

#### **Town of Leicester** PLANNING BOARD

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

#### PLANNING BOARD AGENDA Tuesday February 16, 2021 @ 7:00PM ONLINE MEETING ONLY

Please join the meeting from your computer, tablet or smartphone.

https://global.gotomeeting.com/join/276164029

You can also dial in using your phone. United States (Toll Free): 1 877 309 2073 Access Code: 276-164-029

#### ORDER OF BUSINESS\*

4. Adjourn

1.	7:00PM	Approval of Minutes February 2, 2021
2.	7:15PM	Public Hearing, Special Permit/Site Plan Review 1570 Main, Hank's Marine, boat showroom (Applicant: Matthew Shogren)
3.	7:45PM	Town Planner Report/General Discussion: A. Miscellaneous Project Updates B. Board Member Committee Updates

\*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"



### Town of Leicester PLANNING BOARD

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

#### Memorandum

To: Planning Board Members

FROM: Michelle R. Buck, AICP

Town Planner/Director of Inspectional Services

**DATE**: February 11, 2021

RE: February 16, 2020 Planning Board Meeting

Information to log in to the meeting is on the agenda, and a direct link is also available on the Planning Board web page where applications are posted. All votes must be **Roll Call** votes.

#### Remote Meeting – Suggested Instructions:

- 1. Ask the public participating to silence cell phones and mute their device during the meeting until called upon to speak
- 2. Ask all members of the Board to identify themselves by name for the public at the start of the meeting
- 3. When time for public comment, ask everyone to identify themselves before speaking.

#### Hanks Marine/1570 Main Street (SP2021-01)

The Application and all comments are enclosed. The applicant is still working on addressing comments, so the hearing next week will primarily be for the applicant to present the project and receive comments from the Board and the public.

#### Town of Leicester Planning Board Meeting Minutes February 2, 2021

[Note: This meeting was held remotely using GoToMeeting]

Members Present: Jason Grimshaw (Chair), Jaymi-Lyn Souza, Sharon Nist, Debra Friedman,

Andrew Kularski

Members Absent: James Reinke (Associate)

In Attendance: Michelle Buck, Town Planner; Brooke Hammond, Department Assistant

- 1. Zoning Bylaw Amendments (General Discussion)
- 2. Approval of Minutes
  - January 19, 2021
- 3. Town Planner Report/General Discussion
  - A. Miscellaneous Project Updates
  - B. Board Member Committee Updates
  - C. Upcoming Meeting Dates
- 4. Adjourn

Mr. Grimshaw called the meeting to order at 7:02 pm.

#### 1. Zoning Bylaw Amendments

Ms. Buck provided an overview of each proposed amendment.

#### 5.6 - Greenville Village Neighborhood Business District Amendments

#### 5.6.02.2

Added don't need to submit a site plan review if using an existing building unless they need a special permit.

#### 5.6.03.1

This section allows all uses listed in Section 3.2.0.3, which includes a wide range of business uses. Some of these may not be wanted in the NB district, so this section was modified to reference a section that prohibits certain uses. It also prohibits any use that's prohibited in all other districts.

#### 5.6.03.4

Adding language to allow flexibility in existing commercial structures. Commercial structures in existence prior to the creation of the NB district (ATM 5/6/2002, Article 34) are exempt from the 6000 ft<sup>2</sup> size limitations, except that any expansions shall require a special permit.

#### 5.6.03.5

New section allowing additional uses allowed by special permit in commercial structures in existence prior to the creation of the NB district (ATM 5/6/2002, Article 34): makerspaces, outdoor storage and certain parking of commercial vehicles, and rental self-storage facilities.

#### 5.6.04.4

Prohibiting rental self-storage facilities indoor or outdoor.

#### 5.6.05.1

Parking and Loading: consider deleting all language that is duplicated in the Board's Parking Regulations. Subsction D. modified so that the only new parking areas have to be located to the the side or rear of the structure.

#### 5.6.05.2

A: "It's" corrected to "its"

C: Delete section. The whole district is only 300-400' wide, 50' buffer is unnecessary.

K Add "The landscaped buffer requirements in paragraphs A & B shall not apply to reuse of existing structures and associated parking areas. The Planning Board may require a landscape buffer for uses requiring a special permit"

#### 5.6.06.01

- A: Modified second sentence for clarity. [as revised: No building, use or occupancy permits for any use requiring a special permit shall be issued...].
- B: Change "Rules & Regulations for Special Permit Applications" to "Special Permit Regulations"

#### 5.6.06.2

G: Add "where applicable" to end of sentence.

Mr. Grimshaw asks if there are any questions. No discussion from the Board.

Ms. Buck says was previously discussed about possibly waiting until the Board met in person before making the zoning amendments. Ms. Buck also asks if notice should be sent to NB district abutters before the public hearing?

Mr. Kularski says the Board should proceed with the amendments as soon as possible.

Ms. Friedman says it is worth it to notify the 100 abutting households as a courtesy due to COVID-19, but in the future the Board is not required to notify them directly of the virtual meetings.

Ms. Buck says when a notice was sent in 2020 it was sent to all households within 1,000 ft of NB district. She asks the Board if the same people should be notified this year. The Board says yes.

Ms. Buck says the zoning amendment Public Hearing will be held March 2.

#### Rental Storage and Related Issues Amendments

#### 1.3, Definitions

Insert the following definition: "RENTAL SELF-STORAGE FACILITY – A building or buildings consisting of individual self-contained units that are leased for the storage of vehicles or business and household goods. Storage of hazardous materials or substances, hazardous

waste, gas, oil or any substances or materials which pose a threat to human health or safety or a threat to the environment is prohibited. No activity other than storage shall occur in such facilities. Such facilities may have associated outdoor storage by special permit in certain Zoning Districts (See Sections 3.2.03. and 5.2.18)."

3.2.03 Amend the use table as shown below:

[Note: changes are underlined]

									HB-
3.2.0	3 BUSINESS	SA	R1	R2	В	CB	I	BI-A	1
13 <u>a</u> .	Rental Enclosed Self-Storage Facility (outdoor storage prohibited) <u>Rental Self-Storage</u> <u>Facility with no outdoor storage</u> (Special Permits issued by Planning Board)	N	N	N	SP	SP	SP	SP	Y
	Rental Self-Storage Facility with outdoor storage (Special Permits issued by the Planning Board	<u>N</u>	N	<u>N</u>	<u>SP</u>	N	<u>SP</u>	<u>SP</u>	<u>SP</u>
	Land and water recreational vehicle (including boats) sales, rental, service, and storage yards. <sup>3</sup>	N	N	N	SP	N	SP	SP	SP

<sup>&</sup>lt;sup>3</sup> Land and water recreational vehicle storage yards shall meet the requirements for Rental Self-Storage Facility with outdoor storage.

#### **3.30** – Business Residential 1 (BR-1) Zone

aa: Amend to say "Rental Self-Storage Facilities (with or without outdoor storage) by special permit from the Planning Board"

#### **3.32** – Residential Industrial Business (RIB) Zone

h: Amend to say "Rental Self-Storage Facilities (with or without outdoor storage) by special permit from the Planning Board."

#### **3.2.08** – *Parking of Commercial Vehicles*

- B 1 Add HB-1 as a zone where outdoor storage of commercial vehicles as a primary use is allowed by right.
- B 2: Fix typo. Per mitted to permitted.
- B 4: Change "Zoning Board of Appeals" to "Special Permit Granting Authority"

#### **New Section 5.18** – *Outdoor Storage*

#### **5.18.01-** Rental Self-Storage Facility with Outdoor Storage

All Rental Self-Storage Facilities with outdoor storage shall be required to meet the following standards:

- A. Outdoor storage areas shall be screened from view from roadways and abutting property owners by an opaque fence at least 6 feet in height.
- B Storage areas shall not be located in required setbacks from property lines
- C. Outdoor storage areas shall not impede emergency access to the site or structures on the site.
- D. Appropriate provisions shall be made to ensure vehicle fuel or other contaminants are appropriately controlled and don't infiltrate the ground.
- E. No commercial activity other than storage shall occur in indoor or outdoor areas, including vehicle maintenance, fueling, or repair work.

Ms. Buck asks the Board if there is anything they would like to see explicitly prohibited from being stored outside. Ms. Nist asks if large campers could be prohibited from outdoor storage, as she is worried about these outdoor storage sites looking unkempt. Ms. Buck says most people prefer outdoor storage for campers. Ms. Friedman also expresses concern about potential environmental contamination from vehicle fluids. There is a discussion among the Board members suggesting different options for keeping outdoor storage facilities uncluttered such as adding language to set a limit on the number of years a vehicle can be stored and/or keeping up with car maintenance as a condition of outdoor storage. Mr. Grimshaw says he would like to include language that will prevent storage yards from looking unorganized. Ms. Buck says vehicle salvage yards are prohibited in all districts, and she will look into options to keep outdoor storage from looking like salvage yards.

#### **5.18.01** - Other Outdoor Storage

- A. For parking of commercial vehicles, see Section 3.2.08 (Parking of Commercial Vehicles)
- B. Storage of large equipment or storage containers outside where accessory to a lawfully permitted commercial use on the same site is allowed by right in HB-1, HB-2, B, and I, and by special permit from the Planning Board in CB, RIB, BI-A, and BR-1. Emergency access to structures shall be maintained at all times. Parking sufficient for the uses on site in conformance with the Planning Board's Parking Regulations must remain unobstructed.

#### **BR-1 & RIB District Amendments**

#### **3.30** – Business Residential-1 (BR-1) Zone

Change labels on uses list from a-pp to numbers 1-42

#### **3.32** – Residential Industrial Business (RIB) Zone

Renumbering and re-organization of subsections to make clearer. Change uses in subsection C. from a-p to 1-15.

#### **HB-1** District Amendments

#### **5.5.02** - <u>Site Development Standards</u>

Change to "The following site development standards shall apply to all new construction of non-residential uses, expansions of more than 25% of the existing non-residential uses, and increases of more than 10 parking spaces."

#### **5.5.02.1** – Parking, Loading, and Unloading requirements

Change "Parking and loading and unloading space" to "parking and loading requirements"

Change "Rules & Regulations for Special Permit Applications" to "Special Permit Regulations",

Note: These amendments are to make the HB1 district more consistent with other commercial districts.

#### **Potential Marijuana Amendments**

Ms. Buck says there are two issues under consideration: delivery operators and the cap on the number of retail facilities in Leicester. In previous meetings the Board was in favor of increasing the number of retail marijuana establishments from 1 to 2.

New definitions including 'marijuana courier' which is "an entity licensed to deliver Finished Marijuana Products ... but is not authorized to sell Marijuana or Marijuana Products directly to Consumers" and 'marijuana delivery operator' which is defined as "an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products ... but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license."

Ms. Buck explains a courier is similar to an Uber Eats driver, where they pick up the finished product from the retailer and deliver it to the consumer, but the driver is not employed by the marijuana retailer and cannot sell product to the consumer. Transactions take place remotely only between the retailer and consumer, the courier is the middleman. A delivery operator is similar to a wholesale operation and can purchase and store product from multiple retailers and sell to customers of their own. Couriers can already deliver to residents in Leicester.

Ms. Buck asks if The Board wants to require a Special Permit for these uses; their decision will affect the amendments. Under Section 3.2.03.20 "except courier or delivery operator" could be added to 'Marijuana Establishments, Non-Retail' Use. Marijuana Courier and Marijuana Delivery Operator would also be added to the use table. Social consumption facilities will remain prohibited uses.

Ms. Friedman asks if the courier's vehicles would be private or company owned. Ms. Nist thinks the cars would have to be company owned. Ms. Buck says the vehicles must be registered as commercial vehicles but will be privately owned.

Ms. Souza says it's a good idea to allow businesses the option to have couriers and delivery operators, and the special permits would come to the Board for approval beforehand. Ms. Souza states there are enough regulations in place currently to resolve any issues that may arise by allowing this use.

Ms. Friedman asks if there would be a limit to the number of couriers in town. Ms. Buck says there is nothing currently drafted to regulate this.

Ms. Friedman asks Ms. Buck to confirm that the town is limiting retail locations to one or two, but there would not be a cap on the number of couriers operating in town. Ms. Buck confirms that that is how the bylaw is written right now.

Mr. Kularski asks if couriers need to have a physical business location. Ms. Buck says couriers would just pick up product(s) and deliver it to customers. Mr. Kularski asks how this would be controlled by the Planning Board.

Mr. Kularski states he does not think couriers fall under the jurisdiction of the Planning Board because they are not associated with any specific property or business. The Board agrees there isn't a way to monitor courier activity, nor is it a Planning Board concern.

Ms. Buck says the marijuana delivery operators could have storage facilities in town and deliver their own product which concerns the Planning Board. The couriers are freelance drivers, can work for multiple retailers, and only operate when an order is placed with a retailer that needs to be delivered to a consumer. Delivery operators who have stock of their own can sell marijuana products.

Ms. Buck states there is no examples of similar bylaws in other nearby town bylaws. Ms. Buck's draft has marijuana delivery operators listed as needing a special permit in the CB, I, and BI-A, and by right in HB-1 and HB-2. Couriers are drafted to be allowed in all districts.

Mr. Kularski states courier should not be listed in the by-law at all. Ms. Nist and Ms. Friedman agree. Ms. Friedman mentions that couriers can currently bring marijuana from other towns anyways, but that any issues that arise with couriers can be addressed in the future as needed.

Ms. Buck says the Cannabis Control Commission would regulate courier drivers, but she will have to tweak the language in other sections of the bylaw to allow marijuana delivery in all districts. Ms. Buck says courier will be deleted from the draft amendments, and asks the Board if delivery operator should remain requiring a special permit. Mr. Kularski says drivers tied to a retail establishment in Leicester should remain in the bylaws. Ms. Nist says that by definition a delivery operator is tied to a specific location, so she agrees they should stay in the bylaws. Mr. Grimshaw states there is always the option of reviewing it in more detail in the future.

Ms. Buck says she will add marijuana delivery operators to be allowed by special permit in BR-1 and RIB districts. Ms. Buck asks the Board if they agree with increasing the number of allowed marijuana retailers in town from one to two.

Mr. Kularski says the number of retailers is based on population. The number of retail locations can go higher if approved by the Board but cannot be decreased. The Board has no objections to increasing the limit to two.

Ms. Buck says she will prepare the changes and set a hearing for March 2, and the amendments need to be submitted to Select Board by March 18.

#### 2. Approval of Minutes – January 19, 2021

Motion: Ms. Nist makes a motion to approve the minutes from January 19, 2021.

Second: Ms. Friedman

Discussion: Mr. Kularski abstains because he was not at the January 19 meeting.

Roll-call Vote: (4-1-0)

#### 3. Town Planner Report/General Discussion

A. Miscellaneous Project Updates

*Hank's Marine:* Ms. Buck reminds the Board that the Public Hearing for Hanks Marine Special Permit will be held on February 16, 2021. Ms. Buck also is expecting a new Special Permit application for an outdoor marijuana cultivation farm.

1323 Main St Complaint: The Conservation Commission will be following up on a complaint at 1323 Main Street (Classic Automotive). The Zoning Board of Appeals has issued 4 permits at this property that have conditions related to hours of operation, lighting and signs; the property owner may be violating some of the these conditions.

15 Water St Complaint: Ms. Buck placed a call to operator of landscaping company, and he's now aware of the noise concerns. A letter will go out after getting clarification from the water district on their concerns.

#### B. Board Member Committee Updates

Ms. Nist states the Capital Improvement Planning Committee meeting will be held Feb. 3, 2021.

Mr. Grimshaw states there was an Economic Development Committee meeting the previous week, but there was nothing to report to the Planning Board.

#### C. Upcoming Meeting Dates

February 16, 2021 meeting for a public hearing on Hanks Marine Special Permit.

March 2, 2021 meeting for a public hearing on the zoning amendments.

#### 4. Adjourn

Motion: Ms. Nist motions to adjourn the meeting.

Second: Ms. Souza Discussion: None Roll-call Vote: (5-0-0)

Meeting was adjourned at 8:09 PM.

#### **Documents submitted at meeting:**

- Memo From Town Planner
- Zoning Bylaw Amendment Drafts
  - o NB District Amendments
  - Outside Storage
  - o Housekeeping Amendments (BR-1, RIB, HB-1)
  - o Marijuana Amendments

For	Pla	nning	Office	Use:
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#### Leicester Planning Board Site Plan Review & Special Permit Application Form

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End of Report

January 4, 2021

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

RE: MDS LLC

> Matthew Shogren #1570 Main Street

Proposed Boat Sales / Boat Repair

Dear Board Members.

Please find the attached plans & application for a Site Plan for property located at 1570 Main Street as own by MDS LLC.

Site Location:

1570 Main Street - Assessors Map 18, Block B, Lot 3

Total Lot Area: 2.7 Ac

Zoning:

HB-1/ Highway Business

Present Uses:

Residential/Business

Proposed Use:

Boat sales showroom in a new proposed building with office space included. There is 460 S.F. of office space located between the newly proposed showroom area and the existing boat repair garage. The showroom area is 7,200 S.F., the garage is to remain as is., Boats to be stored in rear half of property behind privacy fence, Boat repair within the existing shop building located within the storage area (behind

privacy fence)

There will be gated access through fence to access the boat storage/repair area. Abutting lots are residential to the east and west but wooded adjacent to property line in the vicinity of the boat storage area. A 6' chain link fence w/ vinyl privacy inserts is proposed to run parallel with Main Street approximately 200' off of the

roadway.

Traffic Impact:

The proposed site use will not have an impact to traffic. There is adequate site

distance in both directions leaving and entering the site.

Water:

Existing well is to be abandoned and a proposed water connection to municipal

water is proposed at an existing water stub.

Sewer:

A proposed sewer connection is proposed to municipal sewer at an existing sewer

stub.

Drainage:

The site drainage patterns flow towards the eastern property line. The post developed site will follow the same drainage patters with the addition of a infiltration basin which will recharge the additional impervious surface as well as treat water quality volume prior to final discharge. A detailed stormwater analysis has been

submitted with this application.

Fire and Police:

The proposed site will have fire truck access and will have building lights to light the parking and drive areas of the site. The rear portion of the property will have a locked access gate to where boat storage is proposed. There should be minimal impacts on fire and pallies.

impacts on fire and police.

Permits Required:

Site Plan Review & Special Permit (Planning Board)

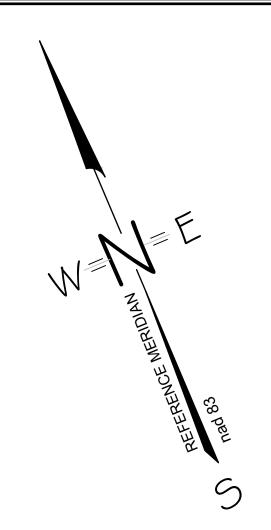
Waivers:

No waivers are requested at this time

If you have any additional questions or concerns, please contact me at the number below.

Respectfully Submitted,

Jason Dubois, P.E.

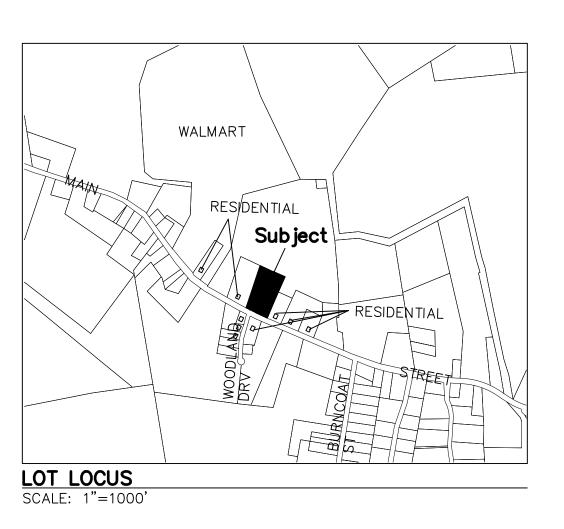


## PROPOSED SITE PLAN

### **FOR**

# MDS LLC

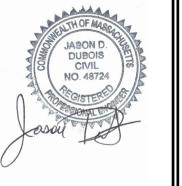
## 1570 MAIN STREET TOWN OF LEICESTER WORCESTER COUNTY, MASSACHUSETTS



DISTRICT	DIMENSIONAL REGULATIONS
District	HB-1 HIGHWAY BUSINESS
Min. Lot Size	60,000 SQ. FT.
Min. Frontage	200 FT.
Min. Front Yard Depth	50 FT.
Min. Side Yard Depth	50 FT.
Min. Rear Yard Depth	50 FT.
Building Coverage	40%
Building Coverage	40%

ISTING LAND USE: RESIDENTIAL/BOAT STORAGE & REPAIR	
OPOSED LAND USE: BOAT SALES/STORAGE/REPAIR	
OPOSED BUILDING COVERAGE: 9,660 S.F. / 118,179 S.F. = 8.2%	

	DRAWING LIST
С	COVER SHEET
X-1	EXISTING CONDITIONS PLAN
S-1	SITE PLAN
L-1	LANDSCAPE PLAN
EC-1	EROSION CONTROL PLAN
D-1	CONSTRUCTION DETAILS



MONUMENT	•	BITUMINOUS	BIT.
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RECORD OWNERS

TAX MAP REFERENCES:
TAX MAP PARCEL ID: 18-B-3

**GENERAL NOTES:** 

1. BOUNDARIES SHOWN ARE THE RESULTS OF AN ACTUAL FIELD SURVEY BASED ON AVAILABLE

MAPS, DEEDS OF RECORD AND PHYSICAL EVIDENCE, <u>BUT ARE SUBJECT TO ALL EASEMENTS</u>, <u>RIGHT OF WAYS</u>, <u>AGREEMENTS</u>, <u>AND RIGHTS AND ENCUMBRANCES OF RECORD THAT AN ACCURATE AND THOROUGH TITLE SEARCH MAY DISCLOSE</u>.

2. LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE AND ARE

MANHOLES. DIG SAFE SHALL BE NOTIFIED PRIOR

ADDITIONAL UNDERGROUND UTILITIES MAY EXIST.

3. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF

CONCERNING THE EXISTENCE OF UNDERGROUND OR

OVERHEAD CONTAINERS OR FACILITIES WHICH MAY AFFECT THE USE OR DEVELOPMENT OF THIS TRACT.

4. HORIZONTAL DATUM BASED ON NAD 83, VIA GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS). THE GEOGRAPHIC AND STATE PLANE COORDINATES CONTAINED HEREON WERE THE RESULTS OF A

POSITIONAL TOLERANCE LESS THAN 2 CM AT THE 95% CONFIDENCE LEVEL. REFERENCE MONUMENTS PROVIDED BY MULTIPLE LEICA SMARTNET VIRTUAL BASE STATIONS.

5: VERTICAL DATUM BASED ON NAVD 88, GEOID

6: BY GEOGRAPHICAL PLOTTING ONLY THE SITE IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD

ZONE AS PER THE FLOOD INSURANCE RATE MAP, COMMUNITY—PANEL NO. # 25027C0781E, WITH AN EFFECTIVE DATE OF JULY 4, 2011.

7: WETLANDS NOT CONSIDERED AS PART OF THIS SURVEY, THERE APPEARS TO ONLY BE SOME

BASED ON OBVIOUS ABOVE GROUND PHYSICAL UTILITY APPURTENANCES AND ACCESSIBLE

TO ANY EXCAVATION OR CONSTRUCTION.

THIS SURVEY. NO STATEMENT IS MADE

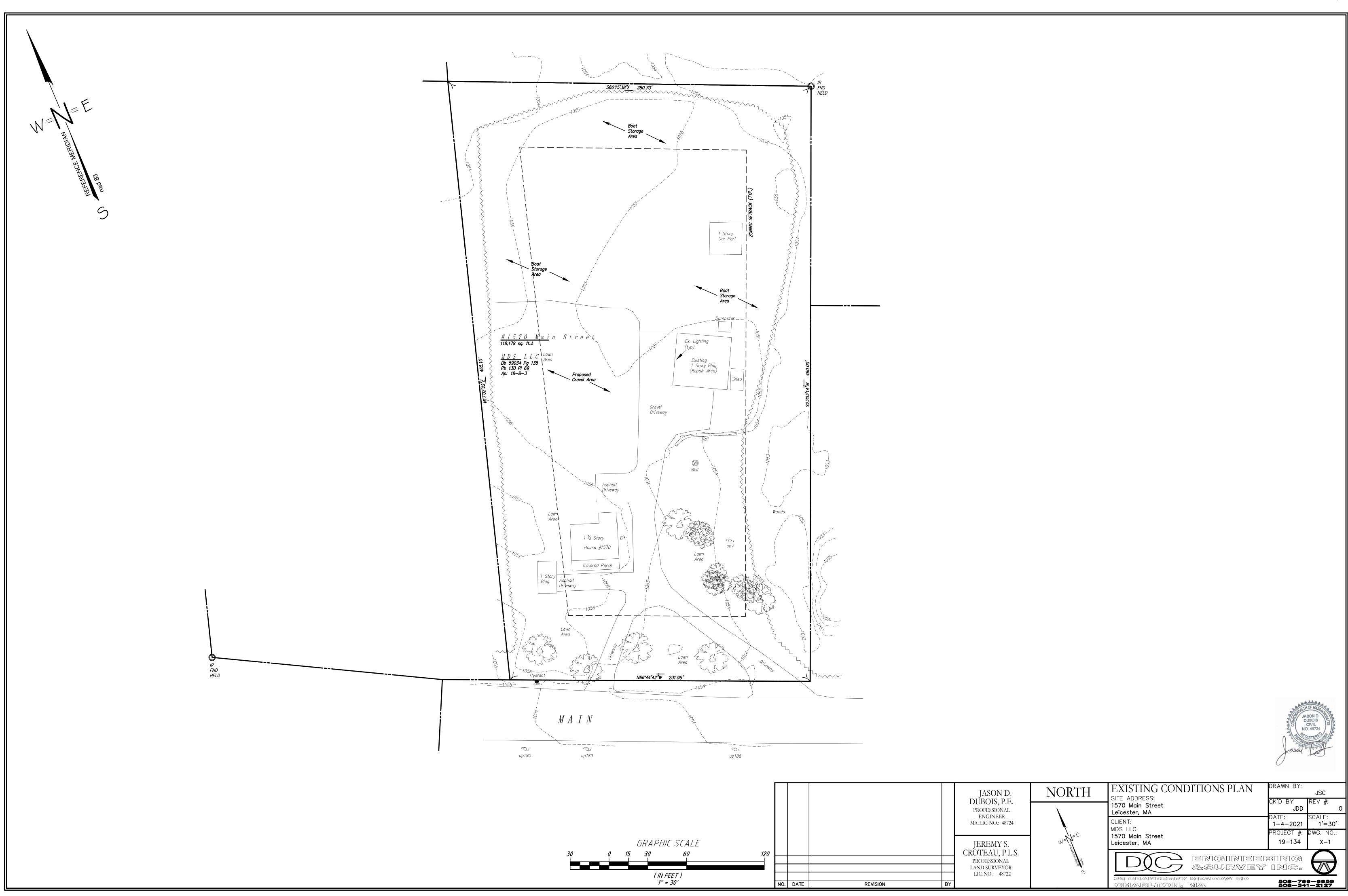
SURVEY USING R.T.K. DUAL FREQUENCY G.P.S./G.N.S.S. RECEIVERS AND HAVING A

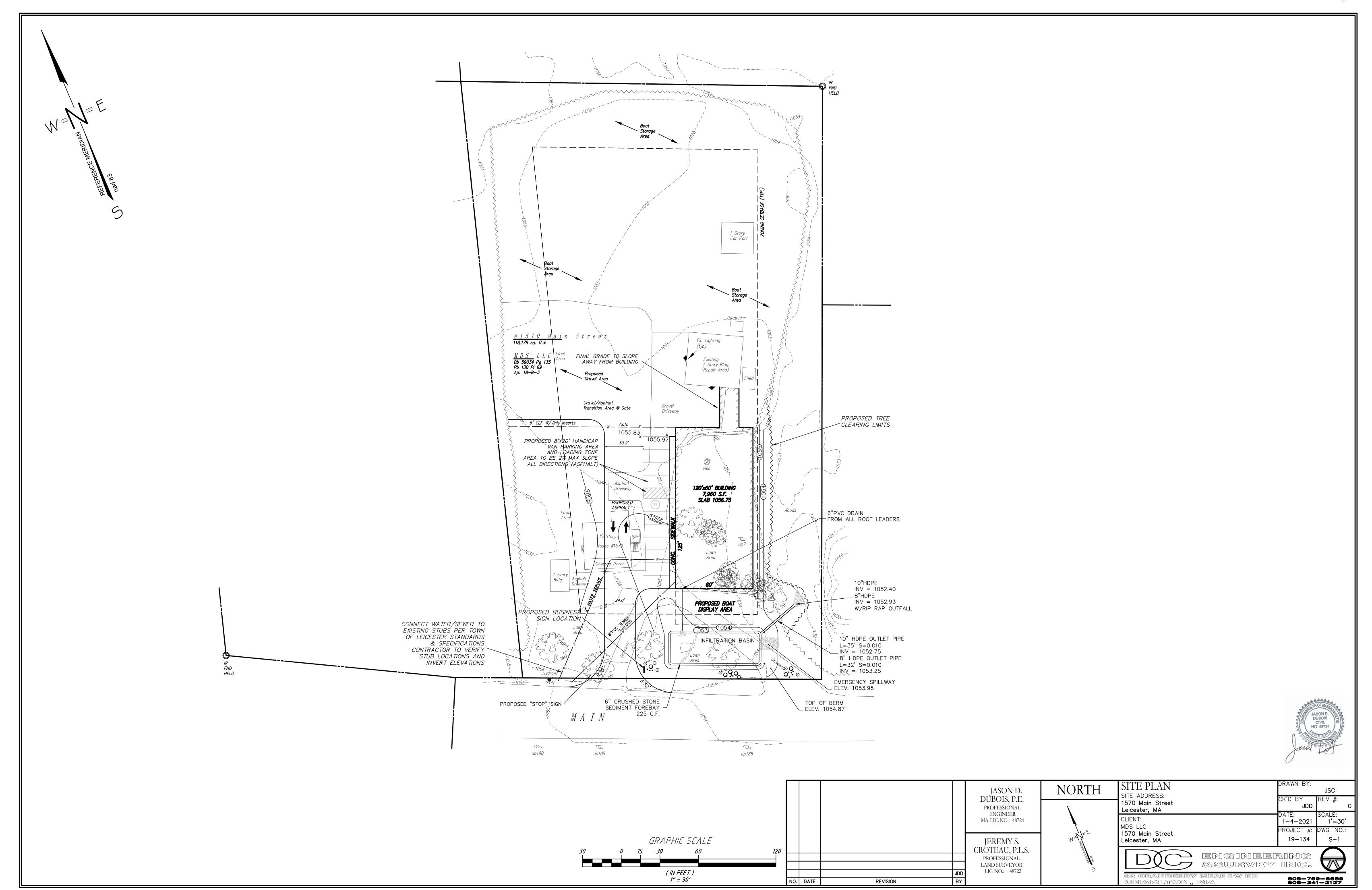
12A, ESTABLISHED VIA GNSS.

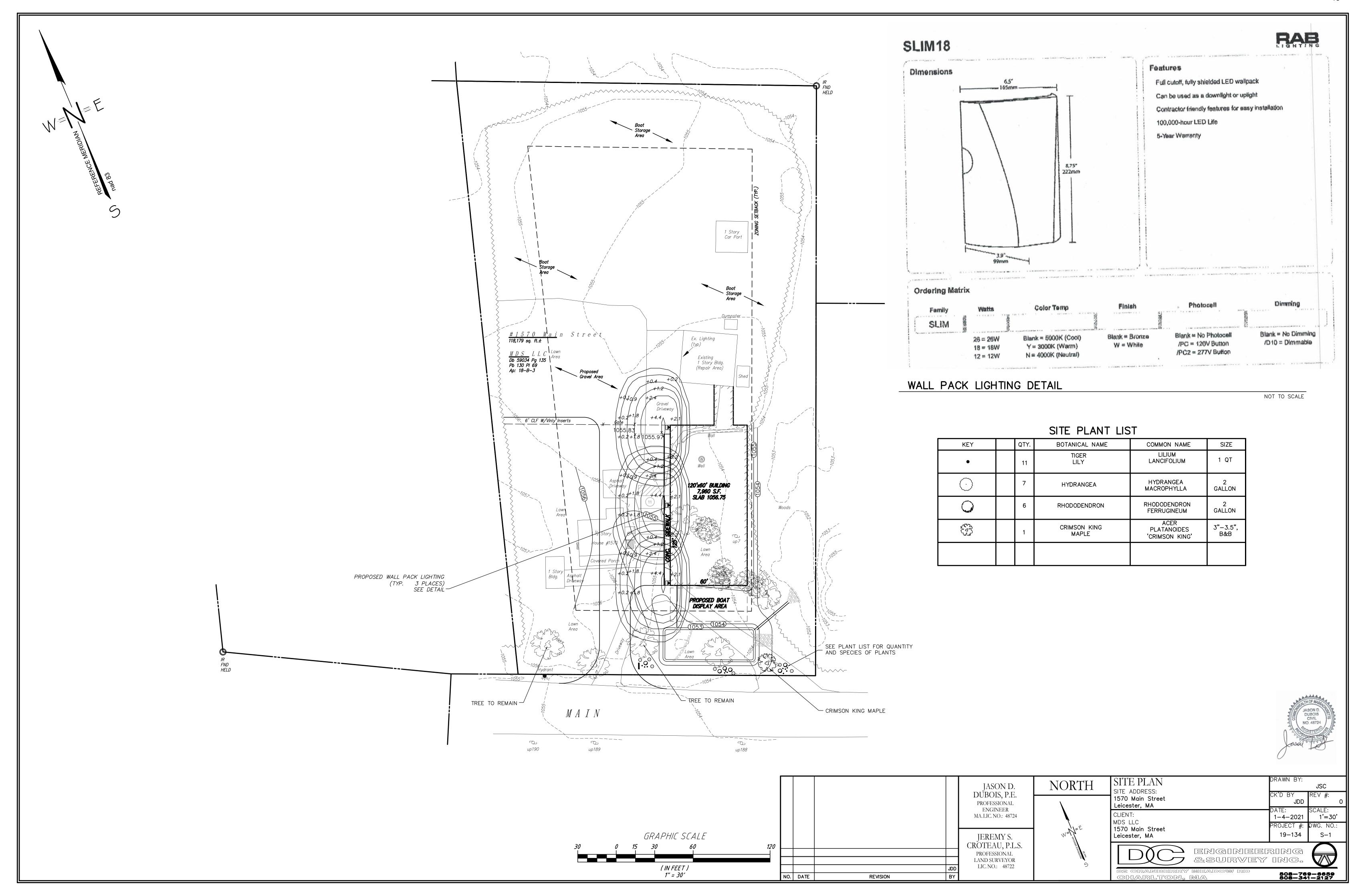
OFFSITE WETLADS AREAS.

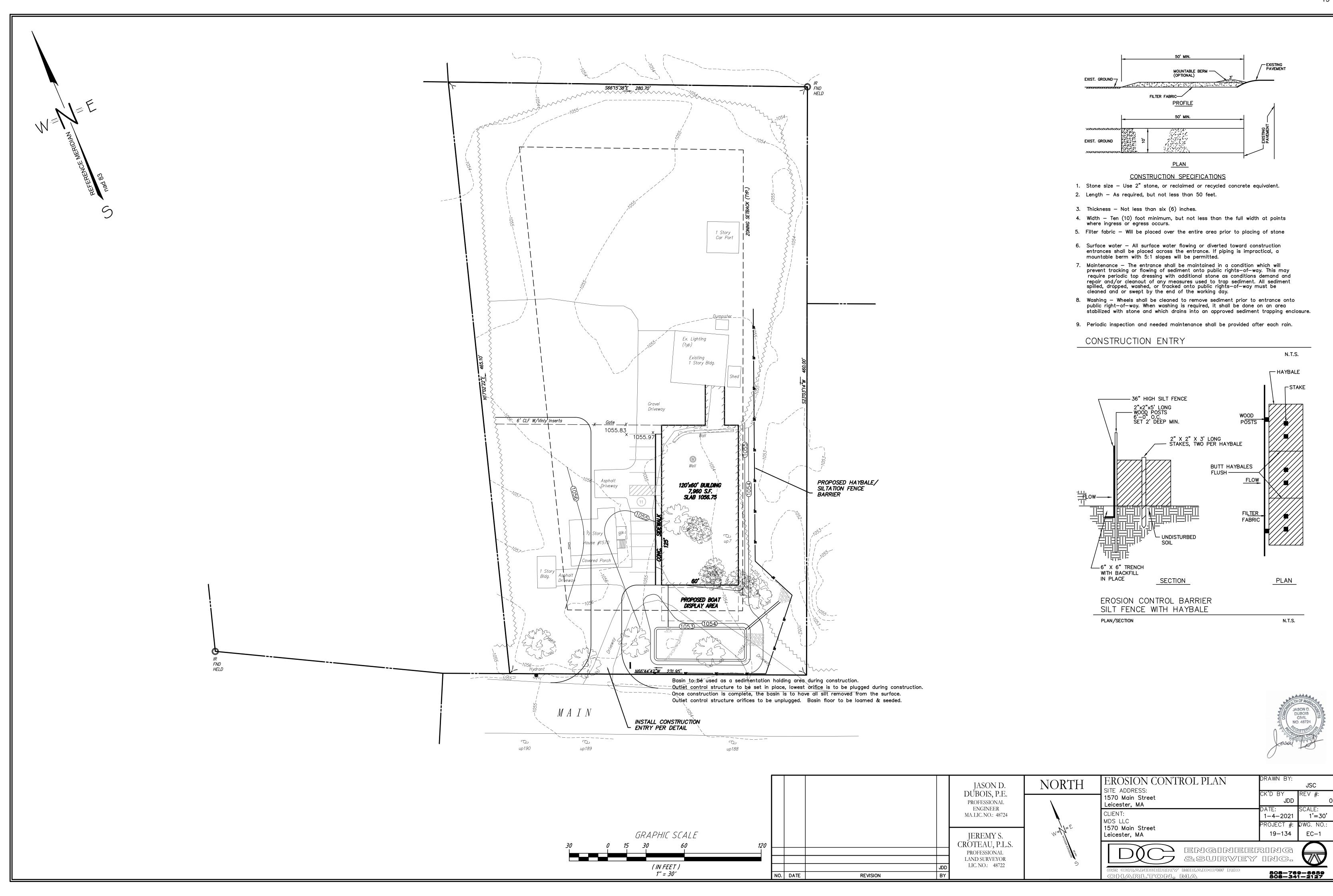
DB 59034 PG 135

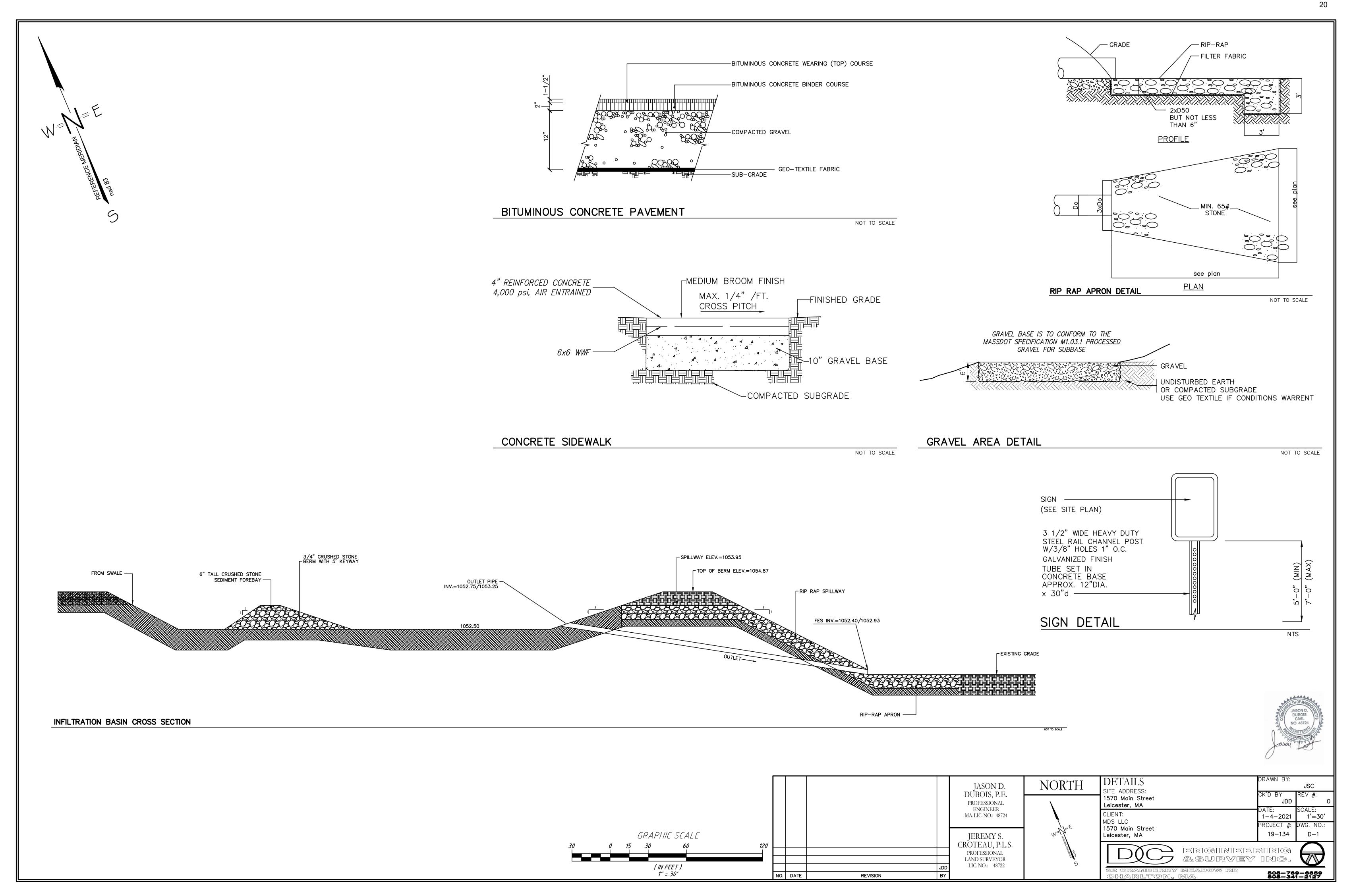












# SETTLED TO SETTLED TO

#### OFFICE OF THE BOARD OF HEALTH

#### TOWN OF LEICESTER

3 Washburn Square • Leicester, Massachusetts 01524-1333 Telephone: (508) 892-7008 • Fax: (508) 892-1163

February 8, 2021

To: Michelle Buck, Planning Director

From: Francis Dagle, Health Agent

Re: Comments on 1570 Main Street, Special Permit

On January 5, 2021, the Office of Public Health received a *special permit application and Plan* for 1570 Main Street. You asked for comments from the Office of Public Health about this project.

The following state regulatory requirements must be met for Board of Health approval of building renovations:

#### Asbestos 310 CMR 7.15(4):

(4) Survey Requirements.

With the exception of the owner of an Owner-Occupied, Single-Family Residence who performs asbestos abatement activities at the owner's residence involving solely non-friable ACM, the owner/operator of a facility or facility component that contains suspect ACM shall, prior to conducting any demolition or renovation, employ or engage an asbestos inspector to thoroughly inspect the facility or facility component, or those parts thereof where the demolition or renovation will occur, to identify the presence, location, amount and condition of any ACM or suspect ACM and to prepare a written asbestos survey report. The survey shall identify and assess suspect ACM located in all areas that will be breached or otherwise affected by demolition or renovation activities, including, but not limited to wall cavities, areas above ceilings and under/between multiple layers of flooring.

Please also indicate whether any of the following exist (if so, they must be removed prior to demolition in accordance with state regulations): mercury containing products, PCBs, fluorescent light tubes and ballasts/dielectric fluids, coolant gasses (e.g., from air conditioning units), and abandoned chemicals (e.g., petroleum products, pesticides)

#### **Brooke Hammond**

**From:** Dennis Griffin

Sent: Monday, February 8, 2021 12:54 PM

**To:** Brooke Hammond

**Subject:** RE: Comments - Hanks Marine/1570 Main St

No comment Ma. DOT.

From: Brooke Hammond <a href="mailto:hammondb@leicesterma.org">hammondb@leicesterma.org</a>

Sent: Monday, February 8, 2021 11:02 AM

To: Francis Dagle < Dagle F@leicesterma.org >; Michael Silva < Silva M@leicesterma.org >; Dennis Griffin

<griffind@leicesterma.org>; mwilson@leicesterfireems.org; jlennerton@aol.com

Subject: Comments - Hanks Marine/1570 Main St

Good morning,

Just a reminder that comments for 1570 Main St/Hanks Marine Special Permit (application attached) are due this Wednesday, Feb. 10. Please send comments to me by Wednesday at <a href="mailto:hammondb@leicesterma.org">hammondb@leicesterma.org</a>.

Thanks,

#### **Brooke Hammond**

Department Assistant – Planning, Conservation, ZBA Town of Leicester (508) 892-7007

Please note that Leicester Town Hall is closed on Fridays.

## 1570 Main Street- Special Permit and Site Plan Review Leicester Water Supply District Review

The LWSD approves the Special Permit with the following requirements.

- The District requires one full paper set of plans for review/ approval.
- The District requires one full paper set of As-Built plans once construction is completed.
- Water and Sewer application must be completed and approved.
- Must meet LWSD standards and specifications.
- Connection Fees must be paid in full before construction started.
- MA DOT permits will be pulled by the owner/ contractor.

#### **Brooke Hammond**

From: Ken Antanavica <antanavicak@leicesterpd.org>

**Sent:** Monday, January 11, 2021 3:36 PM **To:** Buck, Michelle; Brooke Hammond

**Subject:** RE: Special Permit Application: Hank's Marine 1570 Main Street

Hello Michelle and Brooke:

I have no objection to any items on the Hanks Marine application or plans.

Thank You

Chief Kenneth M Antanavica Leicester Police Department 90 S. Main St. Leicester, Ma 01524 (508) 892-7010 ext 2010 Fax (508) 892-7012

From: Buck, Michelle <BuckM@leicesterma.org>

Sent: Tuesday, January 05, 2021 6:30 PM

To: Brooke Hammond <a href="mailto:hammondb@leicesterma.org">hammondb@leicesterma.org</a>

Subject: Special Permit Application: Hank's Marine 1570 Main Street

This Department is moving to a new paperless process for seeking comments on applications. You'll receive a summary email with deadlines, and a link to where the application and related materials are posted online. Comments, if any, should be submitted by email to Brooke Hammond, Department Assistant, at <a href="mailto:hammondb@leicesterma.org">hammondb@leicesterma.org</a> or planning@leicesterma.org.

Type of Application: Special Permit & Site Plan Review

Project Name: Hank's Marine

Location/Description: Boat Showroom at 1570 Main Street

Water/Sewer: Leicester Water Supply District
Planning Board Meeting Date: 2/16/2020
Deadline for Comments: 2/10/2020

The application & plans are available at the link below:

https://www.leicesterma.org/planning-board/pages/current-applications-plans

If you have any questions, please let me know. Best regards,

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

buckm@leicesterma.org

 ${\it Please note that Leicester Town Hall is closed on Fridays}.$ 

#### QUINN ENGINEERING, INC.

Paxton, Massachusetts 01612 Phone: (508) 753-7999

Fax: (508) 795-0939

February 5, 2021

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

**Proposed Boat Showroom** Re: 1570 Main Street, MDS, LLC; Special Permit/Site Plan Review

#### To the Board:

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

- Plans entitled "Proposed Site Plan for MDS, LLC, 1570 Main Street, Town of Leicester", 6 sheets numbered, dated 1-4-2021 without revision date, prepared by DC Engineering & Survey Inc of Charlton.
- Completed Site Plan Review & Special Permit Application Form, with project narrative letter attached, addressed to Leicester Planning Board, from DC Engineering & Survey Inc, dated January 4, 2021.
- Report entitled "STORMWATER DRAINAGE ANALYSIS, MDS, LLC, #1570 Main Street, Leicester MA", dated January 4, 2021, prepared by DC Engineering & Survey Inc of Charlton.

We have performed a review of the submitted plans for conformance with §5.5.03, Special Permits in the HB-1 District of the Leicester Zoning By-Laws, Site Plan Review, and Site Plan Review Rules and Regulations.

#### Our comments are found below:

- 1. Recommend "wall pack" lights be equipped with a shield, to prevent glare onto adjoining properties. Wall pack lights can create glare not reflected in photometric analyses. Neighboring properties are believed to be in residential use.
- 2. Applicant should address solid waste storage and removal.

Leicester Planning Board 1570 Main Street, Boat Showroom February 5, 2021 Page 2 of 2

- 3. Parking spaces should be dimensioned, for clarity and to avoid contractor problems.
- 4. Engineer should justify the number of parking spaces provided, with a breakdown of employees, anticipated customers at peak times, and any others who may be onsite. (REF: §5.5.02.1, A, 1 and §5.5.02.1, B, 2). It may be appropriate to have a separate parking lane for customers with boats on trailers, who stop at the office.
- 5. §5.5.02.2, B requires a landscape buffer along property lines where non-residential uses abuts residential uses. The neighboring properties on both sides are believed to be in residential use. Plan should identify landscape buffer on both sidelines.
- 6. The plan cover sheet identifies Landscape Plan on Sheet L-1. Plans reviewed do not include sheet L-1, however, there are two sheets S-1, one of which depicts landscape information. Recommend that plan identifies the specific Landscape Buffer areas, with dimensions, and not just landscaping.
- 7. Engineer should evaluate the southeast sight line for vehicles departing the site, to ensure that the sign and landscaping does not impede a clear sight line.
- 8. Applicant should address to Leicester Planning Board the potential for noise or odor arising from boat repairs.
- 9. The plan set reviewed does not contain elevation plans of the proposed structure. (REF: Site Plan Review Regulations, II, F, 10)

#### 10. Pertaining to hydrology:

- a.) No soil test logs found in Infiltration Basin. Soil testing must be conducted, per Massachusetts Stormwater Management Policy.
- b.) What surface finish will be used at Boat Display Area? If this area is to be finished with an impervious surface (asphalt or concrete), the hydrology analysis must account for it.
- c.) In the "Stormwater Drainage Analysis", roof runoff from the existing building (behind the proposed building), and the connector building appears to be delivered to the Infiltration Basin, but no means of conveying that flow to it is found. If

Leicester Planning Board 1570 Main Street, Boat Showroom February 5, 2021 Page 2 of 2

the roof runoff from those buildings is intended to be delivered to the Infiltration Basin, it must be conveyed there.

d.) Plans call out a 6" drain, from roof leaders, to run into the Infiltration Basin. Site plans must explicitly require roof gutters, to collect roof runoff, which drain to the leaders. All roofs which will drain to the Infiltration Basin must call out gutters, downspouts and a drain line to the Basin.

Please contact this office should you have questions.

Respectfully Submitted, QUINN ENGINEERING, INC.

Kevin J. Quinn, P.E.

President

# TOWN THE TEN MASS

### Town of Leicester PLANNING BOARD

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

#### Memorandum

To: Jason Dubois, DC Engineering, Inc.

jdubois862001@yahoo.com

FROM: Michelle R. Buck, AICP

Town Planner/Director of Inspectional Services

DATE: February 4, 2021

RE: 1570 Main Street-Hank's Marine

Special Permit/Site Plan Review Application

PB File#: SP2021-01

I've reviewed the above referenced application and have the following comments and questions:

1. Please submit a more detailed narrative consistent with Section II.E. of the Planning Board's Site Plan Regulations, shown below:

#### **E. Project Narrative**

The applicant shall submit a brief project narrative describing the proposed project, including the following:

- 1. General description of the proposed project, including the following information:
  - a. a description of the proposed use(s), including proposed hours of operation, number of employees, etc.;
  - b. size of proposed structures, lot size, and building coverage %. In the Watershed Overlay District, include total impervious area;
  - c. size of existing building or portion of existing building proposed for new use;
  - d. number of existing and/or proposed parking spaces proposed, and description of conformance with the Planning Board's <u>Parking Regulations</u>; [Note: we don't have a specific parking space requirement for boat storage, so describe the parking and why it's adequate for the proposed use.]
  - e. Description of water and sewer source as applicable (See also Section I, Documentation Availability of Water and/or Sewer, below);
  - f. other relevant information to adequately describe the proposed project.
- A description of how the project meets each of the Standards for Site Plan Approval (see Section 5.2.05 of the <u>Zoning Bylaw</u>). Where applicable, a description of how the project meets the criteria for issuance of a Special Permit (see <u>Special Permit Regulations</u>). [Note: I've included the Site Plan Approval Criteria and HB-1 District Special Permit Criteria at the end of this document.]
  - 3. Description of permits/approvals needed from other permitting authorities.
  - 4. Proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.
  - 5. Waiver Requests, if applicable.

- Section II.F.10 of the Planning Board's Site Plan Regulations requires "Elevations for all exterior facades of the proposed structure including the type and color of materials to be used." No elevation plans were submitted.
- 3. Section 5.5.02.2A of the Zoning Bylaw requires "A landscaped buffer zone at least twenty (20) feet wide, continuous except for approved driveways, shall be established along any side of the lot with road frontage to visually separate the building and its parking areas from the road." Additional plantings should be provided in this 20' buffer area.
- 4. Section 5.5.02.2 of the Zoning Bylaw requires a landscaped buffer of 50 feet where a non-residential sues abuts a residential use. It does not appear that the plans submitted meet this requirement. Section 5.5.02.2. D allows the Board to reduce this buffer to 20 feet where "where site constraints do not allow for the full required buffer and an opaque fence and/or other comparable method is provided to adequately buffer the abutting residential use or district."
- 5. Section 5.5.02.2.F requires the following: "buffer zones shall be planted with grass, ground cover, medium height shrubs, and shade trees planted at least every fifty (50) feet. The buffer zone shall include both deciduous and evergreen shrubs and trees." Based on the frontage, there should be at least 5 street trees. The Plan shows 2 trees to remain and 1 new Crimson King maple. The Town of Leicester does not allow new street tree plantings of maple trees, as they are susceptible to damage from Asian Longhorned beetles. The existing tree types should be identified, and 3 additional street trees should be provided. See the Planning Board's Landscaping Regulations for suggested street tree types.

If you have any questions about the above comments, please let me know

#### Site Plan Review Criteria (Section 5.2.05 of the Zoning By-law)

- A. The use complies with all the provisions of the Leicester Zoning By-Law;
- B. The use will not materially endanger or constitute a hazard to the public health;
- C. The use 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;
- 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;
- 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;
- 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.

#### HB-1 District Special Permit Criteria (Section 5.5.03.2 of the Zoning By-law):

- 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;
- B. The proposed use shall not overload the capacity of water and sewer systems, stormwater drainage, solid waste disposal facilities, and other public facilities.
- C. The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use.
- D. The project shall comply with all applicable environmental laws and regulations.
- E. The proposed project shall be consistent with Leicester's Master Plan.
- F. The project shall comply with all Site Development Standards required in the HB-1 District.