

**City of Gardner, Massachusetts  
City Council Public Welfare Committee  
Minutes of the Meeting of April 30, 2018**

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Councillor Christine Johnson called the Public Welfare Committee meeting to order at 6:30 p.m. on Wednesday, April 30, 2018 in the City Council Chamber. Committee members Councillors Nathan Boudreau and Councillor Elizabeth Kazinskas were present, as well as Assistant City Clerk Titi Siriphan.

Other officials present and/or participating were Council President Scott Graves; Councillor James Johnson; CD&P Director Trevor Beauregard; DPW Director Dane Arnold; City Engineer Chris Coughlin; and, Planning Board members Allen Gross, Mark Schafron, and Robert Swartz.

I. **Minutes of Prior Meeting(s).**

On a motion by Councillor Christine Johnson and seconded by Councillor Elizabeth Kazinskas, it was voted to accept the Minutes of the April 11, 2018 Public Welfare Committee Meeting, as printed.

II. **#9905 – An Ordinance to Amend the Code of the City of Gardner by Adding a New Chapter to Be Entitled “Scenic Roads”.**

Councillor Christine Johnson presented an e-mail from Christopher Pera for the record. She noted that the proposed Ordinance was on the Council’s Calendar in 2003, as submitted by the Planning Board and the Historical Commission. She said that its purpose is to protect current scenic roads and that the City Council does not have the authority to determine which roads are considered to be “scenic”.

CD&P Director Trevor Beauregard stated roads should be looked at individually to determine if they are considered scenic.

Council President Graves stated he wanted to know what the procedure is to determine scenic road designation – a joint hearing, Historical Commission, Planning Board, Conservation Commission, or City Council. He stated that the Statute reads “upon recommendation by planning board, conservation or historical commission, the city or town may designate a scenic road”.

DPW Director Dane Arnold said that the Scenic Road Ordinance was initiated in 2003 as the result of an attempt to install a water meter on Betty Spring Road and that trees had to be removed. He said that there are regulations in place to remove trees, noting that the process involves reviews by the Conservation Agent and the City Engineer before any activity is undertaken. He added that such an Ordinance would create another delay for a homeowner or a builder to get required permits and believes that the Ordinance is unnecessary and therefore, not in favor.

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Allen Gross stated that there are criteria for a scenic road. The ordinance they used in 2007 was drafted by former Director Rob Hubbard by utilizing scenic road bylaws from the Towns of Concord, Lexington and Weymouth.

Councillor Christine Johnson stated that the Committee will wait to receive the 2007 Ordinance draft from CD&P Director Trevor Beauregard, which will provide the City Council with some guidance in order to move forward.

III. **#9909, A Petition by Cedar Hills Solar Portfolio to Amend the Code of the City of Gardner, Chapter 675 Thereof, Entitled "Zoning," to Expand the West Street Solar Photovoltaic Overlay District.**

John Drobinski, Partner, Environmental Resources Management ("ERM"), conducted a presentation for the Councillors.

- The map on display, the areas shaded in "brown" is the proposed area for the solar overlay.
- Would like to include yellow dotted area as well.
- This would make Gardner one of the premiere cities in the Commonwealth for generating clean electricity.
- It would be about 100+ acres of land and 50 acres of clearing that will be determined by the analyst for the legal process.
- This energy will be generated for National Grid.

Motion made by Councillor made by councilor Johnson, seconded by Councillor Kazinskas to refer to Council as a Whole.

**Adjournment.**

On a motion Councillor Christine Johnson and seconded by Councillor Nathan Boudreau, it was voted to adjourn at 7:26 p.m.

**From:** Chris Pera  
**To:** PAUL DEMEO  
**Cc:** christine.johnson2014@comcast.net, Scott Graves  
**Sent:** April 30, 2018 at 1:23 PM  
**Subject:** Re: Original Scenic Road Ordinance 2003

Good afternoon all.

Unfortunately I will not be able to attend the joint meeting tonight to discuss the Scenic Road ordinance as I am a VP of the local Boy Scout Council and have to chair a meeting tonight. I hope there will be other opportunities for public input or to discuss this outside of tonight's meeting.

I am in favor of such an ordinance, as in my opinion a healthy and vibrant community has a mix of urban and rural characteristics that can be enjoyed by a diverse population of the community. With so many changes being done in demolition lately, scenic roads and landscapes should also be included in the discussion. Unfortunately, these are often overlooked when it comes to preservation, yet these are some of the determining factors that families and individuals consider when purchasing homes in the city.

In the past few weeks, I have heard comments through social media how the removal of trees along Eaton Street have already changed what many have considered a very scenic way. Many trees have also been removed in the past year, changing neighborhood landscapes as well (i.e. Prospect Street). Unfortunately, many of these trees should have been considered Public Shade trees and had a public hearing, but did not. In my opinion, both these examples seem sort of ironic considering the recent announcement that Gardner has just earned the designation of a Tree City USA.

I think there are other sections of roadways in the city that could also be considered for the Scenic Road designation, although not the entirety of the road. A more complete inventory should probably be taken before an initial printing of the ordinance should the City Council decide to move forward in that direction.

Thank you to Paul and others who have submitted this request again, and to the City Council for taking the time to review its merits.

Sincerely,

Christopher P. Pera, RPLS  
Pera Land Surveying, LLC - Gardner, MA  
chris@PeraSurveying.com 978 410 0775