

**Leicester Planning Board Meeting Minutes  
December 03, 2013**

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

ASSOCIATE MEMBERS:

MEMBERS ABSENT: Kathleen Wilson

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

MEETING DATE: December 03, 2013

MEETING TIME: 7:00 pm

AGENDA:

- 7:00PM Public Application:  
Request for Reduction in Surety, Pondview Subdivision (Iqbal Ali)
- 7:15 PM Public Application:  
ANR Plan, River Street (Patricia Dykas)  
ANR Plan, White Birch Street (Lemire/Collins)
- 7:30PM Public Hearing:  
Special Permit, Davis Storage Units
- 8:00PM Approval of Minutes:  
10/22/2013  
10/22/2013  
11/05/2013  
11/05/2013
- 8:15PM Town Planner Report/General Board Discussion:
  - A. Budget
  - B. Miscellaneous Project Updates

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

**Public application**

Request for Reduction in Surety Pondview Subdivision (Iqbal Ali)

Ms. Buck passed out the latest surety estimate for Pondview Subdivision, updated as of December 2, 2013 and gave a brief overview. Mr. Ali, who was before the Board last month requesting a reduction in the number of streetlights, has now requested a reduction in the surety for the project. Kevin Quinn submitted a detailed revised estimate, to which she added the legal contingency. The Board is currently holding about \$92,000 and the amount of release would be roughly \$49,000.

Noted in Mr. Quinn's memo was that the sidewalk in the vicinity of station 1+00 appears to be approximately 1 foot less wide than called for on the plan because a retaining wall area encroaches on the sidewalk. Mr. Quinn told Ms. Buck that he had spoken to Mr. Ali about this several months ago and there hasn't been anything done to address it. She reminded the Board that a hearing was held around a year ago to reduce sidewalk width from 5 feet to 4 feet, and in the area of the retaining wall it is down to 3 feet. Mr. Ali will probably be asking to leave it and Ms. Buck asked the Board if they wanted to weigh on this now or wait. Ms. Buck said that Mr. Ali should have brought this issue up during the public hearing last month.

Mr. Grimshaw agreed and asked what this would entail, having Mr. Ali pull up the wall? Ms. Buck said yes.

Mr. Wright asked how long that section was. Ms. Buck wasn't sure, but would do a site visit and talk with Kevin Quinn about it. Mr. Ali will still need to request for road acceptance, which would likely be next fall, so there is time to address this issue.

Mr. Grimshaw asked what the options were. Ms. Buck said when Mr. Ali asks for road acceptance, he will need to fix it. Mr. Wright asked where Station 1+00 was located. Ms. Buck said at the beginning where you enter the development on the left.

Ms. Friedman's concern was that would be where children would be waiting for the school bus.

Mr. Grimshaw asked if the corner could be just shaved back.

Ms. Friedman noted that the requirement is 5 feet, the Board allowed 4 feet, and the developer did 3 feet.

Ms. Nist asked if Mr. Ali could just remove the retaining wall. Ms. Buck said he may be able to, but that she'd have look into it further.

Mr. Wright noted the legal requirement and the Board's requirement regarding sidewalks, distances, etc.

Ms. Buck agreed to do a site visit and follow up with Kevin Quinn.

MOTION: Ms. Friedman moved to reduce the amount of security required for Pondview subdivision to \$42,959.00, and to release funds held in excess of this amount (estimated release of \$49,371.74 based on last Treasurer's statement showing a balance of \$92,330.74 on 8/31/2013).

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

### **Public Application**

#### ANR Plan, White Birch Street (Lemire/Collins)

There is a substitution on the agenda because the applicants for the Lemire/Collins ANR will not be attending. There seems to be a dispute between Mr. Lemire and Mr. Collins which could not be resolved prior to this meeting.

#### ANR Plan, River Street, Patricia Dykas

This is a revised ANR Plan from the November 5<sup>th</sup> plan. Ms. Dykas has a special permit for Lot 2 for a limited frontage lot. Lot 2 was previously labeled "not a building lot" and now the special permit approval for a limited frontage lot is noted on the plan. Also, the dotted line between the Merhib property and Dykas property was made solid instead of a dotted line.

MOTION: Ms. Friedman moved to approve the ANR Plan for Patricia Dykas

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

### **Approval of Minutes:**

#### 10/22/2013 Regular Minutes

MOTION: Ms. Friedman moved to approve the regular minutes of 10/22/2013

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

#### 10/22/2013 Executive Session

MOTION: Ms. Friedman to approve the Executive Session minutes of 10/22/2013

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

#### 11/05/2013 Regular Minutes

MOTION: Ms. Friedman moved to approve the regular minutes of 11/5/2013

SECONDED: Ms. Nist – Discussion: Mr. Wright noted on page 2, under the Public Application on an ANR Plan for Patricia Dykas, in the motion there's an error in a property owner's name mentioned and should be changed from Murphy to Merhib.

Ms. Friedman moved to amend the motion noting the correction.

VOTE: All in Favor

#### 11/5.2013 Executive Session

MOTION: Ms. Friedman moved to approve the Executive minutes of 11/5/2013

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

#### **Town Planner Report/General Board Discussion:**

##### Budget

Ms. Buck will be meeting with the Town Administrator next week on the FY2015 Budget request documents, which were emailed to each department head to be complete and email back to the Town Administrator by December 18, 2013. She explained that instead of carrying forward amounts from the previous year, every line item is to start at zero, with every line item being justified during the budget review process. The Selectmen are working on trying to have less free cash in the budgets. She handed out a draft budget document. The first three columns indicate what had been actually spent over the last three fiscal years; most Planning budget items will likely be staying the same or close to the same.

The office laptop needs to be upgraded and Ms. Buck will check into whether those funds will come out of the department's budget or if it would be factored into the Town's general computer upgrade budget.

She will also discuss with the Assessor's Office the need to do further mapping work. The first phase of the mapping was funded through the Planning consultant budget last fiscal year. This fiscal year, the vast majority of the consulting budget will go towards the Open Space Plan, but leaving a small reserve for any unexpected review expenses.

##### Miscellaneous Project Updates

##### *Open Space Plan*

Ms. Buck met with the Conservation Commission and was given a tentative approval for funding to help with the cost of the Open Space Plan. They asked her to come back in January because they felt more comfortable waiting until January, because it would be half way through the fiscal year and can better commit to the funding. In the meantime, a preliminary agreement was signed with the Conway School and Ms. Buck anticipates the first meeting with the students in mid-January.

Ms. Buck asked for a volunteer from the Planning Board to serve on the Open Space & Recreation Plan Committee. The Committee will be appointed by the Board of Selectmen, and each Board will

nominate one of their members. Those Boards Committees will include: Parks & Recreation; Board of Selectmen; Conservation Commission, Planning Board, and Zoning Board of Appeals. Ms. Nist volunteered to serve again on the Open Space Committee.

### **Public Hearing**

#### **Special Permit, Davis Storage Units**

Mr. Grimshaw read the Notice into the record and then opened the hearing for the presentation.

Ms. Buck said she included in the mailing packet copies of the previous approval showing the history of what went on with the original application, as well as a draft special permit decision for the current application. The original project was approved in 2004 for a special permit allowing storage units on this site. In 2006, Mr. Davis came again before the Board asking for placement of another building. At that time the use Mr. Davis wanted (light manufacturing) didn't require a special permit. The reason it came before the Planning Board was for a determination of applicability; did he need a permit or not? The Board took a vote to allow the 50 x 50 building in that spot as an allowed use that it didn't require a special permit or site plan review.

Ms. Buck noted that Mr. Davis is now proposing to put a 50 x 40 mini warehouse building (self-storage) in that same footprint, adding 10 additional storage units measuring at 10 x 20 each. The new building will consist of 5 garage doors in the front and 5 garage doors in the back. This use requires a special permit.

Ms. Friedman asked about the outside lighting. Mr. Davis said he will stay with the same type of lighting to match what is currently there.

Ms. Buck said that it was her understanding that there would be no new paving on the site, and asked Mr. Davis to confirm this. Mr. Davis confirmed that there would be no new paving.

Board members reviewed the draft decision. Mr. Grimshaw asked for any further comments, questions or concerns; hearing none, asked for a motion.

MOTION: Ms. Friedman moved to approve the application by Randy Davis for a Special Permit as described in the Special Permit Decision, to allow a 50 x 40 self-storage building on property located at 145 Clark Street, Rochdale.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

### **Town Planner Report Cont:**

#### **Miscellaneous Project Updates**

Ms. Buck noted she received an inquiry on the possibility of another medical marijuana growing facility in Town. The company didn't want to publicly disclose the location, but it is a suitable site and could be an improvement over what currently exists.

MOTION: Mr. Wright moved to adjourn the meeting

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Meeting adjourned at 7:45PM

Respectfully submitted:

*Barbara Knox*

**Documents included in mailing packet:**

- Agenda
- Memo to the Board from Michelle Buck dated December 27, 2013
- Comments received from the Building Inspector regarding Davis Storage Special Permit
- Copy of draft decision for Davis Storage Special Permit
- Copy of 2004 decision for Davis Storage special permit
- Copy of special permit application and narrative regarding Davis Storage special permit request
- Minutes of 10/22/2013 Executive Session; 10/22/2013 Regular Session; 11/5/2013 Executive Session; 11/5/2013 Regular Session
- Pondview Subdivision Surety Estimate from Quinn Engineering dated 12/2/2013

**Documents submitted at meeting:**

- Pondview Subdivision suggested motion, 12/3/2013

**Minutes Approved February 4, 2014**