

TOWN OF LUNENBURG

Office of the Planning Board

Matthew Brenner *Chair*
Timothy Willsmer *Vice Chair*
Amanda Reid *Clerk*
Matthew Allison *Member*
Glenn McLeod *Member*



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Christopher Reilly – Land Use Director
Logan O'Connell – Admin Asst.

MINUTES

2025-01-13

MEETING POSTED: [Yes](#)

ADDRESS: Town Hall – 17 Main St, Lunenburg, MA 01462

TIME: 6:00 P.M.

PRESENT: Matthew Brenner (Chair), Timothy Willsmer (Vice Chair), Amanda Reid (Clerk),
Matthew Allison, Glenn McLeod

ABSENT: None

CALL TO ORDER / PLEDGE

Matthew Brenner called the meeting to order at 6:00 P.M. The pledge of allegiance was led by Matthew Allison.

PUBLIC COMMENT

None at this time.

CHAIR / DIRECTOR'S REPORTⁱ

Per **C. Reilly**, peer review backlog is clearing. Planning Office received peer reviews for 791 Leominster Rd, 795 Leominster Rd, 70 Kilburn St, 171 Arbor St.

A Zoning Workshop for upcoming Zoning Amendments (floodplain map updates, Accessory Dwelling Units as-of-right, MBTA Communities Act) is scheduled for the Board's 01-27 meeting. **C. Reilly** revised last meeting's statement on floodplain map updates: Lunenburg is receiving FIRM (flood insurance rate map) updates, which don't differ from floodplain maps in this instance. FEMA has provided a model bylaw for these updates, and the Montachusett Regional Planning Commission is hosting guidance sessions.

C. Reilly noted the Supreme Judicial Court's recent ruling on the Town of Milton's lawsuit about the MBTA Communities Act: the decision affirmed the Executive Office of Housing and Livable Communities' *right* to issue the regulations but found that it did so improperly, so they're currently unenforceable.

Recommended proceeding with original timeline, including public input, and aiming for Fall Town Meeting.

PUBLIC HEARINGS

494 Electric Ave – SPA (cont. from 2024-12-09)

(Out of order) Applicants for 494 Electric Ave and 558 & 560 Goodrich St emailed a request for continuance awaiting peer review prior to the meeting.

T. Willsmer moved to continue the public hearings for 494 Electric Ave and 558 & 560 Goodrich St to 2025-01-27 at 6:05 P.M.

A. Reid seconded.

Voice vote, passed unanimously.

791 Leominster Rd – SMP (cont. from 2024-12-09)

C. Reilly explained that after receiving revisions which addressed the first peer review letter'sⁱⁱ comments, Graves Engineering Inc (GEI) sent a follow-up letter indicating satisfaction with the plans. The letter arrived shortly before the meeting.

Ryan Proctor, presenting on behalf of applicant Timric Realty Trust, read the comments from the latest GEI letterⁱⁱⁱ. The locus map was corrected to properly identify the site, soil testing results and hydrology computations were updated, grading requirements were added to ensure proper stormwater overflow direction, and minor labeling / numbering inconsistencies were amended. Soil testing found that the soils were C and D-rated (not porous) but the post-development increase of peak run-off rates was deemed de minimis by GEI.

M. Allison cited the request for soil infiltration testing as a perk of peer review's added expertise. **G.**

McLeod agreed it was helpful, but still found it excessively expensive for applicants.

M. Brenner invited public comment. None at this time.

A. Reid moved to close the public hearing for the stormwater management permit for 791 Leominster Rd. T. Willsmer seconded.

Voice vote, passed unanimously.

The Board briefly discussed standard conditions for Stormwater Management Permits, including whether they were separate from those used for Site Plan Approval and whether they included recording explicit maintenance requirements on the deed.

M. Allison moved to approve the Stormwater Management Permit subject to all standard conditions, and if not otherwise specified therein, subject to recording the maintenance requirements on the deed.

T. Willsmer seconded.

Voice vote, passed unanimously.

795 Leominster Rd – SMP (cont. from 2024-12-09)

Ryan Proctor presented on behalf of applicant Timric Realty Trust. A follow-up letter^{iv} on the revisions from GEI's initial review^v was received shortly before the meeting.

Soil testing within the infiltration basin was submitted, along with a ground water mounding analysis. Hydrology computations were reviewed, with no problems found. Labels for proposed topographic contours at the infiltration basin were added. The lot numbering on the plan was updated to reflect the new address of "795 Leominster Rd".

M. Brenner thanked Jeffrey Walsh of Graves Engineering for the timely return of their follow-up responses.

M. Brenner invited public comment. None at this time.

M. Allison moved to close the public hearing for 795 Leominster Rd.

T. Willsmer seconded.

Voice vote, passed unanimously.

T. Willsmer moved to approve the Stormwater Management Permit for 795 Leominster Rd with all standard conditions.

A. Reid seconded.

Voice vote, passed unanimously.

70 Kilburn St – SMP (cont. from 2024-12-09)

Ryan Proctor presented on behalf of applicant Timric Realty Trust. A follow-up letter^{vi} on the revisions from GEI's initial review^{vii} was also received shortly before the meeting.

Soil testing was performed within the infiltration basin, along with a groundwater mounding analysis, which GEI was satisfied with. Hydrology computations were satisfactory and compliance with the MassDEP stormwater handbook was confirmed.

M. Brenner noted the Board had previously received an email and videos documenting concerns about water runoff in the area from **Joan Hoyt (39 Kilburn St)**, a direct abutter. **M. Allison** noted from personal experience that that roadway often experienced ponding during excessive rainfall, although most water from this specific project would shed away from the road.

M. Brenner invited public comment. None at this time.

T. Willsmer moved to close the public hearing for 70 Kilburn St.

A. Reid seconded.

Voice vote, passed unanimously.

G. McLeod questioned whether the revisions from peer review were worth the additional costs to the applicant. **M. Brenner** opined that they were given the risks of long-term water runoff but acknowledged the financial burden on applicants. **M. Allison** opined that peer review gave further protection to existing abutters and was in the best interest of the Town.

T. Willsmer moved to approve the Stormwater Mangement Permit for 70 Kilburn St with all standard conditions.

A. Reid seconded.

Voice vote, passed unanimously.

558 & 560 Goodrich St – SMP, SP (cont. from 2024-12-09)

Continued to 2025-01-27 at 6:05 P.M. in previous motion alongside 494 Electric Ave (see above).

171 Arbor St – SMP, SP (cont. from 2024-12-09)

Brian Marchetti of McCarty Engineering presented on behalf of applicant PSG Realty 393-435, LLC. GEI returned their peer review^{viii} of the project late last week. The only revisions requested were to include building lots in the earth cut & fill calculations, and to include a stabilized construction entrance and its associated construction detail. Both revisions were implemented.

M. Brenner noted a concern from the Board of Health regarding proximity of the rain garden to the proposed well and ensuring all proposed wells meet the minimum 50 ft. Distance from the common driveway. **B. Marchetti** explained that the lot is big enough that septic systems could be moved away, and

the proposed well could be moved into the backyard. He also noted that the septic systems designs would be reviewed by the Nashoba Board of Health once earth removal begins. An ANR is ready for submission after this permit.

M. Brenner invited public comment. None at this time. **M. Allison** opined that this application exemplified the benefits of writing new bylaws.

A. Reid moved to close the public hearings for 171 Arbor St.

T. Willsmer seconded.

Voice vote, passed unanimously.

A. Reid moved to approve the Stormwater Management Permit for 171 Arbor St with all standard conditions.

T. Willsmer seconded.

Voice vote, passed unanimously.

The Board briefly discussed standard conditions for Special Permits for Common Driveways. **C. Reilly** asked for a written record of the standard conditions to write the upcoming decisions. **M. Brenner** suggested using the standard conditions for Site Plan Approval in the meantime. **M. Allison** noted that a maintenance agreement would be necessary for the Common Driveway. **B. Marchetti** offered to bring decisions from previous Common Driveway projects for reference purposes.

T. Willsmer moved to approve the Special Permit for 171 Arbor St (Common Driveway) using the standard conditions for Site Plan Approval, and on the condition that the legal framework for shared maintenance of the common driveway be set up and recorded on the deed.

A. Reid seconded.

Voice vote, passed unanimously.

230 Flat Hill Rd – Request for Modification to Site Plan Approval, Special Permit

M. Brenner asked for procedural clarification, given the 30-year age of this site's previous approval.

C. Reilly explained: the conditions of the previous Site Plan Approval and Special Permit remain in effect with the property. Any change from the approved & recorded plans requires either administrative review or a full public hearing, depending on the scope of the change (minor or major). The applicant submitted the request as a major change up-front rather than seeking a determination of the change's scope, which they were entitled to.

The Public Hearing was opened at 7:10 P.M. **A. Reid** read the Public Hearing Notice.

Michael Kennefick presented on behalf of applicant Village at Flat Hill Trustees. A Site Plan Approval and Special Permit for this Planned Residential Area (Village at Flat Hill) were issued in 1996. An undocumented shed was built on common area property in 2016 by the previous owner of 10 Alder Way. During the proceedings of a zoning complaint filed about this shed in 2024 it was moved to the driveway of 10 Alder Way, with the permission and oversight of the Building Department. The proposed modification moves the shed from this driveway to the Wastewater Treatment Facility, to house a sampler and paper files.

M. Brenner invited public comment. None at this time.

T. Willsmer moved to close the public hearing for 230 Flat Hill Rd.

A. Reid seconded.

Voice vote, passed unanimously. Hearing closed 7:20 P.M.

T. Willsmer moved to approve the Request for Modification to Site Plan Approval and Special Permit as-proposed, subject to standard conditions.

A. Reid seconded.

Voice vote, passed unanimously.

255 Sunny Hill Rd – SMP

Public Hearing opened 7:23 P.M. **A. Reid** read the Public Hearing Notice.

C. Reilly noted that the property had past due taxes, needs to be resolved before final issuance of any permit.

Brian Marchetti presented on behalf of applicant MN 122 Main, LLC. Previous application for multiple lots under one Stormwater Management Permit was denied. Current application^{ix} is for one lot only (2.2 acres), outside any buffer zones from wetlands. An existing drainage outfall from the roadway flows across this site & causes erosion in other abutters' properties. Applicant has agreed to capture this discharge and convey it to a stormwater basin in the rear of the property after discussion with DPW.

M. Allison asked if the limit of clearing by an adjacent lot exceeded previously recorded Approval Not Required plans—**B. Marchetti** confirmed it did, but it would be addressed through a revised ANR or an easement.

M. Allison moved to require a submission of \$2,000 for purposes of peer review by the applicant, to be assigned to Graves Engineering, Inc.

T. Willsmer seconded.

Voice vote, passed unanimously.

M. Brenner invited public comment.

Raymond Lajoie (245 Leominster Rd) was opposed to the previous application submitted for this site, asked if the current application's design diverts drainage into the wetlands below and have any impact on wildlife. **B. Marchetti** confirmed it did route into the wetlands, but reiterated that the project met the Stormwater requirements for the Town and the State.

Mike Chapdelaine (208 Leominster Rd) asked whether the project's physical location would be on Sunny Hill Rd and not include Leominster Rd. **M. Brenner** confirmed.

A. Reid asked if a filing with Conservation was required—no per **B. Marchetti**, site is outside buffer zone.

A. Reid moved to continue the public hearing for the Stormwater Management Permit for 255 Sunny Hill Rd to 2025-01-27 at 6:05 P.M.

T. Willsmer seconded.

Voice vote, passed unanimously.

BOARD DISCUSSIONS

None at this time.

ABUTTING COMMUNITY NOTICES

Townsend PB – Public Hearing on Zoning Amendments for ADUs on 01-09

Lancaster PB – Public Hearing for Special Permit for Ground Mounted Solar Array 01-13

No concerns from the Board.

COMMITTEE REPORTS

Master Plan Steering Committee

Per T. Willsmer – Hasn't been a meeting for January, expecting things to be back on track around February.

M. Allison asked how continued quorum issues affect the contract with the Master Plan consultants (OverUnder Inc). **M. Brenner** said the consultants can largely continue their work, although the draft they'll eventually present *will* need review by the MPSC. If quorum issues prevent that, alternatives are needed.

The Board discussed reducing the quorum size of the MPSC. **T. Willsmer** and **M. Allison** disagreed on whether resignations reduced quorum size and sought clarification. **C. Reilly** hasn't received requested background documents on the MPSC (e.g. charge, consultants' contract), and was unable to clarify. **M. Brenner** noted the Town Clerk should have this info and will follow up.

M. Brenner suggested adding an agenda item for modifying MPSC composition (to trim empty seats if needed). **C. Reilly** noted that the Planning Board (having issued the charge of the MPSC) is the statutory certifying authority for the Master Plan. **M. Allison** suggested including the MPSC in a Planning Board meeting, using the Planning Board's quorum on their behalf, which C. Reilly confirmed was possible.

Open Space Committee

Per G. McLeod – 100 New Townsend Harbor Rd is coming out of Chapter. We don't want it developed, but it doesn't meet the formal criteria for acquisition. Continued focus on improving and streamlining the system for notifying the Open Space Committee. Also interested in using conducting "pre-assessments" on properties currently in Chapter if a comprehensive list exists.

C. Reilly offered to help with grant applications for Open Space acquisition.

M. Allison noted previous plans for a joint meeting between OSC and Planning Board around the time that previous Land Use Director Adam Burney left. **M. Brenner** supported idea.

Municipal Bldg. Design Committee

Per M. Allison – Meeting schedule interrupted by holiday, meeting next Wednesday. The firm we chose has been highly responsive between meetings. The Chair met with the School Committee, Historical Society, other stakeholders--those meetings will be discussed.

Capital Planning Committee

Per M. Brenner – met and submitted the Capital Rankings for this budget cycle. Next meeting isn't scheduled yet—lots of member overlap with Town Manager Search Committee, expects minor rest period as search process ends.

Economic Development Committee

Per G. McLeod – Struggling to have a meeting, but members are still interested in streamlining bylaw & associated processes (e.g. not requiring full site plans for nominal change-of-use applications, consolidating permitting pipeline for applicants, etc.)

Storm Water Task Force

Per T. Willsmer – Have not met since last Planning Board meeting.

Montachusett Regional Planning Commission

Per A. Reid – met last week. Mostly discussed closure of Nashoba Valley Medical Center, little new info.

Montachusett Joint Transportation Committee

Per A. Reid – met last week. A representative from Montachusett Regional Transit Authority (MART) talked about increased safety measures after two recent accidents. Ms. Reid noted that Montachusett Metropolitan Planning Organization (MMPO) caucus is upcoming. Normally attended by Select Board.

C. Reilly emphasized usefulness of MMPO as a major pool of transportation funds available to municipalities, recommended adding some projects onto their program list every year.

Town Manager Screening Committee

Per **M. Brenner** – conducted interviews with several candidates, passed 3 to the Select Board for 2nd round of interviews. Process went well & consultant was helpful.

MINUTES APPROVAL

T. Willsmer moved to approve the minutes for **2024-10-28** and **2024-11-25**. **A. Reid** seconded.

Voice vote, passed unanimously.

MEETING SCHEDULE

Upcoming meetings are **2025-01-27** and **2025-02-10** at 6:00 P.M.

PUBLIC COMMENT

None at this time.

BOARD COMMENT / CONCERNS

None at this time.

ADJOURNMENT

A. Reid moved to adjourn. **T. Willsmer** seconded.

Voice vote, passed unanimously. Adjourned 8:13 P.M.

Minutes by Logan O'Connell, Admin Asst.

DOCUMENTS REFERENCED

ⁱ Staff Report

ⁱⁱ 791 Leominster Rd – Peer Review Response 2025-01-03

ⁱⁱⁱ 791 Leominster Rd – Stormwater Management Review 2025-01-13

^{iv} 795 Leominster Rd – Stormwater Management Review 2025-01-13

^v 795 Leominster Rd – Peer Review Response 2025-01-03

^{vi} 70 Kilburn St – Stormwater Management Review 2025-01-13

^{vii} 70 Kilburn St – Peer Review Response 2025-01-03

^{viii} 171 Arbor St – Common Driveway and Stormwater Management Review 2025-01-10

^{ix} 255 Sunny Hill Rd – Stormwater Management Plan, Proposed Residential Development – 2024-12-09