**LEICESTER PLANNING BOARD**

**MEETING MINUTES 7/5/2022**

**MEMBERS PRESENT:** Jason Grimshaw (Chair), James Reinke (Vice-Chair), Joshua Campbell, and Sharon Nist

**MEMBERS ABSENT:** Anthony Escobar, Debra Friedman (Associate)

**STAFF PRESENT:** Alaa Abusalah, Town Planner

**TIME:** 7:00 PM

**ORDER OF BUSINESS\***

1. 7:00PM **Discussion, Special Permit/Site Plan Review (SP2021-08)**

1603-1605 Main Street, Applicant: Staff Fuels, decision amendment

1. 7:00PM **Public Hearing, Special Permit Application (SP2022-03), new**

747 Main Street, Applicant Rosa Malo/BBS General Construction, INC., to allow two-family use and parking of commercial vehicles for construction business

1. 7:15PM **Discussion, Site Plan Review Application (SPR2022-03), continued**

Stafford Street (parcel: 35-C7-1.0 & 35-C12-0) Applicant: Schold Development, LLC, 5000sf warehouse and office development

1. 7:20PM **Discussion, Parker Street North Subdivision (DSUB2021-01)**

Parker Street (North), Applicant: Schold Development, LLC, request to change roadway name

1. 7:30PM **Discussion, Site Plan Review Application (SPR3033-04), continued**

424 Main Street (parcel: 23A-A53-0), Applicant: Edward Barry (Arefa, LLC), site improvements for non-retail marijuana establishment

1. 7:45PM **General Discussion**
2. Miscellaneous project updates
3. Board reorganization
4. Board member committee updates
5. 8:00PM **Adjourn**

Mr. Grimshaw called the meeting to order at 7:06 PM.

1. **Special Permit/Site Plan Review (SP2021-08), 1603-06 Main Street, Applicant: Jean Skaff Fuels, LLC**

The Applicant explained that they are seeking permission to begin construction before final MassDOT approval. He explained that the intent is to start before the winter season and that the MassDOT permit should be issued in 1-2 months, Skaff said it wasn’t possible for it to be denied by MassDOT since 75% of it has been approved. The applicant explained that there are currently two curb cuts on either side. Skaff will put gravel, temporary pavement or grindings at the entrance and exit for trucks, fire apparatus, etc. It will be wide enough and leveled.

Ms. Abusalah noted that the technical review team members have met and reviewed the request and did not find have any objections.

**Motion**: Mr. Reinke moved to allow site work and construction to begin prior to MassDOT approval, using existing curb cuts for access as long as proper safety measures are in place. Certificate of occupancy will be contingent on MassDOT approval.

**Second:** Ms. Nist

**Discussion:** None

**Vote:** 4-0-0

1. **Special Permit (SP2022-03), 747 Main Street, Applicant: Rosa Malo/BBS General Construction, Inc.**

Mr. Grimshaw read the hearing notice.

The applicant explained that they are seeking to convert an existing single-family home into a two family by converting a three-car garage to living space with separate utilities. The application included a request to park two additional trucks on the property.

Ms. Abusalah stated that this is zoned Business and that the two-family use was allowed by special permit from the Planning Board.

The applicant explained that the construction trucks consist of one box truck and two dumpster trucks and that they were not on the property daily and mostly on the project site, there is no other equipment being stored at the site. The applicant noted that the office hours for the business were 8:00 AM – 4:00 PM.

Mr. Reinke stated that he would like to see some shrubbery to create a barrier from the road to the house and the applicant responded that they were willing to plant trees for the barrier.

The applicant explained that the garage was attached to the house and that there will be no outside work done, there is also an outbuilding located in the back that caught fire in 2019, that has since been rebuilt and currently used for storage.

**Motion:** Mr. Reinke moved to approve the application for a special permit at 747 Main Street for Rosa Malo/ BBS General Construction Inc., to allow the 2-family use and the parking of construction vehicles provided a shrubbery fence is installed along the proposed driveway and adjacent to Route 9.

**Second:** Mr. Campbell

**Discussion:** None

**Vote:** 4-0-0

1. **Site Plan Review (SPR2022-03), Stafford Street, Applicant: Schold Development**

Mr. Reinke recused himself and stepped out of the meeting room.

Mr. Grimshaw asked if the board had the most recent comments from Quinn Engineering. Ms. Abusalah responded yes.

Mr. Peter Lavoie of Tauper Land Survey introduced himself and explained that the project was located on Stafford Street and consists of two parcels 35-C7-1.0 and 35-C12-0 with a total of 9 acres. He explained that the land was undeveloped and has wetland in the back, and that the project was before the Conservation Commission for approval. The proposed building is 5,000 square feet, divided into seven individual units, each with access doors and an overhead door. There is a proposed parking area on the side with nine parking spaces and two curb cuts for access at each side of the property. The building will be serviced by septic to be located in the front. Soil testing has been done and was witnessed by the Leicester Board of Health. A new well is proposed, and drainage will consist of catch basins, drain manholes, two storm scepters and underground basin and a small settling pond. The site was developed using DEP stormwater management. Revisions were made based on recommendations of Quinn Engineering comments.

Mr. Grimshaw asked if Peter could address Quinn Engineering’s comments individually. Mr. Lavoie responded to outstanding comments including #4 (landscape buffer), #10 (zoning map added to the cover sheet), #16 (revise TSS worksheet for settling pond and underground basin), #18 f and g (drainage calculations), #19 (sizing of the storm scepters), #20 (added the correct sizing to the grading plan for erosion control), #22 (added a slow drain), #30 (revised catch basin detail on sheet 8), and the last comment was addressed by revising the stormwater detail to correspond with the stormwater report which specifically calls out the specific model/unit. He explained that most of the changes were on the drainage report and not the plans.

Ms. Nist asked if this land continues into Auburn. Mr. Lavoie responded no; this was on the northside of Stafford Street. Ms. Nist asked if this was a mini strip mall. Mr. Schold stated that they wanted the option to show seven smaller units but likely the space will be used for one tenant, but the building was one metal building. Depending on what the market brings, they may need to subdivide the building in the future. Ms. Nist asked about handicap parking, Mr. Lavoie pointed to the location on the plan.

**Motion:** Mr.Campbellmoved to approve the Site Plan Review application, SPR2022-03, contingent on addressing outstanding comments from Quinn Engineering and that the two lots are combined prior to issuance of a building permit and that the septic is approved by the Board of Health prior to issuance of building permit.

**Second:** Ms. Nist

**Discussion:** None

**Vote:** 3 in favor – 0 opposed – 1 recused (Mr. Reinke)

1. **Discussion (DSUB2021-01), Parker Street North Subdivision Applicant: Schold Development, LLC**

The applicant, Mr. Schold, explained the request to change the northern section of Parker Street located off Pine Street and including the road extension improvement to “Wind in the Pines Way” for safety and logistics issues. He explained that delivery drivers and GPS do not recognize the separation between the northern and southern sides of Parker Street. He explained that the Planning Board’s definitive subdivision approval was for a cul-de-sac and not a through road and that this request would address confusion that drivers are currently experiencing. He stated that YMCA was in support of changing the roadway extension to Wind in the Pines Way.

Mr. Grimshaw spoke in favor of the name change. Ms. Nist asked if Police and Fire needed to approve the name change. Mr. Schold responded that he reached out to the Town Administrator’s office and was told that the petition would need to go before the Planning Board for approval. Mr. Grimshaw asked if the change needed to go before Town Meeting. Ms. Abusalah referenced the Definitive Subdivision decision, condition number 21 which states that the name of the roadway shall not be changed without the approval of the planning board and that name changes after roadway approval were within the select board’s jurisdiction.

**Motion:** Ms. Nist movedto recommend changing the northern section of Parker Street located off Pine Street including the road extension improvement to Wind in the Pines Way.

**Second:** Mr. Campbell

**Discussion:** Mr. Schold asked if this was a recommendation or approval because there is a building permit that is waiting on this decision. Ms. Abusalah refereed to condition 21 in the planning board’s decision.

**Motion:** Ms. Nist moved to recommend and approve changing the northern section of Parker Street located off Pine Street including the road extension improvement to Wind in the Pines Way.

**Second:** Mr. Campbell

**Vote:** 3 in favor – 0 opposed – 1 recused (Mr. Reinke)

1. **Site Plan Review (SPR2022-04), 424 Main Street, Applicant: Edward Barry/Arefa LLC**.

Applicant is looking for a continuance until July 19, 2022.

**Motion:** Ms. Nist moved to continue to next meeting.

**Second:** Mr. Reinke

**Discussion:** None

**Vote:** 4-0-0

1. **General Discussion**

**Miscellaneous Project Updates**

* Ms. Abusalah noted that we received a noise complaint at 88 Huntoon Memorial Highway asking if the planning board could do anything about it. Mr. Reinke noted that the appeal period has passed and that the zoning district is industrial.
* Ms. Abusalah notified the board that we received a complaint that an abutter was not notified about the 0, 90, 92 Huntoon Memorial Highway project. She noted that she double checked the application checklist and procedures and that the project was incompliance with local and state laws.

**Board Reorganization**

**Motion:** Ms. Nist made a motion to keep Jason Grimshaw as Chair and James Reinke as Co-Chair.

**Second:** Mr. Campbell

**Discussion:** None

**Vote:** 4-0-0

**Board Member Committee Updates**

No updates.

1. **Adjourn**

**Motion**: Ms. Nist moved to adjourn.

**Second:** Mr. Reinke

**Discussion:** None

**Vote:** 4-0-0

The meeting was adjourned at 8:47 PM.

Meeting Minutes Respectfully Submitted by: Donna Main, Planning Department Assistant

Date Approved: January 17, 2023