

**Leicester Planning Board Meeting Minutes
December 19, 2023**

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2024 JAN -3 AM 9:26
TOWN CLERK'S OFFICE
LEICESTER, MASS.

Location: Leicester Town Hall, Meeting Room 3

Member Present: Joshua Campbell, James Reinke, Sharon Nist, Anthony Escobar, Lee Dykas

Members Absent:

Staff Members Present: Kristen Jacobsen, Town Planner, Lisa Westwell, Administrative Assistant to the Planning Department

Members of the Public in Attendance: See attached Sign in Sheet

Call to Order: Chairman Campbell called the meeting to order at 7:01 PM

1. Public Hearing – SP-2022-06 – 651 Main Street LLC

The Applicant is requesting a 13 month extension of the Special Permit to commence work on said project as described in the original Decision

Chairman Campbell opened the public hearing at 7:02 pm and read the public hearing notice into the record.

Ms. Nist recused as she is an abutter and left the meeting room.

Amit Schilgi was present on behalf of the owner of 651 Main Street. Mr. Schilgi is requesting an extension to start work from January 17, 2024 to January 17, 2025. He said they are in the process of obtaining road permits from MassDOT including discussing drainage, and it may take a few months so they can't start this January.

Mr. Reinke said this is a procedural issue, there is no change to the permit as it's only an extension to the approved permit. Mr. Campbell said that they will not be deliberating on the permit or project and will only be talking about the extension. Mr. Campbell said they will hear public comments on the extension only. The public comments were:

- John Dolan, 25 Monterey Drive: Mr. Dolan said his house was at the beginning of Main St. and asked what they were doing. Mr. Campbell said the plans were public record. Ms. Jacobsen said the plans were available on the Town website. Mr. Reinke said the plan was already approved, that the Colonial Drive extension piece was removed, and there would be 32 duplexes. Mr. Reinke said the ZBA had granted approval as well and that the Earth Removal Permit did still need to be filed as per the Leicester By-Laws. Ms. Jacobsen invited Mr. Dolan to stop by the office to review the plans.
- Richard LaFrance, 593 South Main St.: Mr. LaFrance asked about runoff from the hill once construction begins as he has a video showing a torrent of water already. Ms. Jacobsen said that the DPW had replaced a storm drain and it may need to be replaced with a larger one. Mr. Reinke said a bond would be established and paid to the Town if the developer doesn't finish the project and the Town has to complete the work.
- Paul Levesque, 567 Main St.: Mr. Levesque said he is also concerned with the water and asked where it goes once the detention basins are full. Mr. Schilgi said that it will drain to

two pipes and go under the road but that he can't promise that the basins can handle storms like yesterday.

- Kurt Parliment, 44 Henshaw St.: Mr. Parliment asked how the damage is calculated for the bond amount. Mr. Reinke said it's a percentage of the project cost. Mr. Schilgi said that it's a fixed algorithm across the project life.

Mr. Campbell said he understands the concerns about the runoff, but that the drainage systems were reviewed by Quinn Engineering for the Town and they met the standards. Mr. Campbell said that the plans have already been approved and they are discussing the extension. Mr. Reinke said he is available to meet with any of the concerned residents and go over the project.

Ms. Jan Parke, 207 Greenville St.: Ms. Parke wants to reiterate that the trees and roots are what's holding the soil on the steep hill and when they take the trees down, nothing will hold the soil. She thinks there needs to be a process to determine the number of trees that can come down.

Mr. Reinke said the Applicant requested a 13 month extension but it's a 12 month extension and asked what the new date would be. Ms. Jacobsen said the start date would be extended to January 17, 2025.

Motion by Mr. Reinke to grant the request for extension of the Special Permit SP 2022-06 for 651 Main Street LLC for 651 Main Street to January 17, 2025.

Second: Mr. Escobar

Discussion: None

Record of Vote:

Joshua Campbell	Aye
James Reinke	Aye
Sharon Nist	Recused
Anthony Escobar	Aye
Lee Dykas	Aye
Four (4) in Favor. None (0) Opposed One (1) Recused Approved 4 to 0	

Mr. Reinke asked if Mr. Schilgi needed an extension for the ZBA approval, but he said no as it was good for two years.

Mr. Campbell closed the public hearing at 7:27 pm.

Old Business

3 Blueberry Lane – Patriot Storage

Request to Withdraw Application for Request for Modification of Approval of Site Plan and Special Permit without prejudice.

Mr. Justin Zuffante, Applicant/Owner, was present and requested withdrawal of his application without prejudice. Ms. Jacobsen said return of the project peer review funds will be processed through the accountant. Mr. Reinke asked if Quinn Engineering was going out to confirm compliance with the original Decision. Ms. Jacobsen said the site visit was cancelled when Mr. Zuffante requested to withdraw his application, but she can reschedule.

Ms. Nist re-entered the meeting at 7:31pm.

Mr. Zuffante said he was under the impression that if he withdrew his application, no engineering review would be needed, and this influenced his decision to withdraw. He said that he has his Occupancy Permit and signed documents and doesn't think it should be re-opened.

Mr. Reinke asked what the cost would be for the site visit by Quinn Engineering. Ms. Jacobsen estimated \$500-\$800. Mr. Reinke asked how much was left in the project peer review account and Ms. Jacobsen said \$1,272. Mr. Campbell asked Mr. Reinke what he was looking for and he said the swale. Ms. Jacobsen said Mr. Zuffante would have the option of providing an as-built plan. Mr. Zuffante said he could talk to his engineer, Jay Dubois, but doesn't think it's fair to him to have to do this now. Mr. Reinke said he wants confirmation that it's built to the plans and confirm that the southerly and westerly areas comply. Mr. Dykas said Mr. Zuffante could have his engineer confirm compliance with an as-built plan.

Motion by Ms. Nist to accept the request for withdrawal of Patriot Storage's application without prejudice.

Second: Mr. Reinke

Discussion: None

Record of Vote:

Joshua Campbell	Aye
James Reinke	Aye
Sharon Nist	Aye
Anthony Escobar	Aye
Lee Dykas	Aye
Five (5) in Favor. None (0) Opposed Approved 5 to 0	

Approval of Minutes from October 17, 2023

Motion by Ms. Nist to approve the October 17, 2023 minutes.

Second: Mr. Reinke

Discussion: Ms. Nist had some minor edits and amended her motion to approve the October 17, 2023 minutes with the corrections.

Second: Mr. Reinke

Discussion: None

Record of Vote:

Joshua Campbell	Aye
James Reinke	Aye
Sharon Nist	Aye
Anthony Escobar	Aye
Lee Dykas	Aye
Five (5) in Favor. None (0) Opposed Approved 5 to 0	

Approval of Minutes from December 5, 2023

Motion by Ms. Nist to approve the December 5, 2023 minutes.

Second: Mr. Reinke

Discussion: Ms. Nist had some minor edits and amended her motion to approve the December 5, 2023 minutes with the corrections.

Second: Mr. Reinke

Discussion: None

Record of Vote:

Joshua Campbell	Aye
James Reinke	Aye
Sharon Nist	Aye
Anthony Escobar	Aye
Lee Dykas	Aye
Five (5) in Favor. None (0) Opposed Approved 5 to 0	

Town Planner Report/General Discussion

- Chapel Street – Concern about someone living in the trailer at the old mill. Ms. Jacobsen read an email from the Building Inspector, Harold Leaming, that he had gone out and did not see anyone living there and suggested that concerned parties can call the police department if it's after hours.
- 190 Main Street – Ms. Jacobsen said it was with the Building Inspector as it's mostly code violations and there was some back and forth about inspections. Mr. Reinke said the building may not be in their purview, but it looked like they had a contractor yard and that was in violation of the special permit. Ms. Jacobsen said that would also be a zoning violation and fall under the Building Inspector as he is the Zoning Enforcement Officer. Mr. Escobar said that the Planning Board has authority because of the type of permit. Mr. Reinke said the Planning Board can fine \$300/day. Ms. Jacobsen said they wanted to talk about future uses but were told by Fire, Building, and Planning that they had to remedy

the violations. Mr. Dykas asked if they fixed the electrical and Ms. Jacobsen said she believed so.

- 704 Main St. – Mr. Reinke said he is 99% sure they have not put in the chambers for re-charging per the Special Permit. Ms. Jacobsen said the Planning Department would follow-up and request receipts and/or photos.
- 747 Main St. – Mr. Reinke said they were required to have a 6' fence along the entire edge and it has not been installed and it's been about two years. Ms. Jacobsen said the Planning Department would follow-up.
- Associate Planner vacancy – Mr. Reinke asked if it had been posted and Ms. Jacobsen said yes, and that Mr. Clark did submit an application. She expects it to be on the January agenda.
- Ms. Nist asked about the status of the marijuana cookie place on Stafford St. Ms. Jacobsen said nothing has been received.
- Ms. Nist asked about Eastern Pearl. Ms. Jacobsen said they did get the new grease trap and that was going through the building department.

Ms. Parke asked about the Child Care Center that came for permitting as now there is a for lease sign. Mr. Reinke said he heard scuttlebutt that she was able to extend her current lease and was staying where she is now. Ms. Parke was asking because she is involved in the schools. Ms. Nist said the for lease sign has been up for a long time.

Mr. Reinke said there are five exceptions to the meeting posting rule, including training and going to an event together, as long as they don't deliberate.

Motion by Ms. Nist to adjourn.

Second: Mr. Reinke

Discussion: None

Record of Vote:

Joshua Campbell	Aye
James Reinke	Aye
Sharon Nist	Aye
Anthony Escobar	Aye
Lee Dykas	Aye
Five (5) in Favor. None (0) Opposed Approved 5 to 0	

Meeting adjourned at 7:55 p.m.

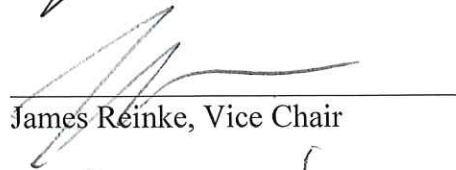
Respectfully Submitted by:
Lisa Westwell, Administrative Assistant
to the Planning Department

Date Approved: 1/2/24

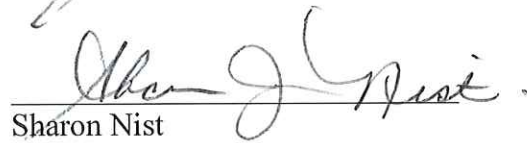
Planning Board Signatures



Joshua Campbell, Chair

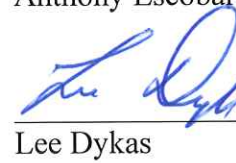


James Reinke, Vice Chair



Sharon Nist

Anthony Escobar



Lee Dykas



Town of Leicester
Planning Board
Planning Department
3 Washburn Square, Leicester MA, 01524
508-892-7007

Tuesday, December 19, 2023 7:00pm

Please Sign In with your **FULL NAME**- Please Print Clearly

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