

Leicester Planning Board Meeting Minutes
April 07, 2015

MEMBERS PRESENT: Jason Grimshaw, David Wright, Debra Friedman, Sharon Nist, Adam Menard

ASSOCIATE MEMBERS: Kathleen Wilson

MEMBERS ABSENT:

IN ATTENDANCE: Michelle Buck, Town Planner; Barbara Knox, Board Secretary

MEETING DATE: April 07, 2015

MEETING TIME: 7:00 pm

AGENDA:

- 7:00PM Public Application Continued:
Site Plan Review, Boutilier Road Solar (Borrego Solar Systems, Inc.)
- 7:30PM Public Hearing, Zoning Amendments:
- A. Amendments to change allowed uses, dimensions, and special permit requirements in the Central Business (CB) district and to change parking requirements in both the Business (B) and CB districts.
 - B. Amendment of the Zoning Map to rezone several properties on Pleasant Street and Main Street currently zoned Residential 2 (R2) to Central Business (CB)
- 8:00PM Request for Project change
Briarcliff Estates Senior Village Development (Matthew Bassick)
- 8:15PM Public Application:
ANR Plan, Hemlock Street (Linda Swadel)
- 8:30PM Town Planner Report/General Discussion:
- A. Re-schedule May Meeting (conflicts with Annual Town Meeting)
 - B. New & Pending Planning Board Applications
 - C. Request to amend Zoning Bylaws to allow Manufactured (Mobile) Homes
 - D. New Model Solar Bylaw
 - E. Project Updates
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Mr. Grimshaw called the meeting to order at 7PM

Public Application continued

Site Plan Review, Boutilier Road Solar (Borrego Solar Systems, Inc.)

Attorney Phil Stoddard represented the property owner and Mr. Steve Long represented Borrego Solar.

Mr. Long reviewed the revised plans addressing the landscaping concerns and Quinn Engineering's concerns. For the landscaping, he noted they added Arborvitae to one corner, screening the entrance to the facility.

Mr. Long said Quinn Engineering concerns were with access to the rear of the property. He explained they redesigned the gravel road to reduce the length, grading and slope and revised the plan to include Stormwater controls, which will mitigate discharge of sediment and the reduction will reduce the risk of washout and sediment deposit on down-gradient properties.

They will also be adding privacy slats in the chain-link fence along the Boutilier Road and along one side of the property where there's an abutting home. He asked if the Board wanted the slats provided on the other side of the property. Ms. Friedman noted there was a model home from the subdivision never completed that abuts the property on the other side. She felt, potentially, someone

could decide to finish the subdivision and the fact that the house already exists; she would like to see slats used on that side of the property as well. Mr. Long agreed.

Mr. Long said the final issue was the way the interconnection was set up. National Grid will own this facility and their standard is to have access to their poles for interconnection outside the fence. They don't want any of their poles inside the fenced in area. He explained that there were three different options for that. 1) Leave the fence where it is; 2) have the poles jog along the property line; or 3) which is similar to the 2nd option, but the poles would go in a straight line along the property line.

Mr. Wright asked who would put the poles in. Mr. Long said National Grid. Ms. Friedman asked what National Grid would prefer. Mr. Long said National Grid's concern is having the ability to gain access to their poles without having to enter through the solar field to do it. Any one of the options would work; he was asking the Board's preference aesthetic wise.

Ms. Buck had concern about placing additional poles further down a road of questionable status. After some discussion, the Board agreed on Option 3.

Mr. Long summarized the agreed changes; 1) the added landscaping; 2) adding the privacy slats in the chain-link fence on three sides; and 3) going with option 3 on the pole location.

Ms. Buck reviewed the draft Decision that was distributed to the Board and applicant.

Attorney Stoddard was asked to check and confirm the deed reference numbers. Under Findings, #1) a paragraph was inserted related to access/status of Boutilier Road and #3) that landscaping and fencing will be provided to screen the facility from abutting properties. Under Project-Specific Conditions, #20) The applicant shall provide 3 full-size and 2 11" x 17" paper copies of the full set of approved plans with revisions discussed 4/7/2015 and a .pdf version of all plans and the Stormwater Management Report. All plans and reports shall be submitted within 14 days of this approval; #21) the applicant shall secure any easements that may be necessary to access the project site prior to commencement of constructions and #22) Final revised plans shall show the amended location of poles as Option #3. Under Occupancy, #28) the applicant shall submit a removal bond based on estimates or removal cost and approved by majority vote of the Planning Board.

Mr. Grimshaw asked for any further comments or concerns; hearing none, asked for a motion. MOTION: Ms. Friedman moved to approve the Boutilier Road Solar Project, 24 Boutilier Road, Leicester, Ma. with changes and conditions agreed upon at this meeting.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Public Application:

ANR Plan-Hemlock Street (Linda Swadel)

This plan will create one single-family house lot.

MOTION: Ms. Friedman moved to approve the ANR Plan for Hemlock Street, Linda Swadel.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Public Hearing, Zoning Amendments Cont:

Ms. Buck gave a powerpoint presentation on the Amendment proposals. She explained that the Central Business District runs along Route 9 from Route 56 heading west. On the north side, it goes a little past Lake Ave and on the south side, it stops at Rawson Street.

The reasons for this proposal were because of a recent study done on the Central Business District by CMRPC and to address a private request for the rezoning of two parcels on Pleasant Street. The amendment will implement some of the recommendations from that study, but the primary reason for an amendment at this time was because of the private request received from the two property owners on Pleasant Street. The Planning Board agreed to sponsor an article to amend the map, as part of a more comprehensive zoning amendment package.

There are two proposed amendments; one is to the Zoning Bylaw and the second is to the Zoning Map. They will both be on the Annual Meeting Warrant as Articles 20 and 21.

The Bylaw changes will be made in three sections of the Bylaw: 1) Allowed Uses; 2) Dimensional Requirements and 3) Development Standards.

The Use change recommendations were taken from the CMRPC Study and suggestions from the Planning Board. The amendment will remove several uses from the CB District as allowed uses, because they are already prohibited uses being in an Aquifer Protection District (for example a service station). Other eliminated uses use large amounts of land (such as Gravel Pits, Trucking Depot, Car Wash, Large Scale Solar facilities. Ms. Buck noted the Bylaw was not prohibiting ground-mounted solar facilities in someone's back yard, only large-scale commercial facilities.

The Dimensional Requirement changes being recommended will reduce the front setback from 25 feet to 10 feet, to encourage new development to have parking located to the side or rear of the lot, rather than in front. This will make it easier for new development to meet that requirement by reducing the front setback requirement.

At a future Town Meeting, there may be an amendment request made to address the minimum lot size. The CMRPC study noted that there were a very large percentage of the lots in the CB District that do not conform to the current minimum lot size, but that will not be addressed at this time.

Site Development Standards are required in several of the commercial zoning districts. These are district specific requirements that basically apply to new construction or expansions. The Central Business District standards are the same as the Business District Site Development Standards, which address parking and special permit criteria.

The changes will include adding, "& Central Business District" throughout Section 5.8, Business District Site Development Standards, to make it absolutely clear that the standards apply to both the Business District and Central Business District.

Under 5.8.03, A. Parking Requirement; there will be a sentence added, "To the maximum extent feasible, parking and loading areas shall be located to the side or rear of the primary structure." This is the only change in this section that will also affect the Business District.

Under 5.8.03, B. Special Permit Criteria; there will be 4 new special permit criteria that only apply to the Central Business District.

- a) The proposed project shall be consistent with the purpose and intent of the Central Business District.

- b) New construction or expansions of more than 25% of commercial and multi-family structures shall substantially conform to any design guidelines adopted for the CB district. In absence of design guidelines, the Board shall evaluate the degree to which the applicant has designed new construction to be compatible in style and scale to existing abutting properties.

Ms. Buck noted that paragraph (b) was changed since the last Planning Board meeting to make absolutely clear that the requirement only applies to new construction or expansion.

- c) Parking areas for new structures shall be located to the side or rear of new structures except where there is no practical alternative.
- d) The project shall minimize demolition of historically significant buildings. For the purposes of this bylaw, historically significant buildings shall include all structures subject to the Town of Leicester demolition delay bylaw as well as any other properties otherwise eligible for or on State or Federal Register of Historic Resources. Where demolition is unavoidable, the Board shall evaluate how demolition is proposed to be mitigated by the project proponent.

Ms. Buck noted paragraph (d) strongly discourages the demolition. If a special permit is involved and it becomes necessary to have the property demolished, that the Planning Board can work with the developer on the new development to make sure that it fits in with the character of the Town and surrounding properties.

Mr. Ed Jardus, 1164 Main Street, asked if CVS was the reason for the zoning amendment. Ms. Buck said she would review the properties that were being added into the district upon finishing her presentation.

Ms. Buck reviewed the zoning map changes. She presented a blow up map of the Central Business District outlined in yellow. The map also outlines the parcels being added in blue as follows: 8-16 Pleasant Street (Assessor's Map 20D, Parcels C11, 12, 13 & 14), Residential 2 (R2) to Central Business (CB); 1060 Main Street (Assessor's Map 19B, Parcel E14); 1104 Main Street (Assessor's Map 19B, Parcel B24) and Warren Ave. (Assessor's Map 19B, Parcel B16).

8-16 Pleasant Street are the same properties that were proposed for rezoning two years ago. 1060 Main Street is the Crossroads Marketplace building lot, which was intended to be part of the original rezoning of the CB District. What wasn't caught at that time, was the Crossroads Market being on two parcels and the building itself is on the back parcel that was left out of the original rezoning by mistake.

1104 Main Street and the Warren Ave parcel are two additional parcels that are land-lock parcels the Board identified. The Board felt by adding in those two parcels might allow for expansion of businesses along Route 9 for parcels that don't have frontage on any road.

The next step to this process is that the Planning Board will make a recommendation on each of the articles, either tonight or at a separate meeting before Town Meeting. The Town Meeting will be held on May 5th and these articles will require a 2/3 vote to pass.

Mr. Grimshaw asked the Board for any comments or questions; hearing none, he opened up discussion to the public.

Ms. Judy Ivel, 130 Pleasant Street, said the two properties proposed along Pleasant Street clearly fall out of the CB District according to the Zoning Map. As the map is currently drawn, it shows the CB district going right along Route 9. She asked why the Board was entertaining moving the district into another district.

Mr. Grimshaw explained it was a private request made by the property owners and it was also a recommendation made from the CMRPC Study.

Ms. Buck agreed CMRPC recommended rezoning those parcels primarily because they were already used as a commercial use. But she noted the CMRPC study indicated that if the Board were to consider rezoning, it should be part of a more comprehensive look at the district.

Mr. Grimshaw added that it wouldn't constitute the decision based on just that recommendation, but noted it was the property owners who brought this request forward.

Ms. Ivel asked how many times this can be requested. Mr. Grimshaw explained that the request can be brought forward as many times as that property owners feels it's in their interest to do so. He said based on what has already been stated, there was concern there will be something else put there and that is not the issue.

Ms. Ivel asked why this is being brought forward. Mr. Grimshaw said he was unable to answer that question and the property owners were not present to answer that question.

Ms. Buck said she understood that the property owners requested the change based on the CMRPC study.

Ms. Ivel said as a resident on Pleasant Street, she wanted to state her opposition to this amendment. She noted that particular intersection, according to the Town's Master Plan, is the worst intersection in Town. To add a change to the language in the zoning to allow the demolition of those structures...

Mr. Grimshaw noted the language was not changed to allow demolition. Ms. Ivel said but they could be demolished. Mr. Grimshaw said they could not.

Ms. Ivel said they could not put a business there now because it's not currently zoned business.

Mr. Grimshaw said they could operate a business with a special permit, but he cannot speak to what the property owners are looking to do. He noted that the intent of the Central Business District remains the same. The intent is to maintain the existing feel of a small center district. As stated in the Bylaw "Projects which interrupt the continuity of pedestrian circulation, require large expanses of land, or involve demolition of historic structures are discouraged."

Ms. Friedman explained that the Board was asked to bring this amendment forward. After a lot of discussion, the Board felt, by making some modifications to the current zone, would allow the Board more control, than just having an individual bringing it forward. This way, if it does go forward, the Board was able to make some modifications to the zone itself. It may not pass. It didn't pass last time and it may not pass this time. This way was also a safety net and having a little more control over it.

Ms. Buck explained that this amendment [to the Zoning Map] would have been placed on the warrant regardless, whether the Board brought it forward or not and it would have been just for a map change.

Ms. Friedman continued. The Board was looking, if the request was going to go forward, to have a little insurance.

Mr. Wright explained that relative to traffic, it wouldn't make a difference if it stayed residential as its currently zoned, or if it's rezoned to Central Business, no other business can go in there.

Ms. Ivel said a good size building for a retail operation comes and demolishes all three lots, could get in there.

Mr. Wright noted they would be then dealing with major road and intersection reconstruction.

Mr. Grimshaw said that intersection involves a state highway and they wouldn't be able to do anything without MassHighway approval.

Mr. Wright continued. If a big business, such as someone mentioned CVS, but that is not what is driving this request, tried getting in there, it would involve a major traffic study and intersection redesign that would involve the State.

Mr. Ed Jardus said this is like getting a snow job because all the properties being discussed, CVS will come back with another offer to buy those properties and then they will be demolished. Why would anyone want to have an eyesore in the center of this wonderful historic district? CVS will come in and knock down every building, so they can have their building. They don't care about this Town; all they care about is money. He felt he could say with certainty that CVS has already contacted those property owners and made their offer. He noted being in real estate and understood how they all work. There are plenty of locations in Leicester that CVS can go, but they'd rather do this.

He asked the Board what the height limit was in Leicester. Ms. Buck noted 35feet.

Mr. Jardus continued. While everyone else builds to 35 feet, Leicester needs to ask the Town of Charlton or the other surrounding Town if CVS ever inquired about that requirement.

Mr. Jardus submitted pictures of CVS buildings.

Mr. Wright noted that was the reason for the change in the Bylaw where everyone will be required to follow the design guidelines and those will have to be met.

Mr. Jardus said CVS does not care about Design Guidelines; they will do what they want to do.

Ms. Buck said the focus shouldn't be on CVS because no one really knows what the property owners have in mind. But, CVS would have to present something other than what that picture shows, if the Town insists on it and there's a Bylaw requirement.

Mr. Jardus asked if the Town of Leicester would allow a 50,000 square foot building that CVS will insist on putting in the Center of Town. It would look ridiculous and he could not see how it could possibly blend into the district. They will go through the process, put in what they want and then say, too bad this is what you got. That is what they did in Charlton.

Mr. Grimshaw said the last time this came up on Town Hall Floor regarding CVS for a zoning change, the Planning Board recommended disapproval. The Board's job is to entertain these ideas, entertain what the property owners have asked and that's what is being done at this point and this will go to Town Meeting.

Ms. Sandy Wilson asked if the stormwater requirements were incorporated into the design guidelines requirements. Ms. Buck said the stormwater requirements are already addressed in another part of the Bylaw. Anything that would go in there would have some difficulty because that CB District falls within the Water Protection Overlay District and a stormwater permit would be required for any new construction.

Ms. Wilson said she was thinking more towards, proactively addressing stormwater as a requirement and build into the plan, showing how and where the water will run off the property and back into the ground. Ms. Buck said everyone would have to address the Stormwater requirements. The Town does not specify the method by which they do it. The developer will propose on how they plan to handle it and then it's reviewed by an outside engineer.

Ms. Ivel asked if the Historical Commission gave any comment on this change. Mr. Grimshaw said formally, no.

Ms. Ivel asked if the Leicester Water/Sewer Department gave any comment. Ms. Buck said no, they would only be specifically asked to comment if something were to be developed, not on a zoning change.

Mr. Grimshaw asked for any further comments or questions; hearing none, asked for a motion to close the public hearing.

MOTION: Ms. Friedman moved to close the Public Hearing on the Zoning Amendments.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Ms. Friedman asked that if the Planning Board voted not to recommend this and it gets defeated at Town Meeting, it can't come back for two years. Ms. Buck said yes, it could not be brought back for two years. The only way it could be brought right back was if the Board voted to recommend approval.

Ms. Friedman asked if this request would still go forward if the Board voted not to recommend. Ms. Buck said yes.

Mr. Wright noted that if the Board voted not to recommend, that would also take out the other parcels that are in the land-locked areas. This request goes forward and could get defeated because of Pleasant Street, which seems to be the issue.

Ms. Buck noted that Article 20 will be on the Bylaw Text and Article 21 will be on the Map change.

Mr. Wright asked what happens if Article 20 is disapproved. Ms. Friedman said the Board would ask to Passover to Article 21.

Mr. Grimshaw noted some difficulty when dealing with the rights of a property owner. Ms. Friedman agreed but, the Board, in the spirit of the request, brought it forward and that doesn't mean the Board has to personally stand behind it.

Mr. Grimshaw asked for clarification on the Board's options. Ms. Buck explained that the Board has to have some kind of recommendation for Town Meeting. The Board can either recommend approval of both articles; or recommend just article 20, which is the text. The Board can recommend approval of article 21 only if article 20 passes; or can recommend disapproval.

Ms. Friedman asked why the Board would recommend disapproval of one and not the other. Ms. Buck said if the Board only recommended the text.

Ms. Friedman asked if the text stated the parcels. Ms. Buck said no. Article 20 is the text, which is an amendment to the Bylaw and the Article 21 is amending the map. Ms. Friedman noted the text amendment would be first. Ms. Buck agreed.

MOTION: Mr. Wright moved the Board recommend approval of Article 20, to amend the Zoning Bylaws as presented.

SECONDED: Ms. Friedman – Discussion: None

VOTE: All in Favor

Mr. Grimshaw asked for a motion for Article 21 or any further discussion.

Ms. Nist asked if the Board recommends approval on Article 20 and recommends disapprove on Article 21 and on Town Hall Floor, Article 20 passes, can Article 21 be passed over. Ms. Friedman said if 20 didn't pass, the Board would try to pass over 21.

Ms. Friedman asked if the map could be changed on Town Hall Floor on Article 21. Ms. Buck said yes, and if the Board is leaning that way, to maybe have a map prepared in advance, instead of having something scribbled on Town Hall Floor.

Ms. Friedman said that there are 6 parcels and if after discussion on Town Hall Floor, someone wanted to change the motion and change the parcels, is that something that could be done? Ms. Buck said yes, it could be done and she could have alternate maps ready, if the Board was certain that they wanted to do an amendment. Ms. Friedman said she wasn't saying the Board wanted to make an amendment, but someone from the audience could amend it on Town Hall Floor. Ms. Buck said amendments can be done on Town Hall Floor

Mr. Wright asked if the Board could recommend approval of the land-locked parcels and the Crossroad parcel only for Article 21, or is it, all or nothing. Ms. Buck said if it wasn't something where the Board received a specific request to put those on the warrant, the property owner could have and would have submitted a formal petition to have the amendment on the warrant, it makes it tricky for the Board to say yes to one and not the other. Ms. Friedman agreed and felt it would not be fair to the person who made this request. With that being said, the Board does not have to recommend approval or it could be something that could be done on Town Hall Floor.

MOTION: Ms. Nist moved to recommend disapproval of Article 21, to amend the Zoning Map as presented.

SECONDED: Mr. Menard – Discussion: None

VOTE: 3-In Favor / 1-Opposed (Mr. Grimshaw) / 1-Abstained (Mr. Wright)

Ms. Buck noted that the Planning Board will have a written report with recommendations for Town Meeting.

An individual, named Jonathan (not from Town) asked if Article 21 will still be brought to Town Meeting. Mr. Wright explained it's just a recommendation from the Planning Board. Mr. Grimshaw explained the Town Meeting process when each article is presented and the Board's recommendation will be stated. Ms. Buck noted Town Meeting is May 5th and both articles will require a 2/3 vote to pass.

Mr. Wright noted whether the Board recommends approval or disapproval, it will still need 2/3 vote by the Town's people to pass for rezoning. Ms. Friedman agreed, but what the Board recommends makes a difference on when the amendment can be brought back. If the Town turns it down, it cannot be brought back for 2-years.

Request for Project change

Briarcliff Estates Senior Village Development (Matthew Bassick)

Matthew Bassick presented the request. Mr. Bassick was asking for some feedback from the Board pertaining to the building's design and the size of the units. He submitted copies of the original approved build-out plan, showing there were 34-units scheduled to be constructed on the site, in which there were 16-single family units and 9-duplex units. He also submitted copies of the drawings showing the architectural design and the overall square footage of the units.

Mr. Bassick explained the feedback he has been receiving from perspective buyers was the units were too large for their needs. So he was looking to scale back and reduce the area. The approved buildings are around 2,400 square feet, and there really isn't much of a market for that. He wanted to explore with the Board to reducing the old floor plan and reducing the size of the buildings. But before putting the effort and expense into that, he wanted to get the Board's opinion on what would constitute a building amendment versus what might be a minor construction change.

He presented two different scenarios. The first scenario was, if he were to move the existing footprint, as approved on the plan, but alter the architectural design and decrease the overall square footage of the building, would that be considered minor construction change? Ms. Friedman said in her opinion, it would be. All agreed.

The second scenario was, if they lose the depth or less amounts of area in that footprint, but the shape of the foundation needed to change slightly and he could either jog it one way or the other, as long as they are within the required setbacks. Would that be considered minor construction change? Ms. Friedman felt it would be.

Ms. Buck explained that the reason this is before the Board was because it's not a typical request and this is the only kind of housing development [Senior Village Development] where the Board reviews the structure design. The Special Permit has language in it that says "modification of the type and number of dwellings" requires an amendment and she wanted to at least bring it to the Board's attention. She noted there will be the same number of units and that all the duplexes will remain duplexes and all the single families will still be single-family homes.

Ms. Friedman said it's not like Mr. Bassick was trying to do Town Houses with a fourplex. Ms. Buck agreed and thought it could still be considered a minor change, but because this was an unusual request, she wanted to bring it to the Board's attention.

Mr. Bassick said the immediate easiest thing would be to remodel the second floor living area and reduce or renovate it so that it would stay within the footprint. In doing that, it may require a slight modification to the foundation, which was why he asked in the second scenario, about if something needed to be jogged out a few feet for additional support, would there be some flexibility.

Ms. Nist asked if the duplexes were attached back to back. Mr. Bassick said yes.

Mr. Grimshaw asked for any further discussion; hearing none, asked for a motion.

MOTION: Ms. Friedman moved to consider that the proposed revision to the structures at Briarcliff Estates specifically a reduction in size and change from two story to one story, a minor construction change not requiring a formal amendment of the special permit. With the understanding that the buildings shall be substantially similar in style to the existing structure, the total number of units and the unit type, duplex or single family, will remain the same and the structures will be in the same location as the structures originally approved.

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

Town Planner Report/General Discussion:

A. Reschedule May Meeting (conflicts with Annual Town Meeting)

After a brief discussion, the following motion was made:

MOTION: Mr. Wright moved to reschedule the May 5th Planning Board Meeting to Tuesday, May 12th due to Town Meeting scheduled for May 5th.

SECONDED: Mr. Menard – Discussion: None

VOTE: 4 – In Favor / 1 Abstained (Ms. Friedman, she will be absent for the May meeting)

B. New and Pending Planning Board Applications

There have been 2 additional solar farm application submitted; one on Mulberry Street and one on Stafford Street. The Stafford Street plans submitted didn't show the project location clearly and the applicant was asked to submit a clearer locus plan and project boundaries. It appears to be to the rear and east of the old Twelve Oaks project. The second solar farm is located on Mulberry Street where the Board signed off on the Chapter 61A parcel. Stafford Street Solar is scheduled for the May meeting and Mulberry Street Solar has tentatively been scheduled for the June meeting.

C. Request to amend Zoning Bylaws to allow Manufactured (Mobile) Homes

An informal request was received for the Board to consider amending the Zoning Bylaw to allow Mobile Home Parks and this was for the old Tobin Road Farm property that is on the market. A developer would like to develop senior mobile homes.

Ms. Friedman asked do mobile homes go towards the low income or moderate housing numbers. Ms. Buck said it could if it was strictly used for affordable housing. Mr. Wright questioned if c40B prohibited mobile homes. Ms. Buck said no, Chapter 40B does not prohibit mobile homes. Ms. Friedman noted that when the 40B law was changed a few years ago, it included new mobile homes. Ms. Buck said if they're allowed under 40B, they would have to be deed restricted.

After further discussion, the Board agreed they weren't interested in sponsoring a Zoning Bylaw amendment to allow mobile home parks.

D. New Model Solar Bylaw

A couple of years ago, the State put out a model Bylaw, which was the basis of Leicester's Zoning Bylaw. The State has significantly revised their model bylaw, based on comments and issues that have come up in the last few years. Ms. Buck noted that the Board may want to consider amending the solar bylaw.

E. Project Updates

- Oakridge

The developer is requesting significant changes to the project. They are looking to eliminate a portion of the sidewalk, extend Virginia Drive off of Henshaw Street, move and relocate several units and modify the boundaries of the Open Space. This request will require an amendment to the Special Permit and Definitive Subdivision approval and will require a Public Hearing.

- Central Mass Crane

Construction has started on this project.

- Vacation request

Ms. Buck is requesting April 27th to May 1st for vacation.

MOTION: Ms. Nist moved to approve Ms. Buck's vacation request.

SECOND: Ms. Friedman – Discussion: None

VOTE: All in Favor

- Pondview

Mr. Wright asked for an update on the sidewalk repair and installation of the light post. Ms. Buck said there was nothing happening. Mr. Wright asked when the extension approval expires. Ms. Friedman said it will expire July 1st. Ms. Buck noted that the developer also owes on an engineering bill. She said that the applicant will be notified that a Rescission Hearing will be scheduled for the June 2nd meeting if supplement funds are not received.

Town Meeting Recommendations Discussion Cont:

Ms. Buck asked for the Board's input on preparing the Town Meeting's written report. She usually includes the Board's recommendation and then a brief summary as to why.

Mr. Grimshaw said the Board recommends approval on Article 20 and asked to include in the summary an example, such as why certain uses were being excluded. Ms. Friedman felt the summary for Article 20 should be fairly easy to write, it will be the disapproval of Article 21 that will be more difficult.

Mr. Grimshaw felt there will be opposition on Article 20 based on the disapproval recommendation of Article 21 and the Board will need to be prepared for that.

Ms. Friedman felt the recommendation of Article 20 will need to be made very clear that this is the part that protects and adds more teeth to the zone. That it will be good to pass article 20 even if people are voting against 21. That the articles are independent of each other, but that article 20 allows the Board to add language to the existing zone that strengthens the center district.

Mr. Wright said everybody thinks that CVS is coming in because the rezoning of the Pleasant Street properties is being reconsidered. He noted the concern regarding the size and style of the building and he felt the Board put language in the regulations to control what a building would look like under new construction. Ms. Buck said there was no way of knowing one-way or the other whether CVS is the reason for this change request.

Ms. Buck reviewed the Board's recommendations from the October 2012 Town Meeting with the Board. She noted the third bullet from the bottom sounds like there was a consensus of the Board who agreed to that statement. [Text reads: "Expansion of commercial zoning further down on Pleasant Street would negatively impact the Pleasant Street residential neighborhood and would lead to increased commercial development in the Watershed Protection Overlay District."]

Mr. Wright questioned the second bullet from the bottom, because it wasn't necessarily known. [text reads: "The proposed rezoning is likely to result in the consolidation of lots at the corner of Route 9 and Pleasant Street and demolition of historic structures, whether for the potential pharmacy proposal or other commercial development."]

Ms. Nist disagreed and recommended wording it "a potential pharmacy" instead of "the potential pharmacy".

Mr. Wright suggested not putting potential pharmacy in the recommendation and said it should read "for a potential commercial development".

Ms. Buck suggested ending the statement at historic structures.

Ms. Friedman suggested “historic structures for the potential of large commercial development”

All agreed.

Ms. Friedman said it was the last bullet that should not be used because it included other properties.

Mr. Wright confirmed the summary to read “The proposed rezoning could likely result in the consolidation of lots at the corner of Route 9 and Pleasant Street and demolition of historic structures for the potential of large commercial development”.

Mr. Grimshaw said he was uncomfortable with using the word “likely” because that is clearly pointing in another direction. Mr. Friedman suggested taking out the word “likely.” All agreed.

Hearing no further discussion, Mr Grimshaw asked for a motion to adjourn.

MOTION: Mr. Wright moved to adjourn meeting.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Meeting adjourned at 9:00PM

Respectfully submitted:

Barbara Knox

Barbara Knox

Approved by the Planning Board on 5/12/2015

Documents included in meeting packet:

- Agenda
- Memo to the Board from Ms. Buck dated 4/2/2015
- Copy of Decision of Land Court regarding Parker Street
- Copy of Warrant for May 5th, 2015 Annual Town Meeting
- Briarcliff email correspondence from Developer dated 3/26/2015
- Town Counsel’s opinion regarding Boutilier Road Solar Farm dated 2/27/2015
- Comments from Quinn Engineering regarding Boutilier Road Solar Farm dated 4/1/2015
- Draft copy of Site Plan Approval & Stormwater Permit Order of Conditions on Boutilier Road Solar Project

Documents submitted at meeting:

- Briarcliff handout
- Suggested motion, Briarcliff Estates, dated 4/7/2015
- Memo to Town Administrator dated 4/12/2015 regarding Zoning Bylaw amendments, with attachments
- Copy of portion of Planning Board Town Meeting Report 10/16/2015 (recommendation on CB District Expansion)
- Picture of a CVS building