

**TOWN OF WESTFORD
PLANNING COMMISSION
MINUTES FOR FEBRUARY 19, 2024 MEETING
Approved on March 18, 2024**

Commissioners Present: George Lamphere, Mark Letorney, Seth Jensen, Mo Reilly

Commissioners Absent: Gordon Gebauer

Also Present: Harmony Cism (Planning Assistant), Maria Barden (Minute Clerk), Ron Rodjenski (Westford Project Manager), Barb Peck, Carol Winfield, Maureen Wilcox, Lori Johnson, Sheila Franz, Kim Guidry, Ira Allen, Paul Birnholz, Bridget Bushey, Joshua Smith, Basil and Erin Panattu (Westford Country Store)

Meeting Began: 6:30pm

Meeting Rules of Procedure (Review)-George Reviewed the meeting rules of procedure and reminded everyone that chat will be disabled except during roll call and public comment.

Amendments to Agenda

No amendments were made to the agenda.

Citizens to be Heard - Items not on agenda

No citizens to be heard.

Minutes of the January 22, 2024 Meeting

S. Jensen moved to approve the January 22nd minutes as amended.

G. Lamphere Seconded the motion.

Motion passed 3-0

Wastewater Update

G. Lamphere discusses there being no updates on their end about WW. Discussed the WW Oversight Committee starting their first meeting tomorrow at 3pm, George will be attending. He let the public know that they can contact the town admin if they have any questions.

R. Rodjenski discusses the CRRP funding, he says they had asked for a status report, Holly updated them last week on that. The original funding stack is still in place and that is his only update. Ron also discusses Holly being the person monitoring the meeting for the Oversight Committee rather than the Selectboard members attending but that might change after the new Selectboard members are elected.

M. Reilly asked if there would be minutes available for the WW Oversight Committee meeting, George and Harmony said there would be minutes and recordings available after the fact.

S. Jensen asks whether the funding source for the engineering review has been found or if that will fall on the Oversight Committee. Ron thinks when the committee meets that will be a topic of conversation for them.

Town Center Area Stormwater FY'25 UPWP Application

G. Lamphere discusses the Hoyle and Tanner report.

The PC and R. Rodjenski discuss the application that was submitted, the summary they received and tabling this for some time in the fall once they have a clearer path they will be taking. They need to

investigate other discharge points, there is a question of whether there would be more money if there was a more viable alternative brought to them.

G. Lamphere made a motion that the PC withdraw the UPWP application for stormwater and notify the Selectboard of such.

S. Jensen seconded the motion. Motion passed 4-0.

Selectboard Meetings

- **January 25th and February 8th Selectboard Meetings**

No action needed. They have the minutes from the Selectboard meeting in their packets to look over.

- **February 22nd Selectboard Meeting**

George plans to attend this meeting, relative topics to what the PC is working on, such as the Oversight Committee, Town office feasibility study, CRRP UPWP withdrawal.

Mobile Food Vendor Ordinance- S. Jensen was wondering if there was any relation to Sean Bushey for conflict of interest; There was no relation so it's a non-issue.

The PC discusses mobile food vendor regulations being only at the town common area, they discuss looking into the process of changing the regulations and finding out more about whether this is something they can do/look into for the future. **M. Letorney** is already looking at the language in the regulations.

B. Bushey discusses what they're looking to do, they'd like to have American style food over on route 15, a portalet, and picnic tables with trash cans. It would be on a 24–28-foot tag along trailer with wheels.

The PC would like to start with the rewrite of the ordinance which is written specifically for the town common zoning area; they'd like to amend it to include the entire town so you can apply for a mobile food vendor license for any roads in Westford as long as it meets the standards and is conducted out of the right of way. They discuss having **B. Bushey** look at the current town ordinance and get back to the PC with her notes on that along with **J. Smith** who showed interest in the mobile food ordinance as well; **J. Smith** would like to ask that the PC keep in mind simplicity with the ordinance and process so people who are trying to make a second income this way don't have added stress during the process.

S. Jensen would like to clarify that this is under the civil ordinance process and not the zoning ordinance process, meaning they can suggest but don't have final say in changing the ordinance; the Selectboard has final say.

Next steps: Compile everyone's comments and thoughts on the ordinance we currently have by Friday, draft a new ordinance, check in with the Selectboard to make sure it's something they're interested in. (Question about amending the ordinance to be inclusive to the town or rewriting it into the land use and development regulations.)

Fee Schedule

H. Cism discusses the spreadsheet she included in their packet with where Westford falls in relation to the surrounding towns about fee schedules. Harmony suggests reducing the accessory structure fee as it's quite high in comparison to other towns.

H. Cism and the PC discuss the fee for administrative amendments. They think it should be a flat fee rather than the \$175 that is currently being charged. Harmony recommends the new fee being \$50. Boundary line adjustments are usually done by DRB for \$325 and Harmony recommends the \$175 when it's an administrative boundary adjustment rather than DRB review.

B. Peck, P. Birnholz, and J. Smith were all recognized, a question surrounding fencing and what fences you need a permit for, a question regarding why the PC is in charge of fee schedules, and question as to why some smaller buildings might pay the same fee as someone putting in something much larger. **G.**

Lamphere clarified that the PC is not in charge of setting the fee schedule, they research and bring their suggestions to the Selectboard who then sets the schedule. **H. Cism** clarified you only need a permit for a fence if it was over 6ft tall.

Harmony will confirm the process for updating the fee schedule.

Section 326 of WLUD – Signs

G. Lamphere discusses Section 326.C(7), (8), and (9) in the Signs section of the Regulations. George discusses the store looking at alternatives to be able to have illuminated signs inside the store because a waiver through the DRB is not an option, the PC does not have the authority to issue waivers, so they are looking into making amendments to zoning regulations to allow for lighted signs.

E. Panattu discusses the store being set back from 128, and that making it difficult for someone passing by to see if they are open or not. Erin and Basil think that having the lighted signs inside would bring more customers to them.

G. Lamphere asks if Erin and Basil think that what they want to do for lighted signs would fall in the square footage area in the regulations. Is this a lighted sign issue or a broader issue related to sq footage? **E. Panattu** believes they still have sq footage so it's mostly the illuminated signs they'd like to address. **H. Cism** confirms they do have additional sign footage available.

G. Lamphere and PC think this seems like something that can be looked at and considered. They don't know how people who live on the commons will feel. Would like to begin gathering language from other sources and compare.

S. Jensen thinks for content neutrality we need to specify Sq footage, window sign, etc. and not just an "open" sign.

R. Rodjenski suggests applying the "one for all" outlook on this.

L. Johnson, C. Winfield and B. Peck were recognized and think it's fine to have a lighted sign inside "during business hours" would like to know if you can specify that "businesses" are able to have an interior sign that's lit up by so many sq ft? There was discussion about why the DRB can't grant a waiver or ordinance and what the language is regarding that ordinance.

It's noted that waivers can't be granted for this specifically by state statutes and has nothing to do with town laws.

H. Cism reads the regulations so residents can hear the waiver language. (Section 424.B)

R. Rodjenski discusses how the regulations are written so you have four options as avenues for when you run up against a landowner wanting to do something that might not be provided for: Enforcement, permanent bylaw, stand-alone ordinance, interim ordinance under 44-15.

Next steps: Get draft language together and come up with some examples before discussing with the town attorney. Get something in writing from the property owners on what exactly they want, size, height, weight, color, what the issues are that they want solved, etc.

Planning Commissioner Terms & Appointments

G. Lamphere discusses one seat ending its term. The process is usually 1-2 months after a town meeting, the Selectboard will ask the PC to present them some interested candidates. Seth Jensen, Lori Johnson, and Ian Gehlbach have all submitted for Seth's seat which will be ending. They will come up with some questions to present to the candidates and they will all be presented to the Selectboard for interviews.

Public Comment

No public comment.

Correspondence

No correspondence.

Communication

Quick update on the website: LCVAT will be posting the PC's recordings on their website and Sundays at 11am on comcast channel 1085.

2024 Work Plan

- Next meeting will be March 18th
- Following meeting will be April 22nd
- Follow up on fee schedules, mobile food vendors, signs (S. Jensen's follow-on question to explore)
- Harmony will keep PC up to date on PC applicants
- Guidance from the Town Admin on reappointments to the PC
- UPWP in September

Meeting Adjourned at 9:17pm