Consultant Phillips and Surveyor Mark Vander Heyden and in her opinion, the criteria were addressed and nothing was missing.

The Board went through the checklist. Maggie Jones moved to accept the application as complete. Troy Merner seconded the motion. All members agreed. The motion carried. **THE APPLICATION FOR MAJOR SITE PLAN IS ACCEPTED AS COMPLETE.**

Chairman St. Pierre opened the meeting to the abutters and public. There were no abutters present. Ray Dubreuil asked about the ditching since the consultant previously described the need for ponds. Applicant Shane Beattie stated that the culvert was indeed failing and he has had contact with the State to address the issue and trench. In the meantime, Beattie may have to trench until the State resolves the culvert replacement. There were no further comments from the public. Chairman St. Pierre closed the meeting to the public.

Chairman St. Pierre opened the Public Hearing on Case#831 Major Site Plan.

Mark M.E. Frank asked whether fire/police have reviewed the plans. LUC Irving indicated that they had not because there was no accompanying building permit at this time, however, Applicant Shane Beattie stated that Fire Chief Randy Flynn reviewed the plans because the site/building will have a sprinkling system. Mark M.E. Frank requested more information about the addition that will not be built but is being asked to be approved as part of the plan. Consultant Tyler Phillips explained that the addition consisted of an additional work bay and all of the water, drainage, and factors of concern are calculated into the plan and are also calculated into the Alteration of Terrain Permit application. Mark M.E. Frank thought that the plan should be approved with a conditional approval of the additional 25-foot bay.

Chairman St. Pierre closed the discussion. Leon Rideout Jr. moved to approve the application for major site plan with no conditions. Maggie Jones seconded the motion. All members agreed. The motion carried. **THE APPLICATION FOR MAJOR SITE PLAN IS APPROVED WITH NO CONDITIONS.**

Other Business:

Pre-conceptual Consultation: NONE

Recent Zoning Decision(s): NONE

Training materials: LUC Irving sent on 1/5/2022 to the Planning Board regarding State Planning Office lunchtime webinars

Commercial Building Permits: CBPs #21-055 (Chesley Block) and #21-056 (Odd Fellows Building) wherein first floors will retain commercial/retail spaces and be renovated and 2nd and 3rd floors will be converted into apartments. The intent is to provide workforce housing.

Announcement(s)/Correspondence: Chairman Nadeau expressed his thoughts regarding the Planning Board's honoring of Sandra Doolan for her level of service. The Board agreed that a plaque that would be hung in the auditorium for the public to remember her would be appropriate.

The meeting adjourned at 2018H

Respectfully,

Robin L Irving

Approved:


Andy Nadeau, Chairman