



Town of Leicester PLANNING BOARD

3 Washburn Square
Leicester, Massachusetts, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

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PLANNING BOARD AGENDA Tuesday October 5, 2021 @ 7:00PM

<i>In-Person</i>
Meeting Room 3 Leicester Town Hall, Lower Level

ORDER OF BUSINESS*

1. 7:00 PM **Discussion, Site Plan Review**
SPR2021-03, Central Mass Crane, Parking lot expansion and stormwater system modifications. Applicant: Central Mass Crane.
2. 7:15 PM **Public Hearing, Special Permit, Continued**
SP2021-07, 1439 Main, Earth Filling, Applicant: Central Land Development Corp.
3. 7:30 PM **Public Hearing, Special Permit Amendment, Continued**
SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots), Applicant: Central Land Development Corp.
4. 7:45 PM **General Discussion:**
Oak Bluff Lane Subdivision
5. 8:00 PM **Discussion, Extension Requests**
 - A. SPR2018-03, 101 Huntoon
 - B. SPR2018-04, 88 Huntoon/Gold Thumb (formerly Ecofarm)
 - C. SPR2018-05, 88 Huntoon/CannAssist
 - D. SP2012-01, Double-Play Fitness (extension of temporary outdoor classes)
6. 8:30PM **Approval of Minutes**
 - 7/20/2021
 - 8/17/2021
7. 8:45PM **General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
 - C. Upcoming Meeting Dates
8. **Adjourn**

***Note: Agenda times for items that are not public hearings may be taken out of order.**

"The listings of matters are those reasonably anticipated by the Chair 48 hours before said meeting, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law"



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Memorandum

TO: Planning Board Members
FROM: Michelle R. Buck, AICP
Town Planner/Director of Inspectional Services
DATE: September 30, 2021
RE: **October 5, 2021 Planning Board Meeting**

All application materials are also online (on Planning Board Page under Current Applications/ Plans), and some plans may be easier to view directly online versus the version contained in your meeting packets.

1. Site Plan Review, SPR2021-03, Central Mass Crane, Amendment of SPR2014-01

This is a modification of the previous Site Plan Approval to expand the parking area. Application and comments are attached. The stormwater report is online. To date, I haven't received responses to comments.

2. Special Permit, SP2021-07, 1439 Main, Earth Filling

Revised plans are attached (same plans the plans last meeting's packet); drainage report is online. Quinn Engineering comments enclosed. I've enclosed a draft decision to summarize the relevant issues and so that it's ready if concerns from the Board and Quinn Engineering are addressed by the hearing date.

3. Special Permit Amendment, SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots)

There are no changes to the text below since the last meeting.

The 7/2021 revised application is enclosed (June submittal is online). Comments received since the hearing date on 7/20/2021 are enclosed; prior comments are online in the meeting packet for the 7/20/2021 Board meeting. The Board approved a special permit in 2020 for a 24 lot Open Space Residential Development (OSRD). The project had a 2,607' roadway, with a 2,692' secondary emergency access). A copy of the prior decision is enclosed, as it summarizes the project, relevant bylaws & regulations, the rationale for the Board's decision, and conditions of approval.

The current application is a proposed amendment of the 2020 special permit, to reduce the roadway length and the number of house lots (June 2021 proposal 13 lots/2,000' paved road w 1,995' gravel emergency access; July 2021 proposal 10 lots, 1,627' dead end).

The next step for the applicant after the current application is approved or disapproved would be to proceed to the Definitive Plan stage with either the 2020 special permit design or 2021 amendment design (if approved). If the design without a secondary access is approved, a variance from the ZBA for dead-end length greater than 1,000' would be required. The project

also still requires review and approval by the Conservation Commission (this is done at the Definitive Plan Stage).

I advise the Board to allow the applicant to present his project in full and respond to Board concerns (and allow for comment for the public) before proceeding to a motion to approve or deny. I've enclosed the prior decision on this project again, as it summarizes the issues and the relevant evaluation criteria. The OSRD bylaw is contained in Section 5.13 of the Zoning Bylaw (starting on page 56).

The Zoning Enforcement Officer has received several written requests to enforce the bylaw in relation to this project.

4. Oak Bluff Lane

Kevin Quinn of Quinn Engineering will be inspecting the site on Friday, 10/1/2021 @ 4PM.

5. Extension Requests (all requesting 1 year)

- A. SPR2018-03, 101 Huntoon, Current Deadline: 10/16/2021
- B. SPR2018-04, 88 Huntoon/GoldThumb (formerly EcoFarm LLC), Current deadline: 10/2/2021*
- C. SPR2018-05, CannAssist), Current deadline: 10/2/2021*
- D. SP2012-01, Double-Play Fitness (temporary outdoor classes), Current deadline: 10/31/2021

**These requests were received prior to the deadline*

The first 3 extensions (A-C above) are all Site Plan Review construction deadline extensions and are very straightforward; I recommend approval.

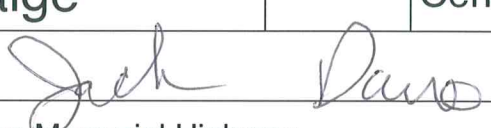
For Double-Play Fitness, the Board may wish to include additional conditions if an extension is granted as there have been several complaints. The Board's 2020 special permit amendment (copy enclosed) allows temporary outdoor classes through 10/31/2021, and allows extensions of this deadline by "majority vote of the Board at a regular meeting." I've enclosed a draft extension decision.

For Planning Office Use:
File #: _____

Leicester Planning Board Site Plan Review & Special Permit Application Form

PERMIT TYPE: ☐ Special Permit ☒ Site Plan Review

CONTACT INFORMATION

Owner Information			
Name:	Jack Daige	Company Name:	Huntoon Highway, LLC
Signature:			
Address:	101 Huntoon Memorial Highway, PO Box 325, Rochdale, MA		
Phone:	(508) 892-0400	Email:	jackd@centralmasscrane.com
Applicant Information			
Name:	Jack Daige	Company Name:	Central MA Crane Service, Inc.
Signature:			
Address:	112 Huntoon Memorial Highway		
Phone:	(508) 892-0400	Email:	jackd@centralmasscrane.com
Primary Contact Person <i>(The person that will be contacted by Planning Board staff during the application process.)</i>			
Name:	Peter Engle, PE	Company Name:	McClure Engineering, Inc.
Address:	119 Worcester Road, Charlton, MA 01507		
Phone:	(508) 248-2005	Email:	pengle@mcclureengineers.com

PROJECT INFORMATION

Project Address:	112 huntoon Memorial Highway	Zoning District:	
Assessors Map & Parcel #	46-A-1.2, 44-A-10	Deed Reference (Book & Page):	52916/330; 63722/154; 64563/143
Applicable Zoning Bylaw Section(s):	5.2.02.1.a		
Proposed Land Use:	Existing and outdoor storage of commercial vehicles.		
Existing Land Use:	Office, Warehouse, Truck Service		

For Planning Office Use:
File #: _____

PROJECT INFORMATION, Continued

Size of Proposed Structure(s):		N/A	
Total Lot Area:	428,891 s.f. +/-		
Water Source: (Select One)	<input type="radio"/> Private Well	<input checked="" type="radio"/> Cherry Valley & Rochdale Water District	
	<input type="radio"/> Hillcrest Water District	<input type="radio"/> Leicester Water Supply District	
Sewer Source: (Select One)	<input type="radio"/> Private Septic System	<input type="radio"/> Cherry Valley Sewer District	
	<input type="radio"/> Hillcrest Water District	<input type="radio"/> Leicester Water Supply District	
	<input checked="" type="radio"/> Oxford Rochdale Sewer District		
Brief Project Description: Please include a brief description on this form (i.e. do not write "see attached"). [Examples: New construction of a 20,000s.f. retail building and associated parking; Use of a 1,000s.f. portion of an existing structure for a proposed pet grooming clinic.] Expansion of existing gravel parking area by approximately 0.7 acres and modification to existing on-site stormwater management system.			

Application Checklist

Use this checklist to ensure you have provided all required information. See Planning Board Site Plan Review & Special Permit Regulations for details. 13 copies are required except where noted.

<input checked="" type="checkbox"/> Plans (2-full-size & 11-11"x17")	<input checked="" type="checkbox"/> Detailed Project Narrative including any waiver requests ¹	<input checked="" type="checkbox"/> Drainage Analysis/ Stormwater Report, (3 copies) <input type="checkbox"/> n/a
<input checked="" type="checkbox"/> Documentation of Availability of Water & Sewer <input type="checkbox"/> n/a	<input checked="" type="checkbox"/> Certified Abutters List (1 copy) ² <input type="checkbox"/> n/a	<input type="checkbox"/> Traffic Study (3 copies) <input checked="" type="checkbox"/> n/a
<input checked="" type="checkbox"/> Fees ³	<input checked="" type="checkbox"/> .pdf copy of all required submittals (CD or USB Drive)	

¹ See Planning Board Site Plan Regulations for details on what should be included in a Project Narrative. For special permits that don't require conformance with Site Plan Review submittal requirements, submit a narrative explaining conformance with special permit approval criteria (see Special Permit Regulations for details).

² certified abutters lists are required for all Special Permits applications and for Major Site Plan Review Applications (new construction over 30,000 s.f. and ground-mounted solar over 250,000 s.f or 2 acres or more of tree clearing)

³ Please refer to the Planning Board's Fee Regulations. Checks must be made out to the Town of Leicester

For Planning Board Use:			
Date of Submittal:			
Public Hearing/Meeting Date(s):			
Date of Planning Board Vote:			
Date Decision Filed with Town Clerk:			

August 25, 2021

Mrs. Michelle Buck, Town Planner
Town of Leicester Planning Department
3 Washburn Square
Leicester, MA 01524

**Re: Central Mass Crane - 2021 Site Plan Modification: Proposed Gravel Parking Expansion
112 Huntoon Memorial Highway; Parcel IDs: 44-A-10 and 46-A-1.2**

Dear Planning Board Members,

On behalf of the project Applicant, Central MA Crane Service, Inc., McClure Engineering, Inc. (McClure) is hereby submitting this request for a Site Plan Modification to the 2014 Site Plan Approval for Central Mass Crane located at 112 Huntoon Memorial Highway, Rochdale (Site). The Applicant is proposing to expand the existing gravel parking area on site and modify the existing stormwater management system.

The Property is located on 112 Huntoon Memorial Highway and identified as Assessor's Parcels 46-A-1.2, 44-A-10, and formerly a portion of 44-A-7, and is located within the Highway-Business 2 Zoning District. The Property consists of roughly 9.8 acres +/- and is a developed commercial site with an existing 14,400 s.f. two story building, asphalt parking, a gravel storage and parking yard, and on-site stormwater management system. The Site sits within the Rochdale Water District and the Oxford Rochdale Sewer District and is currently connected to both. The site development was approved through Site Plan Review Approval in 2014 (SPR2014-1).

The Applicant's intent of this proposed site plan modification is to expand the existing gravel parking and storage area on site as detailed on the "Site Plan Modification" plans prepared by McClure Engineering, Inc. dated 8/20/21. The expansion of this parking area requires some modifications to the existing stormwater management system and the two existing rain gardens to which stormwater is discharged. Stormwater runoff from the proposed gravel parking expansion area will be conveyed via a bituminous concrete drainage channel to a new proposed Stormceptor™ catch basin. The Stormceptor™ catch basin will discharge treated stormwater to a proposed manhole and then to Rain Garden 2 for further treatment and peak flow attenuation. Both rain gardens will need to be slightly modified by way of grading and adjusting outlets to maintain compliance with peak flow attenuation standards. The modifications to the stormwater system are located within a Conservation Commission jurisdictional area, and a Notice of Intent has been filed with the Commission for approval. The on-site wetland resource areas are proposed to be protected during construction by both straw wattle or silt fence and straw wattle erosion control barriers as depicted on the Erosion and Sedimentation Control Plan found in the "Site Plan Modification" plan set. All disturbed areas are proposed to be treated with loam, seed, and clean straw for stabilization. Erosion control blankets will be implemented for slopes greater than 3:1.

Per the Leicester Zoning Bylaw Standards for Site Plan Approval, the proposed site modifications will meet the standards as follows:

A. The use complies with all the provisions of the Leicester Zoning By-Law.

The existing uses of the site are allowed per the Zoning Bylaw and the original 2014 Site Plan Approval. The additional storage of commercial vehicles is allowed as a by-right use in the HB2 zoning district per Bylaw Section 3.2.08.B.1 and 3.2.08.B.2.

B. The use will not materially endanger or constitute a hazard to the public health and safety.

The primary commercial use has been in existence since the 2014 Site Plan Approval. The proposed expansion of use for the storage of commercial equipment and vehicles is allowed per the Zoning Bylaw as stated above. The uses of the Site have not and will not endanger or constitute a hazard to public health and safety.

Site Plan Modification
Central Mass Crane
112 Huntoon Memorial Highway

C. The use will not create undue traffic congestion or unduly impair pedestrian safety.

The Site has been in existence since the development based upon the 2014 Site Plan Approval. The proposed site modifications will not result in adverse impacts to traffic or pedestrian safety.

D. Sufficient off-street parking exists or will be provided to serve the use.

The Site has been in existence since the development based upon the 2014 Site Plan Approval, which included sufficient off-street parking for the use. The proposed site modifications will not result in the need for additional parking spaces on site. The proposed modification will result in a larger gravel parking and storage area for the storage of commercial equipment and vehicles.

E. The use can be adequately served by water, sewer, and other necessary utilities, or if these are unavailable, that they will be brought to the site at the owner's expense; or, the Planning Board is satisfied that the proposed alternatives will comply with all applicable regulations.

The Site has been in existence since the development based upon the 2014 Site Plan Approval and the existing building utilizes both municipal sewer and water services. The proposed expansion of the on-site gravel parking and storage area does not require additional water or sewer services.

F. The use will not result in a substantial increase of volume or rate of surface water runoff to neighboring properties and streets, nor will result in pollution or degradation to surface water or groundwater.

The Site has been in existence since the development based upon the 2014 Site Plan Approval which included a stormwater management design for the protection of surface and groundwater sources. The proposed increase in gravel parking and storage area will require additional stormwater management features and modifications to the existing stormwater management system. These modifications are shown on the "Site Plan Modification" plan set and a Stormwater Management Report showing compliance with Massachusetts Stormwater Management Standards is included with the application for the site plan modification.

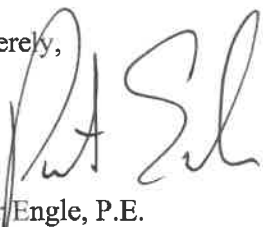
G. The use will not result in any undue disturbance to adjoining property owners or the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.

The Site has been in existence since the development based upon the 2014 Site Plan Approval. The proposed site modifications will not result in adverse impacts related to noise, smoke, vapors, fumes, dust, glare, etc. The existing uses on site will remain along with the expanded storage of commercial equipment and vehicles. The gravel parking and storage area expansion is proposed away from any residential abutters as to avoid disturbance to the properties.

The Applicant is requesting a modification to the existing "Site Plan Approval" issued by the Leicester Planning Board in 2014 pursuant to the Leicester Zoning By-Law. McClure is providing details for the proposed modification on the "Site Plan Modification" 112 Huntoon Memorial Highway, Rochdale, MA 01542," plan set date 8/20/21.

Please contact me with any questions or if you need additional information at (508) 248-2005.

Sincerely,



Peter Engle, P.E.
Senior Engineer

cc: Jack Daige, Central MA Crane Service, Inc., 112 Huntoon Memorial Highway, Rochdale, MA 01542



Phone: 508-892-7019
FAX: 508-892-7064

TOWN OF LEICESTER
PLANNING BOARD
3 Washburn Square
LEICESTER, MASSACHUSETTS, 01524-1333

SITE PLAN APPROVAL & STORMWATER PERMIT
ORDER OF CONDITIONS

Date: July 1, 2014

File Number: SPR2014-01

Project Name: Central Mass Crane

Applicant: Robert Daige
980 Stafford, LLC
P.O. Box 338
Rochdale, MA 01542

Owner: same as applicant

Proposed Use: Office, warehouse and truck service (Industrial, Section 3.2.04.1)

Location: 112 Huntoon Memorial Highway
Assessors Map 46, Parcel A1

Zoning: Highway Business-Industrial 2 (HB-2) and Residential 1 (R1)

Deed Ref.: Book 50079, Page 124

Water/Sewer: Cherry Valley & Rochdale Water District/Oxford-Rochdale Sewer District

Subject: Application for Site Plan Approval under §5.2 of the Leicester Zoning By-laws, and a Stormwater Permit under Leicester General Bylaw to allow construction of a commercial structure for Central Mass Crane

The decision of the Planning Board on the above-referenced application is as follows:

PROCEDURAL HISTORY:

1. On April 2, 2014, an application for Site Plan Approval in accordance §5.2 of the Leicester Zoning By-laws was submitted to the Leicester Planning Board. All application materials are on file with the Planning Board. The Board's decision is based on the following submittal(s) as well as the documents described in paragraph 4 below:
2. Proposed Site Plan for Central Mass Crane Service on Stafford Street and Huntoon Memorial Highway, prepared by JH Engineering Group, LLC, dated March 25, 2014, with last revision date of July 1, 2014 as follows:

Sheet Title	Sheet number	Last Revision Date
Cover Sheet	n/a	6/23/2014
Locus	2 of 9	6/23/2014
Existing Conditions	3 of 9	6/23/2014
Erosion Control	4 of 9	6/23/2014
Layout Plan	5 of 9	6/23/2014
Grading Plan	6 of 9	7/1/2014
Utility Plan	7 of 9	6/23/2014
Typical Details	8 of 9 & 9 of 9	6/23/2014

- Stormwater Hydrology Report for Central Mass Crane Service, revised through June 23, 2014.
 - Traffic Generation Summary (Letter to Michelle Buck, Town Planner, dated May 22, 2014).
 - Photometric Plan Prepared by Reflexlighting, dated May 30, 2014
3. Discussion of the application was held at the Planning Board meetings of 5/13/2014, 6/3/2014, and 7/1/2014.
 4. The Board engaged Quinn Engineering of Paxton, Massachusetts, pursuant to G.L. c. 44, s. 53G, to review the Applicant's proposed development.
 5. During the review process, the following documents, exhibits and plans were submitted to the Planning Board:
 - A. The plans and submittals referred to above;
 - B. Letters from JH Engineering Group to Michelle Buck, Town Planner, dated 5-22-2014, 6-23-2014 and 7-1-2014 (with attachments);
 - C. Correspondence of Quinn Engineering, Inc. to Leicester Planning Board dated 5-14-2014, 6-3-2014, and 7-1-2014;
 - D. Written comments from the following Town Boards and Departments: Cherry Valley & Rochdale Water District, Oxford-Rochdale Sewer District, Fire Department, Code Enforcement Officer, Board of Health, and Highway Department.

FINDINGS

1. Pursuant to the Leicester Zoning Bylaw Section 3.2.04.1, industrial uses are allowed by-right in the HB-2 zoning district, subject to Site Plan approval under Section 5.2 of the Zoning By-laws. None of the proposed project is located in the R1 Zoning District.
2. The project consists of construction of a 120' x 120' (14,400 square foot) building for office, warehouse, storage, and maintenance for Central Mass Crane Service. There will be two access drives serving the facility, on Stafford Street and Route 56 (Huntoon Memorial Highway). The primary access for cranes and trucks is proposed on Huntoon Memorial Highway. The Stafford Street entrance is for employee and visitor access to the site. Parking for employees and visitors (21 spaces) is proposed in the front and side of the building with the parking and storage for the cranes, materials, trailers, etc. will be behind the building on a combination of paved parking and large gravel area to the west and north of the building. Landscaping is provided along the Stafford Street Frontage and along the westerly property line to screen the facility from abutting residential properties.

3. Conservation Commission approval was required for filling of the wetland along Route 56 and associated work within the wetland buffer zone. The Conservation Commission conditionally approved the project on May 21, 2014.
4. Section 5.2.06 of the Zoning By-law contains Standards for Site Plan Approval (standards A-G). With regard to the Applicant's development proposal, the Planning Board makes the following findings pursuant to Section 5.2.06:
 - A. **The use complies with all the provisions of the Leicester Zoning By-Law;**
The Board finds that the proposed project, as conditioned in this approval, complies with the Leicester Zoning Bylaws.
 - B. **The use will not materially endanger or constitute a hazard to the public health;**
The Board finds that the proposed project, subject to the conditions set forth in this decision, will not constitute a hazard to public health or safety.
 - C. **The use will not create undue traffic congestion or unduly impair pedestrian safety;**
The Board finds that the project will not create undue traffic congestion or unduly impair pedestrian safety.
 - D. **Sufficient off-street parking exists or will be provided to serve the use;**
The applicant has provided 21 parking spaces. The Board finds parking to be in conformance with the Planning Board's Parking Regulations and sufficient to serve the proposed use.
 - E. **The use can be adequately served by water, sewer, and other necessary utilities, or if these are unavailable, that they will be brought to the site at the owner's expense; or, the Planning Board is satisfied that the proposed alternatives will comply with all applicable regulations;**
The proposed building will be served by Cherry Valley & Rochdale Water District and Oxford-Rochdale Sewer District. Other utilities will be provided by the owner at the owner's expense.
 - F. **The use will not result in a substantial increase of volume or rate of surface water runoff to neighboring properties and streets, nor will result in pollution or degradation to surface water or ground water;**
Based on the review by the Board's consulting engineer, Quinn Engineering, Inc., the Board finds the stormwater system meets applicable standards.
 - G. **The use will not result in any undue disturbance to adjoining property owners or the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.**
The Board finds that this project, as conditioned herein, meets this standard.
5. In addition, the Zoning By-laws, Section 5.5, impose additional design and performance standards for development in the Highway Business Industrial 2 (HB-2) regarding parking, loading, access, landscaping, and surface water runoff. The Board finds that the proposed development meets these additional design and performance standards as conditioned in this decision.

WAIVERS:**Zoning Bylaw:**

- Section 5.5.02.2D.: Under the provisions of Section 5.5.02.2.D, the Board voted to reduce the required landscape buffer from 50 feet to 20 feet between non-residential and residential uses (5.5.020.2.B), and to reduce the required landscape buffer from 100 feet to 50 feet where the HB-2 district abuts the residential R1 and R2 districts (5.5.020.C).
- Section 5.5.02.2.: The applicant requested a waiver to allow parking within the building setback (50 feet) along Stafford Street. The Board found, based on an opinion from the Zoning Enforcement Officer, that this waiver request was not required because the property is a corner lot and the owner may consider Route 56/Huntoon Memorial the front of the property.

Site Plan Review Rules & Regulations

- Section II.B. The Board voted to allow the Locus Plan to be provided at a scale of 1" = 200' since this allows the entire parcel to be shown on a single sheet.

Stormwater Regulations

- Section 5.0.E. The Board voted to waive the requirement to provide groundwater recharge that mimics pre-development conditions.

DECISION:

At its meeting of July 1, 2014, the Planning Board voted to approve the Site Plan referenced above pursuant to Section 5.2 of the Leicester Zoning By-laws. In addition, the Planning Board grants a Stormwater Permit pursuant to the Leicester Stormwater Bylaw and associated Regulations. Section As used in this decision, the term "Applicant" as set forth herein shall mean the Applicant, its heirs, successors and assigns. The term "Board" as set forth herein shall mean the Planning Board. The term "Town" shall mean the Town of Leicester, Massachusetts. Unless otherwise indicated herein, the Board may designate an agent or agents to review and approve matters set forth herein. Approval by the Planning Board shall not be construed as approval from any other board, official or agency that is needed regarding permitting for this project. The Planning Board's approval is subject to the conditions and waivers described below.

CONDITIONS**Pre-Construction**

1. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address and business phone number of the individual who shall be responsible for all construction activities on site.
2. Prior to the issuance of a building permit, all required federal, state, and local permits and licenses (with the exception of local electrical permits) for the construction of the facility which is the subject matter of the building permit shall be obtained and presented to the Building Inspector.

General

3. Final design and construction shall be in substantial conformance to the plans submitted to the Planning Board and this Order of Conditions. No substantial corrections, field

modifications, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board, which in its sole discretion, may determine such substantiality. Any requests for substantial modifications shall be made to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary and supporting documentation.

4. Unauthorized deviations from the approved plan may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
5. In accordance with Section 5.2.07 of the Zoning By-laws, Construction on the site must be started or substantial activity commenced by July 1, 2015 (one year from the date of approval). Construction, once begun, shall be actively and continuously pursued to completion within by July 1, 2016 (two years from the date of approval). Such deadlines may be extended in accordance with Section 5.2.07 for good cause upon the written request of the applicant prior to the specified deadline. If the time period for commencement or completion has elapsed, the rights granted by the site plan approval shall expire and may be reestablished only after another site plan review under Section 5.2.
6. Litter and debris on-site shall be removed regularly to maintain a neat and orderly appearance.
7. The use shall not result in any undue disturbance to adjoining property owners or to the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.
8. In the event that the Applicant, its successors, or agent fails to maintain the stormwater management system in accordance with the Operation and Maintenance Plan, the Town may conduct such emergency maintenance or repairs, and the Applicant shall permit entry onto the Property to implement the measures set forth in such plan. In the event the Town conducts such maintenance or repairs, the Applicant shall promptly reimburse the Town for all reasonable expenses associated therewith; if the Applicant fails to so reimburse the Town, the Town may place a lien on the property to secure such payment.
9. All travel lanes and parking areas shall remain accessible and clear of snow year-round. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
10. All signs shall comply with Section 3.2.07 and Section 5.14 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

Project-Specific Conditions:

11. The Applicant shall provide a key lock box to the satisfaction of local emergency services.
12. The applicant shall relocate parking space #1 so that it is located outside of the required 50 foot buffer from the R1 zoning District. If the handicapped parking space remains in its current location on the plan, the Applicant shall provide a striped crosswalk from the parking space to the entrance of the building.

13. The Applicant shall submit the following within thirty (30) days of this Decision:

- two (2) full-size, one (1) 11" x 17", and a .pdf version of the complete set of final plans showing the parking change referenced in condition #12 above, as well as the revised grading plan (sheet 6 of 9)
- a .pdf copy of the final, complete Stormwater Hydrology Report

Construction

14. During construction, the Applicant shall comply with all local, state and federal laws regarding noise, vibration, dust and blocking of Town roads. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction on exterior features shall not commence on any day before 7:00AM and shall not continue beyond 7:00PM; provided, however, that such construction shall not commence on Saturday before 8:00AM and shall end at 3:00PM. There shall be no construction on any Sunday or state or federal legal holiday.
15. Members or agents of the Planning Board shall have the right to enter the site at reasonable times to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
16. The Applicant and/or property owner shall provide at least forty-eight (48) hour notice to the Town Planner and the Planning Board's engineer, prior to commencing any work on the site that requires inspection or review.
17. The Applicant shall promptly pay the reasonable fee of the consulting engineers for review of plans or field inspections during the construction phase.
18. Sediment tracked onto abutting public or private ways from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.

Occupancy

19. No final certificate of occupancy for the building shall be issued until the building is complete. Prior to the issuance of a certificate of occupancy for the building, site improvements and infrastructure specified on the plans shall be constructed and installed so as to adequately serve said building and landscaping shall be substantially completed, unless adequate security has been provided, reasonably acceptable to the Board, to ensure such completion. Any such performance guarantee shall be approved as to form by the Board's legal counsel.
20. If there are field changes from the approved site plans referenced above, the Board may require As-Built plans showing such changes prior to the final certificate of occupancy. No final certificate of occupancy shall be issued until the Planning Board or its agent confirms that all improvements or alterations substantially comply with the approved Site Plan.

Approval by the Planning Board shall not be construed as approval from any other board, official or regulation that is needed regarding permitting for this project.

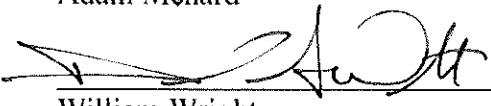
RECORD OF VOTE

The following members of the Planning Board vote to approve the Site Plan subject to the above-stated terms and conditions:

Absent

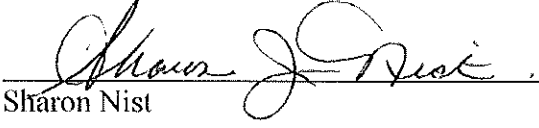
Jason Grimshaw


Adam Menard


~~William Wright~~

DAVID S. WRIGHT


Debra Friedman

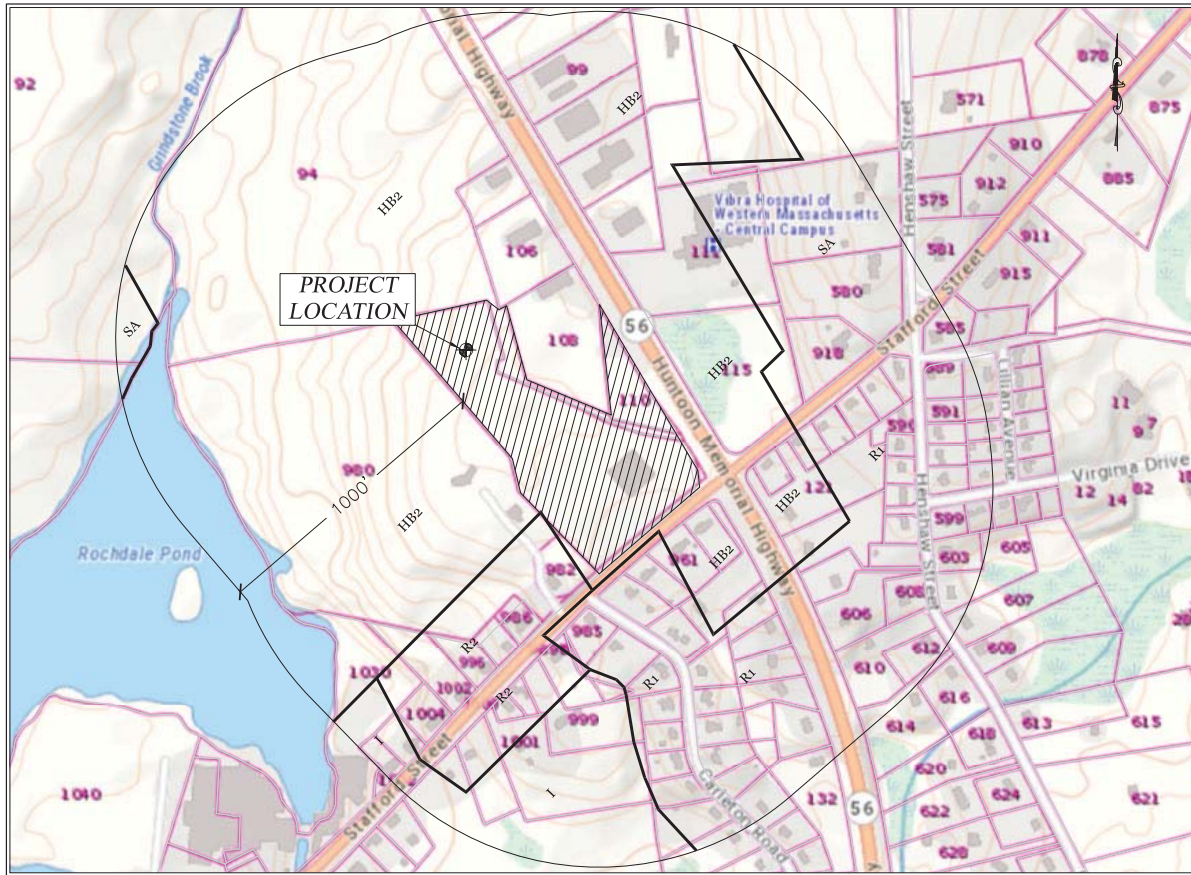

Sharon Nist

Copy of Decision sent to:

Applicant	Building Inspector	Police Department
Owner	Quinn Engineering	Fire Department
Town Administrator	Assessors Office	Highway Department
Conservation Commission	Applicable Water District	Applicable Sewer District
Historical Commission	Board of Health	Applicant Engineer
Applicant's Attorney (where applicable)		

g:\town planners office\site plan review\spr2014-01, central mass crane\spr2014-01, central mass crane decision.doc

**SITE PLAN MODIFICATION
GRAVEL PARKING EXPANSION
CENTRAL MASS CRANE
112 HUNTOON MEMORIAL HIGHWAY
ROCHDALE, MA 01542**



SITE LOCUS

1" = 200'

DRAWING INDEX

- | | |
|-----|--|
| C-1 | TITLE SHEET |
| C-2 | EXISTING CONDITIONS PLAN |
| C-3 | LAYOUT, GRADING, AND UTILITIES PLAN |
| C-4 | EROSION AND SEDIMENTATION CONTROL PLAN |
| C-5 | CONSTRUCTION DETAILS |
| C-6 | CONSTRUCTION DETAILS |

DIG-SAFE (1-888-344-7233) NOTE:
CONTRACTOR REQUIRED TO NOTIFY "DIG SAFE" 72 HOURS PRIOR TO ANY ON-SITE EXCAVATION OR CONSTRUCTION AT 1-888-344-7233. CONTRACTOR SHALL ALSO NOTIFY LOCAL WATER AND SEWER DEPARTMENTS TO MARK OUT THEIR UTILITIES.

APPLICANT / PROPERTY INFORMATION:

APPLICANT: CENTRAL MASS CRANE 112 HUNTOON MEMORIAL HIGHWAY ROCHDALE, MA 01542-0338	OWNER: HUNTOON HIGHWAY, LLC. 112 HUNTOON MEMORIAL HIGHWAY ROCHDALE, MA 01542-0338
--	---

ASSESSORS ID: 46-A-1.2, 44-A-7 (FORMERLY), 44-A-10
DEED REFERENCE: WORCESTER COUNTY REGISTRY OF DEEDS
DEED BOOK 52916, PAGE 330
DEED BOOK 64563, PAGE 143
DEED BOOK 63722, PAGE 154
PLAN BOOK 897 PLAN 103
PLAN BOOK 953 PLAN 19
PLAN BOOK 954 PLAN 101

PROJECT ENGINEER: PETER ENGLE, P.E. MCCLURE ENGINEERING, INC. 119 WORCESTER ROAD CHARLTON, MA 01507 PHONE: (508)-248-2005	PROJECT SURVEYOR: MARK LARRAD, P.L.S. MCCLURE ENGINEERING, INC. 119 WORCESTER ROAD CHARLTON, MA 01507 PHONE: (508)-248-2005
---	---

GENERAL NOTES:

- THE BASE PLAN FOR THIS DESIGN WAS COMPILED FROM AN ON THE GROUND SURVEY CONDUCTED BY MCCLURE ENGINEERING ON DATE AND SUPPLEMENTED WITH TOPOGRAPHY TAKEN FROM 2013-2014 USGS LIDAR: POST SANDY (MA, NH, RI) TAKEN FROM NOAA ON LINE DATA ACCESS VIEWER.
- ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988.
- HORIZONTAL CONTROL IS BASED UPON THE NORTH AMERICAN DATUM OF 1983.
- PROPERTY IS LOCATED WITHIN THE HB2 DISTRICT AND HAS THE FOLLOWING DIMENSIONAL REQUIREMENTS:
MINIMUM LOT AREA: 45,000 S.F.
MINIMUM LOT FRONTAGE: 200' FEET
MINIMUM YARD SETBACKS (FRONT/SIDE/REAR): 50'/50'/50'
MAXIMUM BUILDING HEIGHT: 55'
MAXIMUM STORIES: 5 1/2
MAXIMUM COVERAGE: 40%
- PROPERTY DOES NOT LIE WITHIN THE SPECIAL FLOOD HAZARD AREA. FOR REFERENCE SEE THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP NO. 25027C0784E FOR COMMUNITY NO. 250313 AND DATED JULY 4, 2011.
- THIS PLAN IS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY MATTERS THAT SUCH A REPORT MAY DISCLOSE.

HORIZ. SCALE IN FEET: 1"=200'	
REVISIONS	MADE BY/DO
REV	DATE

PETER C. ENGLE, P.E. PROFESSIONAL ENGINEER	53734
MA LIC. NO.	



McCLURE
ENGINEERING, INC.
119 Worcester Road
Charlton, MA 01507
Tel: (508) 248-2005
Fax: (508) 248-4887
Email: pengle@mcclureengineers.com

**SITE PLAN MODIFICATION
112 HUNTOON MEMORIAL HIGHWAY
ROCHDALE, MA**
PREPARED FOR
HUNTOON HIGHWAY, LLC.
112 HUNTOON MEMORIAL HIGHWAY
ROCHDALE, MA 01542-0338

DRAWN BY:	WN
DATE:	8.20.21
CHEK BY:	PE
SCALE:	1"=200'
PROJ. NO.	151-2415-M

TITLE SHEET

C1



EXISTING UTILITY LINES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THERE MAY BE EXISTING LINES OTHER THAN THOSE INDICATED. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN, BEFORE PLANNING FUTURE CONNECTIONS. THE PROPER PUBLIC UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED.

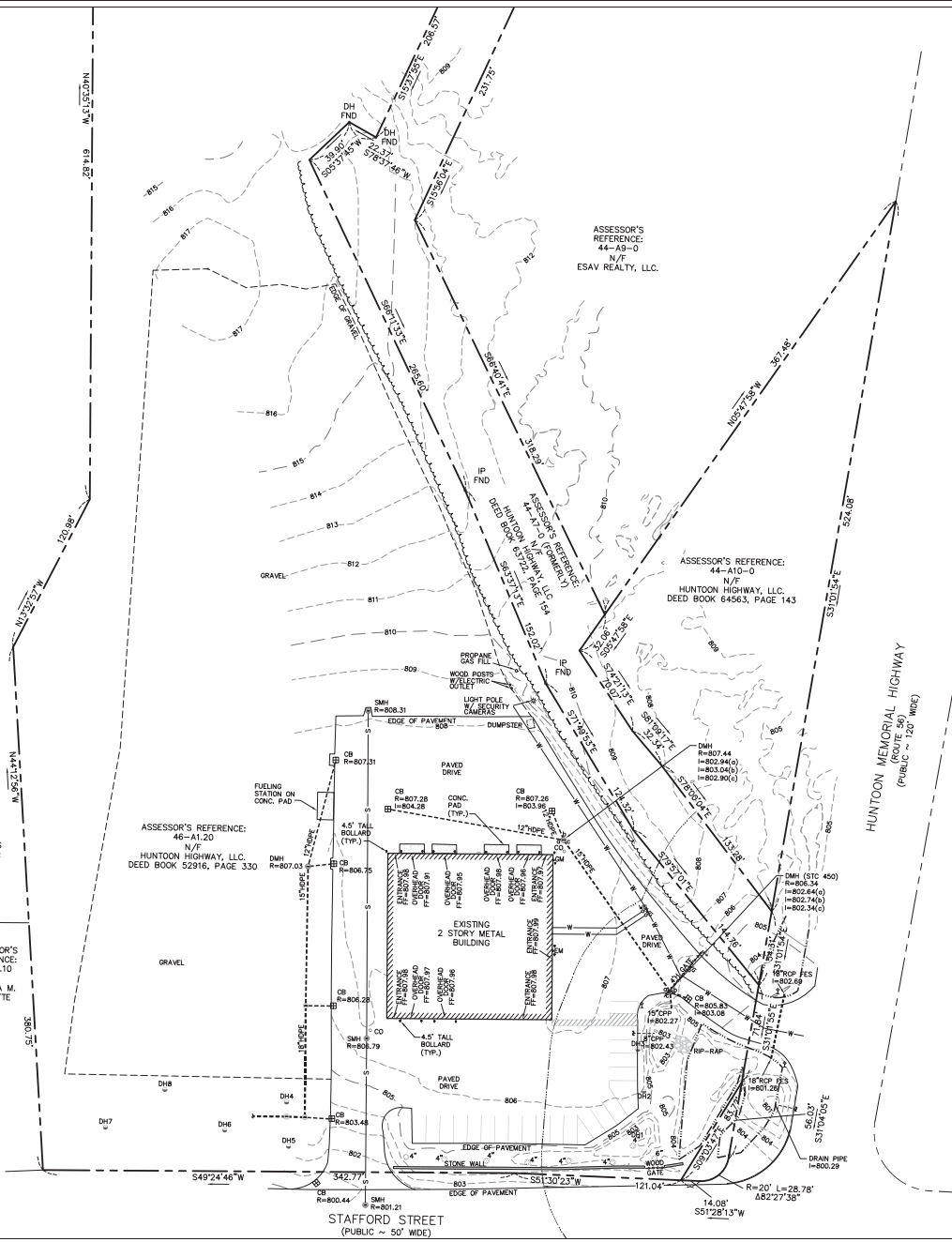
ASSESSOR'S REFERENCE:
46-A1-0
N/F
NANCY E. O'NEIL

ASSESSOR'S REFERENCE:
46-A1-10
N/F
MELISSA M. DIGUETTE

ASSESSOR'S REFERENCE:
46-A1-20
N/F
HUNTON HIGHWAY, LLC.
DEED BOOK 52916, PAGE 330

ASSESSOR'S REFERENCE:
44-A0-0
N/F
ESAV REALTY, LLC.

ASSESSOR'S REFERENCE:
44-A10-0
N/F
HUNTON HIGHWAY, LLC.
DEED BOOK 64563, PAGE 143



SOIL TESTING
DECEMBER 3, 2013
PERFORMED BY SHELLEY HANCOCK
WITNESSED BY KEVIN GUINN

- SW-1 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-2 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-3 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-4 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-5 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-6 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-7 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-8 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-9 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-10 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-11 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-12 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-13 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-14 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-15 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-16 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-17 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-18 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-19 DEPTH = 10" EDCOR @ 20" NO REFUSAL
- SW-20 DEPTH = 10" EDCOR @ 20" NO REFUSAL

LEGEND:

- BIT. BITUMINOUS
- BOB CATCH BASIN
- CO CLEAN OUT
- CONC. CONCRETE
- CONTOUR CONTOUR
- CPP CORRUGATED PLASTIC PIPE
- DH DRILL HOLE
- DMH DRAIN MANHOLE
- DRN DRAINAGE LINE
- ELM EXISTING
- FF EXISTING FIRST FLOOR ELEVATION
- FES EXISTING FLARED END SECTION
- FND FOUND
- GM GAS METER
- HOPE HIGH DENSITY POLYETHYLENE PIPE
- IP IRON PIN
- LE LIGHT POLE
- RW RIM ELEVATION
- RCP REINFORCED CONCRETE PIPE
- SMH SANITARY SEWER MANHOLE
- SEW SEWER PIPE
- TOP TOP OF
- TRE TRELINE
- TYP. TYPICAL
- WG WATER GATE
- WET APPROXIMATE LIMIT OF WETLANDS



NOTES:

1. OWNER OF RECORD:
HUNTON HIGHWAY, LLC.
112 HUNTON MEMORIAL HIGHWAY
ROCHDALE, MA 01542-0338
2. SURVEYOR OF RECORD:
MCCLURE ENGINEERING
119 WORCESTER ROAD
CHARLTON, MA 01507
508-248-2005
3. THE BASE PLAN FOR THIS DESIGN WAS COMPILED FROM AN ON THE GROUND SURVEY CONDUCTED BY MCCLURE ENGINEERING ON DATE AND SUPPLEMENTED WITH TOPOGRAPHY TAKEN FROM 2013-2014 USGS LIDAR: POST SANDY (MA, NH, RI) TAKEN FROM NOAA ON LINE DATA ACCESS VIEWER.
4. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988.
5. HORIZONTAL CONTROL IS BASED UPON THE NORTH AMERICAN DATUM OF 1983.
6. PROPERTY IS LOCATED WITHIN THE HB2 DISTRICT AND HAS THE FOLLOWING DIMENSIONAL REQUIREMENTS:
MINIMUM LOT AREA: 45,000 S.F.
MINIMUM LOT FRONTAGE: 200' FEET
MINIMUM YARD SETBACKS (FRONT/SIDE/REAR): 50'/50'/50'
MAXIMUM BUILDING HEIGHT: 55'
MAXIMUM STORIES: 5 1/2
MAXIMUM COVERAGE: 40%
7. PROPERTY DOES NOT LIE WITHIN THE SPECIAL FLOOD HAZARD AREA. FOR REFERENCE SEE THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP NO. 2502703784E FOR COMMUNITY NO. 250313 AND DATED JULY 4, 2011.
8. THIS PLAN IS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY MATTERS THAT SUCH A REPORT MAY DISCLOSE.

REFERENCES:

WORCESTER COUNTY REGISTRY OF DEEDS
DEED BOOK 52916 PAGE 330
DEED BOOK 63722 PAGE 154
DEED BOOK 64563 PAGE 143
PLAN BOOK 897 PLAN 103
PLAN BOOK 953 PLAN 19
PLAN BOOK 954 PLAN 101

WETLANDS:

THE SITE IS SUBJECT TO THE MASSACHUSETTS WETLANDS PROTECTION ACT. THE WETLANDS BOUNDARIES AS SHOWN WERE TAKEN FROM THE 2014 SITE PLAN PREPARED BY JH ENGINEERING. THE WETLAND RESOURCE AREAS WERE DELINEATED BY ECOTEC INC. IN NOVEMBER OF 2012.

REV	DATE	DESCRIPTION	MADE BY

PETER C. ENGLE, P.E.
PROFESSIONAL ENGINEER
MA LIC. NO. 53734

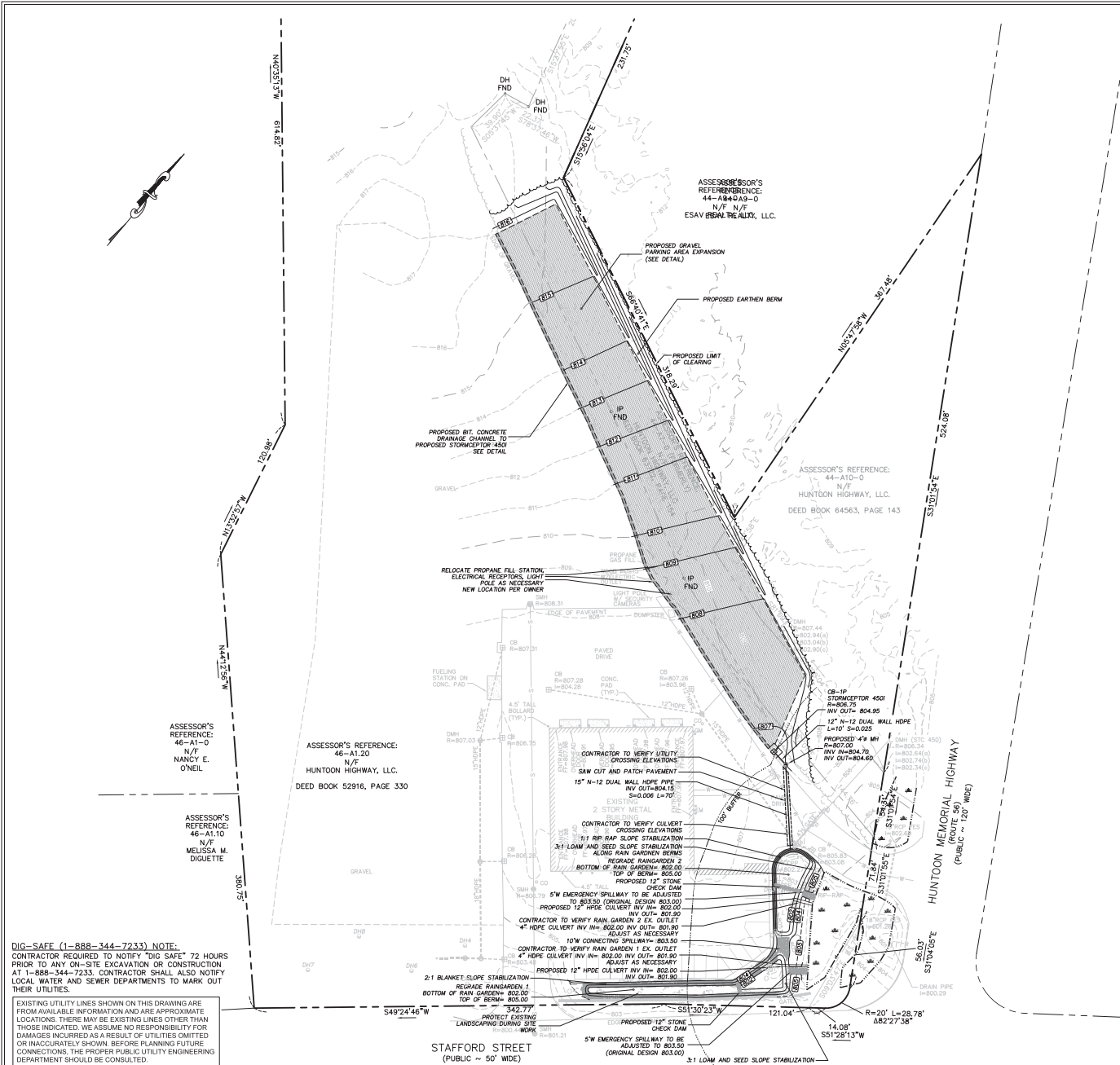


McCLURE
ENGINEERING, INC.
119 Worcester Road
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Tel: (508) 248-2005
Fax: (508) 248-4887
Email: pengle@mcclureengineering.com

SITE PLAN MODIFICATION
112 HUNTON MEMORIAL HIGHWAY
ROCHDALE, MA
PREPARED FOR
CENTRAL MASS CRANE
112 HUNTON MEMORIAL HIGHWAY
ROCHDALE, MA 01542-0338

DRAWN BY: WJN
DATE: 8.20.21
CHK BY: PE
SCALE: 1"=40'
PROJ. NO. 155-2415-M

EXISTING
CONDITIONS PLAN



ZONING:
 PARCELS: 46A12, 44A10, 44A7 (FORMERLY)
 ZONE: HB2 DISTRICT
 EXISTING USE: CENTRAL MASS CRANE – OFFICE, WAREHOUSE, TRUCK SERVICE (SEE SPR2014-01)
 PROPOSED USE: EXISTING USES AS WELL AS OUTDOOR STORAGE OF COMMERCIAL VEHICLES – ALLOWED IN THE HB2 DISTRICT BY RIGHT (LICEISTER ZONING BYLAWS 2.08-B.16.12)

	REQUIRED	EXISTING/PROPOSED
MINIMUM LOT AREA:	45,000 S.F.	428,891.76 S.F. / NO CHANGE
MINIMUM LOT FRONTAGE:	200'	1,212.93' / NO CHANGE
MINIMUM YARD SETBACKS (FRONT, SIDE, REAR):	50', 50', 50'	152', 178'-735' / NO CHANGE
MINIMUM BUILDING HEIGHT:	50'	45' / NO CHANGE
MAXIMUM STORIES:	5 ½	2 / NO CHANGE
MAXIMUM BUILDING COVERAGE:	40%	34% / NO CHANGE

PARKING:
 NO PROPOSED EXPANSION OF BUILDING OR USES THAT REQUIRE PARKING SPACES PER THE LICEISTER PLANNING BOARD PARKING REGULATIONS. PARKING AT THE SITE FOR THE BUILDING AND USES ARE PROVIDED PER THE APPROVED SITE PLANS PREPARED BY JH ENGINEERING DATED AUGUST 4, 2014.

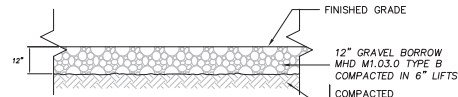
WETLANDS:
 THE SITE IS SUBJECT TO THE MASSACHUSETTS WETLANDS PROTECTION ACT. THE WETLANDS BOUNDARIES AS SHOWN WERE TAKEN FROM THE 2014 SITE PLAN PREPARED BY JH ENGINEERING. THE WETLAND RESOURCE AREAS WERE DELINEATED BY ECOTEC INC. IN NOVEMBER OF 2012.

<u>LEGEND:</u>			
BIT.	BITUMINOUS	HDPB	HIGH DENSITY POLYETHYLENE PIPE
CB	CATCH BASIN	IP	IRON PIPE
CO	CLEAN OUT	LP	LIGHT POLE
CONC.	CONCRETE	R	RIM ELEVATION
OPP	CORRUGATED PLASTIC PIPE	RCP	REINFORCED CONCRETE PIPE
DRILL	DRILL HOLE	S	SANITARY SEWER MANHOLE
DMH	DRAIN MANHOLE	S	SEWER PIPE
□	DRAINAGE LINE	T/	TOP OF
□	ELECTRIC METER	T/	TREELINE
□	EROSION CONTROL SOCK	TYP.	TYPICAL
EXIST.	EXISTING	WATER GATE	WATER GATE
FF=	FIRST FLOOR ELEVATION	APPROXIMATE LIMIT OF WETLANDS	APPROXIMATE LIMIT OF WETLANDS
FES	FLARED END SECTION		
FND	FOUND	EXISTING CONTOURS	EXISTING CONTOURS
GM	GAS METER	PROPOSED CONTOURS	PROPOSED CONTOURS

GENERAL NOTES:

1. THE BASE PLAN FOR THIS DESIGN WAS COMPILED FROM AN ON THE GROUND SURVEY CONDUCTED BY MCCLURE ENGINEERING ON DATE AND SUPPLEMENTED WITH TOPOGRAPHY TAKEN FROM 2013-2014 USGS LIDAR: POST SANDY (MA, NH, RI) TAKEN FROM NOAA ON LINE DATA ACCESS WEIVER.
2. ELEVATIONS REFERENCE THE NORTH AMERICAN VERTICAL DATUM OF 1988.
3. HORIZONTAL CONTROL IS BASED UPON THE NORTH AMERICAN DATUM OF 1983.
4. PROPERTY IS LOCATED WITHIN THE H&B DISTRICT AND HAS THE FOLLOWING DIMENSIONAL REQUIREMENTS:

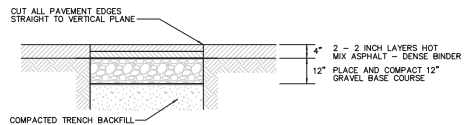
MINIMUM LOT AREA:	45,000 S.F.
MINIMUM LOT FRONTAGE:	200' FEET
MINIMUM YARD SETBACKS (FRONT/SIDE/REAR):	50'/50'/50'
MAXIMUM BUILDING HEIGHT:	55'
MAXIMUM STORIES:	5 1/2
MAXIMUM COVERAGE:	40%
5. PROPERTY DOES NOT LIE WITHIN THE SPECIAL FLOOD HAZARD AREA. FOR REFERENCE SEE THE NATIONAL FLOOD INSURANCE PROGRAM RATE MAP NO. 25027C0784E FOR COMMUNITY NO. 250313 AND DATED JULY 4, 2011.
6. THIS PLAN IS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY MATTERS THAT SUCH A REPORT MAY DISCLOSE.



IF UNSUITABLE FILL IS FOUND BELOW PROPOSED GRAVEL PARKING AREA, FILL IS TO BE REMOVED TO AT LEAST 36" BELOW FINISHED GRADE. GEOTEXTILE REINFORCEMENT IS TO BE INSTALLED BEYOND LIMITS OF FILL, AND BACKFILLED WITH CLEAN COMPACTED FILL IN 6" LIFTS

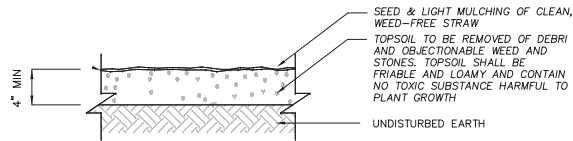
GRAVEL PARKING LOT DETAIL

NOT TO SCALE



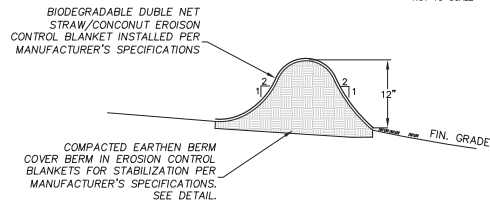
PAVEMENT PATCH/ TRENCH REPAIR DETAIL

NOT TO SCALE



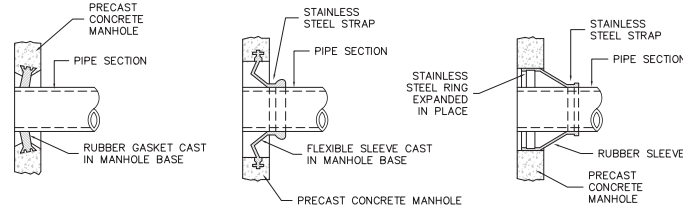
TOP SOIL & SEEDING DETAIL

NOT TO SCALE



EARTHEN DIVERSION BERM DETAIL

NOT TO SCALE

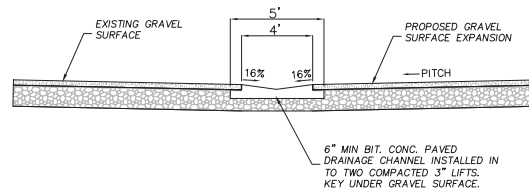


NOTE:

- 1) CONTRACTOR SHALL BE REQUIRED TO MAKE ALL PIPE PENETRATIONS WATER TIGHT.
- 2) THE PIPE TO MANHOLE CONNECTION SHALL BE A FLEXIBLE RUBBER PIPE SLEEVE EITHER CAST IN PRECAST MANHOLE SECTION OR HELD IN PLACE BY STAINLESS STEEL RINGS EXPANDED IN PLACE TO MEET SPECIFICATIONS OF ASTM C923.

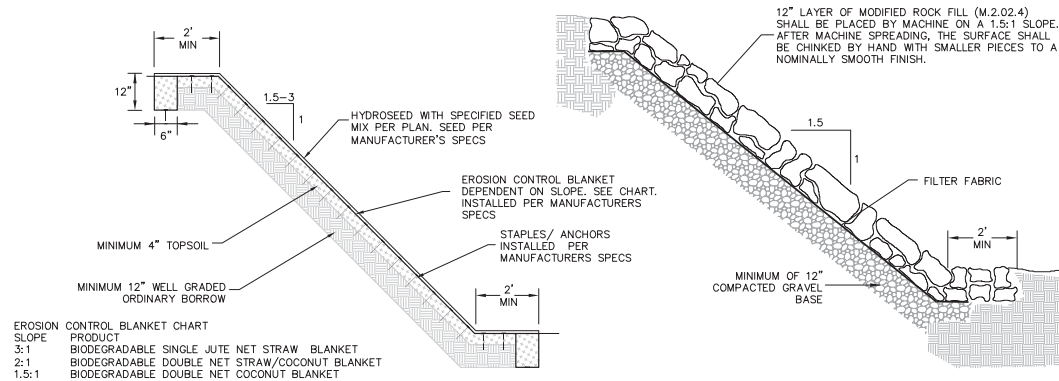
MANHOLE SEAL DETAILS

NOT TO SCALE



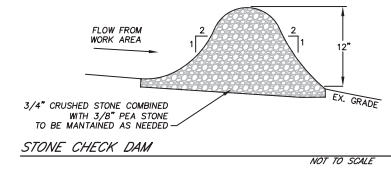
BIT CONCRETE DRAINAGE CHANNEL DETAIL

NOT TO SCALE



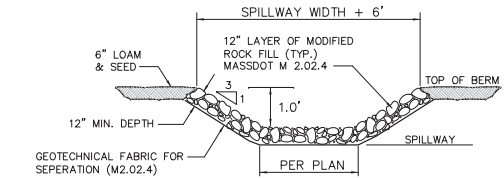
SLOPE STABILIZATION DETAILS

NOT TO SCALE



STONE CHECK DAM

NOT TO SCALE



EMERGENCY SPILLWAY DETAIL

NOT TO SCALE

REVISIONS	DESCRIPTION	DATE	MADE BY

PETER C. ENGLE, P.E.	5/27/24
PROFESSIONAL ENGINEER	MA LIC. NO.



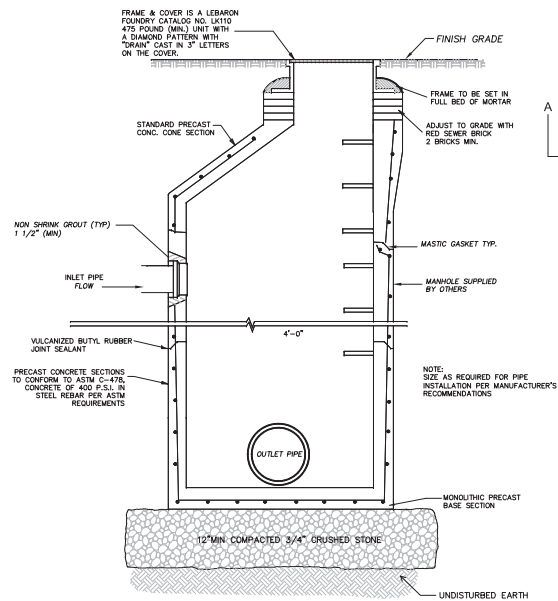
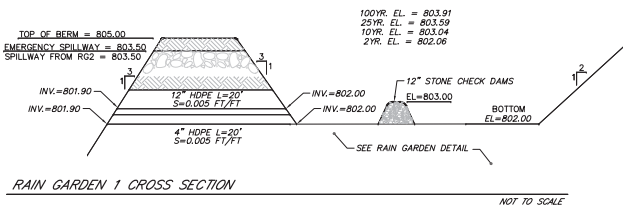
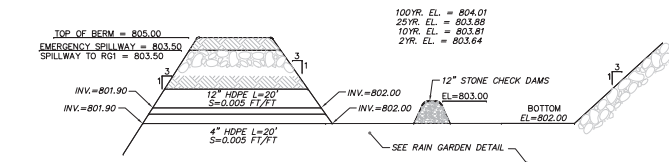
McCLURE
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Tel: (508) 248-2005
Fax: (508) 248-4887
Email: pengle@mcclureengineers.com

SITE PLAN MODIFICATION
112 HUNTON MEMORIAL HIGHWAY
ROCHDALE, MA
CENTRAL MASS CRANE
112 HUNTON MEMORIAL HIGHWAY
ROCHDALE, MA 01524-1938

DRAWN BY:	WN
DATE:	8.20.21
CHK BY:	PE
SCALE:	N.T.S.
PROJ. NO.	151-2415-M

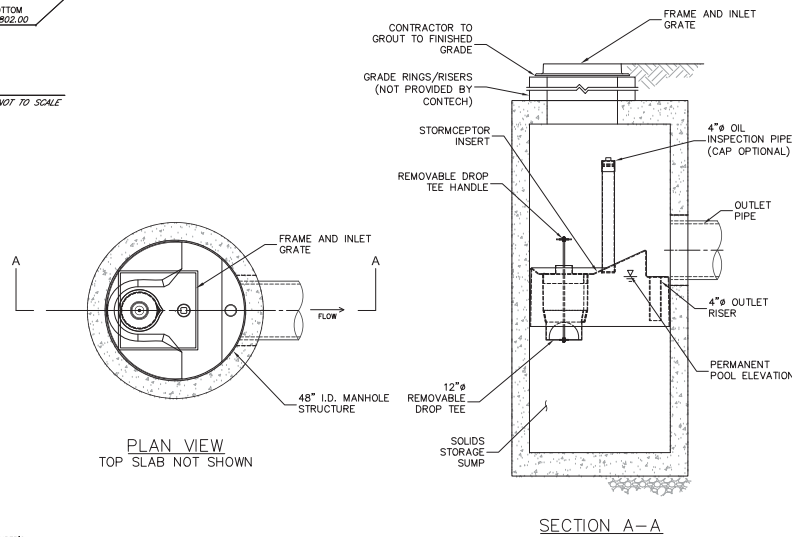
CONSTRUCTION
DETAILS

C5



PRECAST CONCRETE DRAINAGE MANHOLE

NOT TO SCALE



PLAN VIEW
TOP SLAB NOT SHOWN

SECTION A-A

GENERAL NOTES

- CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
- FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS LLC REPRESENTATIVE. www.conteches.com
- STORMCEPTOR WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
- STORMCEPTOR STRUCTURE SHALL MEET AASHTO HS20 LOAD RATING, ASSUMING EARTH COVER OF 0' - 2' [610], AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 AND BE CAST WITH THE CONTECH LOGO.
- STORMCEPTOR STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C478 AND AASHTO LOAD FACTOR DESIGN METHOD.

INSTALLATION NOTES

- ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
- CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STORMCEPTOR MANHOLE STRUCTURE.
- CONTRACTOR TO INSTALL JOINT SEALANT BETWEEN ALL STRUCTURE SECTIONS AND ASSEMBLE STRUCTURE.
- CONTRACTOR TO PROVIDE, INSTALL, AND GROUT INLET AND OUTLET PIPE(S). MATCH PIPE INVERTS WITH ELEVATIONS SHOWN. ALL PIPE CENTERLINES TO MATCH PIPE OPENING CENTERLINES.
- CONTRACTOR TO TAKE APPROPRIATE MEASURES TO ASSURE UNIT IS WATER TIGHT, HOLDING WATER TO FLOWLINE INVERT MINIMUM. IT IS SUGGESTED THAT ALL JOINTS BELOW PIPE INVERTS ARE GROUTED.

STORMCEPTOR 450' DETAILS

NOT TO SCALE

NOTE:
UNTIL THE PLANT MATERIAL HAS TAKEN ROOT, WATER THE RAIN GARDEN ON A DAILY BASIS. IN ADDITION, WATER THE RAIN GARDEN DURING DROUGHT CONDITIONS. INSPECT THE SOIL AN DREPAIR ERODED AREAS OF THE RAIN GARDEN MONTHLY. RE-INMULCH VOID AREAS AS NEEDED. REMOVE LITTER AND DEBRIS MONTHLY. TREAT DISEASED VEGETATION AS NEEDED. REMOVE AND REPLACE DEAD VEGETATION TWICE PER YEAR (SPRING AND FALL). REMOVE INVASIVE SPECIES INCLUDING WEEDS AS NEEDED TO PREVENT THESE SPECIES FROM SPREADING INTO THE RAIN GARDEN. REPLACE MULCH EVERY TWO YEARS. IN THE EARLY SPRING, UPON FAILURE, EXCAVATE THE RAIN GARDEN AREA, SCARIFY THE BOTTOM AND SIDES, REPLACE SOIL, REPLANT, AND MULCH.

RAIN GARDEN PLANTING SCHEDULE:

SIDE SLOPES:

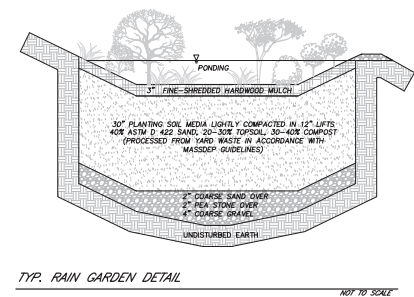
- (10) LOWBUSH BLUEBERRY (VACCINIUM ANTHUSIFOLIUM), 12" TALL, 5" O.C.
- (8) MEADOWSWEET (SPIRAEA LATIFOLIA), 2-3' TALL, 3' O.C.
- (10) BLACK CHERRYBERRY (ARONIA MELANOCARPA), 2-3' TALL, 4' O.C.
- (40) BERRBERRY (ARCTOSTAPHYLOS UVA-URSI), 12" TALL, 12" O.C.

BASE OF RAIN GARDEN:

- (50) NEW ENGLAND ASTER (ASTER NOVAE-ANGIAE), 2" PLUGS, 2' O.C.
- (50) SENSITIVE FERN (ONOCLEA SENSIBILIS), 2" PLUGS, 2' O.C.
- (50) GRASS-LEAVED GOLDENROD (EUTHAMIA GRAMINIFOLIA), 2" PLUGS, 2' O.C.
- (100) BLUE FLAG IRIS (IRIS VISCIDIFLORA), 2" PLUGS, 18" O.C.
- (50) BROOM SEDGE (CAREX SCOPARIA), 2" PLUGS, 2' O.C.

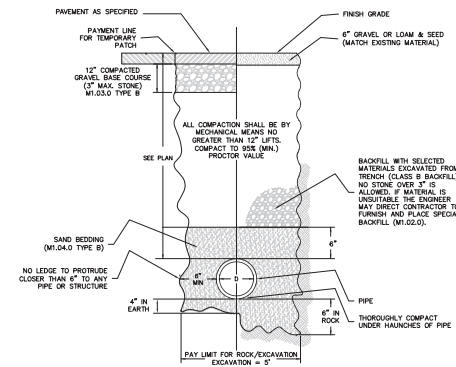
SALVAGE AND REPLANT EXISTING VEGETATION WHERE POSSIBLE.

CAREFULLY REMOVE AND POT DURING CONSTRUCTION AND TRANSPLANT IMMEDIATELY AFTER RAIN GARDEN REGRADING IS COMPLETED.



TYP. RAIN GARDEN DETAIL

NOT TO SCALE



GENERAL NOTES:

- IF SIGNIFICANT LEDGE IS ENCOUNTERED THE ENGINEER WILL BE INFORMED AND A PLAN FOR EXPECTED METHODS AND SCHEDULE OF REMOVAL SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL.

TYPICAL DRAIN LINE TRENCH DETAIL

NOT TO SCALE

REV	DATE	DESCRIPTION	MADE BY

PETER C. ENGLE, P.E. PROFESSIONAL ENGINEER	5/27/24	MA. LIC. NO.	
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McClure ENGINEERING, INC. 119 Worcester Road Charlton, MA 01507 Tel: (508) 248-2005 Fax: (508) 248-4887 Email: pengle@mcclureengineers.com
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SITE PLAN MODIFICATION 112 HUNTON MEMORIAL HIGHWAY ROCHESTER, MA PREPARED FOR: CENTRAL MASS CRANE 112 HUNTON MEMORIAL HIGHWAY ROCHESTER, MA 01507-1038

DRAWN BY:	WN
DATE:	8.20.21
CHK BY:	PE
SCALE:	N.T.S.
PROJ. NO.	151-2415-M

CONSTRUCTION
DETAILS

C6

September 23, 2021

Leicester Planning Board
Town of Leicester
3 Washburn Square
Leicester, Massachusetts 01524

Re: Central Mass Crane
Site Plan Modification

To the Board:

We are in receipt of the following information in association with the above referenced project:

- Plan entitled “SITE PLAN MODIFICATION, GRAVEL PARKING EXPANSION, CENTRAL MASS CRANE, ROCHDALE, MA 01542”, comprised of 6 sheets, C1-C6, dated 8.20.21 by McClure Engineering, Inc. of Charlton.
- Bound package entitled “Stormwater Management Report, Site Plan Modification, Central MA Crane Service, Inc, 112 Huntoon Memorial Highway by McClure Engineering, Inc. of Charlton.
- Letter addressed to Michelle Buck, providing narrative of project, dated August 25, 2021, by McClure Engineering, Inc. of Charlton, with attachments including:
 - Site Plan Approval and Stormwater Permit, dated July1, 2014.
 - Application for Site Plan Review

We have performed a review of the submitted plans for conformance with Leicester Zoning By-Laws including §5.2: *Site Plan Review*, and with §3.31 *Highway Business-Industrial District 2*.

It is understood that this project is solely an expansion of the gravel storage area for equipment, and that no alteration to the building or operation is proposed which would

affect parking or other dimensional limitations or requirements. On that basis, no review of existing parking or existing facilities is included herein.

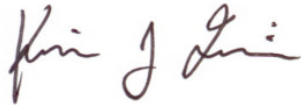
Our comments are found below:

1. The existing wetland in the vicinity of the proposed rain gardens was last assessed in 2012. Wetland assessments are generally recognized as valid for up to 2 years; it is recommended that the wetland be reassessed to validate the current perimeter, and status.
2. In both rain gardens, RG-1 and RG-2, water discharges over the Emergency Spillway during the 100-year return storm, and lesser storms. To avoid future confusion, the spillway should not be identified as an “Emergency Spillway”.
3. In the hydrologic analysis, flows from culverts exiting RG-1 and RG-2 discharge at relatively high velocity (5 feet per second +/-) directly into the existing wetland. Some means of dissipating this high velocity flow would be important, to avoid disrupting the wetland.
4. In the proposed storage area expansion, plans do not call for additional site lighting. Leicester Planning Board may wish to request the Engineer address whether additional site lighting is appropriate in this location.
5. The plan calls for a 2:1 sideslope of RG-1, and 1:1 sideslope of RG-2. The Massachusetts Stormwater Handbook recommends maximum sideslopes of 3:1. Engineer should request a waiver of that standard. In the congested location of these rain gardens, the proposed sideslopes appear to be appropriate; this office would recommend approval of the requested waiver.

Leicester Planning Board
Central Mass Crane, Site Plan Modification
September 23, 2021
Page 3 of 3

Please contact this office should you have questions.

Sincerely,
QUINN ENGINEERING, INC.

A handwritten signature in dark ink, appearing to read "Kevin J. Quinn". The signature is fluid and cursive, with the first name "Kevin" and last name "Quinn" clearly distinguishable.

Kevin J. Quinn, P.E.
President

SPECIAL PERMIT/SITE PLAN

at

1439 MAIN STREET

LEICESTER, MA

- NOTE:
- 1.) PROPERTY LINES/SITE FEATURES ARE TAKEN FROM PLAN PREPARED BY J.R. RUSSO & ASSOCIATES ENTITLED AS-BUILT PLAN FOR 1439 MAIN STREET LEICESTER MA DATED 9-23-10.
- 2.) THE PURPOSE OF THIS PLAN IS FOR THE PREPARATION OF THE EXISTING PARCEL LOCATED AT 1439 MAIN STREET FOR FUTURE A DEVELOPMENTAL.
- 3.) MATERIALS AND CONSTRUCTION PRACTICES SHALL BE IN CONFORMANCE WITH THE LATEST EDITION OF THE TOWN OF LEICESTER'S DEPARTMENT OF PUBLIC WORKS & PARKS STANDARD SPECIFICATIONS & DETAILS, UNLESS OTHERWISE SPECIFIED BY LOCAL AUTHORITY OR THE ENGINEER.
- 4.) THE CONTRACTOR SHALL UTILIZE ALL MEASURES AND MATERIALS NECESSARY TO ENSURE THE SAFETY OF ALL PERSONS AND PROPERTIES AT THE SITE DURING CONSTRUCTION. ALL EXCAVATIONS SHALL CONFORM TO CURRENT OSHA STANDARDS.
- 5.) UNLESS OTHERWISE NOTED, ALL DISTURBED AREAS SHALL BE DRESSED WITH A MINIMUM OF FOUR INCHES (4") OF LOAM AND SHALL BE SEEDED WITH AN APPROVED GRASS MIX.
- 6.) THE CONTRACTOR SHALL PROVIDE APPROPRIATE EROSION AND SEDIMENTATION CONTROL MEASURES AT ALL TIMES. DEWATERING OPERATIONS SHALL BE PROVIDED, IF REQUIRED; ALL DISCHARGE SHALL PASS THROUGH SEDIMENTATION CONTROL DEVICES TO PREVENT IMPACTS UPON WATER BODIES, BORDERING VEGETATED WETLANDS, DRAINAGE SYSTEMS AND ABUTTING PROPERTIES.
- 7.) DISTURBED AREAS SHALL BE STABILIZED BY LOAMING AND SEEDING SOON AFTER THE FINISHED GRADE HAS BEEN MET. IF FINAL GRADING DOES NOT OCCUR DURING THE GROWING SEASON, THESE AREAS SHALL BE MULCHED WITH HAY SECURED BY WEIGHTED SNOW FENCE, CHICKEN WIRE MESH OR JUTE NETTING WITH STAPLES. SEED FOR PERMANENT GRASS COVER SHOULD BE ACCORDING TO SOIL CONSERVATION SERVICE GUIDELINES FOR SOIL AND MOISTURE CONDITIONS FOUND ON THE SITE.
- 8.) SEDIMENTATION CONTROL FENCE AND/OR HAY BALES SHALL BE MAINTAINED UNTIL ALL SLOPES HAVE BEEN STABILIZED AND THERE IS NO DANGER OF EROSION DIRECTLY ONTO ABUTTING PROPERTIES.
- 9.) PRIOR TO INITIATING CONSTRUCTION, SEDIMENTATION CONTROL DEVICES SHALL BE INSTALLED. THE CONTRACTOR SHALL MAINTAIN THE DEVICES UNTIL ALL WORK IS COMPLETE AND ALL AREAS HAVE BEEN STABILIZED.
- 10.) IF THE PROPOSED ROADWAY AREAS ARE NOT PAVED IMMEDIATELY AFTER THE INSTALLATION OF THE DRAINAGE STRUCTURES, HAY BALES SHALL BE PLACED TO PROTECT THE INTEGRITY OF THE STRUCTURES.
- 11.) THE LOCATION OF UNDERGROUND UTILITIES AND STRUCTURES ARE BASED ON FIELD AND RECORD INFORMATION. THE ENGINEER DOES NOT GUARANTEE THEIR ACCURACY OR THAT ALL UTILITIES AND SUBSURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERT ELEVATIONS OF STRUCTURES AND UTILITIES, AS REQUIRED PRIOR TO THE START OF CONSTRUCTION. ANY DISCREPANCIES WITH RECORD DATA SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY PRIOR TO, AND DURING CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY AND COORDINATE WITH THE LOCAL UTILITY COMPANIES, WITH THE TOWN OF STURBRIDGE'S HIGHWAY DEPARTMENT, OTHER TOWN UTILITY DEPARTMENTS, APPLICABLE PRIVATELY OWNED UTILITY COMPANIES AND DIG-SAFE (1-888-344-7233) TO VERIFY UTILITY LOCATION AND TO PROTECT UTILITIES DURING AND AFTER CONSTRUCTION.
- 12.) THE CONTRACTOR SHALL PROVIDE FOR ALL TRAFFIC CONTROL IN ACCORDANCE WITH THE TOWN OF LEICESTER REQUIREMENTS.
- 13.) NO TRENCHES SHALL BE ALLOWED TO REMAIN OPEN OVERNIGHT.



LOCUS MAP

LIST OF DRAWINGS:

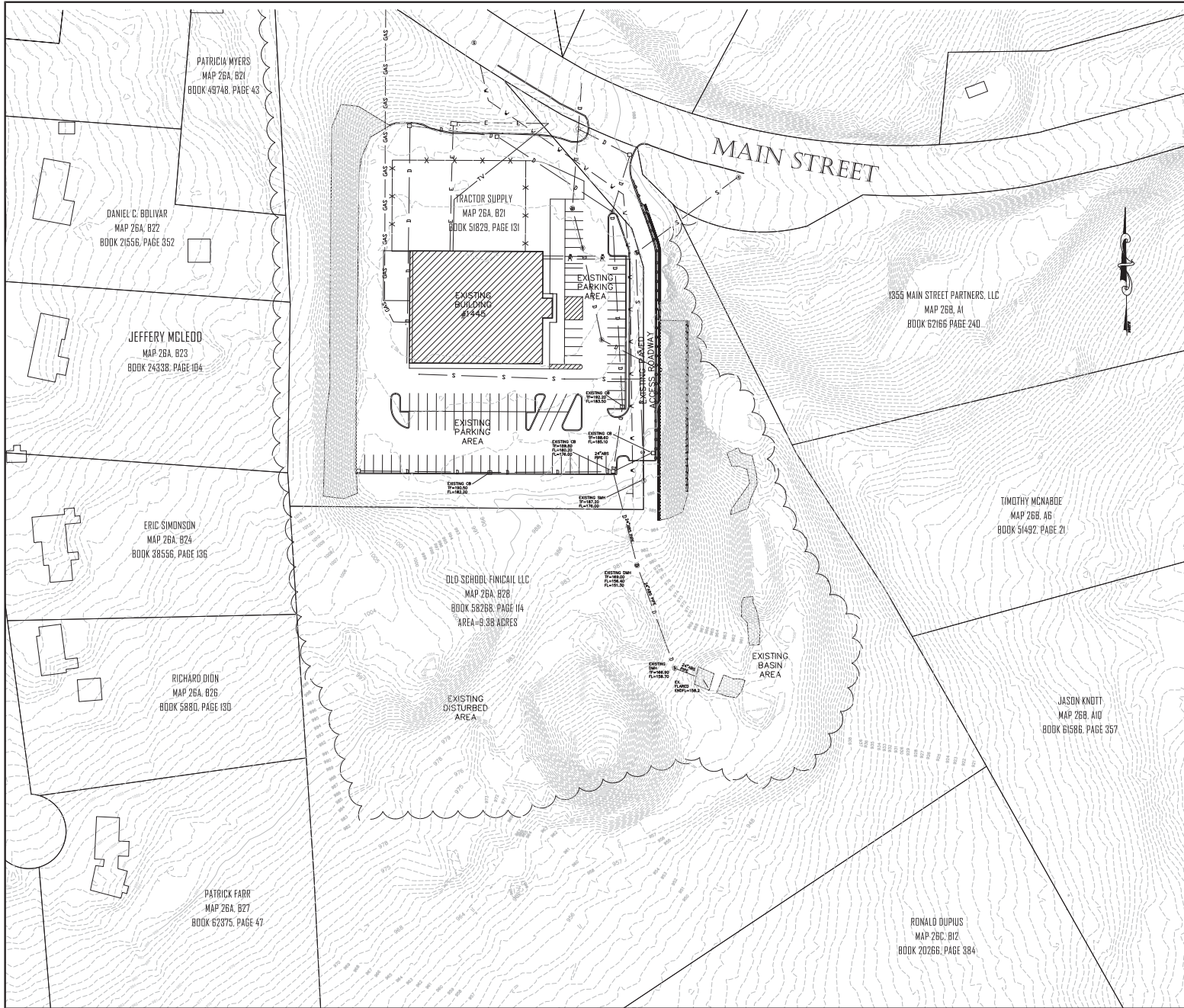
- | | |
|-----------|---------------------|
| SHEET - 1 | COVER SHEET |
| SHEET - 2 | EXISTING CONDITIONS |
| SHEET - 3 | GRADING PLAN |
| SHEET - 4 | DETAIL SHEET |

ZONE: (HB-1) HIGHWAY BUSINESS INDUSTRIAL 1 DISTRICT		
	MAX./REQUIRED	PROVIDED
LOT AREA:	60,000 SQ. FT.	408,952 SQ. FT.
FRONTAGE:	200'	247±
BUILDING HEIGHT (MEAN):	55'	N/A
LOT COVERAGE:	40%	N/A
IMPERVIOUS SURFACE:	40%	N/A
SETBACK REQUIREMENTS		
FRONT:	50'	N/A
SIDE:	50'	N/A



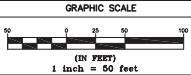
REVISIONS		
REV.	DATE	DESCRIPTION
1	7/29/21	REVISED PER COMMENT LETTER.
2	9/14/21	REVISED PER QUINN COMMENTS.
PROJECT NO.	21-212	
DESIGNED BY	PML	
CHECKED BY	AB	
DATE	6/21/21	
CAD FILE	21-212 SPECIAL PERMIT PLAN	

P.E.	P.L.S.
APPROVAL UNDER SITE PLAN REVIEW. LEICESTER PLANNING BOARD BEING A MAJORITY	
APPROVAL DATE: _____ ENDORSEMENT DATE: _____	
PREPARED BY: SUMMIT Engineering & Survey, Inc. 700 MAIN STREET OXFORD, MA 01537 P: (508) 887-8713 F: (508) 887-8714	
SHEET TITLE COVER SHEET	
SPECIAL PERMIT PLAN at 1439 MAIN STREET (ROUTE 9) LEICESTER, MA PREPARED FOR SCHOLD DEVELOPMENT	
SHEET NO. C-1.0	

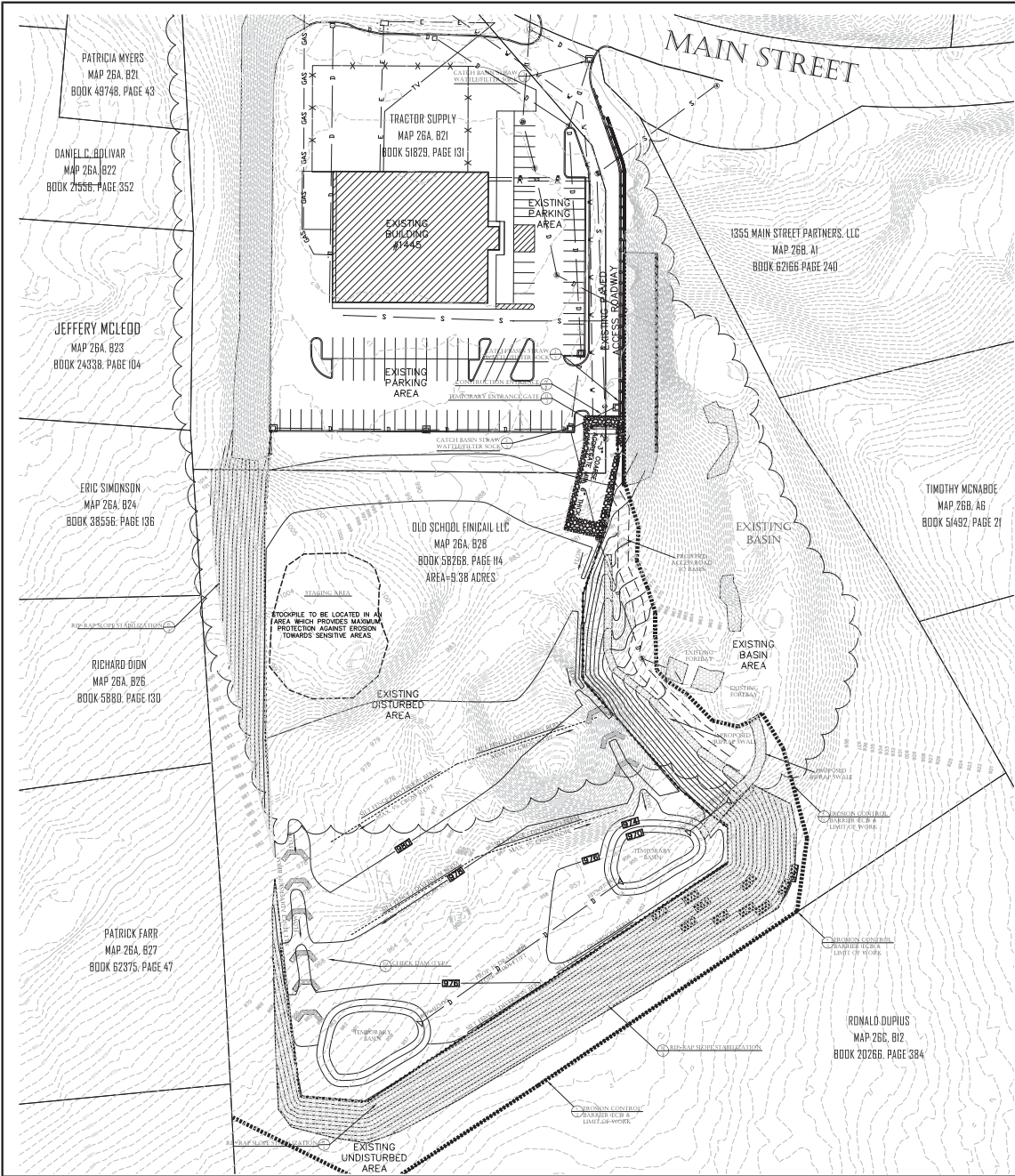


Andrew P. Quinn

REVISIONS		
REV.	DATE	DESCRIPTION
1	7/29/21	REVISED PER COMMENT LETTER.
2	9/14/21	REVISED PER QUINN COMMENTS.
PROJECT NO. 21-212		
DESIGNED BY PML		
CHECKED BY AB		
DATE 6/14/21		
CAD FILE 21-212 SPECIAL PERMIT		



P.E.	P.L.S.
APPROVAL UNDER SITE PLAN REVIEW. LEICESTER PLANNING BOARD BEING A MAJORITY	
APPROVAL DATE: _____ ENDORSEMENT DATE: _____	
PREPARED BY: SUMMIT Engineering & Survey, Inc. 710 MAIN STREET OXFORD, MA 01537 P: 508.887.8713 F: 508.887.8714	
SHEET TITLE EXISTING CONDITIONS PLAN	
SPECIAL PERMIT PLAN at 1439 MAIN STREET (ROUTE 9) LEICESTER, MA PREPARED FOR SCHOLD DEVELOPMENT	
SHEET NO. C-2.0	



EROSION AND SEDIMENT CONTROL REQUIREMENTS

PART 1 - GENERAL

1.01 SUMMARY

- A. FURNISH, INSTALL, AND MAINTAIN TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL MEASURES SUCH AS, BUT NOT NECESSARILY LIMITED TO, STRAIN CHANNELS AND BARRIERS, CHECK DAMS, STRATEGICALLY LOCATED STORMPILES, SEDIMENT BINS, MULCH, AND SOD. EROSION CONTROL MEASURES SHALL BE DESIGNED TO PREVENT THE CONVEYANCE OF EROSION PRODUCTS (E.G. SOIL, MULCH, SOD) OFF SITE, INTO ENVIRONMENTALLY SENSITIVE AREAS OR INTO AREAS WHERE WORK WILL BE ADVERSELY AFFECTED. ENVIRONMENTALLY SENSITIVE AREAS INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, WETLANDS, THATCHED TO WETLANDS, WETLAND BUFFER ZONES, WETLANDS, AND FRESHWATER STREAMS / RIVERS, AND OTHER SENSITIVE AREAS.

ALL METHODS AND MATERIALS USED FOR EROSION CONTROL SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN "DESIGN AND EROSION CONTROL" GUIDELINES FOR URBAN AND SUBURBAN AREAS A GUIDE FOR PLANNERS, DESIGNERS, AND MUNICIPAL OFFICIALS AS PUBLISHED BY THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL PROTECTION, BUREAU OF RESOURCE PROTECTION, UNLESS OTHERWISE APPROVED IN WRITING.

- 1. REFER TO DRAWINGS FOR LOCATION AND DETAILS OF LIMITS OF DISTURBANCE AND CONTROL MEASURES REQUIRED TO COMPLY WITH THE LIMITS OF DISTURBANCE SHALL BE MAINTAINED WITHIN THE LIMITS OF DISTURBANCE. CONTROL MEASURES SHALL BE MAINTAINED WITHIN THE LIMITS OF DISTURBANCE. CONTROL MEASURES SHALL BE MAINTAINED WITHIN THE LIMITS OF DISTURBANCE. CONTROL MEASURES SHALL BE MAINTAINED WITHIN THE LIMITS OF DISTURBANCE.

- 2. DEVICE AND EMPLOY CONTROL MEASURES THROUGHOUT THE DURATION OF PROJECT, OVER ALL AREAS DISTURBED OR UNDISTURBED BY CONSTRUCTION, AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. WHILE ALLOWING WORK TO PROCEED IN AN EFFICIENT, COST EFFECTIVE MANNER.

- 3. DEVICE AND EMPLOY TEMPORARY CONTROL MEASURES AS NECESSARY TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. WHILE ALLOWING WORK TO PROCEED IN AN EFFICIENT, COST EFFECTIVE MANNER.

- 4. DEVICE, EMPLOY AND MAINTAIN CONTROL MEASURES UNTIL SUCH TIME AS THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FRESH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROAD AREA.

- 5. ONCE THE SITE IS PERMANENTLY STABILIZED AND CERTIFIED AS SUCH BY ENGINEER, REMOVE TEMPORARY CONTROL MEASURES WHILE PROTECTING STABILIZED SURFACES.

1.02 SUBMITTALS

- A. SUBMIT PRODUCT DATA, WARRANTY, AND TEST REPORTS AS INDICATED ON THE DRAWINGS.

- B. SUBMIT SLOPE STABILIZATION LOCATIONS OF PROPOSED STORMPILES, AREAS, CONSTRUCTION ENTRANCES AND EROSION CONTROLS IF NOT SHOWN ON THE SITE PLAN OR DIFFERENT FROM THOSE LOCATIONS SHOWN ON THE SITE PLAN.

- C. A SITE SPECIFIC SCHEDULE OF CONSTRUCTION FOR EACH PORTION OF THE SITE, NO PORTION OF THE SITE SHALL EXCEED FIVE (5) ACRES.

1.03 QUALITY ASSURANCE

- A. COMPLY WITH GOVERNING CODES AND REGULATIONS. PROVIDE PRODUCTS FROM QUALIFIED AREAS, STABLE, EXPOSED CONSTRUCTION STAGING AREA, LOCATED OUTSIDE ENVIRONMENTALLY SENSITIVE AREAS.

- B. CONFORM TO CONDITIONS OF APPROVAL ISSUED BY REGULATORY AGENCIES INCLUDING, BUT NOT NECESSARILY LIMITED TO, LOCAL PLANNING BOARD, CONSERVATION COMMISSION, CITY COUNCIL, BOARD OF HEALTH, PUBLIC WORKS / HIGHWAY DEPARTMENT, STATE ENVIRONMENTAL PROTECTION DEPARTMENT, AND U.S. DEPARTMENT OF ENVIRONMENTAL PROTECTION. WHERE CONDITIONS OF REGULATORY APPROVAL DIFFER FROM REQUIREMENTS CONTAINED HEREIN OR ON THE DRAWINGS, COMPLY WITH THE MORE STRINGENT REQUIREMENT.

PART 2 - PRODUCTS

2.01 MATERIALS

- A. STRAW BALES: WEED FREE DRY GRASS OR STRAW, MACHINE BOUND WITH JUTE OR WIRE, APPROXIMATE SIZE EACH BALE 4'0" x 8'0" x 16". EACH BALE SHALL BE STAKED WITH A MINIMUM OF TWO 24" LONG HARDWOOD STAKES, NOTED HAY SHALL NOT BE USED.

- B. STRAW BATTLES: NORTH AMERICAN GREEN MODEL W8210 OR APPROVED EQUAL.

- C. SILT FENCE: NON-WOVEN, UV-RESISTANT, POLYPROPYLENE FABRIC, FLOW RATED AT 10 GPM OF MINIMUM GRASS THATCH RATES AT 124 POUNDS PERMANENT, WITH PERFORATION, STAKE LOGS AND HARDWOOD STAKES. USE NO. 2130 BY AMCO FABRICS & FIBERS, OR APPROVED EQUAL.

- D. MULCH: ORGANICS INCLUDING STRAW, PROCESSING PINE / HEMLOCK TWIGS AND REDWOOD.

- E. SEED MIX: SHALL MEET THE REQUIREMENTS OF MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, LATEST EDITION SECTION 6.02.0 OF 6.02.0 IS APPROPRIATE.

- F. EXPOSURE BLANKET: CURLED WOOD FIBER OR PHOTOGRAPHICABLE EXTENDED PLASTIC MATING MIX OF FIBER AND NON-CURLED OR LONGER WOOD FIBER FIBERS / ST. CONTAIN NO CHEMICAL ADDITIVES. USE CUREX I BLANKET BY AMERICAN EXPOSURE COMPANY, OR APPROVED EQUAL.

- G. ROCK BARRIAR: SOUND, ANGULAR, 6-INCH MINUS PROCESSOR ROCK, BLAST ROCK, OR TALUS.

- H. CRUSHED STONE: SOUND, ANGULAR, 2-INCH MINUS PROCESSOR CRUSHED STONE.

JASON KNOTT

MAP 26B, 10D
BOOK B156B, PAGE 357



1 inch = 50 feet

INTERSTATE TOWING

NOTES:

- (1) SLOPE SURFACE SHALL BE FREE OF ROCK, CLODS, STOPS AND GRASS. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT.
- (2) APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS.
- (3) MATS/BLANKETS LOCATED AT SOURCE OF EROSION TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STRETCH.
- (4) MATS/BLANKETS SHOULD BE INSTALLED VERTICALLY DOWNSLOPE.

PART 3 - DESIGN

- 3.01 THROUGHOUT CONSTRUCTION

- A. SEVERE WORK EXPOSURE SO AS TO LIMIT DRAINAGE AREA THAT IS TRIBUTARY TO DISTURBED AREAS. STORM, DRAINAGE, AND MAINTAIN CONTROL MEASURES SUCH AS SEDIMENT BASINS TO SUBSIDIZE DRAINAGE AREAS INTO SMALL, MANAGEABLE SUBBASINS. MAINTAIN MINIMUM SLOPE AND THE POTENTIAL FOR EROSION.

- B. MAINTAIN BARRIAR AT LIMIT OF WORK AND PROTECT EXISTING VEGETATION / FACILITIES OUTSIDE OF LIMIT OF WORK.

- C. MAINTAIN BARRIAR MATERIAL EMPLOYMENT / REPAIR / EXTENSION OF CONTROL MEASURES. AT A MINIMUM, SUCH MATERIALS SHALL INCLUDE ERY MULCH, SILT FENCE AND STAKES, AND CRUSHED STONE.

- D. INSPECT AND MAINTAIN EFFECTIVENESS OF CONTROL MEASURES BY REPAIRING OR REPLACING MATERIALS AS SOON AS PRACTICABLE AFTER EACH MANAGEABLE PORTION OF EARTHWORK IS COMPLETE. EMPLOY TEMPORARY MEASURES AS NECESSARY TO MAINTAIN EFFECTIVE STORM VOLUME.

- E. LIMIT EXTENT OF WORK AREA SO THAT ALL DISTURBED AREAS CAN BE STABILIZED WITH CONTROL MEASURES WITHIN A 24-HOUR PERIOD.

- F. PERMANENT CONTROL MEASURES AS SOON AS PRACTICABLE AFTER EACH MANAGEABLE PORTION OF EARTHWORK IS COMPLETE. EMPLOY TEMPORARY MEASURES AS NECESSARY TO MAINTAIN EFFECTIVE STORM VOLUME.

- G. WHEN INTENSE RAINFALL IS EXPECTED, CONSIDER, DISUSE, AND EMPLOY REINFORCING CONTROL MEASURES PRIOR TO THE RAINFALL EVENT TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A. IF NECESSARY, EMPLOY TEMPORARY CONTROL MEASURES ON MATERIAL STORAGES TO CONTACTS POTENTIAL SEDIMENT TRANSPORT DURING INTENSE RAINFALL.

- H. WHEN VEHICLE REVERSING IS REQUIRED ON SITE, CONDUCT REVERSING OPERATIONS OUTSIDE OF ENVIRONMENTALLY SENSITIVE AREAS.

- I. PROPERLY DISPOSE OF DEBRIS, SOLID WASTE, TRASH, AND CONSTRUCTION WASTE / BYPRODUCTS OFF SITE.

- J. SWEEP ON-SITE PAVED AREAS AND OFF-SITE STREETS AS NECESSARY TO PREVENT SLT AND DEBRIS ORIGINATING ON SITE FROM ENTERING CLOSED DRAINAGE SYSTEMS AND / OR ENVIRONMENTALLY SENSITIVE AREAS. WHEN NECESSARY UTILIZE WATER SPRAYING, SURFACE ROUGHENING AND/OR APPLY POLYMERS, SPRAY-ON TACKERS, FLUORIDES AND BARRIERS FOR EROSION CONTROL.

- K. INSPECT EROSION CONTROLS DAILY THROUGHOUT CONSTRUCTION REPAIR DAMAGED CONTROLS IMMEDIATELY.

- L. SITE PREPARATION AND ACCESS

- A. WALK SITE AND IDENTIFY LOCATIONS OF LIMIT OF WORK AND ENVIRONMENTALLY SENSITIVE AREAS, ESTABLISH CONSTRUCTION STAGING AREA, LOCATED OUTSIDE ENVIRONMENTALLY SENSITIVE AREAS.

- B. INSTALL CONTROL MEASURES AS SHOWN ON THE DRAWINGS, INCLUDING THOSE OUTSIDE THE LIMIT OF WORK.

- C. LIMIT VEHICULAR TRAFFIC TO AND FROM SITE TO MINIMIZE TRANSPORT OF SEDIMENT.

- 3.03 CLEARING, DRUBBING, AND STEPPING

- A. SCHEDULE GRUBBING AND STEPPING TO OCCUR IMMEDIATELY PRIOR TO EARTH DISTURBANCE. OPERATIONS ON SITE AREA CONSIDER MULCH, GRASSING, PASSES, SUBSIDIZED TO TAKE ADVANTAGE OF THE EROSION PREVENTION POTENTIAL OF EXISTING VEGETATIVE COVER.

- B. MANAGE THE AREA OF EXISTING VEGETATION REMOVED WHEREVER POSSIBLE. NO GREATER THAN FIVE (5) ACRES SHALL BE REMOVED AT ANY TIME.

- C. LOCATE AND SIZE STORMPILES TO MINIMIZE EROSION POTENTIAL, TAKING ADVANTAGE OF TOPOGRAHY, SLOPE AND ASPECT, WHERE APPROPRIATE.

- D. PROTECT VEGETATION, INCLUDING ROOT SYSTEMS, BEYOND LIMIT OF CLEARING.

- E. PROCESS TRUNKS, STUMPS, SLASH, AND BRUSH SO AS TO PROTECT ENVIRONMENTALLY SENSITIVE AREAS AND INSTALL CONTROL MEASURES. PROPERLY DISPOSE OF EXCESS OFF SITE. BURNAL OF STUMPS ON SITE IS PROHIBITED.

- 3.04 EXCAVATION FOR BUILDING FOUNDATIONS AND UTILITIES

- A. DEVICE AND INSTALL CONTROL MEASURES ADEQUATE TO MINIMIZE DISTURBANCE AND TRAP SEDIMENT FROM FOOTING SLUMP AND WELL POINT PUMPS PRIOR TO EXCAVATION.

- B. ARMOR SLUMP PUMP DISCHARGE LOCATIONS TO PREVENT EROSION AT POINT OF DISCHARGE AND AREAS DOWNSTREAM.

- C. IF FOUNDATION EXCAVATIONS GRADE TO DRAINAGE ON THE LOW SIDE, DEVICE AND INSTALL CONTROL MEASURES TO HANDLE SURFACE AND GROUNDWATER FLOW FROM EXCAVATION LOW POINT.

- D. STORMPILE EXCAVATED MATERIALS TO BATTLE OVERLAND RUNOFF, AVOIDING THE CREATION OF LENTHLY PATHS OF CONCENTRATED RUNOFF. EXISTENCE SURFES SHALL NOT EXCEED.

- E. BACKFILL UTILITY TRENCHES AS SOON AS PRACTICABLE TO PREVENT FLOODING, SLOUGHING, POTENTIAL OVERFLOW, AND REPETITIVE EARTH DISTURBANCE.

3.05 SITE GRADING

- A. WHERE UNDESIRABLE, FOLLOW EXCAVATION AND FILL PRACTICES SHOWN ON DRAWINGS TO LOCALIZE AND MINIMIZE EROSION.

- B. MONITOR SEDIMENT VOLUME IN TEMPORARY SEDIMENT BASINS AND AT DIVERSION RILLS AND CHECK DAMS. IF ALL MEASURES EXCEPT THOSE THAT DO NOT PREVENT EROSION, BEARING CAPACITY, REMOVE AND PROPERLY DISPOSE OF TRAPPED SEDIMENT BEFORE BRINGING SITE TO FINAL SUBGRADE.

- C. EXPOSED SOILS SHALL BE PERMANENTLY STABILIZED WITHIN FIVE (5) BUSINESS DAYS OF COMPLETION OF CONSTRUCTION OF A MINIMUM OF 10% OF THE AREA WHERE NO WORK HAS OCCURRED FOR FOURTEEN (14) DAYS SHALL BE TEMPORARILY STABILIZED WITH HYDRATED OR OTHER APPROVED METHODS.

- D. SLOPES STEEPER THAN 3:1 SHALL BE STABILIZED IMMEDIATELY AFTER COMPLETION.

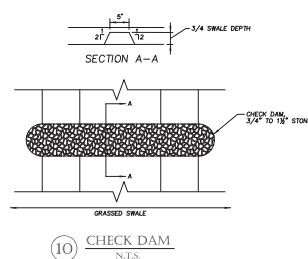
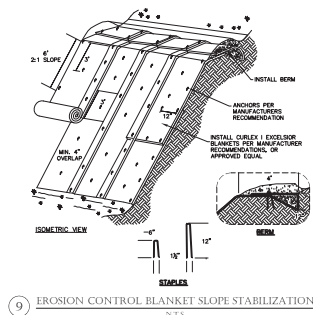
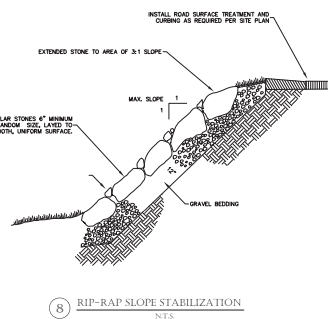
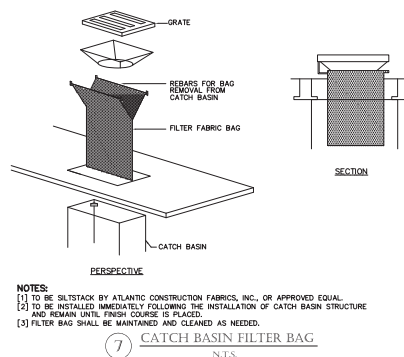
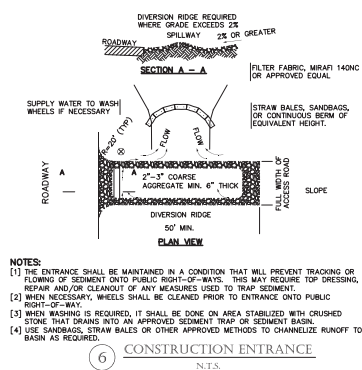
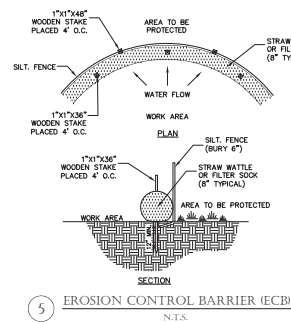
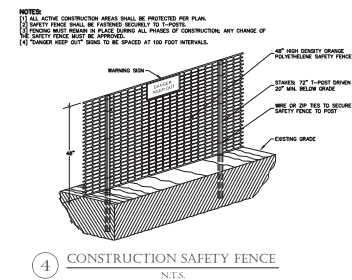
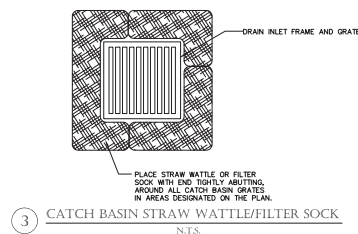
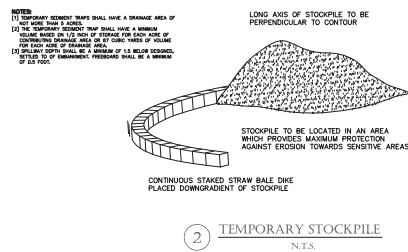
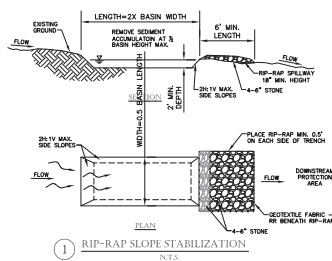
- 3.06 LANDSCAPING

- A. COMPLETE LANDSCAPING AS SOON AS POSSIBLE AFTER COMPLETION OF FINAL SUBGRADE.

- B. IMMEDIATELY AFTER PLACEMENT OF TOPSOIL, STABILIZE WITH CONTROL MEASURES INCLUDING, BUT NOT NECESSARILY LIMITED TO, SEED MIX, MULCH, AND / OR BLANKET.

- C. PERMANENT SEEDING MAY BE DEFERRED TO THE SPRING PRIOR TO 10:1 AND IN BETWEEN AUGUST 1 AND OCTOBER 15. PERMANENT SEEDING AT OTHER TIMES SHALL BE APPROVED AND SHALL ONLY BE ALLOWED WITH AN APPROVED MULCHING AND IRRIGATION PROGRAM.

P.E.	P.L.S.
APPROVAL UNDER SITE PLAN REVIEW. LEICESTER PLANNING BOARD	
BEING A MAJORITY	
APPROVAL DATE: _____	
ENDORSEMENT DATE: _____	
PREPARED BY: SUMMIT Engineering & Survey, Inc. 710 MAIN STREET OXFORD, MA 01537 P: (508) 887-8710 F: (508) 887-8714	
SHEET TITLE	
GRADING PLAN	
DEFINITIVE SITE PLAN at 1439 MAIN STREET (ROUTE 9) LEICESTER, MA PREPARED FOR SCHOLD DEVELOPMENT	
SHEET NO.	
C-3.0	



REVISIONS		
REV.	DATE	DESCRIPTION
1	7/29/21	REVISED PER COMMENT LETTER
2	9/14/21	REVISED PER QUINN COMMENT
PROJECT NO.	21-212	
DESIGNED BY	PML	
CHECKED BY	AB	
DATE	6/14/21	
CAD FILE	21-212 SPECIAL PERMIT PLAN	

P.E.	P.L.S.

APPROVAL UNDER SITE PLAN REVIEW
LEICESTER PLANNING BOARD
BEING A MAJORITY

APPROVAL DATE: _____

ENDORSEMENT DATE: _____



PREPARED BY:

SUMMIT
Engineering & Survey, Inc.
710 MAIN STREET
OXFORD, MA 01537
P:(508) 987-8712 F:(508) 987-8704

SHEET TITLE

DETAIL SHEET

DEFINITIVE SITE PLAN
at
1439 MAIN STREET
(ROUTE 9)
LEICESTER, MA
PREPARED FOR
SCHOLD DEVELOPMENT

SHEET NO.

C-4.0

September 21, 2021

Leicester Planning Board
Town of Leicester
3 Washburn Square
Leicester, Massachusetts 01524

Re: 1439 Main Street
Special Permit, Site Plan

To the Board:

We are in receipt of the following information in association with the above referenced project:

- Plan entitled “SPECIAL PERMIT/SITE PLAN at 1439 MAIN STREET LEICESTER, MA”, comprised of 4 sheets, C-1.0 - C-4.0, dated 6/21/21, with revision date of 9/14/21 by Summit Engineering & Survey, Inc. of Oxford.
- Bound package entitled “Hydraulic/Hydrologic Calculations, Padding Site Plan, 1439 Main Street, Leicester, Massachusetts”, dated July 29, 2021 by Summit Engineering & Survey, Inc. of Oxford.
- Letter addressed to Michelle Buck, dated July 29, 2021, from Summit Engineering & Survey, Inc. of Oxford which outlines responses to comments contained in the initial review letter by this office, dated July 14, 2021,
- Special Permit Application form, dated 6/21/2021.

We have reviewed the plans in relation to comments contained in our letter to the Planning Board dated August 17, 2021; any other changes made not in response to our comments must be identified by the applicant.

In the comments, items identified as “**Resolved**” have received sufficient response. “**Comment Stands**” refers to an issue not satisfactorily resolved. “**Further Comment**” refers to an issue raised in relation to the response. “**No Further Comment**” refers to an issue requiring the attention of the Planning Board.

Leicester Planning Board
1439 Main Street
September 21, 2021
Page 2 of 2

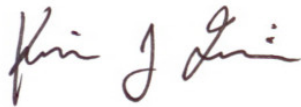
Our comments are found below. Comment numbers refer to the numbers in our review letter of August 17, 2021:

Our comments are found below:

1. **Resolved.** Engineer has submitted hydrologic analysis, inclusive of the existing Tractor Supply site. All contributing flows into the basin are included in the analysis.
2. **No Further Comment.** Engineer has added rip-rap to improve stability.
3. **Comment Stands.** Engineer has stated that dust control will be implemented, but the plans should define a means of dust control.
4. **Resolved.** Check dams on swales have been coordinated to function appropriately.

Please contact this office should you have questions.

Sincerely,
QUINN ENGINEERING, INC.

A handwritten signature in dark ink, appearing to read "Kevin J. Quinn".

Kevin J. Quinn, P.E.
President



Town of Leicester PLANNING BOARD

30

LEICESTER, MASSACHUSETTS, 01524-1333

Phone: 508-892-7007 Fax: 508-892-7070

www.leicesterma.org

SPECIAL PERMIT/SITE PLAN REVIEW & STORMWATER PERMIT DECISION 9/16/2021 DRAFT

Date:

File Number: SP2021-07

Applicant: Central Land Development Corp.
Attn: Matt Schold
1 Charlesview Road
Hopedale, MA 01747

Owner: Old School Financial, LLC
Attn: Matt Schold
1 Charlesview Road
Hopedale, MA 01747

Location: 1439 Main Street (Map26A, Parcel B28)

Deed Ref.: Book 58268, Page 114

Zoning: Highway Business-Industrial 1 (BR-1)

Water/Sewer: n/a

Subject: Application for Special Permit under §3.2.04.4 and §5.16 of the Leicester Zoning Bylaw to allow earth filling

The decision of the Planning Board on the above-referenced application is as follows:

Procedural History:

1. On June 21, 2021, an application for a Special Permit and Site Plan Approval was submitted to the Leicester Planning Board (the Special Permit Granting Authority). All application materials are on file with the Planning Board. The Board's decision is based on the following submittals:
 - A. Application packet (application Form and abutters list)
 - B. Hydraulic/Hydrologic Calculations, Padding Site Plan, 1439 Main Street, prepared by Summit Engineering & Survey, Inc., dated July 29, 2021, revised through September 14, 2021.
 - C. Project Narrative received 8/17/2021
 - D. Letters from Summit Engineering dated July 29, 2021 and September 2, 2021
 - E. Fill Management Plan prepared by Parker Environmental Corporation, dated September 2021 (received 9/2/2021)
 - F. Set of Plans (4 sheets), prepared by Summit Engineering & Survey, Inc., Project #21-212, dated June 14, 2021, revised through September 14, 2021, as follows:

Sheet #	Sheet Title
C-1.0	Cover Sheet
C-2.0	Existing Conditions
C-3.0	Grading Plan
C-4.0	Detail Sheet

2. The Board engaged Quinn Engineering of Paxton, Massachusetts, pursuant to G.L. c. 44, s. 53G, to review the Applicant's proposed development.
3. The Planning Board held a public hearing on the application on August 3, 2021*. The hearing was continued to August 17, 2021*, August 31, 2021*, September 7, 2021* and September 22, 2021. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on _____.

**No discussion on this date*

4. During the review process, the following documents, exhibits and plans were submitted to the Planning Board:
 - A. The plans and submittals referred to above;
 - B. Correspondence of Quinn Engineering, Inc. to Leicester Planning Board dated July 14, 2021 and _____;
 - C. Written comments from the following Town Boards and Departments: Police Department and Town Planner.

Findings:

1. The subject property is located in the Highway-Business Industrial (HB-1) zoning district, which allows "Earth Filling Operation" (§3.2.04.4) by special permit from the Planning Board. Earth Filling & Removal operations are further regulated by §5.16.
2. The proposed project consists of filling the existing site with 96,000 c.f. of material to create a padded site for a future building, which the size and use has not been determined at this time.
3. The Planning Board finds that the application **has met/has not met** the requirements of §5.16.I (Special Permit Criterial for Earth Removal & Fill Operations), as described below:

1. **The Planning Board shall use the general standards for Special Permit Approval contained in the Planning Board Special Permit Regulations, any district-specific special permit requirements, and the additional standards contained herein**

See below for conformance with general special permit and HB-1 district requirements.

2. **Permits for earth removal and/or fill operations shall be granted by the Planning Board only upon its written determination that the proposed use shall not cause substantial detriment to the neighborhood, or the Town, considering the characteristics of the site and the proposal in relation to the site and surrounding environment. In addition to any specific factors that may be set forth elsewhere in this Bylaw and its associated Regulations, such determination shall include consideration of each of the following:**
 - a. **Impacts on the natural environment**
 - b. **Traffic flow and safety, including loading and unloading; and**
 - c. **Management of stormwater**

[Insert findings text here based on discussion at hearing]

3. No Special Permit shall be issued for the removal of earth or the placement of fill in any location if such an operation will:
 - a. endanger the public safety, public health or constitute a nuisance; or
 - b. produce noise, dust, or other noxious effects observable at the lot lines of the property in amounts objectionable or detrimental to the normal use of adjacent properties; or
 - c. result in the transportation of materials in such manner as to cause traffic congestion, dust, spillage, noise, or other nuisances or hazards, particularly on residential streets; or
 - d. result in the transportation over ways which will be unduly injured thereby; or
 - e. cause irreparable harm to or loss of important wildlife, wildlife habitat or rare plant species indigenous to the area; or
 - f. result in stormwater damage to abutting properties.

[Insert findings text here based on discussion at hearing]

4. MGL, Chapter 40A, §9 requires that the Board find uses allowed by special permit to be “in harmony with the general purpose and intent of the ordinance or bylaw.”

The Board finds/does not find that this project is in harmony with the purpose and intent of the Bylaw.

5. Section 5.5.03.2 of the Zoning By-law, HB-1 district Special Permit Review Criteria, states that “the Planning Board shall grant a special permit only after finding that the proposed use will be consistent with the purpose and intent of the bylaw, and that the proposed use or structure is in conformance with the following criteria:” The Planning Board finds that the application has met the requirements of the Special Permit Criteria, as described below:

- A. **Provision shall be made for convenient and safe vehicular and pedestrian circulation within the site and in relation to adjacent streets and property. The service level of adjacent streets shall not be significantly reduced due to added traffic volume or type of traffic in accordance with the most recent edition of the Massachusetts Highway Department Highway Capacity Manual;**
The Board finds that the proposed project will accommodate projected traffic associated with the proposed development without undue traffic congestion.
- B. **The proposed use shall not overload the capacity of water and sewer systems, stormwater drainage, solid waste disposal facilities, and other public facilities.**
No water, sewer, or other utilities are required for the proposed project.
- C. **The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use.**
No wastes will be produced from the proposed project.
- D. **The project shall comply with all applicable environmental laws and regulations.**
The Board finds that the Applicant has complied with this requirement.
- E. **The proposed project shall be consistent with Leicester's Master Plan.**
The HB-1 zoning district was created to implement the economic development goals of the Master Plan. This district allows a variety of retail and commercial uses. The Board finds the proposed uses to be consistent with economic development along Route 9 as envisioned in the Master Plan.
- F. **The project shall comply with all Site Development Standards required in the HB-1 District.**
These standards are inapplicable.

6. Section 5.2.05 of the Zoning By-law contains Standards for Site Plan Approval (standards A-G). With regard to the Applicant's development proposal, the Planning Board makes the following findings pursuant to Section 5.2.05:
- A. **The use complies with all the provisions of the Leicester Zoning By-Law;**
The Board finds that this standard has been met as conditioned herein.
 - B. **The use will not materially endanger or constitute a hazard to the public health;**
The Board finds that this standard has been met as conditioned herein.
 - C. **The use will not create undue traffic congestion or unduly impair pedestrian safety;**
The finds that the proposed project will accommodate projected traffic associated with the proposed development without undue traffic congestion and will not impair pedestrian safety.
 - D. **Sufficient off-street parking exists or will be provided to serve the use;**
The Board finds the applicant has met this standard; no parking lot is proposed and there is adequate room for earth moving equipment.
 - E. **The use can be adequately served by water, sewer, and other necessary utilities, or if these are unavailable, that they will be brought to the site at the owner's expense; or, the Planning Board is satisfied that the proposed alternatives will comply with all applicable regulations;**
No utilities are required for the proposed project.
 - F. **The use will not result in a substantial increase of volume or rate of surface water runoff to neighboring properties and streets, nor will result in pollution or degradation to surface water or ground water;**
Waiting on Quinn comments [Usual wording: Based on the review by the Board's consulting engineer, Quinn Engineering, Inc., the Board finds the stormwater system meets applicable standards as conditioned herein.]
 - G. **The use will not result in any undue disturbance to adjoining property owners or the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.**
The Board finds that this standard has been met as conditioned herein.

Decision:

In view of the foregoing, at the meeting of _____, the Planning Board voted to approve/deny the Special Permit application for the above-described project. As used in this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

Pre-Construction/Use

1. The Special Permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
2. Prior to the issuance of any required building permits, all required federal, state, and local permits and licenses for the construction of the proposed project which is the subject matter of the building permit shall be obtained and presented to the Building Inspector.

3. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address, email, and business phone number of the individual who shall be responsible for all construction activities on site.

General

4. Final design and construction and use of the site and structure shall be in substantial conformance to the plans submitted to the Planning Board and this Order of Conditions. No substantial corrections, field modifications, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board, which in its sole discretion, may determine such substantiality. Any requests for substantial modifications shall be made to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary and supporting documentation.
5. Unauthorized deviations from the approved plan and all related application materials may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
6. Construction on the site must be started or substantial activity commenced by _____ (one year from the date of approval). Construction, once begun, shall be actively and continuously pursued to completion within by _____ (two years from the date of approval). Such deadlines may be extended for good cause upon the written request of the applicant prior to the specified deadline. If the time period for commencement or completion has elapsed, the rights granted by this approval shall expire and may be reestablished only after another application.
7. Litter and debris on-site shall be removed regularly to maintain a neat and orderly appearance.
8. The use shall not result in any undue disturbance to adjoining property owners or to the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.
9. All travel lanes and parking areas shall remain accessible and clear of snow year-round. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
10. All signs shall comply with §3.2.07 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

Project-Specific Conditions:

11. *The applicant shall at all times maintain the site in such a manner as to prevent runoff to abutting properties*
12. *Other conditions?*

Construction

13. During construction, the Applicant shall comply with all local, state and federal laws regarding noise, vibration, dust and blocking of Town roads. The Applicant shall at all times

use all reasonable means to minimize inconvenience to residents in the general area. Construction on exterior features shall not commence on any day before 7:00AM and shall not continue beyond 7:00PM; provided, however, that such construction shall not commence on Saturday before 8:00AM and shall end at 3:00PM. There shall be no construction on any Sunday or state or federal legal holiday.

14. Members or agents of the Planning Board shall have the right to enter the site at reasonable times to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
15. The Applicant and/or property owner shall provide at least forty-eight (48) hour notice to the Town Planner and the Planning Board's engineer, prior to commencing any work on the site that requires inspection or review.
16. The Applicant shall promptly pay the reasonable fee of the consulting engineers for review of plans or field inspections during the construction phase.
17. Sediment tracked onto abutting public or private ways from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.

Project Completion Sign-Off

18. The Applicant shall notify the Planning Board when work is complete and ready for inspection.
19. The Applicant is required to receive a Certificate of Project Completion when the project is complete and stabilized prior to deadline to complete work, as may be extended. Failure to receive a Certificate of Project Completion shall be considered a zoning violation. No final Certificate of Project Completions shall be issued until site work is complete and all conditions of approval have been addressed. Prior to the issuance of a certificate of completion, all site improvements, landscaping, and infrastructure specified on the plans shall be constructed and installed to adequately serve said Facility.
20. If there are field changes from the approved site plans referenced above, the Applicant shall submit as-built plans (3 full-size copies, 1 11" x 17" and a .pdf version) showing such changes prior to the final Certificate of Project Completion. No final Certificate of Project Completion shall be issued until the Planning Board or its agent confirms that all improvements or alterations substantially comply with the approved Site Plan.
21. Approval by the Planning Board shall not be construed as approval from any other board, official or regulation that is needed regarding permitting for this project.

RECORD OF VOTE

The Board vote was ____ in favor of approval ____ opposed.

Jason Grimshaw, Chair

James Reinke, Vice Chair

Sharon Nist

Jaymi-Lyn Souza

Joshua Campbell

Deb Friedman, Associate Member

Copy of Decision sent to:

-Town Clerk -Building Inspector -Assessors Office
-Applicant -Applicant Engineer** -Applicant's Attorney***
-Owner -Town Administrator -Quinn Engineering***

* by certified mail

** where applicable

Notice of Decision delivered to “Parties in Interest” (abutters & Planning Boards of abutting Towns)



Town of Leicester
PLANNING BOARD
 3 WASHBURN SQUARE
 LEICESTER, MASSACHUSETTS, 01524-1333
 Phone: 508-892-7007 Fax: 508-892-7070
 www.leicesterma.org

RECEIVED

2020 JAN -8 PM 2:44

TOWN CLERK & OFFICE
 LEICESTER, MASS.

SPECIAL PERMIT DECISION

Date: January 7, 2020

File Number: SP2019-02

Applicant: Matt Schold
 Central Land Development Corp.
 One Charlesview Road, Suite 1
 Hopedale, MA 01747

Owner: Same as Applicant

Location: off Paxton Street. Assessors' Map 19, Parcels A14, A14.1, and A14.2

Deed Ref.: Book 59309/Page 122

Zoning: Suburban Agriculture (SA)/Residential 2 (R2)
 Water Resources Protection Overlay District

Water/Sewer: Leicester Water Supply District (water & sewer)

Subject: Application for a Special Permit under §5.13 of the Leicester Zoning Bylaw to allow an Open Space Residential Development

The decision of the Planning Board on the above-referenced application is as follows:

PROCEDURAL HISTORY:

1. On July 11, 2019, an application for a Special Permit was submitted to the Leicester Planning Board (the Special Permit Granting Authority). All application materials are on file with the Planning Board. The Board's decision is based on the following submittals:
 - a) Application packet dated July 10, 2019 (application forms, project narrative, waiver request letter, letter from the Leicester Water Supply District, abutters list, CD with all application materials)
 - b) Letters from Greenwald & Greenwald, LLP Attorneys at Law dated August 16, 2019 and October 23, 2019 (easement information)
 - c) Letters from Allen Engineering to the Leicester Planning Board dated September 9, 2019 (response to Town Planner review letter)
 - d) Letters from Allen Engineering to the Leicester Planning Board dated September 9, 2019 and October 10, 2019 (responses to Quinn Engineering review letter)
 - e) Letter from Allen Engineering to the Leicester Planning Board dated October 10, 2019
 - f) Letter from Matthew Schold, Principal, Central Development, Inc. dated December 10, 2019

- g) Letters from Greenwald & Greenwald, LLP Attorneys at Law dated August 16, 2019 and October 23, 2019.
- h) The following Plans (2 sheets) prepared by Allen Engineering & Associates, Inc., dated July 8, 2018, revised through January 7, 2020:

Sheet Title	Sheet #
Preliminary Plan: Open Space Residential Development Plan in Leicester, MA	1 of 2
Preliminary Plan: Conventional Subdivision Plan of Land in Leicester, MA	2 of 2

- i) Color presentation plan showing estimated location of houses and tree clearing, prepared by Allen Engineering and Associates, Inc. dated July 8, 2019, revised through January 7, 2020.
2. The Board engaged Quinn Engineering of Paxton, Massachusetts, pursuant to G.L. c. 44, s. 53G, to review the Applicant's proposed development.
 3. The Planning Board held a public hearing on the application on August 20, 2019*. At the applicant's request, the hearing was continued to September 3, 2019*. The September 3, 2019* hearing was re-scheduled for September 10, 2019, then continued to October 15, 2019, November 5, 2019*, November 19, 2019**, December 3, 2019** December 17, 2019**, December 19, 2019* and January 7, 2020 to allow the Applicant to address comments from the public, the Board and other Departments. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on January 7, 2020.
**no discussion*
***meeting cancelled*
 4. During the review process, the following documents, exhibits and plans were submitted to the Planning Board:
 - a) The plans and submittals referred to above;
 - b) Correspondence of Quinn Engineering, Inc. to Leicester Planning Board dated August 12, 2019 and September 26, 2019;
 - c) Written comments from the following Town Boards and Departments: Conservation Commission, Historical Commission, Police Department, Leicester Water Supply District, and Town Planner.
 - d) Written comments from the French River Connection dated November 12, 2019
 - e) Written comments from the following Leicester residents: Marisa Cantara Ayvazian, David Baril, William & Cathy Battelle, Robert Bembridge, Adam Ceredona, Ed & Sandy Dickinson, Sean Fadden, Sarah Giguere, Marie Harrington, Kevin & Bonnie Layden, Pamela Bembridge Murphy, Mark & Carrie Parapinto, and Robert & Dolores Richmond.
 - f) Letters from Town Counsel Petrini & Associates (not public record)

FINDINGS:

1. The proposed 24 lot Open Space Residential Development (OSRD) is on a 60.2± acre vacant wooded tract of land (3 parcels) west of Paxton Street and north of Sargent Pond in the Suburban Agriculture (SA) zoning districts and Water Resources Protection Overlay District (a tiny portion of the site is in the Residential 2 (R2) zoning district). The site is also accessible via an existing 50-foot wide access easement to Paxton Street at the northeast corner of the tract. The land abuts Sargent Pond with approximately 3,700 feet of water frontage and the entirety of the site slopes from its northern border southerly toward Sargent Pond.
2. The OSRD project as submitted proposes 24 residential lots (14 with water frontage) on a proposed new roadway off Paxton Street and terminating with a cul-de-sac. A second means of access will continue from the cul-de-sac back through the northerly portion of the subdivision connecting to Paxton Street through the existing access easement. The remainder of the site (31 acres) will be designated as Open Space. The greater portion of the open space will be along the northern side of the tract, directly accessible from the proposed secondary access way. Two other open space parcels along the southern border will provide access from the cul-de-sac roadway to Sargent Pond.
3. In response to comments received during the review process, the secondary access is proposed as a gravel base with 6-8" of compacted asphalt millings. In addition, the Applicant will provide a transition strip (approximately 4' wide and 40' long) along the west side of Paxton Street for southbound traffic entering the project. The Leicester Public Safety Committee approved the secondary access and transition strip as described above at their meeting of September 10, 2019.
4. The proposed site will be provided with public sewer, water, underground electrical and communication services from the existing public utilities located Paxton on Street. In addition to those utilities a proposed stormwater management system will be designed for the developed site to conform to the current Massachusetts DEP Stormwater Management Standards. The project will require Conservation Commission review and approval.
5. The Conventional lot plan required to determine the total number of lots to be created for the OSRD concept shows 27 lots on ±5,249 lineal feet of new roadway with two entrances on Paxton Street. The formula in Section 5.13.05.B(3) of the Zoning Bylaw results in a yield of 28 lots.
6. The OSRD development plan is designed to allow single family residential dwelling units to be "clustered" closer together to minimize the total area of site disturbance for the proposed number of dwellings as compared to a conventionally zoned development and thereby provide for more permanent protected open space. The OSRD concept proposes 2,607 feet of roadway (and a 2,692 foot secondary access way as described above). Along this proposed roadway would be twenty-four (24) frontage lots in conformance with the current Zoning Bylaws. The OSRD bylaw requires a minimum lot size of 20,000 square feet in the SA district; all lots proposed are well in excess of this requirement. Proposed lots range in size from 27,664 - 154,157 square feet (average of 47, 865 square feet). All lots exceed the minimum required frontage of 100 feet.

7. Both the conventional and OSRD proposals show roadways over easements on land owned by others.
8. Leicester's Zoning Bylaw, Section 5.13.07 (A) requires that "no less than 50% of the land area shall be devoted to open space" and "no more than 50% of the open space may contain wetlands." The OSRD plan shows ± 31.3 acres of open space (52% of the total land area of ± 60.2 acres). The proposed open space contains 2.3 acres of wetlands (7.3%).
9. The Applicant proposes that the open space remain private as part of a Homeowners' Association that will maintain it in perpetuity. The Open Space will be available to residents of the subdivision to access the open space using existing logging trails. In addition, a beach and swim area will be provided for homeowners that don't have direct water access.
10. MGL, Chapter 40A, §9 requires that the Board find uses allowed by special permit to be "in harmony with the general purpose and intent of the ordinance or bylaw." The Board finds that this project is in harmony with the purpose and intent of the Bylaw.
11. Special Permit Criteria in Section 5.13.09 (B) of the Zoning Bylaw:
 - a) **The development meets the purpose of an Open Space Residential Development as described in Section 5.13.01.**
The OSRD plan preserves ± 31.3 acres (52% of the total land area of ± 60.2 acres) as permanently protected open space. The project accommodates the site's physical characteristics, particularly wetlands and topography, by reducing the overall footprint of roadways and residential development areas thereby minimizing impacts on the site's wetland areas. The open space area will preserve scenic vistas of Sargent Pond below. The peninsula extending into Sargent Pond from the site will also be preserved as open space restricted to use by the residents of the subdivision.
 - b) **The site design shall preserve and, where possible, enhance the historic and natural features of the property, including scenic views, by adapting the location and placement of structures and ways to the existing topography in order to minimize the amount of soil removal, tree cutting and general disturbance to the landscape and surrounding properties.**
As noted above, the project preserves a significant amount of open space and is designed to adapt to existing topography. The project minimizes soil removal, tree cutting and land disturbance. Special historic and natural features will be further identified and provided for in development of the Definitive Subdivision Plan.
 - c) **The site design shall identify and ensure preservation of significant and special historic and natural features.**
The site design protects significant wetland areas and scenic views of Sargent Pond. The Applicant will investigate potential historic cave of historic interest per comments from the Historical Commission. The Notice of Intent process through the Conservation Commission will also be required.
 - d) **The open space is designed in accordance with the standards set forth in this Section 5.13.**
The Board finds that the project meets these standards as conditioned herein and as modified by vote of the Board (see WAIVERS, below). [Note: these are specifically the standards in Section 5.13.07 – Open Space Use & Design Standards. The project meets these standards except where the Applicant has requested waivers to allow a drainage basin in the open space and reduce buffers as described below.]

- e) **The parcel could be developed as a conventional subdivision under existing local, state and federal land use regulations.**

The Board finds that the site could be developed as a conventional subdivision.

- f) **The Open Space Residential Development provides for efficient use and delivery of municipal and other services and infrastructure.**

The residential lots will be served by public water and sewer. The project will minimize road maintenance costs as compared to a standard development.

WAIVERS:

Zoning Bylaw:

1. Section 5.13.06.C.: To allow a dead-end street to provide access to 24 building lots on the proposed dead-end roadway off Paxton Street (10 permitted). The Board approved this waiver as the roadway is not a true dead-end; a gravel emergency access road connects the end of the new roadway back to Paxton Street, providing a secondary means of access.
2. Section 5.13.06.C.: To allow a dead-end road over 1,000 feet in length (2,607 proposed). The Board approved this waiver request. As noted above, an emergency access drive is provided.
3. Section 5.13.07.C.1: To allow a buffer of less than 100' at the perimeter of the project. The Board voted to approve a reduction in the buffer, as follows: a) reduction at the roadway entrance to allow for construction/grading and; and b) no buffer proposed along the portion of the perimeter that abuts Sargent Pond, subject to conditions herein (specifically conditions #10 and #11).
4. Zoning Bylaw Section 5.13.07.B.(6): to allow drainage basin 1 to be constructed in open space parcel C. (Board may allow clearing of up to 5% for this purpose). The basin area is 17,000± square feet (1.4% of open space parcel C.) The Board voted to approve this waiver.

Subdivision Rules and Regulations

In accordance with Section 5.13.06.D of the Zoning Bylaw, the Planning Board approved the following reduction of minimum subdivision standards after finding that such waivers will result in better site design, improved protection of historic, natural and scenic resources, and will be consistent with the purpose of this Section 5.13:

5. Section V.2.(A): To allow a travelled way width of 24 feet (28 feet required). The Board voted to approve the requested waiver.
6. Sections V.5 and VI.G: to allow for the deletion of sidewalks (sidewalks required on both sides of proposed roads). The Board did not approve this request. The Board voted to approve a reduction of the sidewalk requirement, so that sidewalks will be required only on one side the proposed roadway.

DECISION:

In view of the foregoing, at the meeting of January 7, 2020, the Planning Board voted to approve the Special Permit application for the above-described project. As used in this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

CONDITIONS:**General**

1. This special permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
2. If the rights authorized by this Special Permit are not exercised by January 7, 2022 (two years from the date of approval), they shall lapse and may be re-established only after notice and new hearing in accordance with MGL, Chapter 40A. For the purposes of this special permit, approval of the related Definitive Subdivision Plan (hereafter referred to as the Definitive plan) shall be considered exercising the rights granted herein. This deadline may be extended for good cause upon the written request of the applicant *prior to the specified deadline*.

Project-Specific Conditions:

3. The Definitive plan shall be in substantial conformance with the plans submitted to the Planning Board and this Special Permit Decision.
4. The Definitive Plan shall include a revised calculation of the formula in Section 5.13.05.b (3) based on final wetland delineation. If the formula results in fewer than 24 lots, the Board may reconsider the total number of allowable lots.
5. The Definitive Plan shall show a transition strip (approximately 4' wide and 40' long) along the west side of Paxton Street for southbound traffic entering the project.
6. The Definitive Plan shall show the secondary access as a minimum of a gravel base with 6-8" of compacted asphalt millings.
7. The Definitive plan shall clearly show the boundaries of the buffer required by Section 5.13.07.C. (as reduced in certain areas by vote of the Board).
8. The Planning Board's approval specifically allows a model home for the project to be located on adjacent property owned by the applicant at 173 Paxton Street.
9. The applicant shall notify the Historical Commission if evidence of a cave used by an early Leicester settler is found on the site.
10. Where the required 100 foot buffer has been reduced at the entrance to the project, landscaping and/or other screening shall be provided to the satisfaction of the Planning Board to screen the project from abutting landowners. The Definitive plan shall show detailed plans for such landscaping and/or other screening. Screening may consist of existing vegetation where sufficient to screen the project from abutting landowners.
11. Where the required 100 foot buffer has been reduced along the shoreline of Sargent Pond, the Definitive plan shall show details of no-cut easements, conservation restrictions or similar

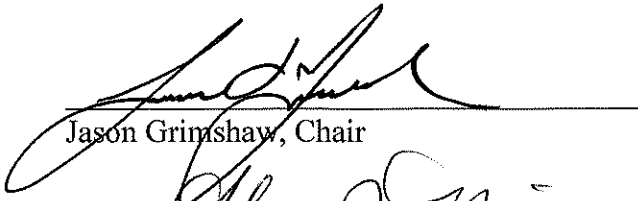
land use restrictions in accordance with Section 5.13.07.C.(2) of the Zoning Bylaw where the buffer has been reduced, with the intent of minimizing tree removal within the 100 foot buffer, allowing only limited tree clearing for water access for residents.

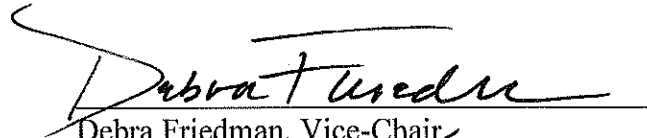
12. The Open Space shall be maintained in perpetuity in accordance with Section 5.13.08 of the Zoning Bylaw (Open Space Ownership and Management). The open space shall be conveyed (or otherwise protected) as soon as practical; the specific deadline shall be determined by the Planning Board at the Definitive plan approval stage.


Approval by the Planning Board shall not be construed as approval from any other board or official that is needed regarding permitting for this project.

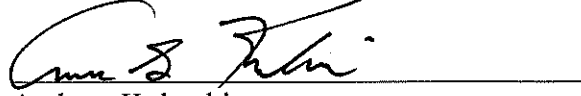
RECORD OF VOTE

The Board vote was 4 in favor of approval 1 opposed.


Jason Grimshaw, Chair


Debra Friedman, Vice-Chair


Sharon Nist


Andrew Kularski


Jaymi-Lyn Souza

-opposed

APPEALS

Appeals, if any, shall be made pursuant to M.G.L., Ch. 40A, §17 and notice of appeal shall be filed within 20 days after the date of filing of this notice in the office of the Town Clerk.

Copy of Decision sent to:

*Applicant**

Building Inspector

Police Department

Owner

Quinn Engineering

Fire Department

Town Administrator

Assessors Office

Highway Department

Conservation Commission

Applicable Water District

Applicable Sewer District

Historical Commission

Board of Health

Applicant Engineer

Applicant's Attorney (where applicable)

* by certified mail

Notice of Decision mailed to:

"Parties in Interest" (abutters & Planning Boards of abutting Towns)

July 21, 2021

Leicester Planning Board
Town Of Leicester
3 Washburn Sq
Leicester MA 01524-1358

Re: Amended Preliminary Subdivision Plan/OSRD Plan
Smuggler's Cove
Second Review

To the Board:

We are in receipt of the following plans and information in association with the above referenced project:

- Plan entitled "MODIFICATION, Preliminary Plan, Open Space Residential Development Plan in Leicester, Massachusetts", 1 sheet, dated May 26, 2021 with revision date of 7/13/21, prepared by Summit Engineering & Survey, Inc. of Oxford, MA.
- Letter to Leicester Planning Board dated June 2, 2021 with Project Narrative, submitted by Summit Engineering & Survey, Inc. of Oxford, MA
- Letter to Leicester Planning Board dated June 2, 2021 with List of Requested Waivers, submitted by Summit Engineering & Survey, Inc. of Oxford, MA
- Letter to Leicester Planning Board, dated July 14, 2021, identifying revisions to the proposed OSRD plan, submitted by Summit Engineering & Survey, Inc. of Oxford, MA.

We have reviewed the submitted plans in relation to these identified revisions. We have not conducted a re-review of the project plans.

Below, "***Comment Stands***" refers to an issue not satisfactorily resolved; "***Comment Updated***" refers to an item which our comment was revised in response to the changes by the Applicant; "***Comment Withdrawn***" refers to an item in which the changes proposed

by the Applicant has resulted in no need for comment. “***New Comment***” refers to a comment related to a revision to the plan.

The following waivers are being amended under the proposed plan; our comment on the waiver requests follow in *italics*.

1. **Comment Withdrawn.** The proposed number of lots has been reduced to 10, to comply with §5.13.06, C, of the Zoning Bylaws.
2. **Comment Stands.** Waive §5.13.07, C (1) of the Zoning Bylaws, to permit a buffer strip less than 100 feet at the perimeter of the project, to accommodate construction at the entrance, and along Sargent Pond.

We defer to Leicester Planning Board on this non engineering-related request.

3. **Comment Stands.** Waive §5.13.07, B (6) of the Zoning Bylaws, to permit Drainage Basin 1 to be located within Open Space.

We defer to Leicester Planning Board on this non engineering-related request

4. **Comment Updated.** Waive §V, 2 of the Subdivision Rules and Regulations to allow a traveled way of 26 feet width.

A subdivision roadway of 26 feet width may be expected to provide suitable service, and will require somewhat less maintenance than the required 28 foot wide roadway. The lesser width will also reduce impervious area, lowering associated stormwater runoff.

5. **Comment Updated.** Waive §V, 5, of the Subdivision Rules and Regulations, Cross Section to allow for sidewalk on one side of the road.

We defer to Leicester Planning Board on this non engineering-related request.

6. **Comment Updated.** §VI, G, 1 of the Subdivision Rules and Regulations to allow for sidewalk on one side of the road.

We defer to Leicester Planning Board on this non engineering-related request.

7. **Comment Updated.** Waive §5.13.06, C, of the Zoning Bylaws, to permit roadway length in excess of 1,000 feet; proposed roadway length 1,627 feet.

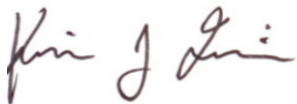
§5.13.06, C limits the length of dead-end roads to 1,000 feet and the number of lots served to 10. The Institute for Transportation Engineering (ITE) publication "Recommended Guidelines for Subdivision Streets" recommends limiting dead-end streets to 1,000 feet in length, and that such roads be designed to serve 20 homes or less, to reduce the risk of isolating residents from public safety due to road blockage. The proposed roadway length, 1,627 feet, significantly exceeds both the bylaw limitation and the ITE recommended limit. Leicester Planning Board may wish to require some form of mitigation to improve public safety.

Our comments pertaining to the OSRD plan are found below:

1. **Comment Stands.** Previously the Applicant provided evidence that municipal water service and sewer disposal capacity was sufficient to serve this project. Leicester Planning Board may wish to confirm that the capacity for such services to this project remains sufficient.
2. **Comment Stands.** Comments on the previous project, pertaining to the Emergency Access Road, which is partially located within an existing easement remain. If it did not take place previously, the Applicant should research and document that the terms of the easement are compatible with the Emergency Access Road, and its maintenance.
3. **New Comment.** Plans have been revised to eliminate the proposed Emergency Access Road. An Emergency Access Road would be an appropriate means of mitigating concerns for safety on a dead-end road of length which exceeds the limit.

Please contact this office should you have questions.

Sincerely,
QUINN ENGINEERING, Inc.



Kevin J. Quinn, P.E.
President

From: [Buck, Michelle](#)
To: ["Paul Fontaine"](#)
Subject: RE: Drone Video
Date: Tuesday, August 17, 2021 5:04:00 PM

The Smuggler's Cove hearing will be continued (we don't have enough Board members attending tonight). I don't yet know the date.

I haven't previously displayed a video through GoToMeeting, but I can try. It would be useful to shorten the length of the video.

Michelle R. Buck, AICP
 Leicester Town Planner/Director of Inspectional Services
 508-892-7007
buckm@leicesterma.org

Please note that Leicester Town Hall is closed on Fridays.

From: Paul Fontaine <Paul@libertymovers.com>
Sent: Tuesday, August 17, 2021 4:21 PM
To: Buck, Michelle <BuckM@leicesterma.org>
Cc: Paul Fontaine <Paul@libertymovers.com>
Subject: FW: Drone Video

Hi Michelle,

Could you please review the attached link video showing the smugglers cove project, with tree removal before tonight's meeting. I would like to have it available to review if needed?

Let me know if you should have any questions or concerns.

Paul Fontaine

Liberty Movers, Inc
 O-508-892-7241
 C-508-612-1951
www.libertymovers.com

Here it is:

https://drive.google.com/file/d/1g_zKf0tC0IXreX_02O3TQ-nVwL8XZB5S/view?usp=sharing

Here is a youtube version as well (might still be processing when you get this):

<https://youtu.be/OAZNy3DD-KE>

From: [Carrie Panepinto](#)
To: [Buck, Michelle](#)
Subject: current aerial footage of Smuggler's Cove
Date: Wednesday, September 1, 2021 7:31:03 AM

Good morning Ms. Buck,

Someone took footage of Smuggler's Cove from mid-August. Since the photos presented at the last (or next to last?) planning board meeting were from mid-March, they only show some of the clearing.

Here is what the land looks like today. Please share with the rest of the planning board.

https://drive.google.com/file/d/1g_zKf0tC0IXreX_02O3TQ-nVwL8XZB5S/view?usp=sharing

Here is a youtube version as well: <https://youtu.be/OAZNy3DD-KE>

Please let me know if you have difficulty viewing.

Carrie Panepinto

43 Water Street, Leicester

774-615-9910

Preview YouTube video drn



101 Huntoon, LLC

101 Huntoon Memorial Hwy
Rochdale, MA 01542

9/3/2021

RE: Request for Building Permit Extension

To: Planning Board

Robert A. Johnson, President and Owner of 101 Huntoon LLC, would like to request a 1 year extension to Building Permit No 19-138 Dated June 4, 2019 and expiring on 10/16/2021. Extension requested until October 2022.

This extension request is needed due to supplies needed to complete the building addition have been on back order causing delays in our project completion as well as time restraints on subcontractors availability to being electrical and plumbing.

We appreciate you consideration of this extension; please contact us if you have further questions or concerns.

Yours truly,

Robert A. Johnson, President
101 Huntoon, LLC
101 Huntoon Memorial Highway
Rochdale, MA 01542

From: [Mark Rochette](#)
To: [Buck, Michelle](#)
Cc: ["Nick Johnson"; "Jon Napoli"](#)
Subject: Request for Extension for CannAssist at 88 Huntoon thru the Planning Board approvals
Date: Wednesday, September 2, 2020 1:23:30 PM

Michelle,

Thank you for taking the time for a brief call just now. As the General Contractor for the CannAssist Cultivation project located at 88 Huntoon Memorial Hwy Leicester, MA we as a group, both my client CannAssist and Rochette Consulting Services are asking you and your Planning Board to extend the site plan approval and permit in place that is due to expire currently October 2, 2020.

Request for extension is below:

We are currently underway with construction, had delays due to the recent epidemic of COVID19 and non-essential construction projects by the MA Governor at the time was prohibited. We made changes to Mechanical equipment (not layout) so that changed some of our structural loads and steel order/erection inside the existing building. We have that sorted and bought out and ordered, it is being fabricated but lost several months due to changes and other shops closed down to the COVID19. Now things are back in full swing and we are well underway with the construction. It will run into the New Year but we are doing everything we can to not lose any more time.

I will have one of my managers drop off a check in the amount of \$50.00 made out to: The Town of Leicester tomorrow at the Town Hall drop box. It will be cut from my company account: Rochette Consulting Services, LLC and will reference in the memo: "CannAssist Extension Request Fee for Planning Board"

Please confirm receipt of this email and when you receive the payment referenced above for the extension and what the outcome is when you are available.

I copied both CEO and COO of CannAssist, Mr. Nick Johnson and Mr. Jon Napoli on this email for their records and information as the approval is in their companies name.

Thank you and have a wonderful day.

Kind regards,

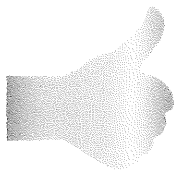


Mark R. Rochette
President

Rochette Consulting Services, LLC

Mobile: (207) 214-7640

Email: Markrochette@gmail.com

**Gold Thumb, LLC**

RECEIVED

SEP 27 2021

Date: 9/24/2021

Town of Leicester
Development & Inspectional ServicesTo: Michelle Buck/Planning Director/Members
Leicester Planning BoardRe: Extension Request for Permit #SPR2018-04
Gold Thumb, LLC (formerly East Coast Organics/Ecofarm, LLC)
88 Huntoon Memorial Hwy

Planning Board Director and Members,

In accordance with the stipulations we have agreed to we request another extension be granted to our permit mentioned above. Reasons are that there has been a change in ownership recently and now we are revising some lay out plans inside the existing space and plan to be finished with this design work before this year's end and into construction early 2022.

Please consider granting us an extension due to the needs and timeframes we are now setting forth with our space to create more local employment opportunities and be a contributing local business to the town of Leicester in the near future.

Sincerely,

*Charles Manice*Charles Manice
President
Gold Thumb, LLC
Direct: (212) 418-0567

ECOFARM LEICESTER LLC
238 Shrewsbury Street
Worcester, MA 01604

September 16, 2020

Michelle R. Buck

Town Planner & Director of Inspectional Services
Town of Leicester
3 Washburn Square
Leicester, MA 01524

**RE: Site Plan Approval Extension Request
ECOFARM Leicester LLC (f.k.a. East Coast Organics LLC)
88 Huntoon Memorial Highway, Leicester, MA 01542**

Dear Ms. Buck:

I am contacting you today on behalf of ECOFARM Leicester LLC (ECOFARM) to request an extension to the Site Plan Approval of the ECOFARM Leicester LLC project (formerly known as East Coast Organics LLC) at 88 Huntoon Memorial Highway, Leicester, MA.

The project has been delayed by the economic uncertainty that has been compounded by the COVID-19 Pandemic. Despite these conditions, we have maintained an active status of our approvals with the Massachusetts Cannabis Control Commission, and have continued to work toward securing the resources necessary to complete the construction of the cultivation and product manufacturing facility, and commence operations.

Our construction and site plans that were reviewed and approved by the Town of Leicester remain the same, as well as our projected construction timeline to completion once construction has begun.

The Site Plan Approval issued for this project is scheduled to expire on October 2nd, 2020. Given the circumstances, we request that the Planning Board extend the deadline to complete construction for a period of 1 year, to October 2nd, 2021. We remain encouraged that the Planning Board will approve this extension and allow us to work towards our goal of completing the construction of this facility in 2021.

Sincerely,



Liam Rafferty

Manager
ECOFARM Leicester LLC

Enc: \$50 check for Extension of ECOFARM Leicester LLC Site Plan Approval

Brooke Hultgren

From: Joe Wein <jwein@jrpartners.com>
Sent: Thursday, September 23, 2021 12:24 PM
To: Brooke Hultgren
Cc: njohnson@vgrdn.com
Subject: 88 Huntoon Memorial Parkway
Attachments: 88 huntoon siteplan.pdf

Brooke,

Attached please find the site plan for 88 Huntoon Memorial Parkway. I am looking to get approval to proceed with some landscaping. Please feel free to comment and make any suggestions.

Thanks in advance for your help. Please do not hesitate to reach out with any questions or requests.

Joe Wein

Founder

JR Partners

212-973-9201

917-439-1967

jwein@jrpartners.com



To: Michelle Buck/Planning Director/Members
Leicester Planning Board

Date: 9/24/2021

Re: Extension Request for Permit #SPR2018-05
CannAssist, LLC
88 Huntoon Memorial Hwy

Planning Board Director and Members,

In accordance with the stipulations we have agreed to we request another extension be granted to our permit mentioned above. Reasons are that we are nearing completion of the construction/build out. We are 90% done and asking the board to extend our permit. We plan to be done within the month of October 2021.

We greatly appreciate the Town of Leicester and look forward to continuing a terrific working relationship with you, other town employees, and its residents.

Sincerely,

Jon Napoli

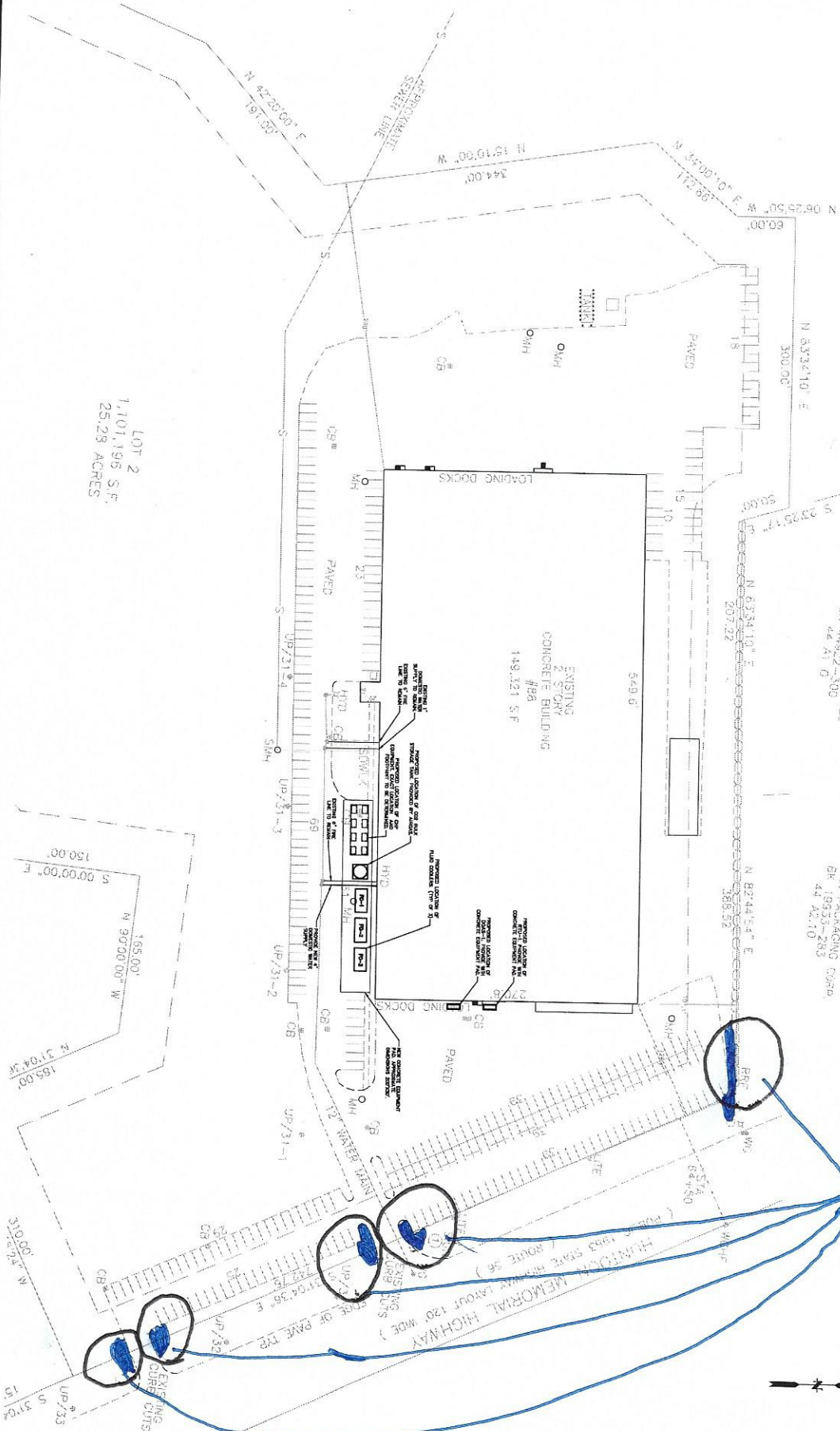
Jon Napoli
President
CannAssist, LLC
VanGarden Cannabis, LLC
617-816-7067

56

N/E
MINUTEMAN PACKAGING CORP
BK 1933-283
44 A210

- We will use wildflowers
- We will use low plants (below 4ft)
- Bed will be planted 25ft from R and not obscure view of road

Five small beds that will mark the property boundaries and exits/entrances



LOT 2
1,101.196 S.F.
25.28 ACRES

[illegible]

SEAL	SEAL
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3

SCALE:	
HORIZ. 1-40	
VERT.	
DATUM	
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FUSS & O'NEILL

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SALONCARTOOL.COM/NEAULTY/CITY/CA/CA
460.642.9465
www.fresha.com

LEICESTER

EAST COAST ORGANICS

SITE UTILITIES PLAN

88 HUNTOON MEMORIAL BOULEVARD

MASSACHUSETTS

ISSUED FOR REVIEW

PROJ. No.: 20140722A03

PROJ. No.: ZONE072E.A00

CS1.1

Brooke Hultgren

From: Stacey Novia <stacey.novia@gmail.com>
Sent: Monday, September 20, 2021 6:13 PM
To: Brooke Hultgren; Buck, Michelle
Subject: Fwd: Double Play Sports

Hi Brooke & Michelle,

I have attached the email I sent last week.
I have reviewed with all trainers to keep music to a minimal level for area of outdoor classes keeping speaker facing opposite away from residences Home. All classes are secured and blocked off with 3 foot cones that are bright orange. We have a secured pathway for parking & our members.

If there is anything else you need please let me know and thank you for your time.

Sincerely
Stacey Novia

Sent from my iPhone

Begin forwarded message:

From: Stacey Novia <stacey.novia@gmail.com>
Date: September 13, 2021 at 1:43:36 PM EDT
To: hammondb@leicesterma.org
Subject: Double Play Sports

To Whom it May Concern:

I am sending this email for the below extension for outdoor classes for the covid pandemic, would like to extend for another year until 10/31/2022.

Temporary extension of the outdoor classes related to Covid. This would require a written request, along with a \$50 fee, prior to October 31, 2021.

I am putting a check in the mail today for the amount of \$50, we have all trainers aware of keeping noise of music down to a minimal sound for classes.

If there is anything else you need please let me know

Thank you for your time
Stacey Novia
774-289-9089



Town of Leicester PLANNING BOARD

LEICESTER, MASSACHUSETTS, 01524-1333
Phone: 508-892-7007 Fax: 508-892-7070
www.leicesterma.org

SPECIAL PERMIT DECISION *Amendment*

Date: September 22, 2020

File Number: SP2012-01

Project Name: Double-Play Fitness

Applicant: Michael & Stacey Novia
173 Henshaw Street
Leicester, MA 01524

Owners: Structure: M.L. Novia Realty LLC, 173 Henshaw Street, Leicester MA 01524
Land: Jeffrey Eller and Michael Novia, Trustees of the Lynde Brook Plaza
Condominium Trust, 119 Main Street, Cherry Valley MA 01611

Use: Fitness Center (§3.2.03.3 of Zoning Bylaw)

Location: 190 Main Street Units 2 & 3/Assessors Map 23B, Parcel A5.2

Zoning: Business (B)

Deed Ref.: Book 54763, Page 171 (structure)
Book 58612 Page 342 (land)

Water/Sewer: Cherry Valley & Rochdale Water District/Cherry Valley Sewer District

Subject: Amendment to Allow Outdoor Activities

PROCEDURAL HISTORY

1. On September 15, 2011, Board issued a Special Permit (SP2011-03) to allow batting cages (recorded Book 48100/Page 106) at 190 Main Street. On April 11, 2012, the Planning Board issued a Special Permit (SP2012-01) to allow a fitness center at this location (recorded Book 49106/386).
2. On September 2, 2020, the Planning Board received a request for an amendment to allow outdoor classes.
3. On September 22, 2020, the Planning Board opened a public hearing on the Special Permit Amendment application. At each hearing date(s), opportunity was given to all those interested to be heard in favor or opposition to such application. The hearing was closed on September 22, 2020.
4. All application materials are on file with the Planning Board. The Board's decision is based on the following submittals and information received during the review process:
 - A. Email from Stacey Novia dated August 31, 2020 (request for amendment)
 - B. Letter from Stacey and Michael Novia dated September 1, 2020, with support letters attached

- C. Letter from Board of Health Regional Public Health Coordinator dated 8/26/2020
- D. Emails from abutter Margaret Darling dated 9/6/2020 and 9/8/2020.
- E. Support letters from several fitness center members
- F. Comments from the following Boards/Departments: Regional Public Health Coordinator, Town Planner (9/2/2020), Police Department (9/3/2020).

FINDINGS

1. The applicants began holding outdoor fitness classes in June 2020 because of the ongoing Covid-19 pandemic (to reduce risk of infection in an indoor space). As the area used for classes was intended as a parking area, the Zoning Enforcement Officer determined that outdoor activity would require an amendment to Planning Board special permit approval or a state DPH Covid-19 order (fitness centers have not been provided the same statewide exemptions from Zoning Bylaws that have been provided to restaurants for outdoor dining).
2. The Applicant is holding the following fitness classes outside: aerobics, tone & sculpt, Zumba, piyo, pilates, kickboxing, high impact, HIIT (high-intensity interval training), cardio and yoga. Classes begin at 8AM at the earliest, and the last class starts at 6PM (typically 4-5 classes per day, 40 minutes per class). Class size ranges from 8 to 20 participants, spaced 6 feet apart. The outdoor class area is in the parking lot and uses 6-8 parking spaces blocked by traffic cones. Outdoor classes will run from April to October. No additional outdoor lighting is proposed.
3. The Regional Public Health Coordinator recommends that outdoor classes be allowed to continue outdoors, per the standards of the Executive Office of Energy and Environmental Affairs (EEA) Covid-19 Workplace Safety Standards, which encourage outdoor exercise classes.

DECISION:

In view of the foregoing, at the meeting of September 22, 2020, the Planning Board voted to approve the Special Permit Amendment for the above-described project. As used in this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

CONDITIONS

1. This Special Permit Amendment shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
2. All conditions in the 2011 and 2012 Special Permits for this site remain in effect except where specifically modified herein.
3. Music from outdoor classes should be kept to reasonable levels.
4. Outdoor fitness activities are limited to the following hours/days per week: 8:00AM to 8:00PM, 7 days per week.
5. Outdoor classes are limited to the activities listed in the Findings #2 above.

6. The Applicant shall replace existing traffic cones with taller traffic cones to mark the perimeter of the outdoor exercise area in the parking lot.
7. As this amendment is intended to address the Covid-19 epidemic, approval for outdoor classes as described in this permit runs through October 31, 2021. This deadline may be extended by majority of the Board at a regular meeting upon written request received *prior to the expiration of the deadline*. Permanent outdoor classes require a separate application for a Special Permit Amendment.

RECORD OF VOTE

The Board vote was 5 in favor of approval 0 opposed.

The signatures below are made in accordance with MGL Ch. 110G and pursuant to the Planning Board's electronic signature authorization vote recorded on May 11, 2020 in Book 62374 Page 135 at the Worcester District Registry of Deeds.

Absent

Jason Grimshaw, Chair

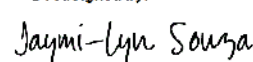
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Sharon Nist

DocuSigned by:



5A31706CE798477...

Jaymi-Lyn Souza

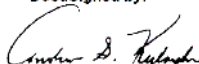
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Debra Friedman, Vice Chair

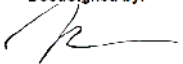
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Andrew Kularski

DocuSigned by:



A4D493423F51459...

James Keinke, Associate Member

Copy of Decision sent to:

*Applicant**

Building Inspector

Police Department

*Owner**

Fire Department

Assessors Office

Town Administrator

Applicant Engineer

Applicant's Attorney

* by certified mail

Notice of Decision delivered to "Parties in Interest" (abutters & Planning Boards of abutting Towns)



Town of Leicester PLANNING BOARD

LEICESTER, MASSACHUSETTS, 01524-1333

Phone: 508-892-7007 Fax: 508-892-7070

www.leicesterma.org

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Certificate of Planning Board Action Extension – Double-Play Fitness

DRAFT 9/29/2021

Date of Vote:

File Number: SP2012-01

Applicant: Michael & Stacey Novia
173 Henshaw Street
Leicester, MA 01524

Owners: Structure: M.L. Novia Realty LLC, 173 Henshaw Street, Leicester MA 01524
Land: Jeffrey Eller and Michael Novia, Trustees of the Lynde Brook Plaza
Condominium Trust, 119 Main Street, Cherry Valley MA 01611

Location: 190 Main Street Units 2 & 3/Assessors Map 23B, Parcel A5.2

Subject: Request to Extend Deadline to Allow Continuation of Temporary Outdoor Fitness
Classes

A. *Procedural History:*

1. On September 15, 2011, Board issued a Special Permit (SP2011-03) to allow batting cages (recorded Book 48100/Page 106) at 190 Main Street. On April 11, 2012, the Planning Board issued a Special Permit (SP2012-01) to allow a fitness center at this location (recorded Book 49106/386). On September 22, 2021, the Board issued an amendment to SP2012-01 to allow temporary outdoor fitness classes (recorded Book 64067/Page 282).
2. On September 20, 2021, the Applicant requested a one (1) year extension.

B. *Findings:*

1. As noted above, the Board approved temporary outdoor classes. This was allowed because of the Covid-19 pandemic. *Insert brief summary of relevant issues brought up at the meeting.*

C. *Decision:*

In view of the foregoing, on _____ the Planning Board voted to extend permission for temporary outdoor classes through _____, subject to the following terms and conditions:

1. All conditions of the Planning Board's Special Permit Decisions referenced above remain in effect except where specifically modified herein.
2. *Other conditions? Hours, more specific restrictions on activity, etc.*

-Continued on following page-

D. Vote:

The Board vote was _____ in favor of approval, _____ opposed.

TOWN OF LEICESTER

Jason Grimshaw, Chair

James Reinke, Vice-Chair

Joshua Campbell

Sharon Nist

Jaymi-Lyn Souza

g:\town planners office\special permits\sp2003-01, briarcliff\decisions-modifications\extension briarcliff, 07-2021.docx

Brooke Hultgren

From: margaret darling <dar431@hotmail.com>
Sent: Tuesday, September 28, 2021 6:46 PM
To: Buck, Michelle; Brooke Hultgren
Cc: Forsberg, Kristen
Subject: extension of outside activities @ Double Play Fitness

I have been advised that the changes which have been agreed to should be noted in the Planning Boards documentation to extend another year.

*speakers are to face away from residential property.

*there is to be no individual activity, including throwing the large tire across the parking lot repeatedly. further the tire is not to be used as a drum, or in any capacity.

*missing arborvitaes are to be replaced.

As the abutters we are asking to have the activities reduced from 7 days a week to 4 days a week. We are 74 and 78 years old and we are both army veterans. When we bought this home in 2010 we literally told the realtor this would be our "ender home". This activity has occurred 7 days a week for the last 2 springs, summers, and falls. This coming year we would like some quiet time to putter in our yard and sit quietly on our glider. Any consideration you could give to reducng the number of days would be reatly appreciated.

We thank you, Leonard and Margaret Darling

Leicester Planning Board

7/20/2021

Members Present: Jason Grimshaw (Chair), Jim Reinke (Vice Chair), Joshua Campbell, Sharon Nist, Jaymi-Lyn Souza

Members Absent: Debra Friedman (Associate)

Staff Present: Michelle Buck (Town Planner), Brooke Hultgren (Department Assistant)

ORDER OF BUSINESS*

- | | |
|--------|--|
| 7:00PM | Discussion, Request for Extension of Deadline to Complete Work,
SP2003-01, Briarcliff Estates, Applicant: Matthew Bassick/Briarcliff Estates SV LLC |
| 7:05PM | Public Hearing, Definitive Subdivision Plan
DSUB2021-01, Parker Street North, 3 lot subdivision, Applicant: Schold Development, LLC. |
| 7:30PM | Public Hearing, Special Permit Amendment
SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots), Applicant: Central Land Development Corp. |
| 8:30PM | General Discussion:
A. Oak Bluff Lane Subdivision
B. Zoning Bylaw Amendments |
| 8:45PM | Approval of Minutes
• 5/18/2021
• 6/1/2021 |
| 8:50PM | Town Planner Report/General Discussion:
A. Miscellaneous Project Updates
B. Board Member Committee Updates
C. Upcoming Meeting Dates |

Adjourn

The meeting opened at 7:07 pm.

Discussion, Request for Extension of Deadline to Complete Work

SP2003-01, Briarcliff Estates, Applicant: Matthew Bassick/Briarcliff Estates SV LLC

The Board will vote on the amendment to the performance agreement and the new construction deadline. The applicant is requesting the maximum extension of 2 years making the deadline to complete construction July 30, 2023.

Motion: Ms. Nist moves to approve the amended performance agreement to reflect the new letter of credit [\$263,111] and extend the construction deadline to July 30, 2023.

Second: Mr. Reinke

Discussion: None

Roll Call Vote: 4-0-0

Public Hearing, Definitive Subdivision Plan

DSUB2021-01, Parker Street North, 3 lot subdivision, Applicant: Schold Development, LLC.

[Note: Ms. Souza joined the meeting.]

[Ms. Buck makes a public disclosure regarding her personal relationship with the project engineer, Brian MacEwen. She notes that she filed a conflict-of-interest disclosure with the Town Clerk.]

Ms. Buck notes that there have been multiple iterations of plans on Parker Street as noted in the summary in the Board's packet. The original plan was before the Board in 2003. The most recent preliminary subdivision plan was approved in 2020; the definitive plan has few differences from the preliminary plan besides a more detailed road construction plan. The Board is reviewing the definitive plan for compliance with the subdivision regulations and road standards. The requested waivers remain the same; waivers for roadway width, cul-de-sac length, drainage, sidewalks, and overhead utilities on a portion of the roadway were all previously approved in the preliminary process. The applicant is also requesting waivers related to street lights and street trees. Street lighting will not be town funded, but the applicant has agreed to put lights at the end of each driveway.

Brian MacEwen of Graz Engineering explains the plan has been scaled down to a 3-lot subdivision, with potential for further subdivision to allow maximum of 5 lots. The current unpaved section of road will be improved and paved to meet road requirements. The road will not be extended down to Baldwin St as previously planned, instead it will be a dead-end cul-de-sac. The applicant requests a waiver from the 28' minimum road width to allow a 20' wide travel way with a grass swale and country drainage discharging into a nearby wetland. The hydrology report will be revised to address Quinn Engineering's comments, specifically regarding the velocity of stormwater leaving the site. During the preliminary process, both the Fire and Highway Departments determined that 20' is an acceptable roadway width.

Ms. Nist asks if school buses will be able to travel down the road and turn around. Mr. Schold says he will check with the School Department on this.

Jan Parke (207 Greenville St) asks the applicants to clarify the number of potential lots. Mr. MacEwen says the roadway has enough frontage for 5 lots; the existing proposal would create three new lots, 2 of which could be further subdivided in the future.

Ms. Buck notes that at this point the application will most likely be continued, but that on projects with multiple waivers, the Board has the ability to add more conditions of approval.

Motion: Ms. Nist moves to continue the hearing for Parker St Definitive Subdivision to August 17, 2021 at 7:15 pm.

Second: Ms. Souza

Discussion: None

Vote: 5-0-0

Approval of Minutes

Motion: Ms. Nist moves to accept the minutes of May 18, 2021.

Second: Ms. Souza

Discussion: Ms. Nist asks that her recusal of participation from the Skyview Estates hearing be noted in the minutes.

Vote: (5-0-0)

Motion: Ms. Nist moves to approve the minutes of June 1, 2021.

Second: Mr. Reinke

Discussion: None

Vote: (4-0-1) Jaymi Souza abstained.

Public Hearing, Special Permit Amendment

SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots),
Applicant: Central Land Development Corp.

[Note: Mr. Reinke filed a conflict-of-interest disclosure with the Town Clerk's office.]

Ms. Buck explains that the application process for an Open Space Residential Development (OSRD) is comprised of two steps: 1) a special permit application, which is equivalent to a preliminary subdivision application and 2) a definitive subdivision plan. The special permit was approved January 7, 2020 by the Board with a number of waivers. The amended plan eliminates the emergency access way and reduces the roadway length and number of proposed lots; the applicant is not requesting to amend the waivers granted in the 2020 decision. The current plan will also require approval from the Conservation Commission and Zoning Board of Appeals.

Motion: Mr. Reinke moves to deny the special permit due to a violation of §5.13.03.B of the Leicester Zoning Bylaws, which states "after an Open Space Residential Development application has been submitted, no tree removal, no utility installation, no ditching, grading or construction of roads, no grading of land or lots, no excavation except for purposes of soil testing, no dredging or filling and no construction of buildings or structures shall be done on any part of the development site until the application has been reviewed and approved as provided by this bylaw." Specifically, Mr. Reinke feels the applicant violated the bylaw by removing trees on the property before the application review process had finished.

Second: Ms. Souza

Discussion: Peter Lavoie, project representative, states tree cutting began on March 15, 2021 prior to the submittal of the Special Permit Amendment application. And Mr. Lavoie states that because of this, no bylaws were violated. Matt Schold, project applicant, says the forest cutting plan received no comments from Leicester Conservation Commission.

Amended Motion: Mr. Reinke moves to deny the special permit application being heard and revoke the previously approved special permit application for Smuggler's Cove (File #SP2019-02).

Second: Ms. Souza

Discussion: Mr. Schold says the purpose of the amendment is eliminating the emergency access way on the plan; no amendment to the special permit is required for decreasing the road length and number of lots. Mr. Schold argues that if this amendment is not approved by the Board, he could revert to his original plan, which includes more lots and an emergency access way.

Ms. Buck explains that because no tree cutting restrictions are in place until the definitive subdivision phase; the applicant is technically in compliance with the Planning Board's previous decision because the tree cutting took place before the definitive stage. Additionally, a special permit approval granted by the Board cannot be rescinded without reopening the hearing for said application.

Amended Motion: Mr. Reinke moves to deny the current special permit amendment without rescinding the prior special permit approval for Smuggler's Cove.

Amended motion was not seconded.

Discussion: Ms. Souza says the definitions of application and review process in §5.13.09 are unclear. Ms. Buck says this section of the Zoning Bylaws primarily describes the Special Permit application process, which is the first stage of the OSRD application. The definitive subdivision application regulations are detailed in the town's Subdivisions Rules and Regulations. The applicant has not yet submitted a definitive subdivision plan, making the applicable section of the bylaw at this point in the application process §5.13 - OSRD. Mr. Reinke argues that §5.13.09 ("application and review process") includes the special permit application and the definitive subdivision application process. Mr. Grimshaw says the definition(s) are ambiguous, meaning the application and review process could include both the first and second stage of the application, or the special permit approval and future definitive subdivision application could be interpreted as being two individual applications.

The Board requests an opinion from Town Counsel on the interpretation of this section of the Bylaw before moving forward with the special permit amendment public hearing.

Motion: Mr. Reinke moves to table the motion and continue the hearing until Town Counsel's opinion is received.

Second: Ms. Souza

Discussion: Mr. Schold says the site has been actively logged for years, and the Forest Cutting Permit was granted by DCR.

Ann Billiot of 23 Lake St states that the tree removal that took place is in violation of §5.13.09.C which calls for reconsideration of the OSRD special permit approval if a change in the development pattern which adversely affects natural landscape features and open space takes place.

A number of abutters to the project agree that substantial tree removal took place, which has had adverse effects on the natural landscape.

Robert Richmond, an abutter to the project, asks if the revised plan includes a 100' buffer between each house and the edge of the water.

Mr. Lavoie says the definitive plan will show each house's distance from the water.

[Note: The Board waived the 100' buffer on the lake side of the project subject to the condition that "the Definitive plan shall show details of no-cut easements, conservation restrictions or similar land use restrictions in accordance with Section 5.13.07.C.(2) of the Zoning Bylaw where the buffer has been reduced, with the intent of minimizing tree removal within the 100-foot buffer, allowing only limited tree clearing for water access for residents." (SP2019-02, Smuggler's Cove Decision)]

Vote: 5-0-0

Motion: Ms. Nist moves to continue the hearing to August 3, 2021 at 7:45 pm or as soon thereafter as can be heard.

Second: Mr. Reinke

Discussion: None

Vote: (5-0-0)**General Discussion:****A. Oak Bluff Lane Subdivision**

A complaint was received by an abutter to Oak Bluff about water runoff onto their property coming from the subdivision. Kevin Quinn determined the site to be stable during a site visit, but since then there has been a lot of rain. Mr. Schold placed a berm at the end of the cul-de-sac to temporarily re-channel the water while construction is being completed. Erosion control measures are already in place. Mr. Quinn will do a second site visit.

B. Zoning Bylaw Amendments

There has been no progress on the private re-zoning request on Sargent St since the last meeting. Ms. Buck received a call from someone interested in marijuana transportation/delivery services. This was previously considered in May 2021. The Board agrees to reconsider a marijuana delivery amendment for the next Town Meeting. Zoning Amendment hearings will be held in September.

Future State-Mandated Zoning Amendments:

Flood zoning needs to be amended to conform with the FEMA flood zone maps in order for residents to purchase flood insurance.

State legislation was passed relating to housing, requiring MBTA communities to establish at least one zoning district that allows high-density multifamily housing by right. The town has to amend the zoning to be in conformance with state regulations in order to be eligible for grants.

Miscellaneous Project Updates:

Mr. Reinke notes that Leicester's forest cutting bylaw, specifically §4, gives away the governance over forest cutting plans to the State. Mr. Reinke proposes potentially editing this bylaw to give governance to the Town when considering forest cutting plans. Ms. Buck notes that the forest cutting bylaw is a general bylaw, not a zoning bylaw, and was enacted at Town Meeting in 1982. There was a more recent effort to amend the forest cutting bylaw, but it failed at Town Meeting.

Ms. Nist says the parking lot at Black Sheep BahBahQ looks like it is deteriorating.

Ms. Nist notes that Sunshine Landscaping has been parking their work vehicles across the street at the American Legion.

Skyview Estates/651 Main St submitted Definitive Subdivision and Special Permit applications. The hearing will be held in September.

Adjourn

Motion: Ms. Nist

Second: Ms. Souza

Discussion: None

Vote: (5-0-0)

The meeting was adjourned at 9:54 pm.

Respectfully Submitted,

Brooke Hultgren, Department Assistant

Documents included in the meeting packet:

LEICESTER PLANNING BOARD

8/17/2021

MEMBERS PRESENT: Jason Grimshaw (Chair), Jim Reinke (Vice-Chair), Jaymi-Lyn Souza

MEMBERS ABSENT: Sharon Nist, Joshua Campbell, Deb Friedman (Associate)

STAFF PRESENT: Michelle Buck (Town Planner), Brooke Hultgren (Department Assistant)

ORDER OF BUSINESS*

1. 7:00PM **Discussion, Site Plan Review Application, Continued**
SPR2021-01, 488 Stafford Street, marijuana cultivation, manufacturing & transportation, Applicant: Faded LLC dba Dris Production Center
2. 7:10PM **Parking Waiver Request, 200 Main Street**
Parking for proposed retail space, Applicant: Marin Bitar.
3. 7:15PM **Public Hearing, Definitive Subdivision Plan**
DSUB2021-01, Parker Street North, 3 lot subdivision, Applicant: Schold Development, LLC.
4. 7:30PM **Public Hearing, Special Permit**
SP2021-07, 1439 Main, Earth Filling, Applicant: Central Land Development Corp.
5. 7:45PM **Public Hearing, Special Permit Amendment**
SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots), Applicant: Central Land Development Corp.
6. 8:15 PM **Discussion, Request for Extension of Deadline to Complete Work**
SP2003-02, Oakridge Estates, Applicant: Kevin Maher
7. 8:30PM General Discussion:
 - A. Oak Bluff Lane Subdivision
 - B. Zoning Bylaw Amendments
8. 9:00PM **Approval of Minutes**
 - 6/15/2021
 - 7/6/2021
 - 8/3/2021
9. 9:15PM **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
 - C. Upcoming Meeting Dates
10. **Adjourn**

Mr. Grimshaw opened the meeting at 7:03 PM

1. Discussion, Site Plan Review Application, Continued

SPR2021-01, 488 Stafford Street, marijuana cultivation, manufacturing & transportation, Applicant: Faded LLC dba Dris Production Center

Motion: Ms. Souza moved to continue the hearing to August 31, 2021 and to extend the decision deadline to September 9, 2021.

Second: Mr. Grimshaw

Discussion: None

Vote: (3-0-0)

2. Parking Waiver Request, 200 Main St

Jean Truthway states that they are expanding the retail section into one of the garage bays, and need more parking to accommodate the new retail space. Ms. Buck says the permitted number of used car spots and repair spots will have to be reduced in order to allow for increased retail parking. Mr. Reinke notes there should be one ADA-complaint spot in front of the store.

Motion: Ms. Souza moves to approve the revised parking plan, with the condition that the third space be a handicap parking space.

Second: Mr. Grimshaw

Amended Motion: Mr. Reinke moves to approve the revised parking plan, with the condition that the third space be a handicap parking space with adequate space adjacent to the handicap spot for wheelchair egress.

Second: Mr. Grimshaw

Discussion: None

Vote: (3-0-0)

3. Public Hearing, Definitive Subdivision Plan

DSUB2021-01, Parker Street North, 3 lot subdivision, Applicant: Schold Development, LLC.

Motion: Ms. Souza moved to continue the hearing to August 31, 2021 and to extend the decision deadline to September 9, 2021.

Second: Mr. Grimshaw.

Discussion: None

Vote: (3-0-0)

Amended Motion: Ms. Souza moves to continue the Parker St Definitive Subdivision hearing to August 31 at 7:15 pm or as soon thereafter as can be heard.

Second: Mr. Grimshaw

Discussion: None

Vote: 3-0-0

4. Public Hearing, Special Permit

SP2021-07, 1439 Main, Earth Filling, Applicant: Central Land Development Corp.

Motion: Ms. Souza moved to continue the hearing to September 7, 2021 at 7 pm or as soon thereafter as can be heard.

Second: Mr. Grimshaw

Discussion: None

Vote: (3-0-0)

5. Discussion, Request for Extension of Deadline to Complete Work

SP2003-02, Oakridge Estates, Applicant: Kevin Maher

Ms. Buck notes that the work is nearly complete, and a road acceptance request has been submitted by the applicant as well.

Motion: Ms. Souza moves to extend the deadline to complete work to August 18, 2023.

Second: Mr. Grimshaw

Discussion: None

Vote: (3-0-0)

6. General Discussion

Oak Bluff Lane

The property owner put a berm in place which is intended to accommodate heavy rain. A follow-up discussion is scheduled for the next meeting.

Zoning Bylaw Amendments

Public hearings will be on September 6, 2021.

- A) Amendment allowing for marijuana delivery services in town. Ms. Buck notes that it's the same proposal as last Spring, except that it doesn't include increasing the cap on retail.
- B) A request was received to rezone 18 and 18A Sargent St from Residential 2 to Business (Map 23B, parcels B6 & B7) The business at 18 Sargent is grandfathered, but the R2 zoning is limiting the property owner's ability to sell the property. Sargent St is adjacent to Main St, which is Business zoned. Ms. Buck asks the Board if other nearby parcels should be included in this zoning change. After discussion, Mr. Reinke says parcels 6, 7, 9, and 10 [Map 23B, parcels B6, B7, A9, & A10] should be included. The rest of the Board agrees. Ms. Buck also notes that she'll check on the 146 Main parcel [Map 23B, Parcel J2] which appears to be split between the B and R2 zoning districts.

7. Public Hearing, Special Permit Amendment

SP2019-02, Smuggler's Cove Open Space Residential Development (reduction in road length & # of lots), Applicant: Central Land Development Corp.

Motion: Ms. Souza moves to continue the hearing to September 7, 2021 at 7:15 pm or as soon thereafter as can be heard.

Second: Mr. Grimshaw

Discussion: None

Vote: (3-0-0)

8. Approval of Minutes

Approval of minutes will be moved to the next meeting.

9. Miscellaneous Project Updates

The Skyview Estates Definitive Subdivision hearing will be held September 7 at 7:30 pm.

The second September Planning Board meeting will need to be rescheduled because there is a Special Town Election on September 21.

Adjourn**Motion:** Ms. Souza**Second:** Mr. Grimshaw**Discussion:** None**Vote:** (3-0-0)

The meeting ended at 8:00 PM.

Respectfully submitted,

Brooke Hultgren, Department Assistant

Documents included in meeting packet:

- Executive Session Agenda
- Agenda
- Town Planner Memo dated 8/17/2021
- M. Buck email dated 7/22/2021
- Parking waiver request plan
- 1439 Main St – Special Permit
 - Public Hearing Notice
 - Application Form
 - Summit Engineering & Survey Inc. Memo dated 7/29/2021
 - Plans dated 6/21/21
 - Police Dept. comments dated 7/8/2021
 - Quinn Engineering comments dated 7/14/2021
 - Town Planner comments dated 7/29/2021
 - Sections §5.13.I.1 and §5.5.03.2 of Leicester Zoning Bylaw
- Smuggler’s Cove – Special Permit Amendment
 - Special Permit decision SP2019-02 dated 1/7/2020
 - Quinn Engineering comments dated 7/21/2021
- Oakridge Estates Extension Request and Current Plan dated 7/21/2021
- Draft Extension of Approval Deadlines – Oakridge Estates
- Quinn Engineering Memo dated 7/22/2021: Oak Bluff Ln
- Sargent St Zoning Maps (3)
- 18 Sargent St Photos
- Zoning Bylaw Amendments: Marijuana Establishments dated 7/29/2021
- DHCD Memo “PRELIMINARY GUIDANCE FOR MBTA COMMUNITIES REGARDING COMPLIANCE WITH SECTION 3A OF CHAPTER 40A (BY RIGHT MULTIFAMILY ZONING)” dated 1/29/2021
- 6/15/2021 Planning Board minutes
- 7/6/2021 Planning Board minutes
- 8/3/2021 Planning Board minutes