

**Leicester Planning Board  
Meeting Minutes**

MEMBERS PRESENT: Debra Friedman, Vice Chair, David Wright, Sharon Nist, Alaa AbuSalah, Jason Grimshaw, Chair arriving at 7:20pm

ASSOCIATE MEMBER:

MEMBERS ABSENT: Carol Pappas

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

MEETING DATE: October 4, 2016

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM      Application Discussion Cont:  
                 Site Plan Review, LaFlash Boutilier Solar Farm (SPT Energy Solutions, LLC)
- 7:30PM      Public Hearing Continued:  
                 Special Permit/Site Plan Review for Self-storage unit and Contractor's Yard  
                 (C & J Realty Trust)
- 7:45PM      Application Discussion:  
                 Site Plan Review (Renewal of Expired Permit) Mulberry Solar (1<sup>st</sup> Light Energy)
- 8:00PM      Town Planner Report/General Discussion:  
                 A. AA Transportation Lighting Plan  
                 B. Project change, Cherry Valley Solar  
                 C. Miscellaneous Project Updates

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Ms. Friedman called the meeting to order at 7:00PM

**Application Discussion, continued:**

Site Plan Review, LaFlash Boutilier Solar Farm (ZPT Energy Solutions, LLC)

Ms. Buck explained the legal issues were still being worked out with Boutilier Road, the applicant has requested a continuance to Tuesday, October 25<sup>th</sup>.

MOTION: Ms. Nist moved to continue discussion on LaFlash Boutilier Solar Farm to Tuesday, October 25, 2016

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

**Town Planner Report:**

Project Change, Cherry Valley Solar

The applicant is proposing additional tree trimming to reduce the shading on the solar panels.

Ms. Buck said the change was submitted to Quinn Engineering for comment and they felt there wouldn't be an increase in runoff resulting from this work. It was determined the work would be outside the wetlands and further south. They're not clear cutting, but selective cutting the taller trees.

MOTION: Ms. AbuSalah moved to approve this as a minor project change contingent upon receipt of two full size sets of plans and two 11 x 17 sets of plans.

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

AA transportation Lighting Plan

One of the conditions of approval was the exterior lights proposed are to be shown on a plan to be reviewed by the Town Engineer, to ensure there would be no glare to abutting properties on Route 9. Those plans have been submitted showing the exterior lighting, along with plans showing the curbing installation along the back of the property.

#### Miscellaneous Project Update

##### *Parker Street*

Ms. Buck reviewed the office receiving a packet of information from the Attorney representing Webster 1<sup>st</sup> Federal Credit Union related to Parker Street (the current owner). Documents were submitted stating they can prove Parker Street being a public way and passable by a 2-wheel drive vehicle. The Credit Union wants to set up a meeting her and Attorney Cove to discuss further. Ms. Friedman noted her sister working on this project for the Bank and asked if there could be a Conflict of Interest. Ms. Buck advised checking with the Ethics Commission and filing a disclosure with the Town Clerk if required at the time there's an application before the Board.

#### **Application Discussion**

##### Site Plan Review (Renewal of Expired Permit), Mulberry Solar (1<sup>st</sup> Light Energy)

Ms. Buck explained this being the exact same project the Board approved 2-years ago for another company. The approval lapsed in July of this year, for failure to commence work. The new owners are looking to resurrect the project. They have resubmitted the same exact plans, proposing no changes. A draft decision was reviewed, noting a few minor changes.

MOTION: Ms. AbuSalah moved to approve Site Plan Review for 1<sup>st</sup> Light Energy, Mulberry Solar's renewal of expired permit.

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

*Mr. Grimshaw arrived at this point.*

#### **Public Hearing continued:**

##### Special Permit/Site Plan Review for Self-Storage units and Contractor's Yard (C & J Realty Trust)

In Attendance; Jay Dubois, DC Engineering, and Marc Curtis, property owner.

Mr. Dubois gave an overview. The site is located at 1749 Main Street. There is an existing house in front and a large area of fill in front that has heavy equipment parked along Route 9. The proposed site will have approximately 200 storage units and a contractor's yard located along Route 9. It will have a gated access and a fence around the entire property. Along the residential abutting property lines, they changed the fence from vinyl to a chain-link with inserts and spaced the trees to be every 40 feet, as recommended by Quinn Engineering. They will have maple trees planted along Route 9, with areas in between that will have annual and perennial plantings. Tests pits were dug and the ground water was high where the infiltration basin was located, so adjustments were made to that basin. Mr. Dubois noted there were some discrepancy on the soil maps used between himself and Quinn Engineering. He made the changes noted by Quinn that will decrease the amount of stormwater flowing off the site, which made the recharge areas and detention basins smaller.

Ms. Buck asked about the slope of the driveway, because there was concern with the driveway dropping off. She felt a variance might be needed for the slope of the driveway. Mr. Dubois felt they could adjust the slope to meet the 5% grade noted in the Bylaw.

Ms. Buck asked about the two new parking spaces for the house being in the front setback and if they could be placed somewhere else on the lot. Mr. Dubois said the two parking spaces are existing spaces for the house now, but he would take another look to see if there was somewhere else to put the spaces.

Mr. Buck asked how the fencing would work with the building units being built in phases. Mr. Dubois said they would install the entire fence before the start of building the units.

Ms. Buck asked if something could be put on the ground delineating the Contractor's Yard area to make sure there was nothing put in the front setback and suggest a line of shrubs. Mr. Dubois said there will be a gravel line and grass planted all the way back to the setback line. Ms. Friedman asked if there would be anything other than gravel and grass to delineate the Contractor's Yard, because she did not want to see vehicles parking on the lawn area.

Ms. Buck asked about the elevation plans. Mr. Curtis said the buildings will be 8 ½ to 9 feet tall. Ms. Buck explained site plan requirements require elevation plans and noted a brochure or diagram of the buildings would be acceptable that shows the color, the material used and the height. She asked about a lighting detail plan. Mr. Dubois said it wasn't completed yet.

Ms. Buck noted a landscaping waiver was needed for the eastern property line buffer requirement of 50 feet, because the plan shows 25-feet. The Bylaw states that if there's a reduction in the buffer width, an opaque fence and/or dense screening is required. More specific detail on the landscaping needs to be shown on the plan along the front of the property. Also, the Locus Plan should show and label other structures in the area.

#### Discussion opened to the public.

Mr. Frank Rigiero, 8 Town Beach Road, asked where his house and property was in relation to this project. Ms. Buck noted the plan didn't show adjacent homes.

Mr. Rigiero concern was seeing the units from his house, because he didn't want to be losing value to his house as a result of this project and a chain-link fence with slats would not keep the view away as well as a solid vinyl fence would. He suggested planting a tree called "green giants" for the landscape buffer, because they grow tall and would make a great wall. Mr. Rigiero asked if the site would be asphalt or gravel, because he was concerned with water runoff and the possible effect to his well located right behind his house. He asked what it meant to have a Contractor's Yard, because heavy equipment was out there now and are massive pieces of equipment that are very loud when starting up.

Ms. Buck read the definition of a Contractor's Yard in the Zoning Bylaws as "A lot used by an individual building contractor or sub-contractor for storage of equipment (including commercial landscaping equipment,) supplies and sub-assemblies or parking of registered construction vehicles." She noted this is a use allowed in this Zoning District [HB-1].

Mr. Rigiero said even though this is an allowed use, he still had concern with a possible fuel leak that could contaminate his well and the wetlands that surround this property. Ms. Friedman asked if the wetlands were identified on the plan. Ms. Buck said they have an application before Conservation.

Mr. Dubois said they would be maintaining gravel and are exceeding the Stormwater requirements for treatment & discharge back into the ground. Mr. Curtis understood Mr. Rigiero's concerns, and explained the Stormwater system would capture the runoff before leaving the site.

Mr. Grimshaw noted the hearing will likely be continued again and asked the applicant to provide images of what the fence would look like and to provide a landscaping plan as well. Mr. Dubois said at the previous meeting, they had originally presented a vinyl fence, but the other abutter asked for chain-link. He will look into what will work out better.

Ms. Tasha Desaulnier, 1741 Main Street, was concerned with the landscaping or a fence blocking her sightline when pulling out of her driveway. Mr. Dubois said the pavement is probably 10 feet beyond their property line and didn't feel the sightline would be blocked. Mr. Curtis understood the concern pulling out onto a busy highway. Ms. Buck suggested setting the landscaping back further if needed. Mr. Curtis agreed.

Ms. Desaulnier asked if they plan to provide something for trash. Mr. Curtis agreed providing a gated dumpster for maintenance purposes.

Ms. Desaulnier was concerned about the site lighting and ruining the country sky atmosphere. Mr. Grimshaw noted a lighting plan should be provided for the next meeting.

Ms. Desaulnier asked the site not have 24-hour access and a time curfew be set for people not to access the site after a certain time. She felt having 24-hour access would be disruptive to the neighbors.

Ms. Deb Rigiero, 8 Town Beach Road, was concerned with a fuel leak and contaminated runoff entering Burncoat Lake. She said where the apartments are located, that runoff goes down into the lake. She asked how they planned to keep the area clear in the winter. Mr. Dubois explained the entire site was designed to capture the runoff coming off the site; it enters into the catch basins, where it is treated and released. Ms. Rigiero also had concern with the noise generated from the contractor's yard.

Mr. Kevin Desaulnier, 1741 Main Street, said at the lower end of that lot, it was discussed having large gates there. Beyond those gates, were the wetlands, he asked if the snow would be plowed beyond those gates. He was concerned with road salt and sand being plowed into the wetlands.

Ms. Friedman said that would be something Conservation would review. Mr. Dubois said they would remove the snow off site.

Mr. Desaulnier felt a 6-foot fence by itself wouldn't block anything and everything would still be very visible through the tree line.

Mr. Grimshaw asked the abutters what kind of fencing they would like to see. Mr. Desaulnier would like to see an 8-foot vinyl fence the length to where the front of the house is and along that fence put the green giant trees. He felt that would take the wind force off the fence and allow the homes to have more privacy and eliminate the site's lighting from being an issue.

Mr. Rigiero was concerned with the lighting and security of the site. He asked not to allow 24-hour access to the site. Ms. Buck will review the other storage unit sites in Town to see if there was a condition noted on time of operation.

Ms. Friedman asked to clarify the type of fence, because it was noted at the last meeting a chain-link fence wanted and this meeting a vinyl fence is being requested. Mr. Desaulnier noted he said a vinyl fence up to the front of the house, but not having vinyl in the front yard, because it would obstruct the view down Route 9 and get blown over from the high winds.

Hearing no further discussion, Mr. Grimshaw asked for a motion to continue.

MOTION: Ms. Friedman moved to continue the public hearing on the Site Plan Review/Special Permit application for Self-storage units and Contractor's Yard at 1749 Main Street, to October 25, 2016 at 7PM.

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

MOTION: Ms. Friedman moved to adjourn

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, Town Planner dated September 29<sup>th</sup> regarding October 4<sup>th</sup> Planning Board Meeting
- Letter to Attorney Cove from Michelle Buck, Town Planner dated September 27<sup>th</sup>, 2016 regarding LaFlash Boutilier Solar Project/Boutilier Road
- Letter to Attorney Cove from Michelle Buck, Town Planner dated February 19, 2015 regarding Boutilier Solar/Boutilier Road
- Letter to Michelle Buck, Town Planner from Attorney Cove dated August 21, 2002 regarding Boutilier Road
- Letter to Lynn Harris, Leicester Town Planner from Attorney Cove date August 3, 1999 regarding Burncoat Lane Extension

- Letter to Attorney Michael Meloche from Attorney Cove dated August 21, 2002 regarding Boutilier Road
- Letter to Michelle Buck, Town Planner from Attorney Philip Stoddard dated February 10, 2015 regarding frontage for a solar project on Boutilier Road
- Copy of Site Plan for 24 Boutilier Road Solar Project dated October 2014
- Letter to Nicholas Casello, 24 Boutilier Road from National Grid regarding Electric Service Proposal for relocating pole at 21 Boutilier Road
- Email memo from William Hannigan to Michelle Buck, Town Planner dated September 19, 2016 regarding Boutilier Road Solar
- A draft copy of Modified Definitive Subdivision Site Plan for Boutilier Road
- Draft copy of Site Plan Approval & Stormwater Permit Order of Conditions for LaFlash Boutilier Road Solar Project dated 9.29.2016
- Application letter to Planning Board from Jason Dubois, DC Engineering regarding 1749 Main Street self-storage units & Contractor's yard Site Plan Review dated 9/26/2016
- Response letter to Michelle Buck, Town Planner from Jason Dubois, DC Engineering regarding 1749 Main Street dated
- A draft copy of Site Plan Approval & Stormwater Permit Order of Conditions for Mulberry Street Solar Farm renewal of permit SPR2015-02
- Letter to Michelle Buck, Town Planner from Andy Glines, Fuss & O'Neil regarding Cherry Valley Solar Project at 148 Henshaw Street dated 9/20/2016

**Documents submitted at meeting:**

- Letter to the Planning Board from Quinn Engineering regarding 1749 Main Street Site Plan/Special Permit Application dated 10/4/2016