

**Town of Leicester Planning Board
Meeting Minutes
April 16, 2019**

MEMBERS PRESENT: Debra Friedman, Vice-Chair; Alaa Abusalah, Sharon Nist

MEMBER ABSENT: Jason Grimshaw, Chair; Andrew Kularski, Robyn Zwicker

IN ATTENDANCE: Michelle Buck, Town Planner

MEETING TIME: 7:00PM

AGENDA:

1. 7:00PM **Public Hearing, Amendment to Special Permit Regulations**
Submittal Requirements for Earth Fill & Removal Operations
2. 7:15PM **Discussion, Site Plan Review, SPR2018-08, continued**
424 Main Street/Nor'Easter Remedies, Marijuana Cultivation (Applicant: Nor'Easter Remedies)
3. 7:30PM **Discussion, Amendment of Site Plan Approval, SPR2018-04**
88 Huntoon Memorial Highway (Applicant: East Coast Organics, LLC)
4. 7:45PM **Definitive Subdivision Plan Endorsement, SUB2018-01**
Oak Bluff Lane (Applicant: Central Land Development, Inc.)
5. 8:00PM **Approval of Minutes:**
 - 3/19/2019
 - 4/2/2019
6. **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
7. **Adjourn**

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

**Public Hearing, Amendment to Special Permit Regulations
Submittal Requirements for Earth Fill & Removal Operations**

Ms. Friedman read the public hearing notice into record.

Ms. Buck provided a brief overview for the public. She explained that the Planning Board proposed zoning bylaw amendments related to earth filling and earth removal operations. She further explained that the hearing had already been held for those bylaw amendments and that those amendments will be voted on at the Annual Town Meeting on May 7, 2019. Ms. Buck said that they have to amend the regulations because the Town of Leicester includes their application submittal requirements in regulations rather than in the zoning bylaw. She explained that tonight's hearing would be continued until after town meeting. If for some reason the article does not pass at town meeting, these amendments will not be needed.

Ms. Buck reviewed page two of the draft saying that under *B. Certified Abutters List* she added "Only 1 copy of the Abutters List is required". She said that at the bottom of page 2 the word "Bylaw" was left out. Ms. Buck pointed out page 6 under *10. Ground-Mounted Solar Energy Systems, a.* that she added the cross reference "(Section 5.14)" and fixed some typographical errors under *b.* and added the cross reference "(Section 5.14)".

Ms. Buck stated that page 6, section *11. Earth Filling Operations and Earth Removal Operations* had been added for application submittal requirements. She pointed out *6) Additional requirements* and stated that some are specific to earth removal and some for earth filling. Ms. Buck stated that for earth removal there was more detailed required on the amount of material, method, phasing, etc. She said that for earth filling operations, they need to submit a Soil Management Plan. She explained that they would have to document where the fill was coming from and document that it was clean fill.

Ms. Buck pointed out page 9, section *III. Notification Requirements* under **B.** she added “by certificates of mailing or certified mail” saying that the Planning Board now allows certificates of mailing instead of certified mail. Ms. Buck also pointed out section *IV. Board Decision/Special Permit Criteria* under **C.** and said that she added sections “5.15” for marijuana and “5.16” for earth fill and earth removal.

Ms. Buck suggested this be continued to May 21st at 7:00 PM.

Ms. Friedman asked if there were any questions or comments from the public and there were none.

MOTION: Ms. Nist moved to continue the public hearing for the Amendment to Special Permit Regulations for earth fill and removal operations to May 21, 2019 at 7:00 PM.

SECOND: Ms. Abusalah. Discussion: None

VOTE: All in favor.

Discussion, Site Plan Review, SPR2018-08, continued

424 Main Street/Nor'Easter Remedies, Marijuana Cultivation (Applicant: Nor'Easter Remedies)

Ms. Buck stated that she received a request for continuance to May 21st from the Applicant and said that this did not have to have a specific time.

MOTION: Ms. Nist moved to continue 424 Main Street/Nor'Easter Remedies to May 21, 2019 at a time to be determined.

SECOND: Ms. Abusalah. Discussion: None

VOTE: All in favor.

Discussion, Amendment of Site Plan Approval, SPR2018-04

88 Huntoon Memorial Highway (Applicant: East Coast Organics, LLC)

Ms. Buck stated that she received a request for an amendment. She explained that this was not a major amendment and also not insignificant but that it falls in between and still needs to come before the Board. She commented that this request came in very last minute and said that the only reason she put it on the agenda was because the Board will not be meeting again until May 21st and that is already a full agenda. Ms. Buck stated that she included a copy of their requested changes in the meeting packet for the Board to review.

Joshua Gemmell of Fuss & O'Neill was present on behalf of the Applicant and passed out copies of the original plan for the Board to review. Mr. Gemmell explained that following the initial site plan review, they identified several pieces of equipment that had to be relocated to the exterior of the building. He explained that the HVAC equipment on the east side of the building

will be too heavy to be roof-mounted. He further explained the need for concrete equipment pads on the south side of the building to support waste dumpsters, fluid coolers associated with the cooling water system, bulk carbon dioxide store tank, electrical transformer for the National Grid service update and the combined heat and power equipment to generate on-site power. Mr. Gemmell stated that equipment had been relocated to minimize view from the street as much as possible.

Mr. Gemmell said that the initial plan showed 175 parking spaces and said that 23 parking spaces will be lost leaving 152 dedicated parking spaces. He commented that they still exceeded the requirement of 95 parking spaces.

Mr. Gemmell stated that a concrete equipment pad will be needed on the southwest corner of the building to support the compressed natural gas facility for both East Coast Organics and the tenant. He explained that it would be a buried gas line running the perimeter of the parking lot. Ms. Friedman asked what the existing tank listed on the plan was and Mr. Gemmell said it was a fuel storage tank that will no longer be used. Mr. Friedman asked if that tank would be removed and Mr. Gemmell answered that it was currently being removed. Ms. Friedman asked if there would be any loading docks and Mr. Gemmell said there will be two. He said one will be a receiving area and the other will be a shipping area. Ms. Friedman asked about the loading docks located in the back of the building and Mr. Gemmell said those are occupied by the current tenant. Ms. Nist asked if the compressed gas area would be exposed or fenced in and Mr. Gemmell said the trailers will be fenced in. Ms. Nist asked if the outside dumpster would also be fenced in and Mr. Gemmell answered yes.

Ms. Abusalah asked if the current tenants were notified of these changes and Mr. Gemmell answered yes. Ms. Friedman asked how the diminished parking would affect their business and Mr. Gemmell stated that they still have more parking than they need with 152 spots. Mr. Friedman asked if that also included the other tenant's parking spaces and Mr. Gemmell explained that there were 350 spots with 152 of those spots being their parking spaces.

Ms. Friedman asked if the Fire Department has approved this plan and Mr. Gemmell stated that they are still in communication with them. Ms. Buck stated that the Board can make a conditional approval pending final approval from the Fire Department.

MOTION: Ms. Abusalah moved to approve the Amendment to Site Plan Approval, SPR2018-04 for 88 Huntoon Memorial Highway contingent upon the Fire Chief's approval.

SECOND: Ms. Nist. Discussion: Ms. Nist asked if the concrete pads would upset run off and Mr. Gemmell explained that they will be leveled pads on paved areas and would not upset run off. Ms. Buck asked them to provide two full-size plans and Mr. Gemmell said he would drop them off tomorrow.

VOTE: All in favor.

Approval of Minutes

Ms. Abusalah and Ms. Friedman stated that they were both absent from the March 19th meeting and were unable to vote on those minutes. Approval of minutes for 3/19/2019 continued to the next meeting on May 21st.

MOTION: Ms. Abusalah moved to approve the minutes of April 2, 2019

SECOND: Ms. Nist. Discussion: Ms. Friedman stated her name is misspelled on the last page under the section called *Next Meeting*.

VOTE: All in favor.

Town Planner Report/General Discussion:

Miscellaneous Project Updates

Cultivate

Ms. Buck stated that she received an incomplete application today for expansion of parking for Cultivate and said it's tentatively scheduled for May 21st. She said that the application is still missing a few things. The final meeting date will be determined with the application is complete. Ms. Buck stated that she will also be receiving another application next week for expansion of the cultivation facility on Burncoat Street and said that would be scheduled for June 4th. She said there is a Community Outreach Meeting on April 24th in regards to the Burncoat Street facility in the Select Board Meeting Room.

Board Member Committee Updates

Ms. Nist reported that she attended the Capital Improvement Meeting. Ms. Friedman asked what was discussed and Ms. Nist said that general things were discussed pertaining to Fire, Police, School and how things are run. Ms. Nist stated that all those departments have homework to do before the next meeting in the fall.

Ms. Abusalah reported that the EDC will be meeting next Thursday, April 25th.

Ms. Buck reported that there is currently one candidate for the vacancy on the Planning Board.

Definitive Subdivision Plan Endorsement, SUB2018-01

Oak Bluff Lane (Applicant: Central Land Development, Inc.)

Ms. Buck stated that she included the Covenant for Oak Bluff for the Board.

MOTION: Ms. Nist moved to accept the Covenant for Oak Bluff Lane, Central Land Development, Inc.

SECOND: Ms. Abusalah. Discussion: None

VOTE: All in favor.

Ms. Buck prepared the mylar plans and copies for the Board to sign and stated that Spencer would also have to sign these. The Board endorsed the Definitive Subdivision Plan for Oak Bluff Lane.

MOTION: Ms. Nist moved to adjourn.

SECOND: Ms. Abusalah

VOTE: All in favor.

The meeting adjourned at 7:45 PM.

Respectfully Submitted,

Wanda Merced, Department Assistant

Documents included in meeting packet:

- Agenda
- Memo from Town Planner to the Planning Board dated 4/10/2019 regarding 4/16/2019 meeting
- Public hearing notice and copy of Draft Amendments to Special Permit Regulations
- Document related to Amendment of Site Plan Approval for 88 Huntoon Memorial Highway (SPR2018-04)
- Copy of Covenant for Oak Bluff Lane (SUB2018-01)
- Meeting Minutes for March 19, 2019
- Meeting Minutes for April 2, 2019

Documents submitted at meeting:

- N/A