

Town of Leicester Planning Board

Meeting Minutes

MEMBERS PRESENT: Jason Grimshaw, Chair; Sharon Nist, Debra Friedman, and Andrew Kularski

ASSOCIATE MEMBER: Robyn Zwicker

MEMBERS ABSENT: Michelle Buck, Town Planner, Alaa AbuSalah

IN ATTENDANCE: Barbara Knox, Board Secretary; Harry Brooks, Board of Selectmen Liaison

MEETING DATE: **March 21, 2017**

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM Public Hearing
 Special Permit Application: Commercial use at 1205 Main Street (Jin & Ya Company, LLC)
- 7:30PM Public Application, Continued:
 Site Plan Review: Expansion of Leicester Public Library (Town of Leicester)
- 7:45PM ANR Applications:
 - A. Henshaw Street (Sharon J. Nist & Kurt K. Parliment/Town of Leicester)
 - B. Pine Street (Schold Development, LLC)
- 8:15PM Approval of Minutes
 2/21/2017
- 8:30PM Town Planner Report/General Discussion
 - A. Zoning amendment update (solar energy facility)
 - B. Miscellaneous Project Updates

Mr. Grimshaw called the meeting to order at 7:00PM

Public Hearing

Special Permit Application: Commercial use at 1205 Main Street (Jin & Ya Company LLC)

Mr. Grimshaw read the Notice into the record and then opened discussion to the applicant.

In attendance, Ms. Liya Ma business owner at 1205 Main Street.

Mr. Grimshaw reviewed the request for special permit, which included reducing the size of the existing space of the restaurant located at 1250 Main Street and proposing construction of a new wall to open up another area for a new commercial use. He explained comments received from Town Board and Departments will be reviewed first. There will be questions from the Board members and then discussion will open up to the public.

Mr. Grimshaw read the comments received from Ms. Buck dated March 9, 2017 that were also sent to the applicant. It stated that the Planning Board required more detail about the existing building and site to evaluate the application. She had asked the applicant to provide more information about the existing uses in the building, the total size (square feet) of the existing building and total number of existing parking spaces on site. She also asked for a plan showing the location of the building and parking lot setup. Ms. Ma said she did not have the additional information requested.

Ms. Friedman explained what additional information was needed. She pointed out a parking plan needs to be put together showing the existing parking and how many regular spaces were

available and where the handicapped parking spot would be located. There wasn't a plan submitted clearly showing the site layout.

Mr. Kularski asked about the site lighting. Ms. Friedman asked if there were plans to upgrade the exterior lighting. Ms. Ma said no, she felt the current site lighting was sufficient. Mr. Grimshaw explained the existing lighting needed to be shown on the site plan, along with any updates or changes proposed to the site.

Ms. Friedman noted comments received from the Police Chief regarding the entrance/exits would need to be addressed as well.

At this point Mike Parent, Real Estate Agent for Ms. Ma arrived. He asked how detailed the plan needed to be. Ms. Friedman said a blueprint would be sufficient. As long as it showed the parking, based upon the required size, a sufficient handicapped parking spot, and sufficient amount of parking for the business that would occupy the new unit and the existing restaurant there. The Board was unable to determine where any of the parking would be.

Mr. Grimshaw explained the Board would need to see parking represented on a plan, before making any kind of determination. Ms. Friedman said the Board would then follow up making sure the parking spots were properly marked.

Mr. Parent asked what source of authority would recognize and create such a plan. Ms. Friedman said an engineer, but it didn't have to be any type of formal plan; a blueprint of the whole area could be used if already available. Mr. Parent asked to confirm the plan would need to show the required dimensions for parking spaces, the required turnaround areas, lay out the site given where the pavement was and width of the access way. Mr. Grimshaw agreed and recommended getting an engineer to layout the site.

Ms. Friedman pointed out there wouldn't be a change to the curb-cut, they are just creating the extra space. Mr. Parent explained they wouldn't be creating space, but dividing existing space.

Mr. Grimshaw said depending on what kind of business goes in there, would depend on the impact on the number of parking spots. Mr. Parent asked if they could continue to the Board's next meeting in order to address the Board's concerns. Mr. Grimshaw agreed.

Ms. Friedman noted comments from the water department would also need to be addressed and she asked if the applicant could narrow down the list on the type of business being considered. There was a very broad project description submitted, as far as what type of business was being considered, for example, a research laboratory, service or public utility. Mr. Parent explained they were looking for the broadest description possible because Ms. Ma didn't want to delay in getting a tenant, by having to come back before the Board, if a business description wasn't listed.

Hearing no further comments or questions, Mr. Grimshaw asked for a motion to continue.

MOTION: Ms. Friedman moved to continue the public hearing on 1205 Main Street to Tuesday, April 4, 2017 at 7:15PM

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

ANR Applications:

A. Henshaw Street (Sharon J. Nist & Kurt K. Parliment/Town of Leicester)

Ms. Nist recused herself because she was the property owner.

In attendance: Kurt Parliment, property owner. This plan will be splitting off a portion of Parcel 1 from land owned by Town of Leicester, to combine it with land owned by Sharon Nist & Kurt Parliment and will be considered a non-buildable lot.

MOTION: Ms. Friedman moved to approve the ANR on Henshaw Street for Sharon Nist and Kurt Parliment/Town of Leicester

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

B. Pine Street (Schold Development, LLC)

Ms. Nist reseated as voting member. This is creating two frontage lots. No new lots created in Leicester. One lot was already created by ANR plan signed 1/3/2017; the other is in Spencer.

MOTION: Ms. Friedman moved to approve the ANR on Pine Street for Schold Development, LLC

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

Public Application, continued

Site Plan Review: Expansion of Leicester Public Library (Town of Leicester)

In attendance, Christopher Garcia of Garcia, Galuski, Desousa, Consulting Engineers.

Mr. Garcia reviewed from the last meeting, noting one of the major concerns was the recharge onsite and being located in the Water Protection Overlay District. They met with the Town Engineer, Kevin Quinn and were able to come to an agreement. They did not change the subsurface detention basin, but added a small recharge area. They were able to maintain the 2-foot separation from the groundwater, but decided to excavate the fill out and bring in new standard fill material to construct the recharge area, which will meet the standard for redevelopment. In terms of the drainage analysis and drainage plans, Mr. Quinn was in agreement with the changes they presented.

Ms. Friedman asked about a written agreement with the abutter regarding an easement. Mr. Garcia said they were still working on getting a letter together. Ms. Mary Bulso, Project Manager said she had met with the abutter and discussed putting together a written agreement allowing for an easement during construction.

Hearing no further questions or comments, Mr. Grimshaw asked for a motion.

MOTION: Ms. Friedman moved to approve Site Plan Review on the Expansion of the Town of Leicester Public Library at 1136 Main Street, Leicester, MA, pending submittal of a corrected version of the Stormwater analysis; the letter of agreement from the abutter and a revised set of plans as stated in Kevin Quinn's comments

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

Approval of Minutes

• 2/21/2017

MOTION: Ms. Nist moved to approve the minutes of February 21, 2017

SECONDED: Mr. Kularski - Discussion: None – VOTE: All in Favor

Town Planner Report/General Discussion

A. Zoning Amendment Update (solar energy facility)

Public Hearing scheduled for the April 4, 2017 Planning Board Meeting at 7:30PM

B. Miscellaneous Project Updates

Parking-Leicester Center

Mr. Brooks asked for consideration on valet parking in the Center for area businesses.

Ms. Friedman questioned how enforcement of valet parking would be handled. The Board agreed having more research done and looking into how surrounding Town's enforce valet parking.

Noise Bylaw

Mr. Michael Shivik asked for consideration on a noise bylaw. Ms. Friedman wasn't sure if that was a zoning issue or it should go to the Bylaw Committee. She explained noise complaints were enforced by the Police Department and not enforced by zoning, so it's not a zoning issue. That wasn't something that would be sponsored by the Planning Board because it doesn't come under Planning. Anything that is enforced by the Police usually comes from the Board of Selectmen.

LaFlash Boutilier Solar – Gate

Ernest Mello of Zero Point Energy, in attendance. He asked for comment on the security gate plan that was submitted for the solar project on Boutilier Road.

Mr. Grimshaw explained that wasn't something before the Board tonight, because it was not posted on the agenda. He suggested contacting the Planning Office.

MOTION: Ms. Nist moved to adjourn meeting

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

Meeting adjourned at 8:01PM

Respectfully submitted:

Barbara Knox

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Documents included in mailing packet:

- Agenda
- Memo to Planning Board from Michelle Buck, Town Planner regarding March 21 Planning Board meeting
- Copy of public hearing notice for Jan & Ya Company, 1250 Main Street
- Copy of Special Permit application for Jan & Ya Company
- Narrative description of Special Permit application for Jan & Ya Company
- Sketch of special permit request for Jan & Ya Company's proposed changes at 1205 Main Street
- Memo to Liya Ma of Jan & Ya Company from Michelle Buck, Town Planner regarding special permit application for 1205 Main Street

- Comments received from Leicester Water/Sewer District and Police Department regarding Jin & Ya Company, 1205 Main Street
- Draft Copy of Special Permit Order of Conditions for Jin & Ya Company, 1205 Main Street
- Draft Copy of Site Plan Approval & Stormwater Permit Order of Conditions for Town of Leicester, Public Library Renovation Project, 1136 Main Street
- Comment letter from Quinn Engineering regarding Leicester Library Renovation project dated March 7, 2017
- Planning Board Minutes of February 21, 2017
- Copy of ANR submittal for 565 Pine Street

Documents submitted at meeting:

- Additional comments from Quinn Engineering regarding Leicester Renovation Project dated March 20, 2017