

**Town of Leicester Planning Board
Meeting Minutes
September 11, 2018**

MEMBERS PRESENT: Jason Grimshaw, Chair; Debra Friedman, Vice-Chair; Sharon Nist, Alaa Abusalah, and Andrew Kularski.

MEMBERS ABSENT: Robyn Zwicker

IN ATTENDANCE: Michelle Buck, Town Planner

MEETING TIME: 7:00 PM

AGENDA:

1. 7:00PM **Public Hearing, Zoning Bylaw Amendments, Continued**
 - A. Backyard Chickens
 - B. Solar Moratorium
 - C. Solar Bylaw Changes
 - D. Residential Dimensional Requirements
 - E. Vehicle Related Use
 - F. Breweries, Wineries, Distilleries
2. 7:15PM **Public Hearing, Special Permit (continued)**
Mulberry Street Solar Farm/SP2018-03 (Applicant: Syncharpha Solar, LLC)
3. 7:30PM **Public Hearing, Major Site Plan Review (continued)**
515 Henshaw Street Solar Farm/SPR2018-01 (Applicant: Borrego Solar)
Note: The Applicant has requested a continuance
4. 7:35PM **Discussion, Site Plan Review Application, continued**
101 Huntoon Memorial Highway/SPR2018-03 (Applicant: 101 Huntoon LLC)
5. 7:45PM **Discussion, Preliminary Subdivision Plan, Continued:**
Parker Street/SUB2018-02, Applicant: Webster First Federal Credit Union.
6. 8:00PM **ANR Plan, 515 Henshaw Street (Cooper)**
7. 8:15PM **Discussion, Extension of Deadline to Commence Work**
Hillcrest Water Tank (SP2017-05)
8. 8:30PM **Town Planner Report/General Discussion:**
 - A. LaFlash Boutilier Solar (SPR2016-03) - Update
 - B. Preliminary Subdivision Plan, Boutilier Road (*Acknowledgement of Receipt Only – No discussion*)
 - C. Miscellaneous Project Updates
 - D. Board Member Committee Updates

Jason Grimshaw called meeting to order at 7:00PM

Public Hearing, Zoning Bylaw Amendments, Continued

Backyard Chickens

The proposed bylaw was modified slightly based on discussion at the August hearing. Language revised to make it clearer that a variance would be required to keep backyard chickens on a lot under 7,000 square feet. Also, the Zoning Enforcement Officer can delegate authority to the Animal Control Officer.

Solar Moratorium

As discussed at the August hearing, the proposal was modified to exempt projects under review. The Bylaw was also reviewed and revised by Town Counsel (Attorney Amanda Zuretti). The Board accepted the revised proposal.

Solar Bylaw Changes

The Board will not submit this article for inclusion on the warrant since the Board will be submitting the moratorium bylaw.

Residential Dimensional Requirements

Based on discussion at the August hearing, the R1 district frontage requirement was reduced to 125' and the minimum lot size to 20,000 square feet for lots served by water and sewer. The lot size will remain at 50,000 square feet for lots without water and sewer.

Harry Brooks, Select Board was in attendance. He indicated that roughly 75% of the town is undeveloped, and that people can't afford to live here. He requested that the Board revisit the issue of reduction of the minimum lot size in the Suburban Agriculture (SA) district (current requirement is 80,000 square feet). Ms. Friedman noted that the increase in the lot size in 2002 was at the request of the Select Board. Mr. Brooks felt it should revert to the 50,000 square feet previously required.

Ms. Friedman noted that most of the SA district isn't served by water and sewer. Mr. Brooks said that that issue should be addressed by the builder.

Mr. Kularski noted that reduction in minimum lot size will take away the incentive for Open Space Residential Development (OSRD) projects. He mentioned that on Green Street, the Town has had to do extensive drainage improvement with 4 new frontage lots. At least with OSRD, the Board could address drainage. Larger scale developments, not single house lots, will provide the real impact in providing additional housing. Frontage lots would landlock land that could be developed in the future.

David Genereux, Town Administrator, noted for the record that the work on Green Street was not paid for by the Town. The work was done through MassPort as mitigation against a contractor at the Worcester airport (in lieu of fine).

Mr. Brooks indicated that if the proposal isn't modified by the Planning Board to 50,000 square feet minimum lot size in SA, he'll propose it as floor amendment at Town Meeting.

Ms. Friedman indicated that she'd be okay with a 50,000 square foot minimum lot size, but not with a reduction in frontage. Narrow lots make it difficult to site a well and septic system on a lot. Mr. Brooks said the developer should know how to address. Ms. Friedman said it might be individual buyers, without an experienced developer involved.

Mr. Kularski asked if people typically look at wells on abutting properties prior to purchase. Ms. Buck said typically no; they will look at this issue when they hire an engineer to design the well and septic system.

Mr. Michael Martiros, 12 Shelter Ridge Road, noted that the requirement used to be 175 feet of frontage and 50,000 square feet in SA, and all the lots have wells and septic.

There was discussion back and forth on the issue, including discussion of newer requirements to have sufficient area for replacement septic systems. After discussion, the Board amended the

proposal to reduce the minimum required lot size in SA to 50,000 square feet, but leave the minimum required frontage at 200 feet. The Board felt the frontage requirement would help to encourage OSRD developments.

MOTION: Mr. Kularski moved to amend the SA district to a minimum lot size of 50,000, maintain the frontage at 200 square feet, and leave the existing setbacks, height, stories, and maximum building coverage the same.

SECOND: Ms Friedman. Discussion: There was brief discussion on the issue of smaller lots where water and sewer are available, and the impact of the Watershed Overlay District.

VOTE: All in favor.

Vehicle Related Use

Ms. Buck gave a brief overview. She noted that the Board had asked her to modify the definition of Taxi or Limousine service so that it doesn't include ridesharing services such as Uber [so that such services would still be allowed as an accessory use]. She suggested adding at the end of the definition the following sentence: "Not to include a private vehicle used for ridesharing services." The Board had also asked into potentially adding a definition or regulation related to Towing Company, to limit things like storage of abandoned vehicles. She noted that she hadn't had time to research this in detail. After some discussion on the issue, Ms. Buck suggested changing Towing Company to SP (requiring a special permit) in all districts where the use is allowed, so each site could be evaluated on a case-by-case basis.

MOTION: Ms. Abusalah moved to amend Taxi or Limousine Service to SP in the Business (B) district, Towing Company to SP in I, BI-A, HB-1, HB-2, and RIB, and to add the sentence related to ridesharing to the definition of Taxi or Limousine Service.

SECOND: Ms. Nist. DISCUSSION: None.

VOTE: All in favor.

Breweries, Wineries, Distilleries

There were no changes since the previous draft, other than to remove notes.

MOTION: Ms. Friedman moved to recommend approval of the amendments related to backyard chickens, solar moratorium, residential dimensional requirements, vehicle-related uses, and breweries, and to rescind [not submit] the solar bylaw changes.

SECOND. Ms. Nist. DISCUSSION: None

VOTE: All in favor.

Public Hearing, Special Permit

Mulberry Street Solar Farm/SP2018-03(Applicant: Syncarpha Solar, LLC)

Mr. Grimshaw opened the public hearing.

Peter Engle from Bertin Engineering provided an overview. They've addressed all comments related to drainage and clearing, and now are only clearing half the required setbacks. They have a clean letter from Quinn Engineering. The project is surrounded by a 7' chain link fence.

Ms. Buck noted that the decision in the packet is a sample from the 408 Stafford solar project. She also said that the amount of the decommissioning bond had not been reviewed, though the

Board has previously addressed this as a condition. Ms. Buck also expressed concern that it's not clear if the remaining vegetation will be sufficient to screen abutters.

Mr. Carter McCann of Syncarpha Solar proposed including a condition that was used in another Town to allow the Board to view the site and request additional landscaping as needed. A condition was added as follows: "The Applicant and Planning Board or its designee will walk the western (Chapel Street) and northern (Mulberry Street) boundary lines of the project during the winter months once the foliage is off the trees for the purpose of identifying visual impacts to abutting properties. The Applicant shall address any identified visual impacts through the installation of additional landscaping." The Board also added a condition allowing the Board to set the decommissioning bond amount at a future meeting date.

MOTION: Ms. Friedman moved to approve Mulberry Street solar farm, with said conditions modified as discussed and contingent upon an estimate of bond from Kevin Quinn.

SECOND: Mr. Kularski

VOTE: All in favor

Public Hearing, Major Site Plan Review (continued)

515 Henshaw Street Solar Farm/SPR2018-01 (Applicant: Borrego Solar)

Ms. Buck noted that the Applicant has requested a continuance.

MOTION: Ms. Friedman moved to continue the public hearing for 515 Henshaw Solar to October 16, 2018 at 7:15PM.

SECOND: Ms. Abusalah. Discussion: None

VOTE: All in favor

Discussion, Site Plan Review Application (continued)

101 Huntoon Memorial Highway/SPR2018-03 (Applicant: 101 Huntoon, LLC)

The stormwater issues still have not been fully addressed to the satisfaction of Quinn Engineering.

MOTION: Ms. Friedman moved to continue discussion on 101 Huntoon Memorial Highway to October 2, 2018.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor

Discussion, Preliminary Subdivision Plan, Continued:

Parker Street/SUB2018-02, Applicant: Webster First Federal Credit Union.

No one representing the Applicant was present. After reviewing the files, it was noted that the deadline for the Board to file a decision with the Town Clerk is September 30, 2018. Though the Board didn't want to act without the applicant present, the Board wouldn't be meeting again until after the September 30, 2018 deadline. Mr. Grimshaw briefly summarized the issues.

Essentially, the Applicants haven't been willing to alter the proposal to provide pavement or stormwater controls. They also didn't seem interested in exploring other options such as a dead-end roadway.

The Board reviewed the draft Decision in their packets.

MOTION: Ms. Friedman moved to disapprove the Preliminary Subdivision Plan for Parker Street.

SECOND: Ms. Nist. Discussion: None

VOTE: 4 in favor, 1 abstention (Ms. Abusalah abstained because she'd missed 2 meetings related to Parker Street.)

ANR Plan, 423 Henshaw Street (Cooper)

[Note: agenda had incorrect address of 515 Henshaw Street]

The plan shows 1 new lot on Henshaw Street.

MOTION: Ms. Nist moved to approve the ANR Plan at 423 Henshaw Street.

SECOND: Ms. Abusalah. Discussion: None

VOTE: All in favor.

**Discussion, Extension of Deadline to Commence Work
Hillcrest Water Tank (SP2017-05)**

Ms. Buck noted that the current deadline to commence work is September 19, 2018, and the deadline to complete work is September 19, 2019. The Hillcrest Water District has requested extensions of these deadlines to June 30, 2019 and June 30, 2020, respectively. Ms. Buck distributed the request letter from the District dated September 10, 2018.

MOTION: Mr. Kularski moved to extend the deadlines for Hillcrest Sewer water tank at 12 Lehigh Road to June 30, 2019 to commence work and June 30, 2020 to complete work.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

Town Planner Report/General Discussion:

LaFlash Boutilier Solar (SPR2016-03)

MOTION: Ms. Friedman moved to extend the deadline related to the gate at LaFlash Boutilier Solar until October 2, 2018.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

Preliminary Subdivision Plan, Boutilier Road

Ms. Buck noted receipt of this application.

Miscellaneous Project Updates

Ms. Buck will speak to Jeff Taylor about outside storage at Davis self-storage. Mr. Kularski asked about a towing company across from 515 Henshaw solar. There was general discussion on the status of pending marijuana facility applications.

Board Member Committee Updates
Economic Development Commission (Ms. Abusalah)

- The EDC had a table at the Harvest Fair and conducted a survey. The EDC will publicize the results when tabulated. An “Open for Business” event is planned at Becker College on 11/14/2018, though they’ve had difficulty finding a sponsor. They’ll send out invitations.
- The next Leicester Business Association meeting is 9/19/2018 at 6:30PM.
- Ms. Abusalah is working on a regional economic development group. She reached out to Central Massachusetts EDC Chairs. They’ll be hosting an event on 11/15/2018 exclusive to EDC Chairs or Vice Chairs. CMRPC will be assisting with the event.
- Website is ready to go; just have to finish 1 thing. Then will launch with press release.
- Representing town on CEDS. Meeting on 9/20 with chamber.

MOTION: Ms. Friedman moved to adjourn.

SECOND: Ms. Nist.

VOTE: All in favor.

The meeting adjourned at 9PM.

Respectfully submitted:
Michelle Buck, Town Planner

Documents included in meeting packet:

- Agenda
- Memo from Town Planner to the Planning Board dated 9/06/18 regarding 9/11/18 meeting
- Draft Zoning Bylaw Amendments, related to the following: Chickens (dated 9/6/18), Moratorium on Solar Energy Systems (8/27/18 Town Counsel amendment and 9/6/2018 draft); Ground-Mounted Solar Energy System Bylaw Improvements (8/1/18) ; Residential dimensional Requirements (9/6/18); Vehicle-Related Uses (9/06/18); Breweries and Related Uses (9/6/18);
- Documents related to Mulberry Solar (SP2018-03)
 - Letter from Bertin Engineering dated 9/6/18
 - Letter from Bertin Engineering dated 8/21/18
 - Sample decision (copy of 408 Stafford Site Plan Approval)
- Letter from Borrego Solar to Planning Board dated 9/6/2018 (request for continuance for 515 Henshaw Street)
- Documents related to 101 Huntoon Memorial (SPR2018-03)
 - Letter from BC Engineering to Kevin Quinn dated 8/21/2018 (Cultec Stormwater Chambers)
 - Letter from Worcester County Welding Corp to Quinn Engineering dated 8/22/2018– 101 Huntoon Memorial Highway (Site Retaining Wall & Truck Accessibility)
- Site Plan Approval & Stormwater Permit (SPR2018-03) Order of conditions DRAFT
- Certificate of Decision-Disapproval Preliminary Subdivision Plan – Parker Street DRAFT

Documents submitted at meeting:

- Letter from the Hillcrest Water District dated September 10, 2018.
- Letter from Quinn Engineering to the Planning Board dated September 6, 2018 (regarding Mulberry Solar)