

**Town of Leicester Planning Board
Meeting Minutes**

MEMBERS PRESENT: Jason Grimshaw, David Wright, Sharon Nist,
Alaa AbuSalah

MEMBERS ABSENT: Debra Friedman

ASSOCIATE MEMBER:

IN ATTENDANCE: Michelle Buck, Town Planner; Barbara Knox, Board Secretary

MEETING DATE: **June 21, 2016**

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM Board Reorganization and Committee Appointments
- A. Board Reorganization
 - B. Committee Appointments
 - CMRPC
 - Economic Development Committee
 - Capital Improvement Committee
 - Special Bylaw Committee
 - C Associate Planning Board Member
- 7:30PM Public Hearing Continued:
Special Permit, Mike's donuts Drive-thru, 1181 Main Street (1181 Spileo, LLC)
- 8:00PM Town Planner Report/General Discussion:
- A. Registry Paperwork (Board Signatures)
 - B. Miscellaneous Project Updates

Mr. Grimshaw called the meeting to order at 7PM

Board Reorganization and Committee Appointments

A. Board Reorganization

MOTION: Ms. Nist moved to approve keeping the current Board as seated.

SECONDED: Mr. Wright – Discussion: None – VOTE: All in Favor

B. Committee Appointments

- CMRPC – Debra Friedman
- EDC – Alaa AbuSalah
- Special Bylaw – Jason Grimshaw
- Capital Improvement – Sharon Nist

MOTION: Mr. Wright moved to approve the Committee Appointees as noted.

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

C. Associate Planning Board Member

This position will be posted (web site, Town Hall) and scheduled for appointment at a future meeting.

Town Planner Report / General Discussion

A. Registry of Deeds Paper Work (Board signatures)

B. Miscellaneous Project Updates

- Two new applications: 1) A second major solar project to be located on Boutilier Road on property owned by Fred LaFlash, and 2) A Special permit application for Inland Divers building located at 100 South Main Street, looking to do retail/residential/trucking depot/dispatch center/parking school buses. Both applications will be scheduled for the August 2, 2016 meeting.
- New Zoning Legislation discussed at the last meeting has passed the Senate as of June 9, 2016.
- Walmart on Route 9 has interest in separating or subdividing lots in the front portion of property.
- Rezoning inquiry regarding 2 acre parcel on Rawson Street to allow 30 condo units.

Public Hearing, Continued

Special Permit, Mike's Donuts Drive-thru, 1181 Main Street (1181 Spileo, LLC)

Mr. Jason Dubois of DC Engineering represented the application request. One of the changes to plan now shows the existing 14 parking spaces. They show the bypass lane coming straight out onto Pine Street and will be adding another 12-foot to the driveway. The sidewalk will continue on Pine Street, cross over the drive aisle and back to the existing sidewalk. They will be installing 6-foot vinyl fencing all along the abutting property line, right up to the dumpster pad. A handicapped space and ramp was added in front. There will be some regrading and resurfacing of the parking lot once the project is complete. A guard rail and retaining wall will be located along Pine Street and the bypass lane remains as a single lane coming out. They will have a 15-foot radius, 12.3-feet at the drive-around at the corner and a 2, 12-foot lanes coming down. The third entrance/exist to Route 9 will be closed off; one access was reduced to 18-feet making it a single lane out and one access will be made a double lane in and out. There will be 14 parking spaces, with no additional spaces that can be added anywhere. Some test pits were done in the area of the basin and the material was too tight for groundwater and they were unable to put infiltration there. So they moved it to another area, adding a series of underground zone chambers. The entire roof of the restaurant building will be tied into gutters and the PVC piping, with any overflow going into the detention area. They've also added signage and striping to the parking area.

Ms. Nist asked if there was going to be a stop sign proposed somewhere at the by-pass access lane and the drive-thru lane. Mr. Dubois felt there wouldn't be enough space for a sign. Ms. Nist explained it could go where the drive-thru person would have to stop or the inside customer would have to stop before going into that lane to get out. Mr. Wright agreed a sign should be placed where the two drives merge together and suggested having a yield sign as opposed to a stop sign.

Mr. Wright asked about avoiding the utility pole and tree when putting the sidewalk back along Pine Street. Mr. Dubois said the tree was going to be taken down and the utility pole will remain and they will work around it.

Ms. Buck said late today, she received an email from Carl Hultgren of Quinn Engineering regarding Comment #10 which refers to the trench drain. Mr. Hultgren spoke with Mr. Dubois, who indicated he intended to add a manhole with a hood between the trench drain and DMH1 so that only runoff from the trench drain is flowing through the hooded manhole. Mr. Hultgren felt the hood currently proposed in DMH1 should be removed and by doing that, would resolve the comment. She said the Draft Decision included a condition related to that comment.

Ms. Abusalah asked if the residents coming from the garage to the house will have to walk through the drive-thru. Mr. Dubois said there will be a sidewalk leading to the house for the residents to use.

Discussion opened to public.

Ms. Elaine Casey, 1191 Main Street, submitted 7 photos taken from her property showing the work site and the affect to her property. She was concerned about the drainage area being close to her property line. She didn't like having to look at the large piece of construction equipment sitting 5 feet from her property. She wanted to know about the detention basin, and expressed concern that neighborhood children or a small animal could fall in. Mr. Dubois said they are proposing to use the existing grade and put in a little berm around the perimeter that will be approximately 2 feet. The area will be vegetated with grass, as it is now. All that will be seen is the 2 foot berm, riprap and stone. It won't pose any safety issues because it's not designed to hold water and designed to dissipate within 72 hours or less.

Robert Daigle, 20 Pine Street, said his barn is in the back area of his property and in the spring he can't get to his barn because there's a low spot where all the water collects. If they dig a hole there, he felt it will attract bugs and mosquitoes to the area. Mr. Wright explained the applicant's proposed solution would solve the current water problem in the back area where the barn is located. Putting in the berm and the installation of the stormwater system would control the runoff leaving the applicant's property.

Mr. Bill Massey, 3 Pine Street, said he and his wife were concerned about the speaker distance from their home. Mr. Dubois said the speaker will be approximately 125 feet away and will be positioned to face into the cars. There will also be a 6 foot vinyl fence around the area at the speaker.

Mr. Massey asked if the Town had a noise ordinance and noted there was a State Noise Ordinance, which states, "People have the right to be free from excessive and unnecessary noise for the right to preserve, protect and promote the public safety, welfare and peace and quiet of the inhabitant." He was concerned with noise during the early hours of the morning. He asked if the Town had any recourse to noise concerns. Ms. Buck said the Town does not have a local Bylaw and was not aware of a drive-thru speaker being loud enough to be considered a disturbance.

Mr. Gerry Gaudete, 26 Pine Street, asked the hours of operation. Mr. Dubois said 5AM to 8PM.

Mr. Gaudete asked about the Pine Street access. Mr. Dubois said that will be an exit only and will be the only exit onto Pine Street.

Ms. Casey had concern with noise and lights being intrusive. Mr. Dubois said there are two proposed light poles. They will be directed towards the ground and not outward, so not to shine onto adjacent properties. There will be a 6 foot vinyl fence along that entire side and the stonewall, trees and shrubs were all staying.

Ms. Buck reviewed the changes in the Decision noted during discussion. She asked to confirm the hours of operation. Mr. Dubois said 7 days a week; 5AM to 8PM.

With no further comments or concerns from the Board or public; Mr. Grimshaw asked for a motion.

MOTION: Mr. Wright moved to approve the Special Permit and Stormwater Permit for Mike's Donuts Drive-thru at 1181 Main Street based on conditions for approval as discussed

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

MOTION: Mr. Wright moved to adjourn meeting

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

Meeting adjourned at 8:20PM

Respectfully submitted:

Barbara Knox

Barbara Knox

Documents included in meeting packet:

- Agenda
- Memo to the Board from Michelle Buck regarding the 6/21/2016 meeting
- Comment response letter dated 6/6/2016 from Jason Dubois to the Board regarding Mike's Donuts application and Quinn Engineering's comments from 4/26/2016
- Quinn Engineering comment letter dated 6/10/2016 regarding Mike's Donuts

Documents submitted at meeting:

- Comment response letter dated 6/17/2016 from Jason Dubois to the Board regarding Mike's Donuts application and Quinn Engineering's comments from 6/10/2016
- Copy of Draft Special Permit Decision & Stormwater Permit Approval Order of Conditions for Mike Donut's Drive-thru
- Copy of email dated 6/21/2016 from Carl Hultgren, Quinn Engineering to Michelle Buck and Jason Dubois regarding 1181 Main Street, Mike's Donuts
- Copy of email dated 6/20/2016 from Michelle Buck to Jason Dubois regarding 1181 Main Street, Mike's Donuts
- Pictures submitted by Elaine Casey regarding 1181 Main Street, Mike's Donuts