

**LEICESTER PLANNING BOARD  
MEETING MINUTES 4/20/2021**

**MEMBERS PRESENT:** Jason Grimshaw (Chair), Debra Freidman (Vice-Chair), Sharon Nist, James Reinke (Associate Member)

**MEMBERS ABSENT:** Jami-Lyn Souza

**STAFF PRESENT:** Michelle Buck, Town Planner; Brooke Hammond, Department Assistant

**TIME:** 7:00 PM.

**ORDER OF BUSINESS\***

1. 7:00PM **Public Hearing, Special Permit**  
803 Main St, Afro Evolution Steppers (SP2021-04), reuse of existing structure for dance studio and hair braiding salon (Applicant: Candice Pabarroo)
2. 7:15PM **Public Hearing, Special Permit/Site Plan Review**  
704 Main St (aka 710 Main), SP2021-05, 3 duplexes, renewal of expired permit (Applicant: Paul Doray)
3. 7:30PM **Continued Public Hearing, Special Permit**  
WorcShop/11 Hankey Street (SP2021-03), Makerspace (Applicant: The WorcShop)
4. 8:00PM **Adoption of Minutes:**
  - March 16, 2021
5. 8:15PM **Town Planner Report/General Discussion:**
  - A. Open Space & Recreation Plan Survey
  - B. Miscellaneous Project Updates
  - C. Board Member Committee Updates
6. **Adjourn**

The meeting was called to order at 7:00 PM.

**1. Public Hearing, Special Permit – 803 Main St/Afro Evolution Steppers**

[Mr. Grimshaw reads the public hearing notice.]

Ms. Pabarroo, the applicant, plans to open a dance studio and hair salon in the existing building at 803 Main St. A variety of dance classes will be held on the first floor. Choreographers will direct the classes, and Ms. Pabarroo will be doing hair braiding herself in the salon on the second floor. Ms. Buck asks Ms. Pabarroo to provide a more detailed parking plan, along with the exact number of parking spaces.

Ms. Pabarroo notes there would only be one class at a time. Ms. Friedman asks if parents will have the options to watch their children's dance classes. Ms. Pabarroo says when COVID restrictions are lifted, yes. Ms. Freidman asks if it's possible for employees to park behind the building to save the front lot for visitors. Ms. Pabarroo says she and her employees can park in back, as the other tenants in the building don't have customers.

Ms. Friedman asks what the projected business hours will be. Ms. Pabarroo says it will be 3 pm to 7 or 8 pm, with some extended hours for adult classes. Ms. Nist asks what the age range of dancers will be. Ms. Pabarroo says her focus during this start-up period is kids ages 3 to 18. She wants to incorporate some adult classes once the studio is established. She also wants to offer wheelchair yoga in the future. Ms. Nist asks if the snow and trash removal will be handled by the landlord. Ms. Pabarroo states those services are included in the rent. Mr. Reinke asks if there is adequate accessibility i.e. if the building is ADA compliant. Ms. Pabarroo says there is a lift to the second floor as well as a ramp outside the front door. Mr. Reinke asks about the occupancy load of the space. Ms. Buck says the occupancy load would be about 90, and notes the Board is normally flexible in applications involving building reuse.

Ms. Friedman notes that the previous business in this space was not open after dark, so more exterior lighting may need to be added. Ms. Pabarroo says there is lighting by the front door as well as streetlights along the road and is willing to add motion-activated lighting. Ms. Nist asks about traffic patterns entering and exiting the parking lot; she would like to see one entrance and one exit each with appropriate signage.

**Motion:** Ms. Friedman moves to continue the hearing to May 4, 2021 at 7:15 PM.

**Second:** Ms. Nist

**Discussion:** The Board lists the materials they are asking the applicant to provide: a lighting plan, traffic plan, parking delineation, and occupancy capacity. Ms. Nist asks if a traffic study is necessary. Ms. Buck says the Planning Board has typically only required traffic studies for larger business with higher traffic volume, so it's not recommended at this site.

**Roll-Call Vote:** (4-0-0)

## **2. Public Hearing, Special Permit/Site Plan Review – 704 Main St**

[Mr. Grimshaw reads the public hearing notice.]

Mr. Doray explains that this project was previously approved by the Planning Board in 2019. Mr. Doray had to re-apply for a special permit rather than file for an extension, but there are no changes to the plan otherwise. One building was built and the applicant is looking to start construction on the other three proposed buildings. Ms. Buck has no concerns with the project.

**Motion:** Ms. Friedman moves to approve the special permit.

**Second:** Ms. Nist

**Discussion:** Ms. Buck removed conditions that addressed issues already completed, but otherwise the decision is the same as 2019 decision.

**Roll-Call Vote:** (4-0-0)

## **3. Continued Public Hearing – 11 Hankey St/WorcShop**

Ms. Buck says the meeting packet includes only new submittals from the WorcShop (not original submittals). A draft decision was included as well, but Ms. Buck wants the Board to spend time going over project-specific conditions.

Mr. DeSota met with Ms. Buck after the last meeting and says the new submittals address the Board's concerns. There is a more detailed lighting plan, including an emergency lighting plan for the interior and lighting along the side of the building for the emergency access lane. A noise

control policy that will be added to the WorcShop training manual is also included. A noise study using the professional equipment was conducted as well. Mr. DeSota says because of the building's position, at the nearest property line the noise level is no louder than that of a household refrigerator.

Mr. DeSota says the WorcShop will not be doing any automotive work in the near future. A list of all potential hazardous waste materials was provided to the Board in the meeting packet, along with a fire & safety narrative, and plans for both sprinkler and fire alarm systems. A designated fire lane around the building was noted on the plans as well as a parking plan with delineated spaces and appropriate signage. The last submission was an event planning narrative.

Mr. Reinke asks if there is still a cease and desist on doing work at this property. Ms. Buck says Valenti Precision is permitted to conduct business in the building, but the WorcShop is still under the cease and desist. Mr. Reinke states during a recent site visit he saw car motors and chicken coops outside the WorcShop. Mr. Meraki says no one is using the space inside the WorcShop, any materials outside are members personal belongings. Mr. Reinke asks what is being stored in the storage units outside the building. Mr. DeSota says that materials from the previous location were brought in storage units and have not yet been unloaded because of the cease and desist. Mr. Meraki adds that only 3 of the storage containers have materials from the previous location, the other containers will be removed from the property once work is permitted to resume.

Ms. Freidman asks if any work will take place outside the building. Mr. DeSota says that is not the intent and all work should take place inside once the WorcShop is operational. Outdoor storage of equipment, lumber, fuel, and waste is anticipated. Ms. Friedman notes that the outdoor storage is not designated on the plan. Ms. Friedman says outdoor storage will impact the emergency access lane and parking around the building. Mr. Meraki says materials that are dropped off outside will be transferred inside within a reasonable time frame, and the only outdoor storage will be that which was mentioned. Ms. Nist asks that temporary storage locations be added to the plan as well.

Mr. DeSota and Mr. Meraki agree that an area inside can be designated for incoming shipments of materials, but the shipping containers will stay outside temporarily while the WorcShop gets set up. Ms. Nist asks if they are expecting any shipments during this start-up period. Mr. Meraki says there will be shipments with materials for building improvements like the fire and sprinkler systems. Ms. Nist asks if shipments will be dropped off during normal business hours. The WorcShop team says all current and future deliveries will take place during daytime hours. Mr. Reinke requests a plan that includes the quantity and location of all outdoor storage containers. Ms. Nist wants to ensure temporary storage doesn't end up being permanent. Mr. DeSota suggests that the decision could be conditioned to address storage containers. Ms. Nist says she agrees to allowing storage containers on site, but no RV's or campers. Mr. Reinke mentions an RV he saw by the building during his site visit. Mr. DeSota says this is a member who invents electrical mechanisms for his RV. Mr. Reinke says RV repairs are considered an automotive use. Mr. DeSota says welding shops often modify vehicles, but no mechanical or car maintenance work will be going on in the WorcShop.

Ms. Nist says she still has concerns about WorcShop operating 24 hours a day. Mr. DeSota says limited hours would deprive members of the opportunity to work on their hobby or business when creativity strikes. He says most activity takes place during the day, but some members will

need to visit during non-business hours. Mr. Grimshaw notes that most makerspaces are in industrial areas, whereas 11 Hankey St is surrounded by residential homes. The Board agrees the WorcShop's location is the reason for reservations over allowing a 24-hour operation.

Ms. Friedman says in other 24-hour makerspaces there is a tendency to have people living inside the building. She wants to make sure this does not happen at the WorcShop. The draft permit decision includes a condition which strictly prohibits any kind of residency in the building, which Mr. Meraki says they will commit to enforcing. Mr. Reinke asks the applicant how they plan to enforce these conditions when they are currently unable to enforce a cease and desist order to halt activity on the property. Mr. Meraki says since the cease and desist his ability to pay staff has been curtailed, hence the lack of employee supervision on site. Ms. Friedman notes there should not be any members on the property at all if a cease and desist order is in place, so inability to pay staff is not relevant. Mr. Meraki states the only activity going on now is members retrieving their personal belongings from the property.

Mr. Reinke says 24 hour a day business model is not normally accepted in Leicester or by the Planning Board. Mr. DeSota asks the Board to propose business hours they would deem acceptable; he says the WorcShop's business model has always revolved around them being open 24/7, and asks why the Board did not propose a condition cutting business hours in the first hearing on March 6<sup>th</sup>.

Mr. Grimshaw says he would agree to 24/7 if the occupancy and rule enforcement issues can be fully resolved. Ms. Friedman says the prior disregard of Leicester's regulations by the WorcShop is her reason for being cautious when considering the special permit. Mr. DeSota and Mr. Meraki say they will commit to enforcing all rules put in place. They plan to increase security by limiting key distribution and installing member key-card scanners at the doors, as well as increasing enforcement efforts.

Mr. Grimshaw asks the Board if their other concerns such as noise and lighting from the last meeting have been addressed. Ms. Friedman says she wants to wait for approval from the Fire Chief. Ms. Buck says she is waiting to hear back from the Fire Department, but that Mike Wilson has been in touch with the fire alarm company.

#### *Public Comments*

Patrick Carroll, a former WorcShop member, says operating only during standard business hours would be restrictive to current WorcShop members. He suggests 24/7 business hours with activity restrictions at night as a potential condition.

David Webb spoke in opposition to the project and says the WorcShop has a history of disregarding rules and that this will not stop.

**Motion:** Ms. Friedman moves to continue the hearing to May 4, 2021 at 7:30 or as soon thereafter can be heard.

**Second:** Ms. Nist

**Discussion:** The Board requests an updated plan for storage and lighting cut sheets, as well as approval from the Fire Department regarding the emergency access lane.

Mr. DeSota says he wants to address the 24-hour operation concern before the next meeting. Ms. Friedman suggests a 6-month trial period with 6 am-12 midnight business hours, with a shift to 24/7 hours after a successful trial period. Mr. Meraki asks if the Board would allow 24/7

operation if the WorcShop was always fully staffed. Ms. Nist says a trial period is necessary for the WorcShop to prove they will follow the conditions set forth by the Board. Mr. Reinke raises concerns related to a letter of opposition to the project. Ms. Buck notes that the issues raised in that letter that are unrelated to criteria in the Zoning Bylaw should not be considered by the Board.

**Roll-Call Vote:** (4-0-0)

#### **4. Adoption of Minutes**

**Motion:** Ms. Nist moves to accept the minutes from March 16, 2021.

**Second:** Ms. Friedman

**Discussion:** None

**Roll-Call Vote:** (3-0-0)

#### **5. Town Planner Report/General Discussion**

A survey for the 2021 Open Space and Recreation Plan are available online and hard copies will be places at the Town Hall, Library, and other locations. The survey deadline is May 7<sup>th</sup>.

Capital Improvement met and sent their rankings to the Select Board and Finance Advisory Board.

Economic Development Committee had a presentation about Leicester's local rapid recovery plan which addresses economic impacts to local businesses from COVID.

Mr. Carroll, who wants to open a machine shop at 760 Pleasant St says he is still working with Ms. Buck and the Building Inspector to figure out acceptable uses in the zoning district.

#### **6. Adjourn**

**Motion:** Ms. Nist

**Second:** Ms. Friedman

**Discussion:** None

**Roll-Call Vote:** (4-0-0)

The meeting was adjourned at 9:09 PM.

Respectfully Submitted,

Brooke Hammond, Department Assistant

Documents included in the meeting packet:

- Agenda
- Town Planner Memo
- 803 Main St/Afro Evolution Steppers:
  - Hearing Notice
  - Application
  - Project Narrative
  - Abutters List
  - Photos and Maps

- Email from Michelle Buck to Applicant dated 4/13/2021
- Building Inspector comments dated 4/13/2021
- LWSD comments
- Fire Department Comments dated 3/24/2021
- Police Department comments dated 3/24/2021
- Draft Special Permit Decision dated 4/14/2021
- 704 Main St:
  - Hearing Notice
  - Application
  - LWSD memo dated 10/30/2018
  - CVSD memo dated 11/8/2021
  - Project Narrative
  - Building Plans
  - Abutters List
  - Board of Health memo dated 4/5/2021
  - Police Department comments dated 4/5/2021
  - CVSD dated 4/5/2021
  - Highway Department comments dated 4/5/2021
  - Draft Special Permit Decision dated 4/14/2021
- WorcShop/11 Hankey St:
  - Email from Ethan DeSota dated 4/14/2021
  - Fire and Safety Narrative dated 4/14/2021
  - Email from Colby Fire Protection Inv to WorcShop dated 4/14/2021
  - Occupancy Plan
  - Event Planning Narrative
  - Lighting Plan Narrative
  - Courteous Neighbor Policy
  - Noise Study dated 4/14/2021
  - Hazardous Material Storage and Handling Narrative
  - Revised Traffic Control/Parking Plan
  - 3/16/2021 meeting minutes