

**Town of Leicester Planning Board
Meeting Minutes
September 10, 2019**

MEMBERS PRESENT: Jason Grimshaw, Chair, Debra Friedman, Vice Chair Andrew Kularski, Sharon Nist, Jaymi-Lyn Souza

MEMBERS ABSENT:

IN ATTENDANCE: Michelle Buck, Town Planner and Maureen Schur, Department Assistant

MEETING TIME: 7:00PM

AGENDA:

1. 7:00PM **Discussion, Site Plan Review (SPR2019-03)**
Pyramids DGC/103 Marshall Street, 4,000 s.f. golf pro shop (Applicant: Jason Southwick)
2. 7:30PM **Public Hearing, Special Permit (SP2019-02), continued**
Off Paxton Street/Smuggler's Cove, 24-lot Open Space Residential Development (Applicant: Central Land Development Corp.)
3. 8:15PM **ANR Plan Application**
1323 Main Street (Applicant William Roberts)
4. 8:30PM **Town Planner Report/General Discussion:**
 - A. Potential Zoning Bylaw Amendments
 - B. Miscellaneous Project Updates
 - C. Board Member Committee Updates
5. **Adjourn**

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

Site Plan Review (SPR2019-03)

Pyramids Disc Golf Course/103 Marshall Street, 4,000 s.f. golf pro shop (Applicant Jason Southwick)

Mr. Grimshaw opened the meeting to the applicant. Mr. Jay Finlay of Finlay Engineering presented the project information. Applicant Mr. Jason Southwick is proposing the construction of a 4,000 s.f. Morton building to house his disc golf business. The business is currently located in Mr. Southwick's home and at this time the home can no longer accommodate the business. The proposed building is a wooden structure with metal roof and walls. It will provide 1,200 s.f. of office space and 2,800 s.f. of retail space. The property is serviced by private water and septic. There is an oversized leach field that will easily accommodate an increase in flow from the proposed 1 unisex bathroom. A recharge area will be constructed to recharge stormwater from the roof.

Mr. Southwick is asking for 3 waivers from the Planning Board. The first waiver pertains to the width of the driveway. As this is an established business and the owner does not believe there will be a significant increase in foot traffic. He stated there is enough room in the existing driveway for a car to pull over and allow another car to pass. The second waiver pertains to a Special Permit issued April 29, 2004 by the Zoning Board of Appeals stating no external lights were to be placed on the building, therefore no outside lighting is proposed on this plan. The third waiver pertains to landscaping. The lot is wooded for the disc golf course and the applicant feels it wouldn't make sense to plant bushes in an already wooded area.

Mr. Grimshaw asked if the board had any questions. Ms. Buck, Town Planner asked Mr. Finlay if he believes the current parking is adequate to service the customers. Mr. Finlay explained there are currently 26 parking spaces and the home has a garage providing 2 spaces and he and the applicant feel this is adequate as they do not expect an increase in foot traffic as 65% of the business is done on line and there are a limited amount of people who can use the disc golf course at one time.

Ms. Buck reviewed comments from Kevin Quinn, Quinn Engineering. Mr. Quinn commented on the landscaping and Ms. Buck stated there are no actual landscaping requirements for the SA zoning district only recommendations. Ms. Buck stated the Leicester Police Department approved of the plan and had no concerns regarding the driveway and there were no written comments from Leicester Fire Department. Ms. Buck spoke with Jeff Taylor, Leicester Zoning Enforcement Officer, regarding the property being in the Water Resources Protection Overlay District (also known as the Watershed Overlay Protection District) and because the proposed project has less than 1% impervious area Mr. Taylor stated a Special Permit is not required. Ms. Buck told the board all of Mr. Quinn's other comments had been addressed already.

Ms. Friedman asked the applicant if he expected an increase in business. Mr. Southwick stated he didn't think so as so much of the business is done online. Ms. Friedman raised the question of the width of the driveway and Mr. Southwick reiterated there was room for one car to pull over and let another by, if needed.

Ms. Nist asked if there was a stop sign at the end of the property. Mr. Southwick stated there is a caution sign to warn customers to slow down as they approach the end of the property to turn onto Marshall St.

Mr. Kularski asked about the inside of the building and would it be a peaked roof? Mr. Finlay explained it would be a truss system. Mr. Kularski asked if there would be storage in the truss system and Mr. Finlay stated no. Mr. Kularski asked if there would be a sign in front of the building and Mr. Southwick stated there are currently manufacturer banners but that he would likely put a sign on the front on the store.

MOTION: Ms. Friedman moved to approve the waiver request for the site plan submittal in lieu of building renderings.

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor

MOTION: Ms. Friedman moved to approve the waiver for the driveway width

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor

MOTION: Ms. Friedman moved to approve the waiver requiring outside lighting.

SECOND: Mr. Kularski

DISCUSSION: None

VOTE: All in favor

MOTION: Mr. Kularski moved to approve the site plan for Pyramids Disc Golf Course located at 103 Marshall St.

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor

Smuggler's Cove Hearing Instructions

Mr. Grimshaw gave an overview of the hearing process because there was extra time before the scheduled time of the hearing.

ANR Plan Application, 1323 Main Street (Applicant William Roberts)

Ms. Buck explained the applicant, Mr. Roberts, is going to split the land into two parcels making the lots fully conforming. The board reviewed the plan.

MOTION: Ms. Friedman moved to approve the ANR Plan for 1323 Main St.

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor

Public Hearing, Special Permit (SP2019-02), continued

Off Paxton Street/Smuggler's Cove, 24-lot Open Space Residential Development (Applicant: Central Land Development Corp.)

Mr. Grimshaw read the Public Hearing Notice. Ms. Buck clarified the Public Hearing had an August 20, 2019 date as the applicant had requested a continuance and the meeting scheduled for last week had been cancelled.

Mr. Mark Allen, Allen Engineering, presented information on the Open Space Residential Development (OSRD) being proposed by Central Land Development Corp. Mr. Allen stated this hearing was to discuss the preliminary subdivision plan. Mr. Allen explained a conventional subdivision would have 27 homes built on the same amount of land with bigger house lots as compared to the OSRD which would be 24 houses on smaller lots allowing for more open space. This would shrink the road size, and decrease the amount of snow plowing and catch basin cleaning. The open space would be deeded back to the town. The property is in the Water Resources Protection Overlay District and the lots in that area will be under extra scrutiny regarding impervious area.

Mr. Schold spoke about keeping the smallest footprint and cutting as few trees as possible. Mr. Schold said the comments from Leicester Fire Department asked that the access road be paved all the way out to Paxton St. The Leicester Police Department asked for a deceleration lane driving southbound lane pulling into the development. These comments were discussed at the Public Safety meeting and both the Fire and Police departments voted to allow asphalt milling provided by the Highway Department to be put on the access road and a transition lane when pulling into the development. The development will be provided with town water and sewer. Ms. Buck stated she was at the Public Safety meeting and formal votes were taken on these issues. Highway Department, Fire Department and Police Department are comfortable with a gravel sub base and millings and the transitional lane off Paxton St. The minutes of that meeting will document the votes.

Mr. Finlay reviewed comments submitted by Mr. Buck. The OSRD is environmentally sensitive to the wetland areas. The layout and location of the roadway will minimize tree work, earthwork and disturbance to the wetland. Any historic and natural features will be noted in the design stage of the project. A preliminary conventional subdivision plan has been submitted. All electrical and telecommunication utilities will be placed underground reducing maintenance. The Applicant would like the protected open space to go to the Town, under the control of the Conservation Commission.

Mr. Finlay reviewed comments submitted by Kevin Quinn, Quinn Engineering. Mr. Finlay identified the number of lots and the percentage of open space that would be wetlands. They have documentation that they have the legal right to develop the proposed roadways on easements. The landscape/screening would be dependent upon the required grading to construct the roadway.

Mr. Grimshaw asked if the board had any questions. Ms. Friedman stated there is a huge amount of stone in the area and asked if it could be identified. Mr. Finlay stated there had not been an on-the-ground survey and that would be part of the second phase, a Definitive Subdivision Plan. Ms. Friedman asked about any blasting that would need to be done. Mr. Finlay stated that would be minimized after the survey is done (the roadway location can be adjusted to go around ledge). Mr. Schold stated this subdivision will follow the contour of a previous proposed subdivision as that owner had done perc tests and deep hole testing. Mr. Schold stated most of the ledge is near the entrance.

Ms. Souza asked if the 7 requested waivers are typical of a subdivision. Ms. Buck explained it is not uncommon especially with this type of development (OSRD). Mr. Schold noted that the conventional plan doesn't have waivers.

Mr. Grimshaw opened the questions up to the public. The majority of the concern expressed by the public was about the tree clearing, wildlife, and stormwater runoff. Several community members spoke about all the wildlife that currently is seen around Sargent Pond and that they would hate to see that wildlife disappear. The concern over stormwater runoff was addressed by Mr. Finlay stating this project would be held to Massachusetts DEP regulations and standards. Phase 2, definitive subdivision, would address stormwater runoff concerns in detail.

Mr. Reinke, president of the Lake Sargent Association, stated there was clear cutting already happening on the property. Mr. Reinke provided the board with pictures of the area. Mr. Schold stated there was no work being done by him on this property. Mr. Soojian, owner of property to the north of the project, addressed the board and stated he and his brother owned that land and they were clearing land for farming purposes.

One community member asked if Massachusetts Wildlife Association had been contacted in regards to this project and Mr. Finlay stated they had not. He noted that MassWildlife is involved only when endangered species are present (there are none), and that the state only gets involved with great ponds (this falls below the size threshold).

Ms. Giguere, community member stated she is concerned that this project has to do with money and not the preservation of the land.

Community members raised additional issues. There was discussion of water access, and the intent is to allow water access, though no boat ramp is planned. A question was raised about the sewer and who would be responsible for the maintenance of the grinding pumps. The sewer

district would be responsible for that maintenance. It was noted that the dam is privately owned, and concern was raised regarding potential impact to the dam.

Ms. Buck provided an overview of housing development in Leicester. She noted that the last subdivision built in town was approved in 2003 with 34 lots. She also stated all the housing in the last decade has been individual homes on existing roads and there are typically fewer than 10 houses per year.

The next meeting was scheduled for October 15, 2019 at 7:00pm and at that time Mr. Finlay would provide information pertaining to other comments received.

Mr. Grimshaw asked if there were any further question and there were none. Mr. Schold thanked the public and the board for having a productive conversation. Mr. Grimshaw thanked everyone for being respectful of the rules regarding the meeting.

MOTION: Ms. Friedman moved to continue the public hearing for Smuggler's Cove OSRD to October 15, 2019 at 7:00PM.

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor.

Town Planner Report/General Discussion:

Potential Zoning Bylaw Amendments

Ms. Buck discussed Zoning bylaw amendments and the possibility of rezoning Pleasant St. The Town Planner's office will send out abutter notification and ask the members of The WorcShop if they would like to come in and do a short presentation on their proposed makerspace. Ms. Buck noted that she'd need direction from the Board regarding which the outside storage issue. She also noted that the water resources protection overlay needs some improvements, including changing the special permit granting authority from the ZBA to the Planning Board as this Board handles the review of stormwater.

Board Member Committee Updates

Ms. Nist stated Capital Improvements meets next week.

Ms. Souza stated she heard from CMRPC and will be attending their next meeting.

Mr. Kularski gave an update on the disposition of the Memorial School. There are 2 members at large. The Housing Authority has expressed interest in the building.

Mr. Grimshaw stated the EDC will meet 9/19/2019

The Board discussed and decided to cancel the September 17, 2019.

MOTION: Mr. Kularski moved to adjourn the meeting.

SECOND: Ms. Nist

DISCUSSION: None

VOTE: All in favor.

Meeting adjourned at 8:52pm

Respectfully Submitted,
Maureen Schur, Department Assistant

Documents included in meeting packet:

- Agenda
- Memo from Town Planner to the Planning Board dated 8/15/2019 regarding 8/20/2019 Planning Board Meeting
- Public Hearing Notice regarding zoning amendments
- Memo regarding deletion of obsolete zoning bylaw sections
- Hearing notice regarding Smuggler's Cove
- Smuggler's Cove Application
- Comments from Police Dept., Town Planner
- Comments from Kevin Quinn regarding Smuggler's Cove
- Oakridge Estates extension documents

Documents submitted at meeting:

- Letter from Allen Engineering re: Smuggler's Cove dated 9/9/2019
- A plan showing elevation of building located at 103 Marshall St. submitted by Mr. Jay Finlay