



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 September 7, 2021 @ 7:00PM

<i>In-Person</i>	<i>Virtual</i>
Meeting Room 3 Leicester Town Hall, Lower Level	https://global.gotomeeting.com/join/903182021 United States (Toll Free): 1 866 899 4679 Access Code: 903-182-021

ORDER OF BUSINESS*

1. 7:00PM **Public Hearing, Special Permit, Continued**
SP2021-07, 1439 Main, Earth Filling, Applicant: Central Land Development Corp.
2. 7:15PM **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.
3. 7:30PM **Public Hearing, Definitive Subdivision Plan & Special Permit**
DSUB2021-02/SP2021-08, Skyview Estates, 651 Main Street, 74-unit residential subdivision, mix of duplex & multi-family structures, Applicant: MKPEP770, LLC
4. 7:45PM **Public Hearing, Definitive Subdivision Plan, Continued**
DSUB2021-01, Parker Street North, 3 lot subdivision, Applicant: Schold Development, LLC.
5. 8:00PM **Discussion, Site Plan Review Application, Continued**
SPR2021-01, 488 Stafford Street, marijuana cultivation, manufacturing & transportation, Applicant: Faded LLC dba Dris Production Center
6. 8:15PM **Public Hearing, Zoning Bylaw Amendments:**
 - A. Marijuana Delivery
 - B. Zoning Map Amendment, Sargent Street
7. 8:30PM **Project Change Request, Special Permit**
SP2021-11, Hankey Street/Workshop (change in parking lot lighting)
8. 8:35PM **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
 - C. Upcoming Meeting Dates
9. **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 2, 2021
RE: **September 7, 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.

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.

1. Public Hearing, Special Permit, SP2021-07, 1439 Main, Earth Filling

The revised application is enclosed, along with all comments (the original application is on the Planning Board's web page). The applicant has not submitted adequate responses to my comments or Quinn Engineering's revised comments of 8/17/2021. Even if this information is submitted today, there would be inadequate time to review. I suggest that the Board have the applicant present his application and hear comments from the Board and the public, and then continue the public hearing.

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

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 received a written request to enforce the bylaw in relation to this project earlier today.

3. Public Hearing, Definitive Subdivision Plan & Special Permit DSUB2021-02/SP2021-08, Skyview Estates, 651 Main Street, 74-unit residential subdivision, mix of duplex & multi-family structures, Applicant: MKPEP770, LLC

The applicant will be requesting a continuance to 9/22/2021 to revise plans (I expect to receive a written request for continuance later today). I've included the comments in your packet so you have an understanding of why the applicant is requesting a continuance; the application & plan are online. There are very serious deficiencies with the design of this project that will require significant revisions to the plans.

4. Public Hearing, Definitive Subdivision Plan, DSUB2021-01, Parker Street North

All comments are enclosed again, and Quinn Engineering's revised comments received yesterday are included.

I've enclosed a revised draft decision to summarize the project (it's revised only slightly from last week's version to incorporate new information). As with the previous version, it's not a recommendation one way or the other on this project, this draft is only to assist the Board in their decision-making process.

5. Site Plan Review Application, SPR2021-01, 488 Stafford Street/Dris Production Center

Revised plans were submitted 8/31/2021 are enclosed. The applicant never submitted paper copies, so this has not been reviewed by Quinn Engineering. I suggest that the Board ask the applicant to go over the changes to the plans, and then continue again to 9/22/2021.

6. Public Hearing, Zoning Bylaw Amendments

A. Marijuana Delivery

This is the same amendment proposed for the 2021 Annual Town Meeting, except that the section that would have allowed an additional retail facility has been removed.

B. Zoning Map Amendment, Sargent Street

Proposal Enclosed.

7. Project Change Request, 11 Hankey Street

The applicant has requested a change in the type of lighting for the parking lot. Request enclosed.

As always, if you have any questions about anything on the agenda, please feel free to contact me prior to the meeting at 508-892-7007 or buckm@leicesterma.org.

Summit Engineering & Survey, Inc.

July 29, 2021

Attn: Michelle Buck
Leicester Planning Board
Town of Leicester
Leicester, MA



Re: Special Permit at 1439 Main Street
Tractor Supply, Leicester Ma

Dear Michelle,

On behalf of my client Matt Schold Development LLC I'm writing to respond to the Review Letter provided by Quinn Engineering dated July 14, 2021. I have made the following changes to the plan per Quinn's comments that were provided to the Planning Board.

1. I have performed a Hydrologic Analysis on the proposed project to ensure that there will be no increase in runoff rates off site and therefore will not have a negative effect to abutting properties down gradient from this project. Please refer to Report.
2. The proposed 2:1 slope located along the downhill side of the project has been revised to have a rip rap slope constructed to provide soil stabilization during and after construction.
3. Dust control will be provided by propose watering of site during construction.
4. Rip rap swale along the top of the slopes have been added to collect runoff generated by the proposed project. Swale has been added along the southwest portion of the project to collect runoff before it leaves the site and directed toward the temporary basins.

Please do not hesitate to contact this office if you have any questions.

Respectfully Submitted,
Summit Engineering & Survey, Inc.
By:

Peter Lavoie, Project Engineer

SPECIAL PERMIT/SITE PLAN

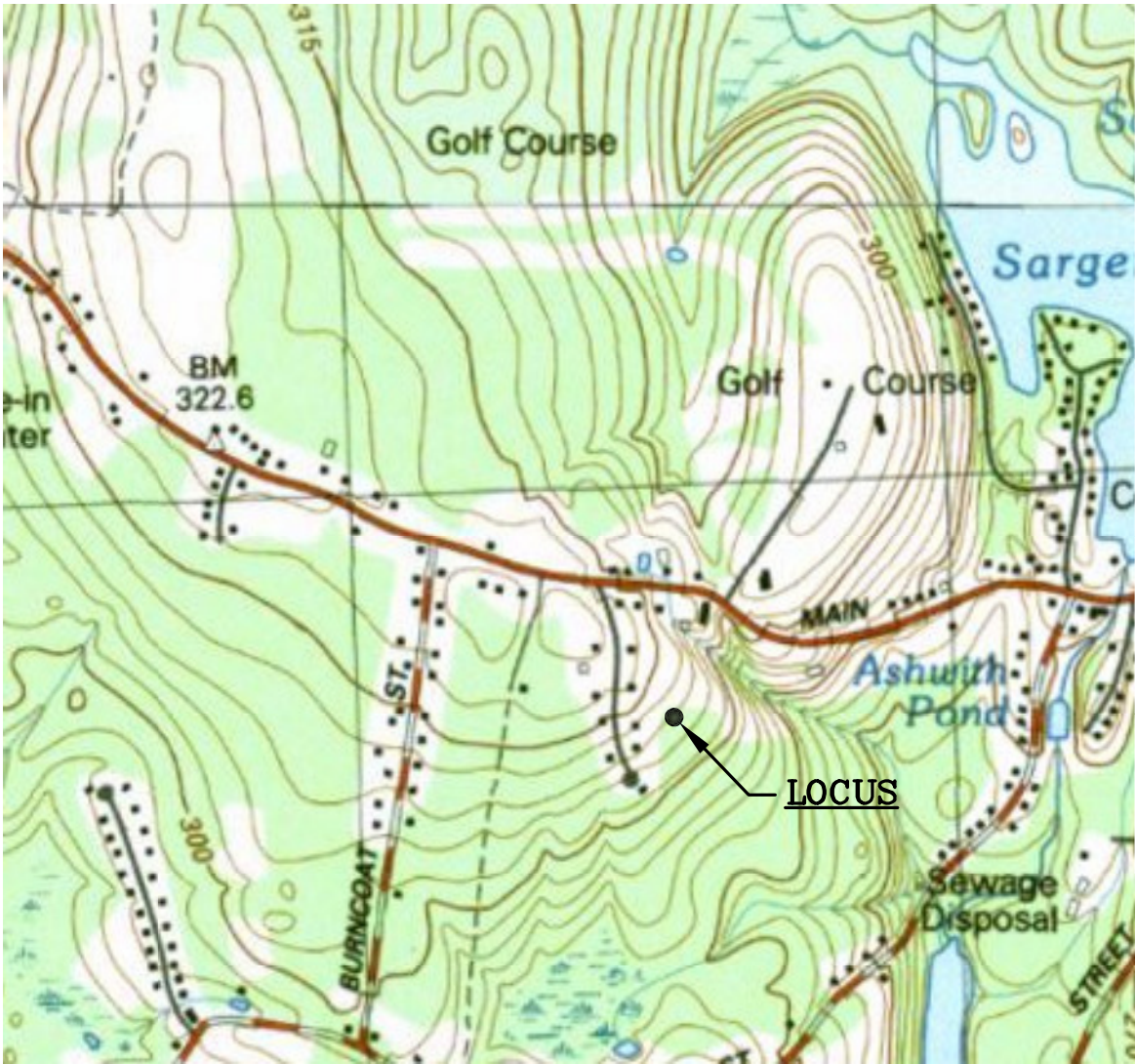
at

1439 MAIN STREET

LEICESTER, MA

NOTE:

- 1.) PROPERTY LINES/SITE FEATURES ARE TAKEN FROM PLAN PREPARED BY J.R. RUSSO & ASSOCAITES ENTITLED AS-BUILT PLAN FOR 1439 MAIN STREET LEICESTER MA DATED 9-23-10.
- 2.) THE PURPOSE OF THIS PLAN IS FOR THE PREPORATION 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
- SHEET - 2
- SHEET - 3
- SHEET - 4
- COVER SHEET
- EXISTING CONDITIONS
- GRADING PLAN
- DETAILSHEET

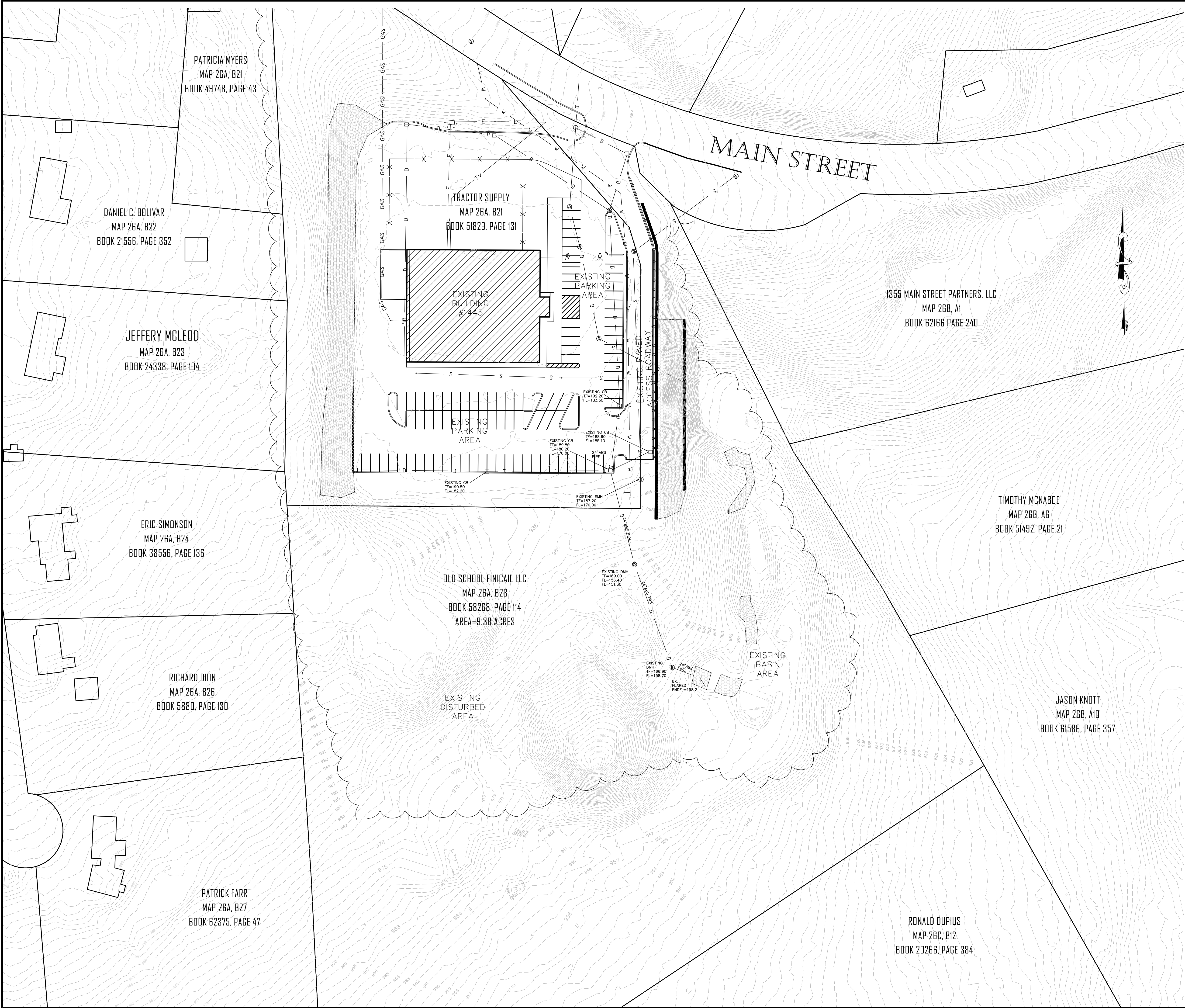


Andrew R. Skum

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.
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. 710 MAIN STREET OXFORD, MA 01537 P.(508) 987-8713 F.(508) 987-8714	
SHEET TITLE	
COVER SHEET	
SPECIAL PERMIT PLAN at 1439 MAIN STREET (ROUTE 9) LEICESTER, MA PREPARED FOR SCHOLD DEVELOPMENT	
SHEET NO.	
C-1.0	



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) 987-8713 F:(508) 987-8714

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

REV.

DATE

DESCRIPTION

1

7/29/21

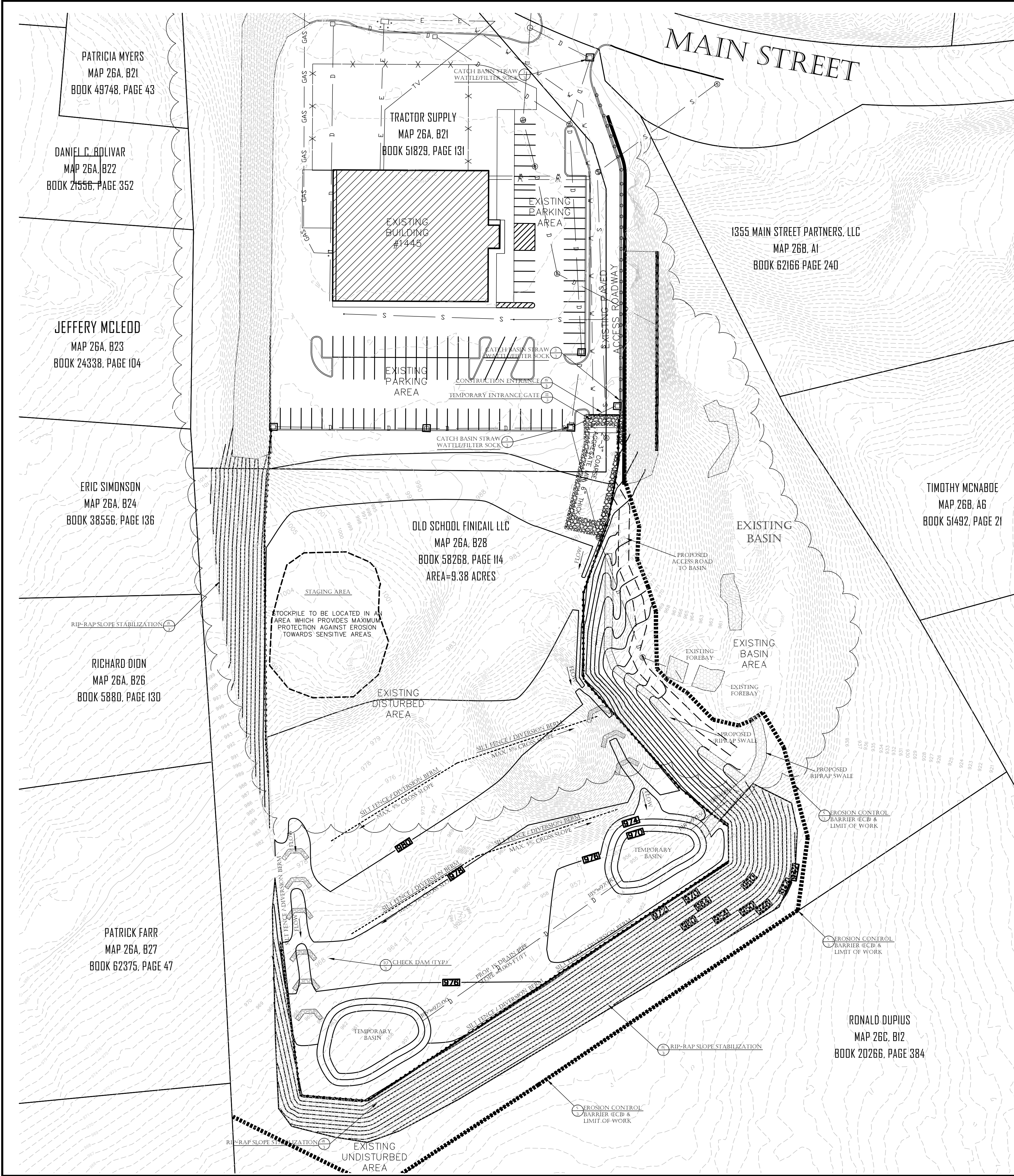
REVISED PER COMMENT LETTER.

PROJECT NO. 21-212
DESIGNED BY PML
CHECKED BY AB
DATE 6/14/21
CAD FILE 21-212 SPECIAL PERMIT

GRAPHIC SCALE
50 0 25 50 100
(IN FEET)
1 inch = 50 feet

SEAL

ANDREW R. BAUM
CIVIL
NO. 47076
REGISTERED PROFESSIONAL ENGINEER



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, STRAW BALE AND SILT FENCE BARRIERS, RIPRAP, VEHICLE TRACKING PADS, DIVERSION CHANNELS AND BERMS, CHECK DAMS, STRATEGICALLY LOCATED STOCKPILES, SEDIMENT BASINS, MULCH, AND SEED MIX (HEREINAFTER "CONTROL MEASURES") ADEQUATE TO PREVENT THE CONVEYANCE OF EROSION PRODUCTS (E.G. SOIL, MULCH, SOD) OFF SITE, OR INTO ENVIRONMENTALLY SENSITIVE AREAS, OR INTO AREAS WHERE WORK WILL BE ADVERSELY IMPACTED. ENVIRONMENTALLY SENSITIVE AREAS INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO, WETLANDS, TRIBUTARIES TO WETLANDS, WETLAND BUFFER ZONES, INTERMITTENT AND PERENNIAL STREAMS, RIVERS, AND THEIR ATTENDANT BUFFER ZONES.

ALL METHODS AND MATERIALS USED FOR EROSION CONTROL SHALL CONFORM TO THE REQUIREMENTS SET FORTH IN "EROSION AND SEDIMENT 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 COMMENCE WORK. LIMITS OF DISTURBANCE SHALL BE MARKED WITH TAPE, SIGNS, OR ORANGE CONSTRUCTION FENCE PRIOR TO COMMENCING ANY LAND DISTURBANCE ACTIVITIES. CONTROL MEASURES WILL BE ADEQUATE ONLY FOR VEGETATION CLEARING. THE DRAWINGS ARE NOT INTENDED TO GRAPHICALLY DEPICT ALL CONTROL MEASURES THAT WILL BE REQUIRED TO MEET THE REQUIREMENTS DESCRIBED IN 1.01.A.

2. DEVISE 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.

3. DEVISE 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. DEVISE, EMPLOY AND MAINTAIN CONTROL MEASURES UNTIL SUCH TIME AS THE ENTIRE SITE IS PERMANENTLY STABILIZED BY ESTABLISHED VEGETATION, FINISH LANDSCAPE MATERIALS, PAVED SURFACES, AND/OR ROOF 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 SKETCH SHOWING LOCATIONS OF PROPOSED STOCKPILE 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 SEQUENCE 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 ACCEPTABLE MANUFACTURERS. USE EXPERIENCED INSTALLERS. DELIVER, HANDLE, AND STORE MATERIALS IN ACCORDANCE WITH MANUFACTURER'S INSTRUCTIONS.

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. GOVERNMENT, ENVIRONMENTAL PROTECTION AGENCY. 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 42" X 16" X 16". EACH BALE SHALL BE STAKED WITH A MINIMUM OF TWO 24" LONG HARDWOOD STAKES. NOTE: HAY SHALL NOT BE USED.

B. STRAW WATTLES: NORTH AMERICAN GREEN MODEL WS1210 OR APPROVED EQUAL.

C. SILT FENCE: NON-WOVEN, UV-RESISTANT, POLYPROPYLENE FABRIC, FLOW RATED AT 10 GPM/50' MINIMUM, GRAB TENSILE RATED AT 124 POUNDS MINIMUM WITH INTEGRAL STAKE LOOPS, AND HARDWOOD STAKES. USE NO. 2130 BY AMCO FABRICS & FIBERS, OR APPROVED EQUAL.

D. MULCH: ORGANICS INCLUDING STRAW, PROCESSED PINE / HEMLOCK TWIGS AND NEEDLES.

E. SEED MIXES: SHALL MEET THE REQUIREMENTS OF MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES, LATEST EDITION SECTION 6.03.0 OR 6.03.1 AS APPROPRIATE.

F. EXCELSIOR BLANKET: CURLED WOOD FIBER ON PHOTODEGRADABLE EXTRUDED PLASTIC MATRIX, BOX OF FIBERS 6-INCHES LONG OR LONGER, WEIGHT 0.975 POUNDS / SQ. YD., CONTAINING NO CHEMICAL ADDITIVES. USE CURLEX I BLANKET BY AMERICAN EXCELSIOR COMPANY, OR APPROVED EQUAL.

G. ROCK RIPRAP: SOUND, ANGULAR, 6-INCH MINUS PROCESSED ROCK, BLAST ROCK, OR TAILINGS.

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

JASON KNOTT

MAP 26B, A10

BOOK 61586, PAGE 357



Andrew R. Baum



DIG SAFE NOTE:

UTILITIES ARE PLOTTED FROM FIELD LOCATION AND ANY RECORD INFORMATION AVAILABLE, AND SHOULD BE CONSIDERED APPROXIMATE. OTHER UTILITIES MAY EXIST WHICH ARE NOT EXHIBIT OR FOR WHICH RECORD INFORMATION WAS NOT AVAILABLE. CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING. ALSO, CALL "DIG-SAFE" AT (1(888)344-7233 (1(888)DIG-SAFE).

EXISTING LINES OTHER THAN THOSE INDICATED ON THESE DRAWINGS MAY BE ON THE SITE. THE CONTRACTOR IS WARNED TO PROCEED WITH CAUTION WITH ALL WORK, ESPECIALLY EXCAVATION WORK, AND TO MAKE ALL POSSIBLE INVESTIGATIONS AS TO POSSIBLE UNMARKED UTILITY LINES.

NOTES:

- [1] SLOPE SURFACE SHALL BE FREE OF ROCK, CLODS, STICKS AND GRASS. MATS/BLANKETS SHALL HAVE GOOD SOIL CONTACT
- [2] APPLY PERMANENT SEEDING BEFORE PLACING BLANKETS
- [3] LAY BLANKETS LOOSELY AND STAKE OR STAPLE TO MAINTAIN DIRECT CONTACT WITH THE SOIL. DO NOT STREKE OR COMPACT
- [4] MATS/BLANKETS SHOULD BE INSTALLED VERTICALLY DOWNSLOPE
- [5] TAMP SOIL OVER MAT/BLANKET

PART 3 - EXECUTION

3.01 THROUGHOUT CONSTRUCTION

A. DEVISE WORK SEQUENCE SO AS TO LIMIT DRAINAGE AREA THAT IS TRIBUTARY TO DISTURBED AREAS. DEVISE, EMPLOY, AND MAINTAIN CONTROL MEASURES SUCH AS DIVERSION CHANNELS AND BERMS, STRATEGICALLY LOCATED STOCKPILES, AND SEDIMENT BASINS TO SUBDIVIDE DRAINAGE AREAS INTO SMALL, MANAGEABLE SUBAREAS, THEREBY MINIMIZING RUNOFF AND THE POTENTIAL FOR EROSION.

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

C. MAINTAIN SPARE MATERIAL STOCKPILES FOR IMMEDIATE EMPLOYMENT / REPAIR / EXPANSION OF CONTROL MEASURES. AT A MINIMUM, SUCH MATERIALS SHALL INCLUDE HAY BALES, SILT FENCE AND STAKES, AND CRUSHED STONE.

D. INSPECT AND MAINTAIN EFFECTIVENESS OF CONTROL MEASURES BY REPAIRING AS NECESSARY TO ENSURE INTENDED FUNCTION; BY SUPPLEMENTING AS NECESSARY FOR ADEQUATE EXTENT, BY REMOVING TRAPPED PRODUCTS OF EROSION AS NECESSARY TO MAINTAIN EFFECTIVE TRAP VOLUME.

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

F. INSTANT CONTROL MEASURES AS SOON AS PRACTICABLE AFTER EACH MANAGEABLE PORTION OF EARTHWORK IS COMPLETE. EMPLOY TEMPORARY MEASURES AS NECESSARY TO STABILIZE DISTURBED AREAS, EVEN WHERE SUBSEQUENT CONSTRUCTION OPERATIONS MAY REQUIRE RE-DISTURBANCE.

G. WHEN INTENSE RAINFALL IS EXPECTED, CONSIDER, DEVISE, 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 STOCKPILES TO COUNTERACT POTENTIAL SEDIMENT TRANSPORT DURING INTENSE RAINFALL.

H. WHEN VEHICLE REFUELING IS REQUIRED ON SITE, CONDUCT REFUELING 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 SILT 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 TACKIFIERS, CHLORIDES AND BARRIERS FOR DUST CONTROL.

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

3.02 SITE PREPARATION AND ACCESS

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

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

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

3.03 CLEARING, GRUBBING, AND STRIPPING

A. SCHEDULE GRUBBING AND STRIPPING TO OCCUR IMMEDIATELY PRIOR TO EARTH DISTURBANCE. CONSIDER CONSTRUCTION ON SITE AREA, CONSIDER MULTIPLE GRUBBING PHASES, SEQUENCED TO TAKE ADVANTAGE OF THE EROSION PREVENTION POTENTIAL OF EXISTING VEGETATIVE COVER.

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

C. LOCATE AND SIZE STOCKPILES TO MINIMIZE EROSION POTENTIAL, TAKING ADVANTAGE OF TERRAIN SLOPE AND ASPECT, WHERE APPROPRIATE.

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

E. PROCESS TIMBER, STUMPS, SLASH, AND BRUSH SO AS TO PROTECT ENVIRONMENTALLY SENSITIVE AREAS AND INSTALLED CONTROL MEASURES. PROPERLY DISPOSE OF EXCESS OFF SITE. BURIAL OF STUMPS ON SITE IS PROHIBITED.

3.04 EXCAVATION FOR BUILDING FOUNDATIONS AND UTILITIES

A. DEVISE AND INSTALL CONTROL MEASURES ADEQUATE TO HANDLE DISCHARGES AND TRAP SEDIMENT FROM FOOTING SUMP AND WELL POINT PUMPS PRIOR TO EXCAVATION.

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

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

D. STOCKPILE EXCAVATED MATERIALS TO BAFFLE OVERLAND RUNOFF, AVOIDING THE CREATION OF LENGTHY PATHS OF CONCENTRATED RUNOFF. STOCKPILE SURFACES SHALL NOT EXCEED 2:1.

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

3.05 SITE GRADING

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

B. MONITOR SEDIMENT VOLUME IN TEMPORARY SEDIMENT BASINS AND AT DIVERSION BERMS AND CHECK DAMS IN ALL AREAS EXCEPT THOSE THAT DO NOT PRESENT POTENTIAL PROBLEMS WITH REGARD TO FUTURE SOIL STABILITY, DRAINAGE, OR 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 GIVEN AREA. EXPOSED AREAS WHERE NO WORK HAS OCCURRED FOR FOURTEEN (14) DAYS SHALL BE TEMPORARILY STABILIZED WITH HYDROSEED OR OTHER APPROVED METHOD.

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

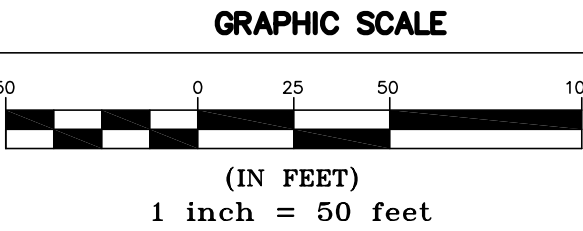
3.06 LANDSCAPING

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

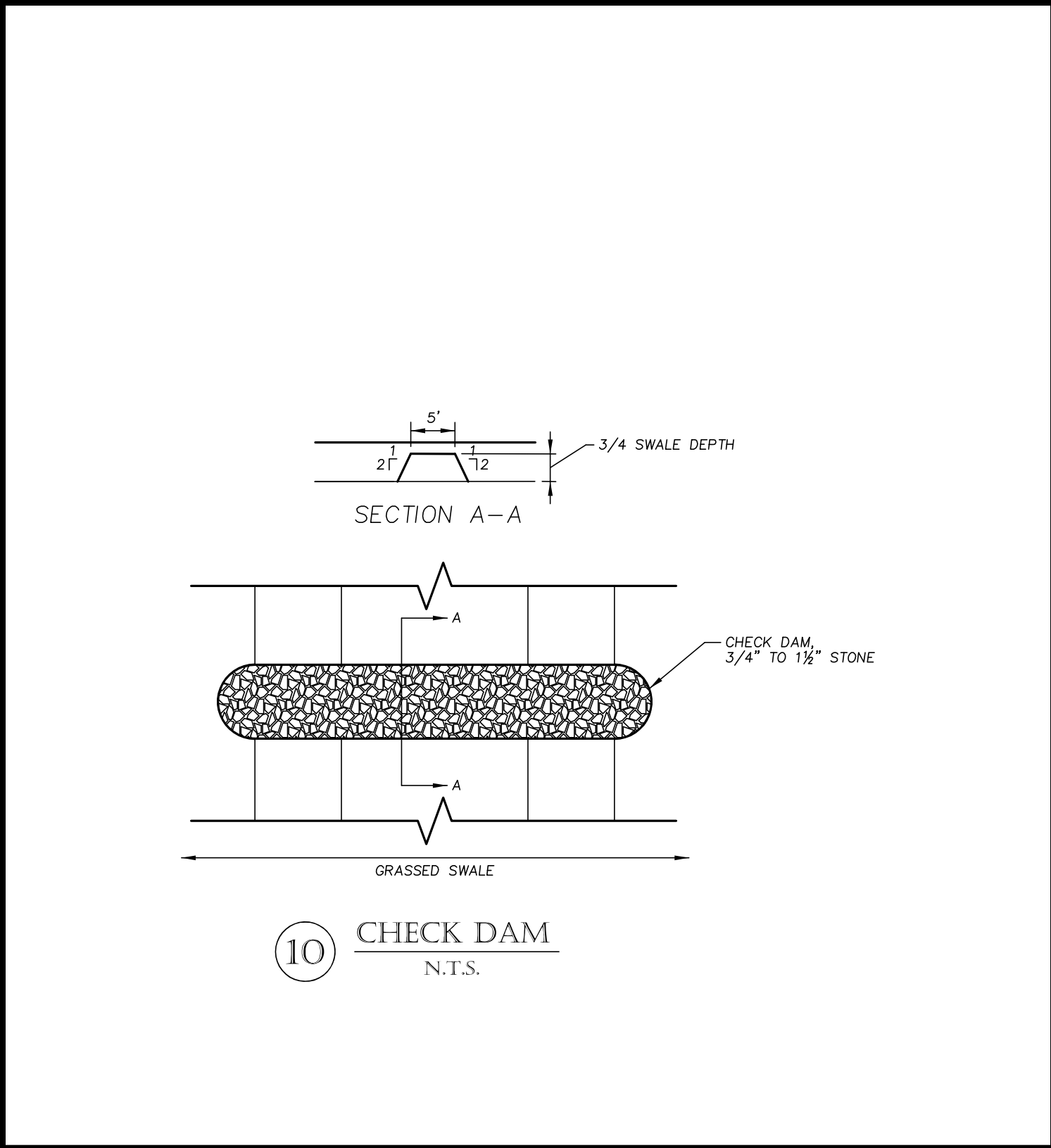
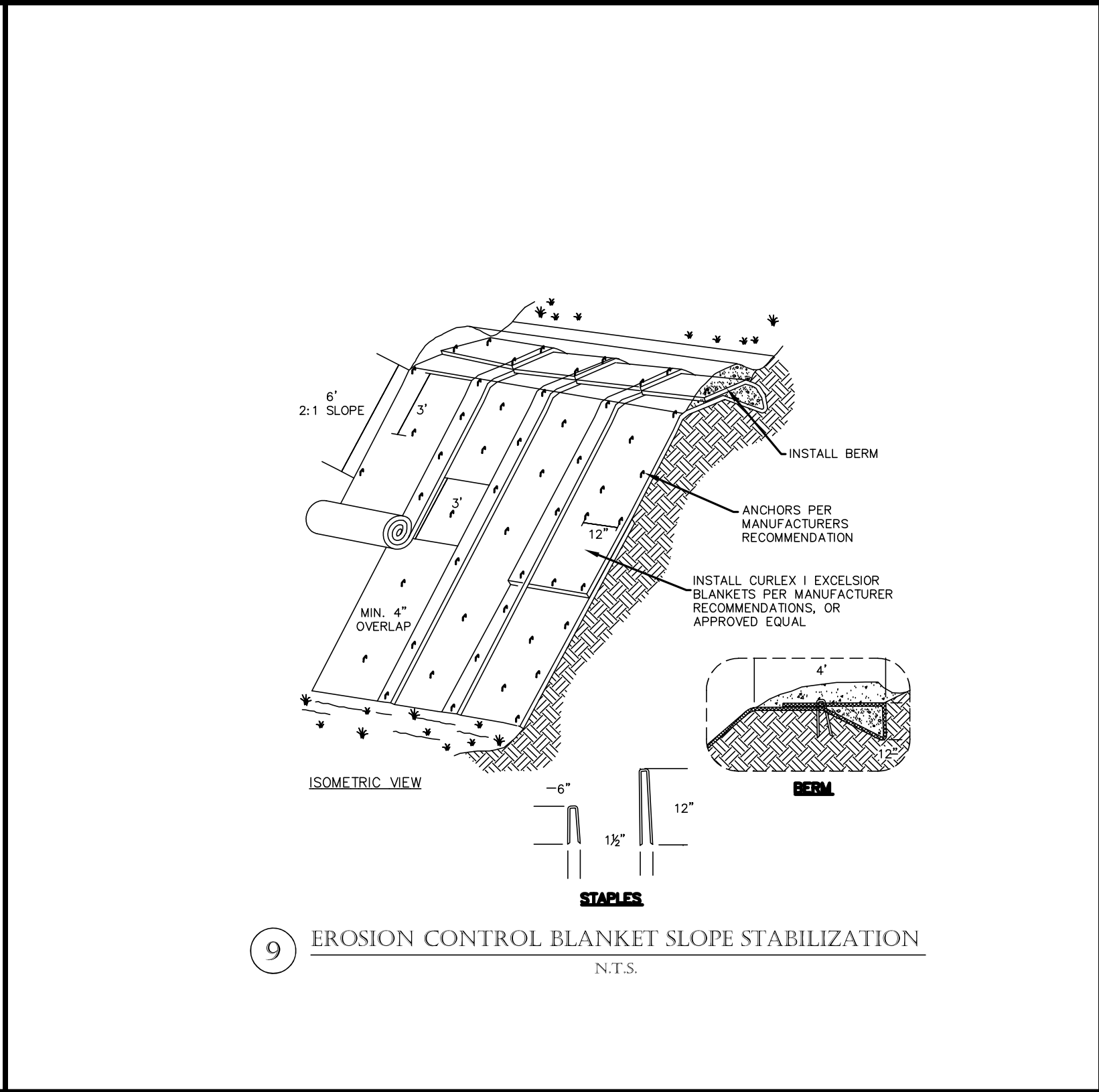
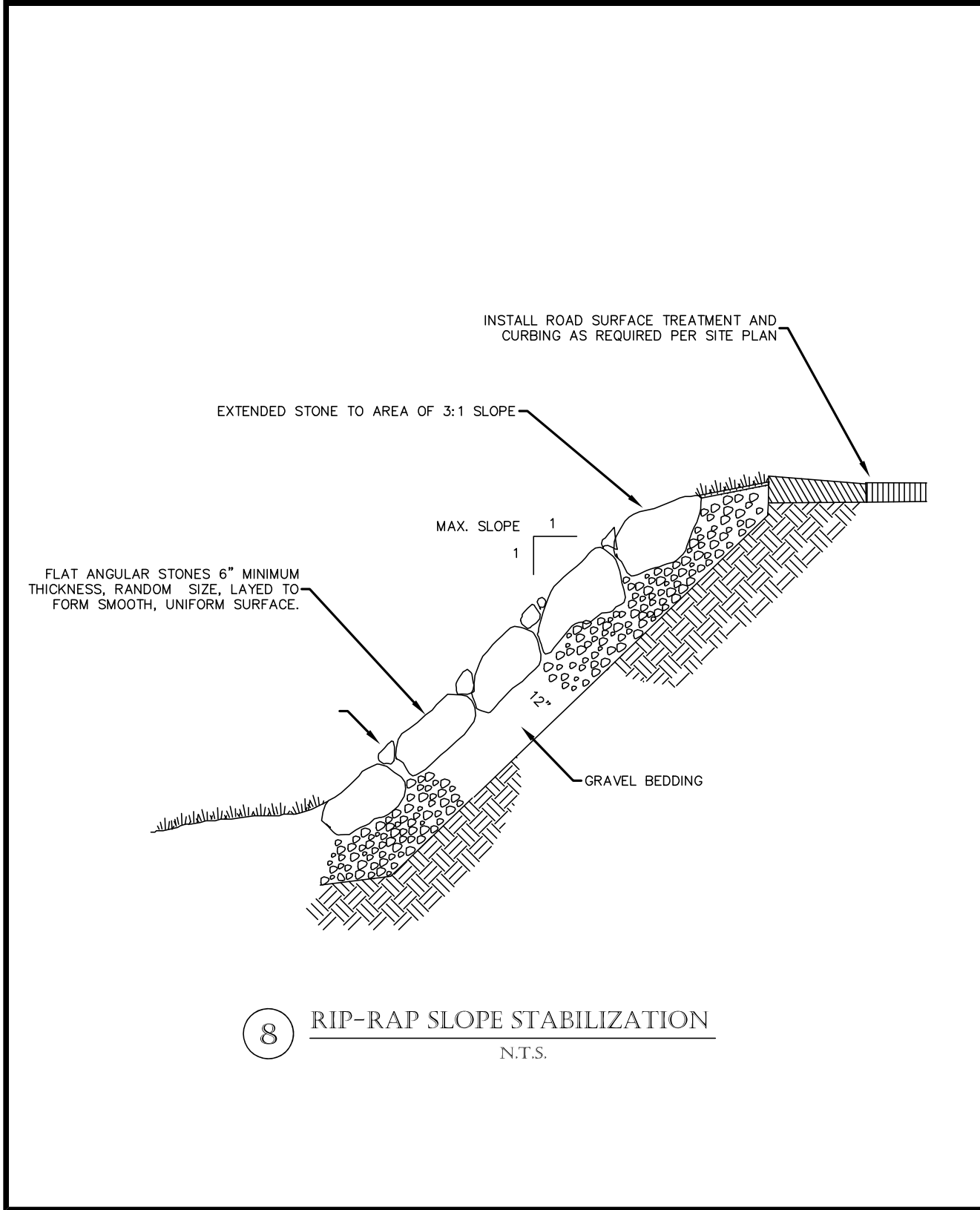
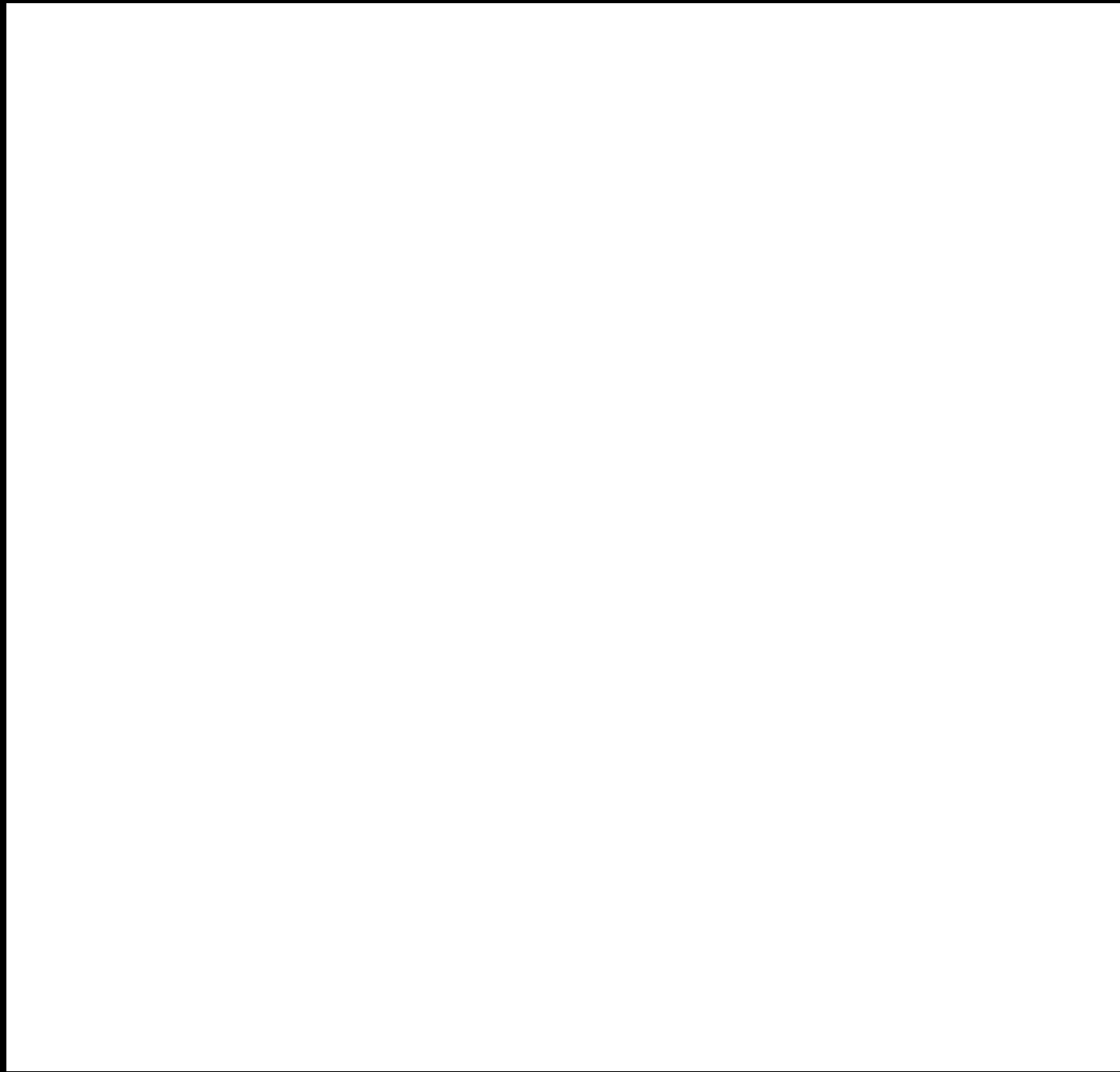
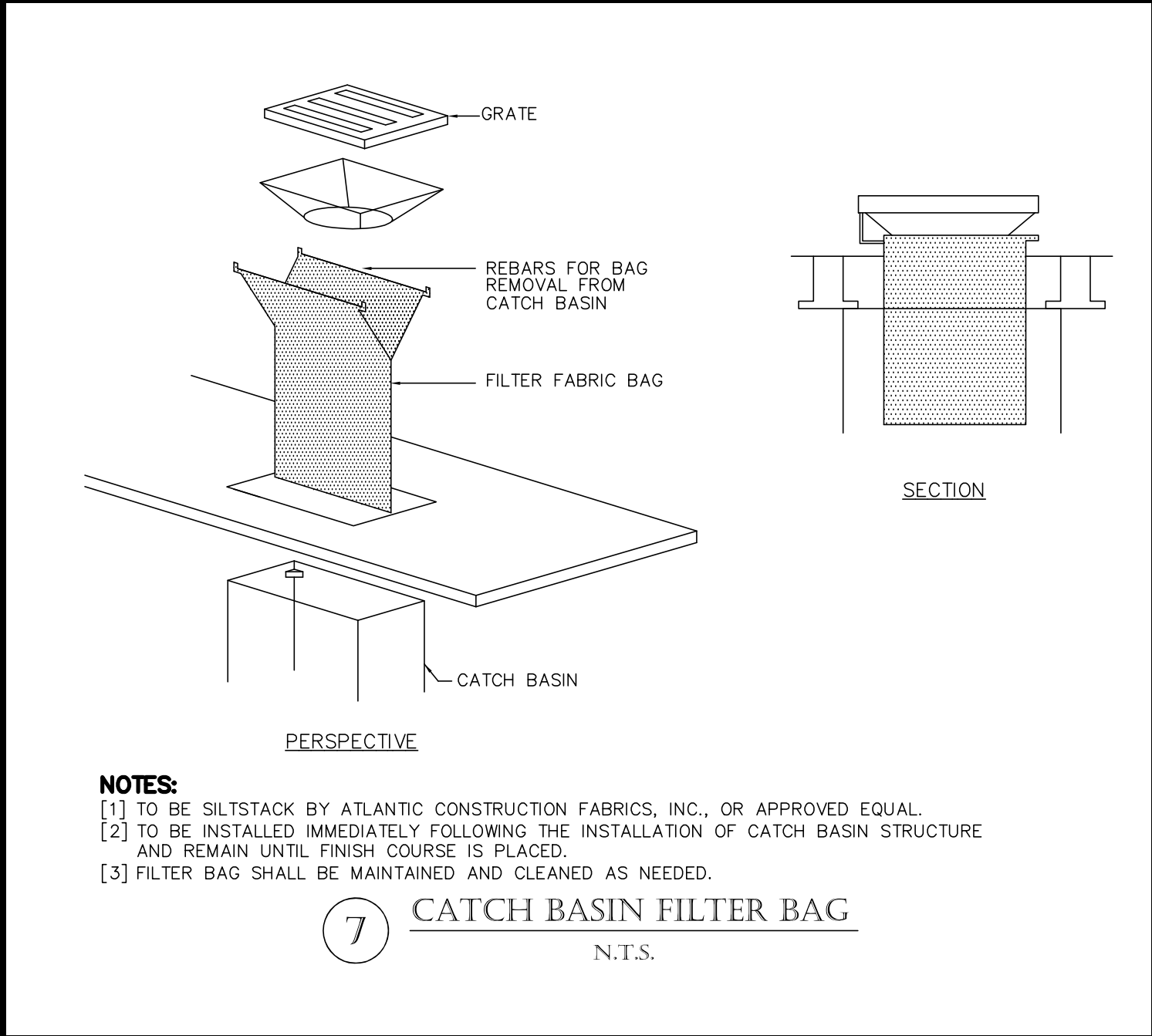
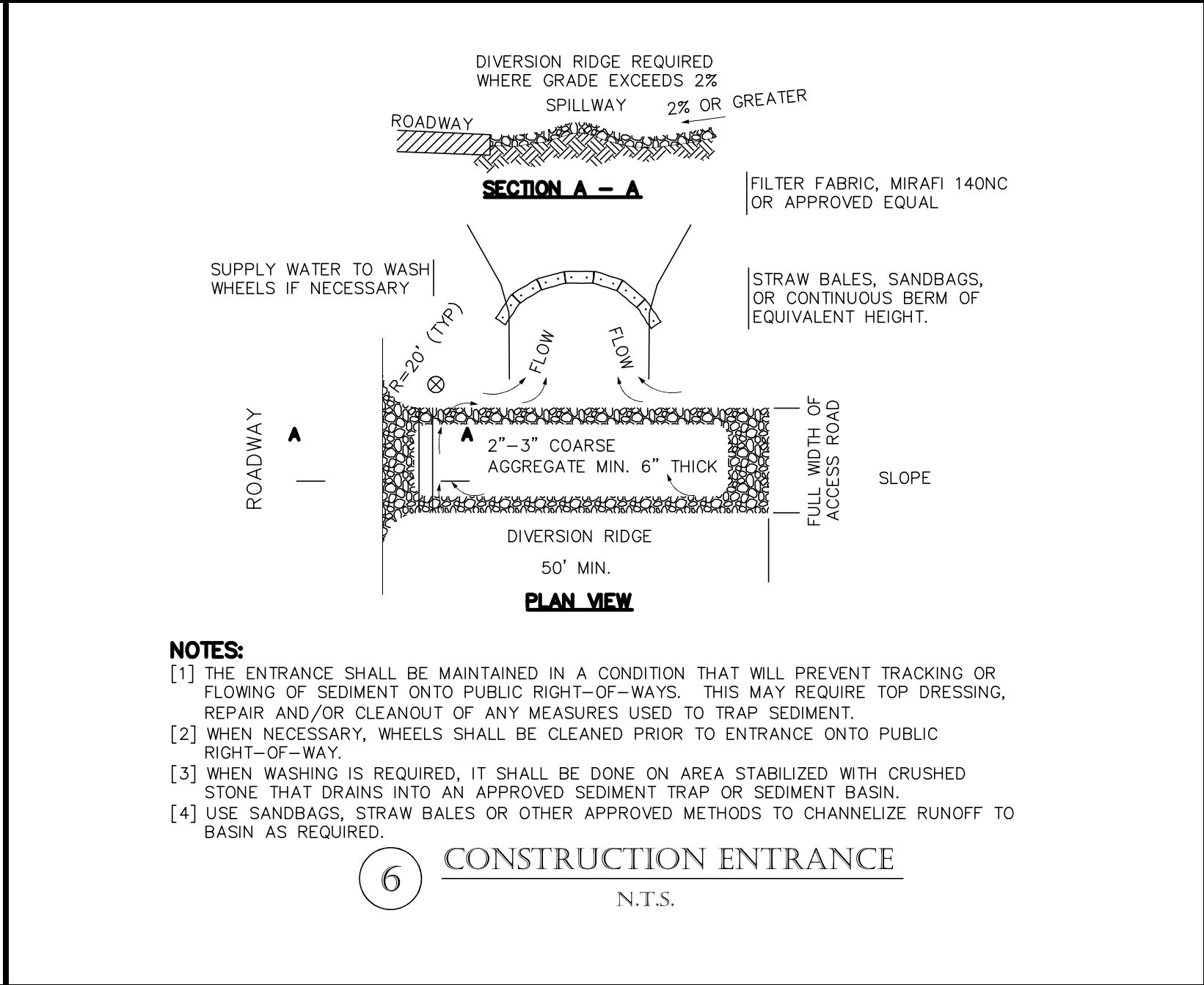
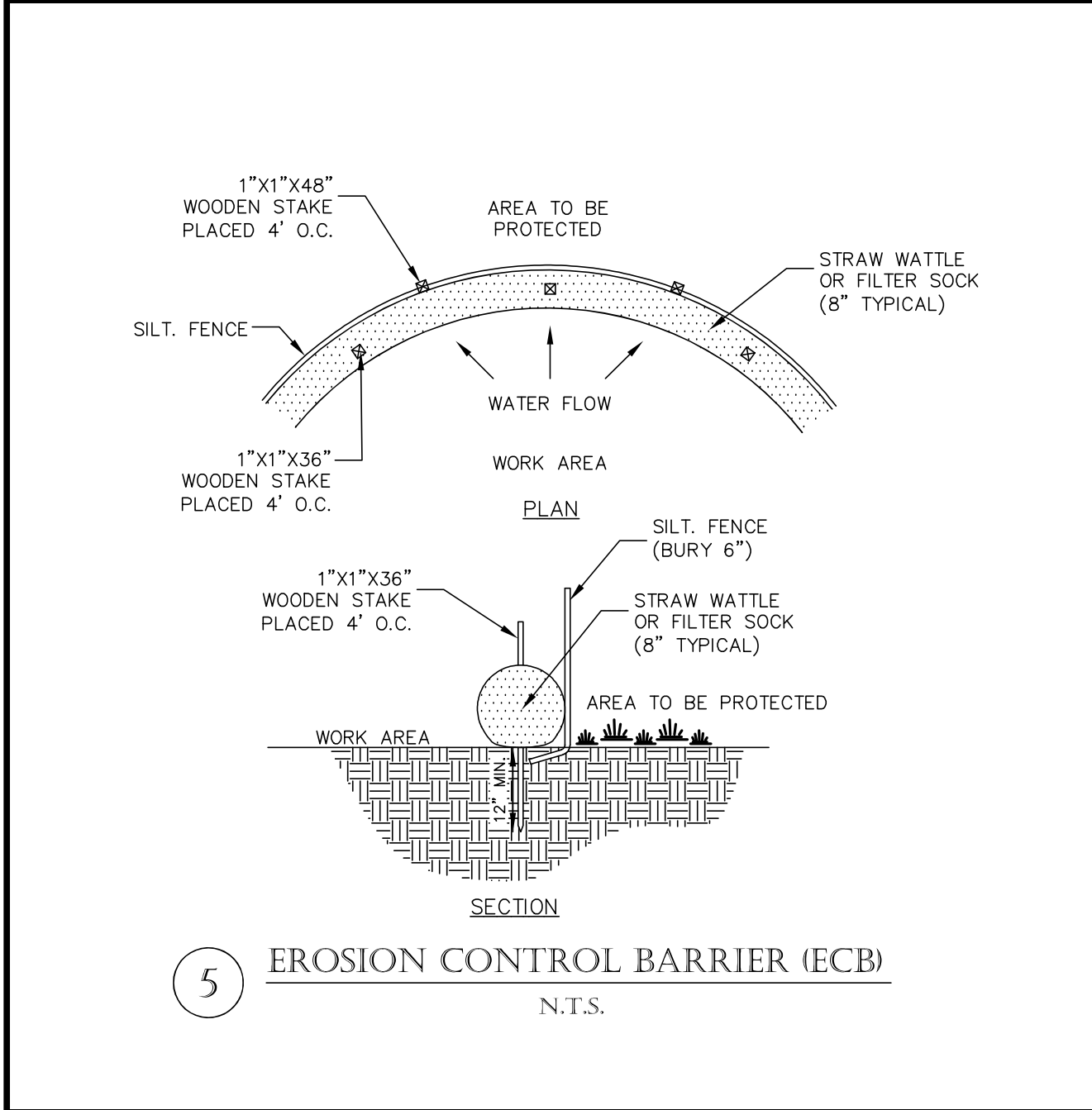
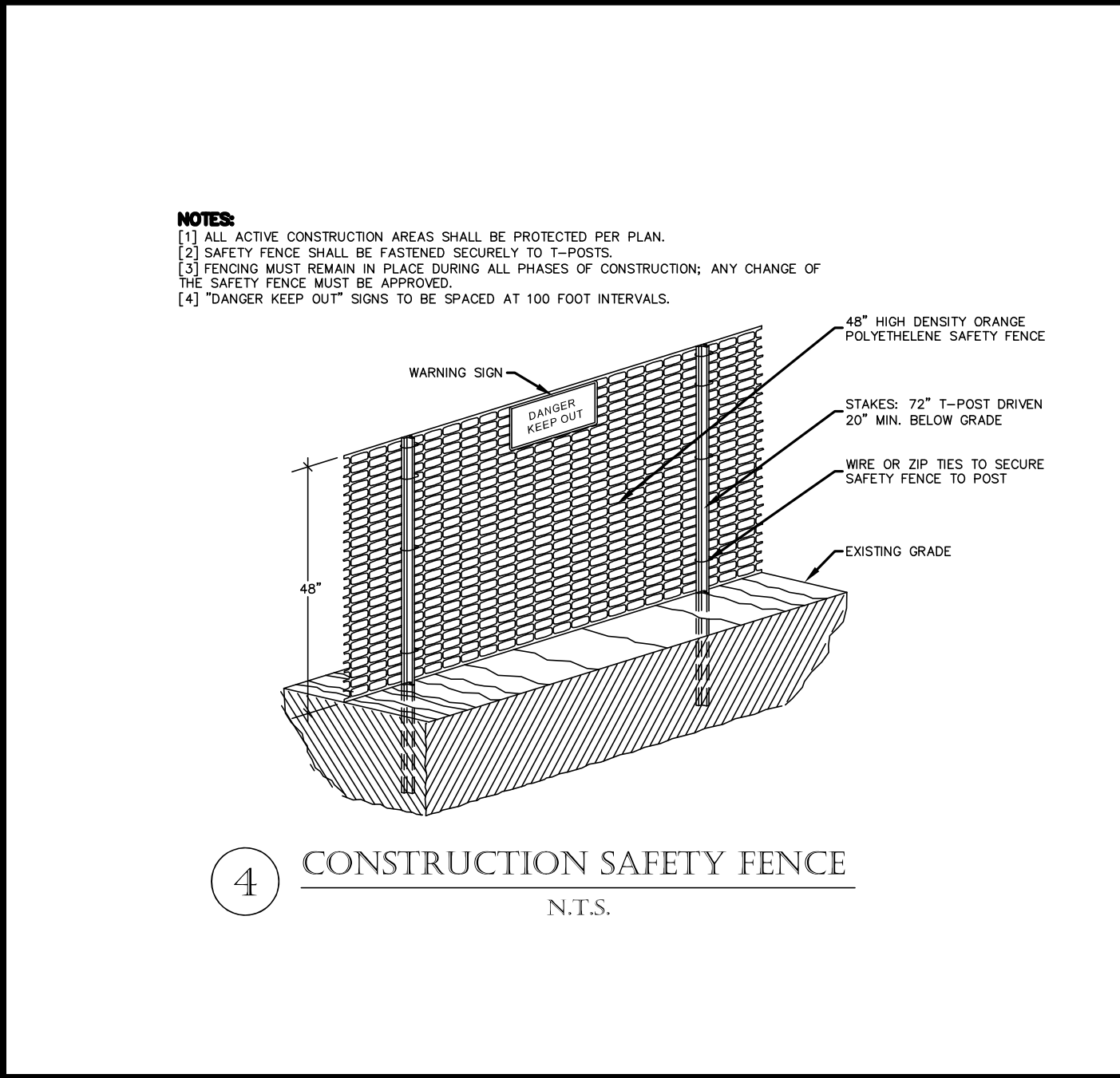
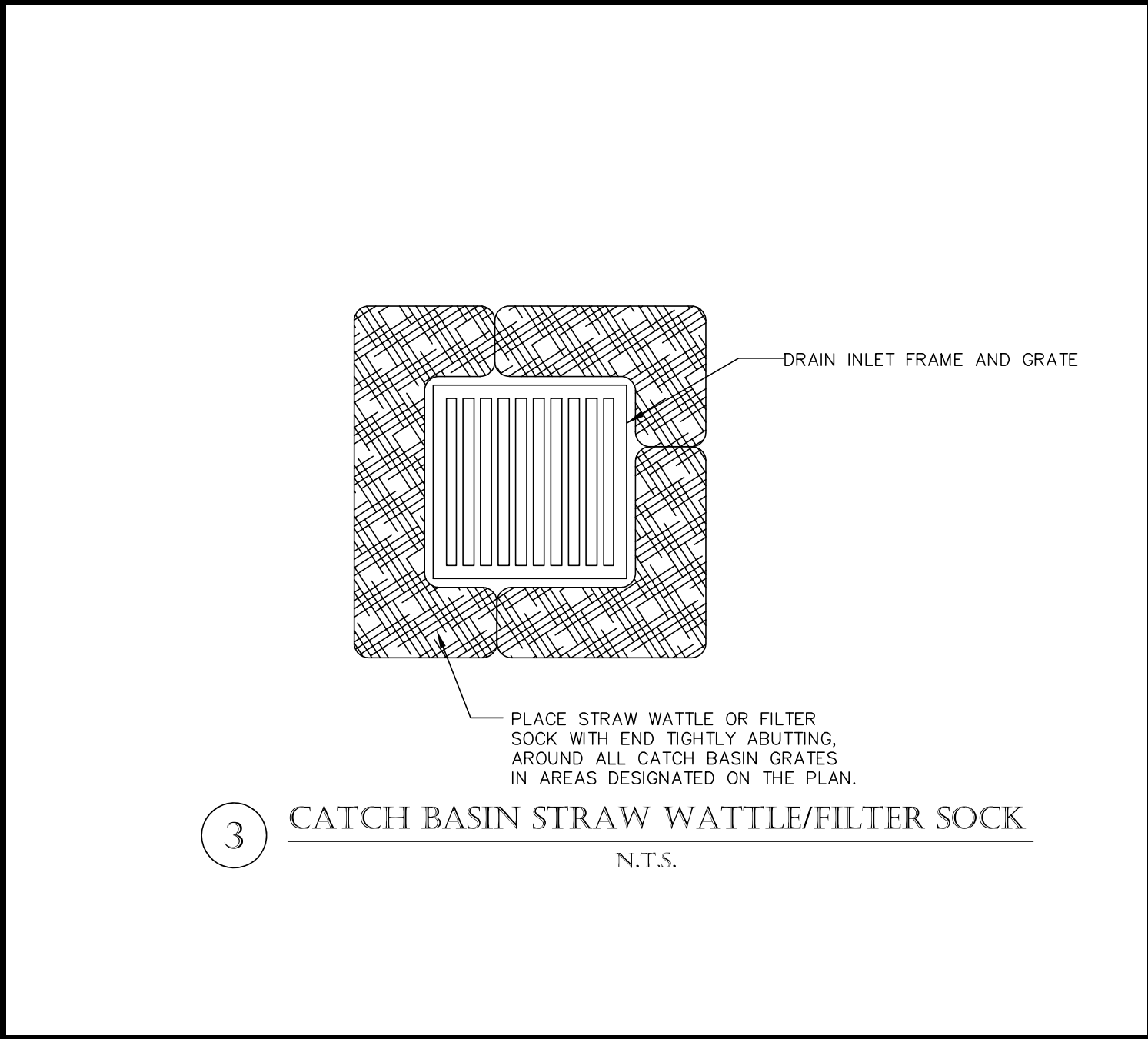
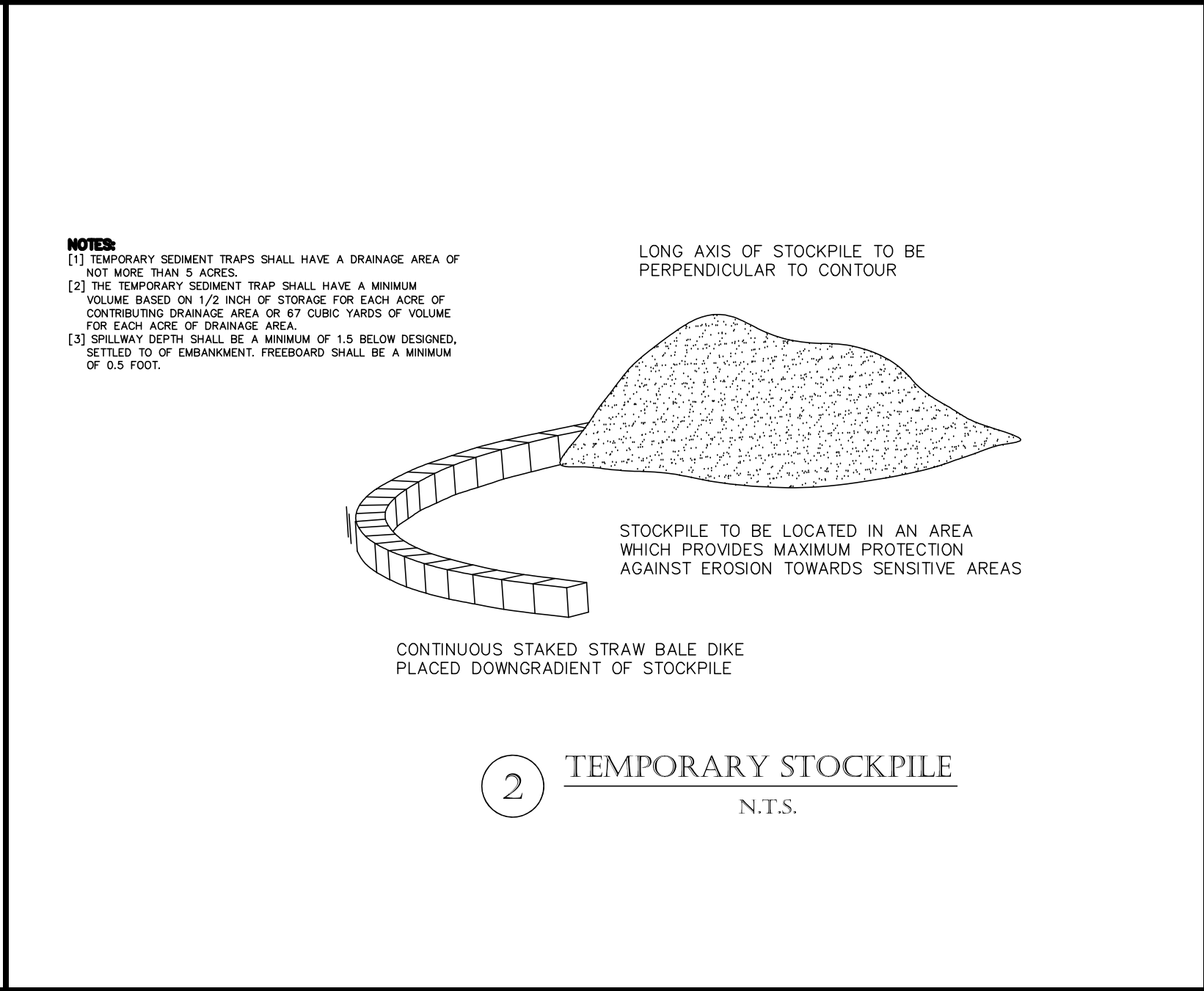
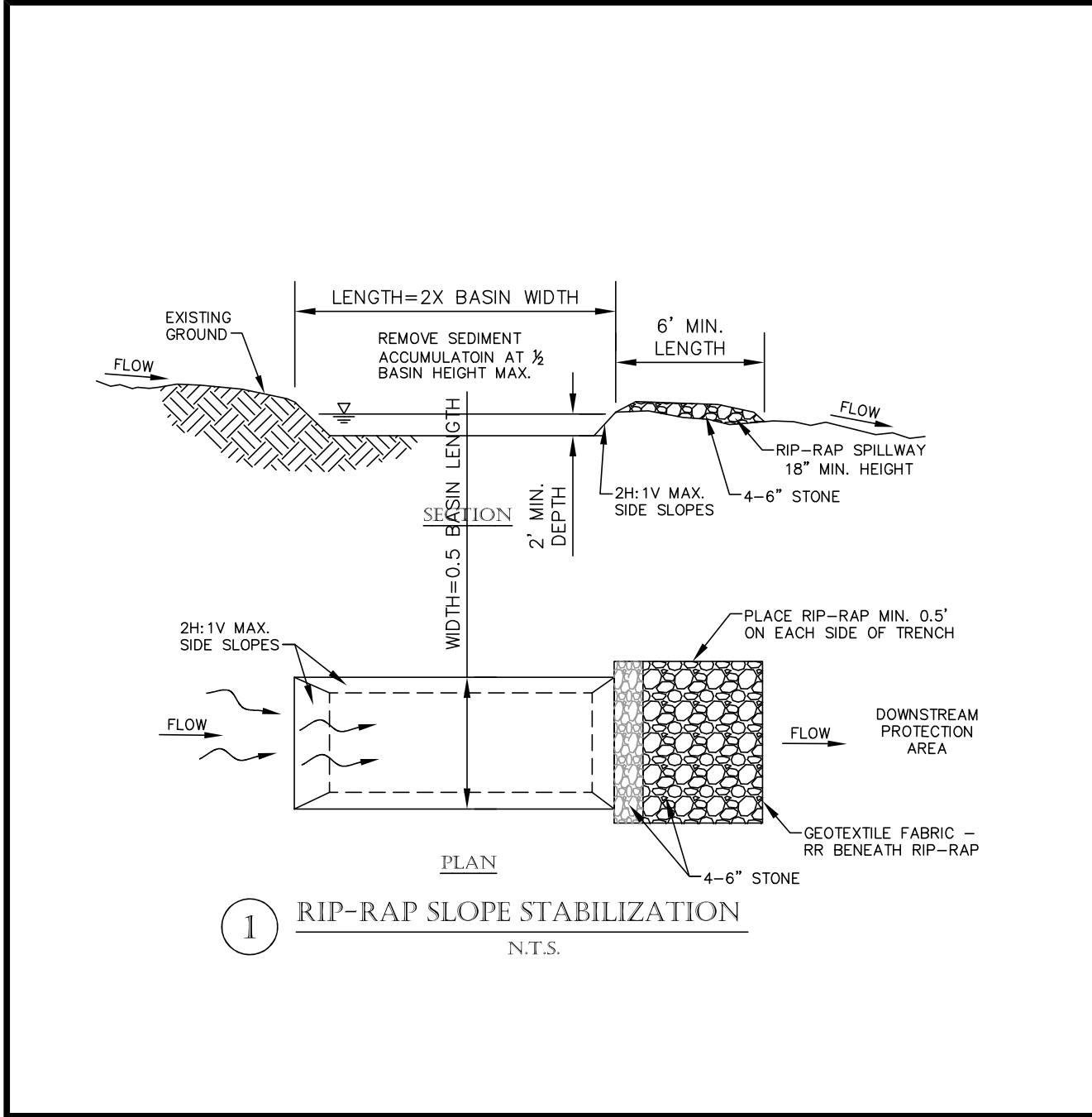
B. IMMEDIATELY AFTER PLACEMENT OF TOPSOIL, STABILIZE WITH CONTROL MEASURES INCLUDING, BUT NOT NECESSARILY LIMITED TO, SEED MIX, MULCH, AND / OR BLANKET.

C. PERMANENT SEEDING MAY BE PERFORMED IN THE SPRING PRIOR TO JULY 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.

REVISIONS		
REV.	DATE	DESCRIPTION
1	7/29/21	REVISED PER COMMENT LETTER.
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) 987-8713 F:(508) 987-8714	
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.
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) 987-8713 F.(508) 987-8714	
SHEET TITLE	
DETAIL SHEET	
DEFINITIVE SITE PLAN at 1439 MAIN STREET (ROUTE 9) LEICESTER, MA PREPARED FOR SCHOLD DEVELOPMENT	
SHEET NO.	
C-4.0	

July 14, 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 by Summit Engineering & Survey, Inc. of Oxford.
- Special Permit Application form, dated 6/21/2021.

We have performed a review of the submitted plans for conformance with Leicester Zoning By-Laws including §5.16: *Earth Filling and Removal*, §5.2: *Site Plan Review*, and with §5.5 *Highway Business-Industrial District 1*.

Our comments are found below:

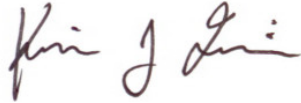
1. Application package must include hydrologic analysis, documenting that proposed plan will not result in an increase in post-development runoff rates. (REF: Zoning Bylaw §5.16, I, 2, c; also §5.2.05, F of *Site Plan Review Rules*).
2. Concern exists for soil stability in 2:1 fill slopes on southern end of the site. In this area, fill will be placed 20 feet deep, on the perimeter of the subject property. Erosion fabric provides surface resistance to erosion, but may not address soil slope stability.
3. Plans should include a means of dust control.

Leicester Planning Board
1439 Main Street
July 14, 2021
Page 2 of 2

4. Stone check dams on the southwest side of the site aren't coordinated with contours, so the flow of water will run askew of the check dam. Check dams should be part of a swale or other stormwater conveyance.

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

August 17, 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 7/29/21 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 July 14, 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
August 17, 2021
Page 2 of 2

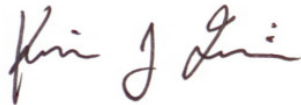
Our comments are found below. Comment numbers refer to the numbers in our review letter of July 14, 2021:

Our comments are found below:

1. **Further Comment.** Submitted hydrologic analysis is based on only flows from the proposed area of filling, however, the existing stormwater basin collects flows that area as well as the existing Tractor Supply site. All contributing flows into the basin must be 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 implements, 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

Brooke Hultgren

From: Ken Antanavica <antanavicak@leicesterpd.org>
Sent: Thursday, July 8, 2021 2:03 PM
To: Brooke Hultgren
Subject: RE: Request for Comment - Special Permit Application

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Brook:

The Police Department has no issue with the 1439 Main St proposal.

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: Brooke Hultgren <hultgrenb@leicesterma.org>
Sent: Tuesday, June 22, 2021 11:40 AM
To: jlennerton@aol.com; Michael Silva <SilvaM@leicesterma.org>; Ken Antanavica <antanavicak@leicesterpd.org>; Mike Dupuis <mdupuis@leicesterfireems.org>; mwilson@leicesterfireems.org; Dennis Griffin <griffind@leicesterma.org>; Francis Dagle <DagleF@leicesterma.org>; Joe Wood <joe@lwsd.net>
Cc: Buck, Michelle <BuckM@leicesterma.org>
Subject: RE: Request for Comment - Special Permit Application

Disregard my last email, the applicant submitted the wrong application form (it was a duplicate of the Smugglers Cove application)

I've updated the website and this project's details below:

The Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Special Permit

Project Name: 1439 Main St

Location/Description: 1439 Main St/filling the existing site with 96,000 c.f. of material to create a padded site for a future building

Water/Sewer: LWSD

Planning Board Meeting Date: August 3, 2021

Deadline for Comments: July 26, 2021

The application & plans are available at the link below:

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

From: Brooke Hultgren

Sent: Tuesday, June 22, 2021 9:17 AM

To: jennnerton@aol.com; Michael Silva <SilvaM@leicesterma.org>; Ken Antanavica <antanavicak@leicesterpd.org>; Mike Dupuis (mdupuis@leicesterfireems.org) <mdupuis@leicesterfireems.org>; mwilson@leicesterfireems.org; Dennis Griffin <griffind@leicesterma.org>; Francis Dagle <DagleF@leicesterma.org>; 'Joe Wood' <joe@lwsd.net>

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

Subject: Request for Comment - Special Permit Application

The Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Special Permit

Project Name: 1439 Main St

Location/Description: Off Paxton St/Open Space Residential Development; proposed 13 lots and 31 acres open space

Water/Sewer: LWSD

Planning Board Meeting Date: August 3, 2021

Deadline for Comments: July 26, 2021

The application & plans are available at the link below:

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

Brooke Hultgren

Planning, Conservation, and ZBA Assistant

Town of Leicester

(508) 892-7007

Please note that Leicester Town Hall is closed on Fridays.



Town of Leicester PLANNING BOARD

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

16

Memorandum

To: Matthew Schold
Central Land Development Corp.
ScholdDev@gmail.com

FROM: Michelle R. Buck, AICP
Town Planner/Director of Inspectional Services

DATE: August 19, 2021

RE: 1439 Main Street Special Permit Application
PB File#: SP2021-07

The information submitted 8/17/2019 (project narrative) doesn't fully address the items included my earlier memo dated July 29, 2021. The narrative should address the specific special permit criteria in sections §5.13.I.1 and §5.5.03.2 of the Zoning Bylaw. For other issues, you must either submit what's required in the Special Permit regulations or request waiver(s) with justification. For example, no soil management plan has been submitted. Please review the Special Permit regulations and Zoning Bylaws again and address remaining issues.

If you have any questions, you can reach me at 508-892-7007 or buckm@leicesterma.org



Town of Leicester PLANNING BOARD

LEICESTER, MASSACHUSETTS, 01524-1333

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

www.leicesterma.org

17

Memorandum

To: Matthew Schold
Central Land Development Corp.
ScholdDev@gmail.com

FROM: Michelle R. Buck, AICP
Town Planner/Director of Inspectional Services

DATE: July 29, 2021

RE: 1439 Main Street Special Permit Application
PB File#: SP2021-07

As noted in my 7/14/2021 email, your application doesn't include items required by the Board's submittal requirements for Earth Filling & Removal operations contained in the Board's Special Permit Regulations (copy of relevant section attached). Specifically, the application doesn't include a traffic study, stormwater report, restoration plan, or soil management plan.

Your application should also include a project narrative describing the project and how the project meets the criteria for approval (see sections §5.13.I.1 and §5.5.03.2 of the Zoning Bylaw).

- 2) Existing open areas, such as forests, farm fields, meadows and major long views.
 - 3) In the event the parcel includes previously disturbed land, the applicant shall include a reclamation plan.
- b. Conventional Subdivision Sketch Plan
- The applicant shall also submit a sketch plan at the same scale showing how development of the parcel would be achieved by a conventional subdivision plan, in accordance with all applicable land use regulations.

10. Ground-Mounted Solar Energy Systems

- a. Applicants for Small-Scale Ground-Mounted Solar Energy Systems and Medium-Scale Solar Energy Systems less than 3,000 square feet of surface area (Section 5.14) shall submit the following:
 - 1) A Registered Plot Plan prepared by a licensed surveyor or civil engineer. (A tape survey is not adequate and will not be accepted). The plot plan must show:
 - a) Existing and proposed structures and overhead utility lines
 - b) Lot lines
 - c) Zoning District(s) in which the property is located, including boundaries between Zoning Districts where relevant.
 - d) All relevant distances from the base of solar array(s) and existing and proposed structures and property lines
 - e) Lot area
 - 2) Solar energy specifications, including manufacturer and model, area, height and type of ground mounting system.
- b. Applicants for Medium-Scale Ground-Mounted Solar Energy Systems of 3,000 sf. or more of surface area and Large-Scale Ground-Mounted Solar Energy Systems (Section 5.14) shall submit applications in accordance with the Planning Board's Site Plan Review Regulations, including the submittal requirements specific to Ground-Mounted Solar Energy Systems.

11. Earth Filling Operations and Earth Removal Operations

- a. Applicants for Earth Filling and Earth Removal Operations (Section 5.16), shall submit the following:
 - 1) **Site Plan:**
 A site plan prepared by a registered professional engineer at a scale of up to 1:40 or other scale approved by the Board and on standard sheets up to 24"x 36". Only 2 copies are to be submitted full-size, the remaining 11 copies shall be submitted at 11" x 17". All plan sets shall be stapled together as complete plan sets and may be submitted folded or rolled. Site Plans shall contain the following information:
 - a) Name of the project, property boundaries, location map, date, north arrow and scale, and the name and address of the owner and registered engineer, architect or landscape architect who prepared the plan.
 - b) The location of all existing and proposed roads, driveways, parking and loading areas, fences and walls; and the number of parking and loading spaces provided.

- c) The location, height, size, and design of all proposed signage and lighting fixtures.
- d) Proposed landscaping, including size and type of plant material. (Please refer to the Planning Board's Landscaping Regulations.)
- e) The location of existing and proposed utility systems, including water, sewerage or septic systems, storm drainage system, and other utilities.
- f) Existing and proposed topography at two (2) foot contour intervals, including natural features, water sources, wetlands and 100-year floodplain.
- g) The location where earth removal or filling is proposed and the volume of material to be moved.
- h) Erosion and sedimentation control plan

The above required information may be provided on several sheets to legibly show the required information.

2) Locus Plan

The applicant shall provide a locus plan at a scale of one inch equals one hundred feet (1" = 100') or other such scale as may be approved by the Planning Board, showing the entire project site and its relation to surrounding properties, buildings and roadways, and zoning district boundaries within one thousand (1,000) feet of the project boundaries or such other distance as may be approved by the Planning Board. Locus plans shall clearly identify abutting residential structures.

3) Stormwater Report

Three (3) paper copies shall be submitted at the time of application, although the Board may request additional copies. Refer to the Planning Board's Stormwater Regulations for details.

4) Traffic Study

A traffic study (3 paper copies) that includes information on placement of access roads, sight distance at the point of entrance onto public ways, proposed truck routes to and from the site and estimated numbers of trucks per day entering and exiting the site.

5) Restoration Plan

The applicant shall submit a detailed plan for restoring the premises upon cessation of earth removal or earth filling operations. Restoration shall be completed within one year of the expiration of the permit or upon completion of removal of the area covered by the bond or other security.

6) Additional Requirements

a) Earth Removal Operations

Documentation and information pertaining to the following: location of proposed earth removal site or sites, type of earth material to be removed, depth of excavation, estimate of total material to be removed, purpose of earth removal, method of earth removal, method of and routes of transportation, duration of earth removal operations, phasing schedule and amount of material estimated to be removed per phase if applicable, the

finished grade of the site, disposition of all rocks, boulders, stumps and brush, and depth of normal high groundwater.

b) **Earth Filling Operations**

A Soil Management Plan (3 copies) signed and stamped by a Massachusetts Licensed Site Professional (“LSP”). The LSP shall specifically state that

"The subject plan has been designed to meet the requirements of Leicester's Earth Filling Bylaws and Regulations, and any other applicable Federal or State regulation pertaining to the transport and use of earth materials for fill. It is my professional opinion that this plan and the proposed regulated activity, once executed and completed, will be substantially protective of human health, public safety, welfare and the environment". The Soil Management Plan shall contain sufficient detail to document that requirements of this Leicester's Bylaws and Regulations will be met. The plan shall specifically require that Massachusetts Contingency Plan Bill of Lading (“BOL”) documents and procedures (310 CMR 40.0030) will be exclusively used for the transport and acceptance of earth materials for fill. The Soil Management Plan shall specifically include the following, at a minimum:

- i. Summary of environmental pre-fill characterization findings and sample locations;
- ii. Verification of Fill Material Origin and Acceptance Procedures;
- iii. Record Keeping Practices;
- iv. Site Security, Fill Operation Inspection, and Site Control;
- v. Transport Routes, Times, and Duration of Anticipated Fill Activities;
- vi. Qualifications of Applicant Personnel Responsible for adhering to the Soil
- vii. Management Plan and Leicester's Earth Filling Regulation;
- viii. Erosion, Dust, and Storm Water Controls, Inspection and Maintenance;
- ix. Quality Assurance/Quality Control Procedures;
- x. Emergency Response and Notification Procedures, including pertinent telephone numbers and contact individuals/firms;
- xi. Total proposed Fill Material volume;
- xii. Daily Personnel Responsibilities and Operation Management Procedures;
- xiii. Environmental monitoring plan to maintain protection of human health, public safety, welfare and the environment during the fill operations;

5.16: Earth Filling & Removal

[New Bylaw ATM 5-7-2019, Article 24]

A. Purpose

The purpose of this bylaw is to regulate filling of land and earth removal operations to protect of public health, safety and welfare, and to protect the integrity of natural resources in the Town of Leicester.

B. Definitions:

1. EARTH: This term shall include soil, loam, sand, gravel, clay, peat, rock, or other earth material in solid form.
2. EARTH FILLING OPERATION: the permanent filling of land that involves greater than 1,000 cubic yards of or more of earth and/or fill material per calendar year (January through December)
3. EARTH REMOVAL OPERATION: Any commercial mining, stripping, quarrying, filling, digging or blasting of earth originating from the Town of Leicester and its transportation into or out of the Town of Leicester.
4. FILL MATERIAL: Any geologic, man-made, recycled or processed material including in its entirety or as a proportion containing clay, rock, sand, gravel, peat and sediment. Material meeting the Federal and/or State definition of solid or hazardous waste or as toxic, infectious, radioactive, corrosive, or reactive material is specifically excluded.
5. FILLING OF LAND: The importation, use, redistribution, alteration or movement of earth and or fill material on or within any land area or water body within the Town of Leicester.
6. GRAVEL: Loose fragments of rock or coarse aggregate resulting from natural disintegration and abrasion of rock or processing of weakly bound conglomerate.
7. LOAM OR TOPSOIL: A soil consisting of a friable mixture of varying proportions of clay, sand, silt, and organic matter.
8. PROCESSING: The sorting or separation of earth into distinct categories based on particle size or type usually through the use of a screening process, not including stone crushing.
9. SILT: Loose sedimentary material with rock particles usually less than 1/16 mm or less in diameter based on the Wentworth scale of measurement.
10. SITE: A distinct portion of contiguous lots, under the same or different ownerships, on which an earth removal and/or fill operation is conducted, or is proposed to be conducted, under the Permit.
11. STONE CRUSHING: The mechanical operation which creates smaller sized stones or stone products from larger sized stones, boulders or particles typically using a crushing plant or similar machinery.
12. SIGNIFICANTLY GREATER CONCENTRATION: The concentration of a substance in earth or fill materials as measured by Federal or State-approved analytical methods, which is one order of magnitude or greater in concentration than the same substance measured in existing, pre-fill earth materials.

C. Applicability

1. A Special Permit from the Planning Board shall be required for:
 - a. The filling of land that involves greater than 1,000 cubic yards of or more of earth and/or fill material per calendar year (January through December).
 - b. Earth removal operation that that involves excavation of more than 1,000 cubic yards of earth material per calendar year (January through December).
2. Contiguous parcels under the same ownership or right of operation shall be considered one location for the purpose of this bylaw.

D. Exemptions from Special Permit Requirements

1. Earth removal or placement of fill associated with the installation of septic systems, which shall be governed by the Commonwealth of Massachusetts Environmental Code (Title 5, 310 CMR 15.00).

2. Earth removal or the placement of fill associated with the installation of foundations for new buildings and/or building additions, which shall be governed by M.G.L. c. 143 and the Commonwealth of Massachusetts Building Code (780 CMR).
3. Earth removal or the placement of fill associated with grading and/or landscaping in connection with the otherwise lawful construction of new driveways, structures, buildings and/or building additions.
4. Earth removal or the placement of fill associated with the normal use of a cemetery.
5. Earth removal or the replacement of fill in connection with commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture compliant with the provisions of MGL c.40A, §3.
6. Earth removal or the placement of fill, where the operation occurs entirely within an individual parcel or between contiguous parcels under common ownership and where a town-accepted public way is not used for the transportation of the material.
7. Earth removal or the placement of fill related to a new subdivision road that has been approved by the Planning Board, or by the Zoning Board of Appeals pursuant to M.G.L. c. 40B, where there is already a bond in place with the Town to ensure performance.
8. Earth removal or the placement of fill for the construction, maintenance and repair of fire ponds, existing public roadways or the installation of public utilities and appurtenances.
9. Operations lawfully in existence at the time of adoption of this bylaw to the extent that such operations are protected by MGL c.40A, §6.

E. Prohibited Activities and Uses:

The following activities and uses are prohibited in the Town of Leicester:

1. Use or importation of earth or fill materials whose quality would either meet Federal or State criteria for definition as being toxic, reactive, radioactive, corrosive, explosive, hazardous, infectious, oil-impacted, or as a hazardous or solid waste.
2. Use or importation of earth or fill containing toxic, reactive, corrosive, hazardous, infectious, or solid waste at individual concentrations, or presence by weight or volume, which would render such material a regulated substance or material subject to M.G.L. c. 21E or as a Solid Waste as defined in the regulations promulgated by the Massachusetts Department of Environmental Protection as 310 Code of Massachusetts Regulations (CMR) 19.00.
3. Use or importation of earth or fill at any location not otherwise regulated or permitted for acceptance of earth materials containing toxic, reactive, radioactive, corrosive, hazardous, infectious, oil, solid waste, or metals when such fill materials contain concentrations of these substances less than regulatory criteria established for reporting or special handling purposes but with one or more significantly greater concentrations by weight or volume than existing, pre-fill concentrations.
4. Transport of earth or fill materials in a manner which is prone to release the same during transport.
5. Use of earth or fill materials in a manner which renders the fill area structurally unstable, produces uncontrolled leachate or off-gases, creates nuisance conditions, creates uncontrolled storm water run-off, siltation, or visually apparent erosion of fill materials, or where finished fill grading slopes are not properly stabilized.
6. Construction of permanent structures over or adjacent to areas of fill unless the fill material is structurally stable and free of emissions or other hazardous criteria relative to permanent building construction and use.
7. Use of fill material which may cause chemical or physical impact to off- site ground water, surface water, or wetland resource areas without specific Soil Management Plan and field procedures designed to prevent degradation of these natural resources. This prohibited use specifically includes, but is not limited to, fill materials containing nutrient or salt concentrations at significantly greater concentrations than pre-existing soil conditions on the site.

F. General Standards**1. Earth Filling Operations:**

- a. Throughout the length of the project, the applicant must identify the point of earth material origin and receiving location for fill material and must document that 1) that the earth material is not otherwise prohibited from use as fill material in accordance with Leicester's Zoning Bylaw and Regulations or other applicable Federal and State standards, regulations, and guidelines; and, 2.) that a Massachusetts Licensed Site Professional (LSP) has compared analytical results of earth materials to existing, pre-fill conditions specific to the location and determined that the concentrations of substances in the earth materials intended for use as fill do not contain significantly greater concentrations than existing, pre-fill conditions for that location. The applicant will facilitate off-site inspections at points of origin for earth materials if requested by the Planning Board or its agents.
- b. The LSP shall perform site inspections during the course of the project as specified by the Planning Board to ensure compliance with Leicester's Bylaws and Regulations and shall upon completion of work provide written certification signed and stamped stating that all earth materials used for fill comply with Leicester's Bylaws and Regulations and applicable Federal and State Regulations.
- c. Should an applicant or Special Permit holder seek an Administrative Consent Order (ACO) from the Massachusetts Department of Environmental Protection to use or deposit earth or fill materials in the Town, the Town reserves all rights to impose additional requirements upon the applicant or Special Permit holder to assure mitigation of all impacts or effects of the activities undertaken pursuant to such ACO.

2. Earth Removal Operations

- a. All topsoil and subsoil stripped from operation areas shall be stockpiled, seeded with an erosion control seed mixture, and used in restoring the area.
- b. If erosion control structures are utilized, these devices shall be in place and stabilized before excavation can begin in the affected area. These structures shall be inspected and maintained in accordance with the approved plan and the capacity of the structural device.
- c. Except for fire ponds, no area shall be excavated so as to cause the accumulation of free-standing water. Drainage shall be provided as needed in accordance with accepted engineering and conservation practices. Measures shall be taken to ensure that silting and sedimentation of nearby streams is not caused by a temporary or permanent drainage systems on site. Drainage shall not lead directly into streams, ponds, abutting properties nor shall drainage from access roads drain directly onto public ways.
- d. The active excavation area shall not exceed a total of three (3) acres at any one time. Natural vegetation shall be left and maintained on undisturbed land for screening and noise reduction purposes.
- e. Restoration shall be carried on simultaneously with excavation, so that when any three (3) acre operation area has been excavated, at least two (2) acres shall be restored before work commences on the next contiguous three (3) acres.

G. Financial Security; Inspection of Conditions

1. The applicant shall provide financial surety in the form of a cash deposit or bond, or similar financial surety acceptable to the Planning Board, to insure faithful performance of the work to be undertaken pursuant to the conditions of approval or approval with modifications, and conditioned upon completion of the regulated activity in accordance with the conditions established by the Planning Board at the time of granting of the Special Permit or any subsequent changes of such conditions.
2. The Planning Board may waive or reduce the financial surety requirements, but no such financial surety shall be released, until the applicant has complied with the conditions of approval and this bylaw. The Planning Board shall act on a requested release of the financial surety within sixty-five (65) days of submission of the applicant for such release.

H. Special Permit Procedures

1. The Planning Board may adopt and periodically amend its Special Permit Regulations for the implementation of this Bylaw. Such Regulations may set forth performance standards for earth removal

and fill operations, impose filing and consultant fees, define additional terms not inconsistent with the Bylaw, and establish administrative procedures. Failure by the Planning Board to adopt such rules and regulations or a legal declaration of their invalidity by a court of law shall not act to suspend or invalidate the effect of this Bylaw.

2. Any person wishing to obtain a Special Permit under this Section shall file a completed application for a Special Permit together with any required supporting data, maps, and the filing fee in accordance with the Planning Board's Special Permit Regulations and Fee Regulations.
3. Any Permit issued is non-transferable and shall automatically expire upon completion of the earth removal or fill project for which it was issued or at such time as may be specified in said Special Permit. In no case shall a Special Permit be issued initially for a period longer than three years. A Special Permit may be renewed for up to two years or lesser time as determined by the Planning Board after evidence is presented that all conditions of the expiring Special Permit have been complied with and the work has been performed in good faith. There is no limit on the number of Permit renewals an Applicant can apply for. A public hearing may be required by the Planning Board, at its discretion, for renewal of Special Permits.
4. The applicant shall pay reasonable fees for independent inspection to assess adherence to the Planning Board's special permit conditions in accordance with the Planning Board's Special Permit Regulations and Fee Regulations. Said fee shall be deposited into a Revolving Fund Account pursuant to M.G.L. c. 40, §53G.

I. Special Permit Criteria for Earth Removal & Fill Operations

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
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
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.

J. Conditions of Special Permit

The Planning Board may impose reasonable conditions on any special permit granted under this bylaw for earth filling or earth removal operations, including but not limited to the following:

1. Limitations on the size, number, and maximum weight of trucks that may access the property in any 24-hour period as well as routes of travel
2. Requirements for site security procedures
3. Limitations on hours of operation

4. Requirements for regular access to the Town of Leicester or its agents for the purpose of inspection of records or field conditions, and enforcement of this Bylaw
5. Implementation of erosion and sedimentation control measures to prevent material from moving offsite or into wetland or water resource areas
6. Limitations on slope
7. Requirements for ongoing monitoring by licensed professionals at the Applicant's expense to document full conformance with this bylaw and any conditions of approval.
8. Requirements for site stabilization and restoration

K. Violations and Enforcement

1. The Planning Board or its authorized agent shall enforce this Bylaw, its regulations, and the requirements and conditions of Permits issued thereunder, and may pursue civil and criminal remedies for violations of the same including but not limited to fines per Zoning Bylaw 6.5 (Penalty).
2. The Building Inspector or other authorized agent of the Planning Board is authorized to conduct inspections on behalf of the Planning Board. To the extent permitted by law, or if authorized by the owner, operator, or other person in control of the site, the Building Inspector or other agent of the Planning Board may enter on the site to conduct inspections.
3. The Building Inspector or other authorized agent of the Planning Board may issue such orders as are deemed necessary to stop violations and ensure compliance with this Bylaw, its regulations, and Permits, including an order to cease and desist operations.
4. If the violator holds a Special Permit issued under this Bylaw, the Planning Board may without prior hearing order that the violator cease and desist from violations of this bylaw and/or conditions of the Special Permit, or may suspend or revoke the Special Permit after a public hearing, at which point all operations shall cease until such time as the necessary measures are taken to assure compliance with this Bylaw and a new Permit is issued.

L. Change of Conditions

1. Any change in the activities not included in, or contemplated by, the Special Permit application or approved pursuant to a modification to a Special Permit shall be brought to the attention of the Planning Board or its agents prior to, or immediately following, such change in activities.
2. This notice shall be in writing and include specific actions recommended by the applicant to correct or to demonstrate compliance with the Special Permit and this bylaw. All operations shall be suspended within one operation day following such occurrence and remain suspended until the Planning Board or its agents have reviewed and amended the Special Permit with the applicants recommended change(s). Nothing herewith shall be interpreted to require acceptance of changed conditions or recommended corrective actions by the Planning Board.



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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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

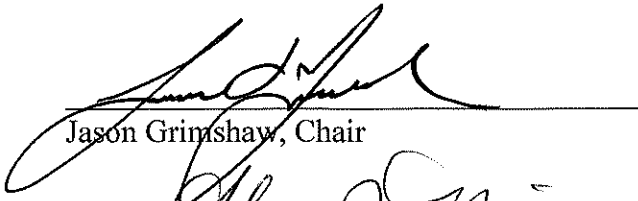
land use restrictions in accordance with Section 5.13.07.C.(2) of the Zoning Bylaw where the buffer has been reduced, with the intent of minimizing tree removal within the 100 foot buffer, allowing only limited tree clearing for water access for residents.

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.

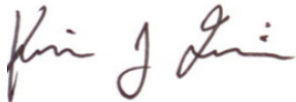
§5.13.06, C limits the length of dead-end roads to 1,000 feet and the number of lots served to 10. The Institute for Transportation Engineering (ITE) publication "Recommended Guidelines for Subdivision Streets" recommends limiting dead-end streets to 1,000 feet in length, and that such roads be designed 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>

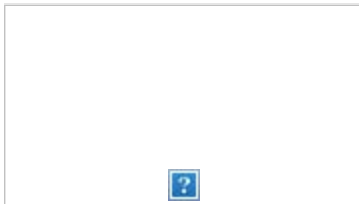
Please let me know if you have difficulty viewing.

Carrie Panepinto

43 Water Street, Leicester

774-615-9910

Preview YouTube video drn





Town of Leicester PLANNING BOARD

LEICESTER, MASSACHUSETTS, 01524-1333

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

www.leicesterma.org

LEICESTER PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the MGL Ch. 41, Sec. 81T, and MGL Ch.40A Section 9 the Leicester Planning Board will review a Definitive Subdivision Plan and Special Permit application submitted by MKEP770 LLC entitled Skyview Estates Definitive Subdivision, Leicester, MA showing 32 lots (with 30 two-family structures and 2 multi-family structures for a total of 74 housing units) at 651 Main Street (Assessors Map 21, Parcel B5.1) on Tuesday, September 7, 2021 at 7:30pm or as soon thereafter may be heard in **Meeting Room 3 at Leicester Town Hall, 3 Washburn Square, Leicester, MA**. A copy of the plan is on file for review during office hours in the Leicester Town Clerk's Office, as well as online at leicesterma.org. Any person wishing to be heard on the proposed subdivision plan should appear at the time and place so designated or may attend virtually by visiting <https://global.gotomeeting.com/join/903182021> or by calling 1 (866) 899-4679 using access code 903-182-021.

Jason Grimshaw, Chair
Leicester Planning Board

To be published in the Worcester Telegram & Gazette on Tuesday, August 24, 2021 and Tuesday, August 31, 2021.

August 27, 2021

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

Re: Skyview Estates
Definitive Subdivision Plans

To the Board:

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

- Plans entitled “DEFINITIVE SUBDIVISION PLANS FOR SKYVIEW ESTATES, MAIN STREET, LEICESTER, MA 01611”, 19 sheets, dated 7-16-21 without revision date, by Allen & Major Associates, Inc. of Woburn, Massachusetts.
- Package entitled “Drainage Report, Skyview Estates, Leicester, MA”, issued 7-16-21 prepared by Allen & Major Associates, Inc. of Woburn, Massachusetts.
- Application for Special Permit.
- Package of information dated July 19, 2021, submitted by Allen & Major Associates, Inc. of Woburn, Massachusetts, including a project narrative with environmental analysis, traffic discussion, availability of municipal water & sewer services, comments characterizing the acceptability of the project to the Police and Fire Department chiefs, and impacts on schools. Special Permit criteria evaluation provided, and requested waivers identified.

We have performed a review of the submitted plans for conformance with the current Leicester Subdivision Controls Rules & Regulations, for Definitive Subdivision Plans, and with applicable portions of the Zoning By-Laws for Leicester. As is customary, we have not reviewed for completeness.

The following waivers are identified by the Engineer. Our comments follow in *italics*:

1. Waive §V, A, 1, f, to permit “tighter” roadway curves; centerline radii of 75 feet and 120 feet are requested; centerline radius of 200 feet required.

The Massachusetts Department of Transportation “Highway Design Manual” recommends a minimum centerline radius of curvature of 135 feet for a design speed of 25 miles per hour.

Note that in the same location where plans request a waiver to permit radius of curvature reduced to 120 feet, a waiver to permit a steeper road grade of 14% is also requested. The combined relief requests create concerns for roadway safety extending over hundreds of feet of roadway.

We are unable to recommend approval of either requested waiver.

2. Waive §V, a, 3, a, to permit steeper than maximum road slopes. Road grades (slopes) of 14% (Alignment 9, Station 1+00 – 5+00) and 20% (Alignment 7, Station 13+50 – 16+00) are requested. Maximum road grade of 10% permitted.

In the Massachusetts Department of Transportation “Highway Design Manual”, for local, rural roads in “Rolling” terrain a maximum road grade of 10% is recommended. In “Mountainous” terrain a maximum slope of 14% is permitted. It is the opinion of this office that the terrain is “Rolling”, and not “Mountainous”.

As mentioned above, the area where relief to permit the 14% road grade is requested is the same area where relief to permit reduced road curvature is also requested. The combined relief requests create concern for roadway safety extending over hundreds of feet of roadway.

A 20% road grade for municipal streets is considered unsuitable under any circumstances. The requested relief, if granted, would permit a roadway grade of 20% over 240 feet of road, connecting to the existing Colonial Drive, itself a 14% road grade. Vehicles would be required to pass over 500 feet of exceptionally steep road, coming to a stop before entering Main Street. This plan would create a significant vehicle hazard.

We are unable to recommend approval of either requested waiver.

Planning Board members who wish to observe a 14% road grade could visit Colonial Drive, which has a grade of 14%.

3. Waive §VI, B, 1A to permit pipe materials other than reinforced concrete pipe required for storm drains. HDPE plastic, or approved equal requested.

Historically, Leicester Highway Department has permitted and encouraged the use of HDPE (High Density Poly Ethylene) pipe for culverts. Leicester Planning Board may wish to confirm this with the current Highway Superintendent. A waiver of this requirement should be conditional upon approval by Leicester Highway Department Superintendent.

4. Waive §VI, E, 3, to permit “Private driveway lighting”. Street lights required.

We defer this non engineering-related waiver request to the Planning Board. On Sheet C-102 a note requires a light post at each driveway, at the street line, presumably in lieu of conventional street lights. Plans should provide a detail of the proposed “private driveway lighting”.

5. Waive §VI, I, to permit street trees on one side of road. Street trees required on both sides of road.

We defer this non engineering-related waiver request to the Planning Board.

6. Waive §VI, G, 1, to permit sidewalks on one side of road. Sidewalks are required on both sides of road.

We defer this non engineering-related waiver request to the Planning Board.

Our comments on the plans are found below:

1. Where Alignment 7 meets the existing Colonial Drive, plans must call for horizontal curves, for the proposed road to transition into Colonial Drive.
2. It is likely that high groundwater conditions prevail on this site. We recommend the roadway plans call for subdrains in cut areas and areas where the gravel road base will be below existing grade, to control water in the road base.
3. Given the likelihood of high groundwater tables in the area, test pits should be conducted on all proposed roads in locations of cuts.

4. It is recommended that a temporary easement be provided on lots proposed for future development, where cut/fill slopes or street trees are proposed outside ROW
5. Grade slopes of 2:1 are called out in several areas on plan. On any grade slope steeper than 3:1, plans must call for surface protection against erosion of unstabilized soil surfaces including loam and seeded slopes. Plans should establish a time frame for finishing slopes.
6. No erosion/sedimentation controls are found on the subdivision plans. Wetland filling is proposed on Alignment 7, as well as work in direct proximity to wetland resource areas.
7. Plans should document, in a general way, that parking can be provided in accordance with Bylaw requirements.
8. Retaining walls are called out in two locations which abut private property, adjacent to Alignment 9, (Sta 0+50 – 1+50, Right and 4+00 – 5+50 Right):
 - a.) Plans must require the contractor to stabilize and otherwise protect the abutting property from subsidence, or other property damage resulting from excavation, retaining wall construction or other contractor operations.
 - b.) Plans must provide specify the type of retaining wall (precast concrete, cast-in-place concrete). Retaining walls of timber or other degradable materials are not acceptable
 - c.) Plans must require retaining walls designed in accordance with Massachusetts State Building Code, by a registered professional engineer.
 - d.) Per Massachusetts State Building Code, plans must require a fence at the top of the retaining walls, to protect persons from falling over the edge.
9. Main Street in this area is under control of Massachusetts Department of Transportation. A *Permit to Access State Highway* will be required.
10. Plans do not indicate any Open Space is proposed; §IV, E allows the Planning Board to require park or recreational land.
11. Plans must detail wheel chair ramps, and clearly identify locations of them on plan.

12. It is likely that wetland replication, or other mitigation, will be required to offset filling of wetland at the location where Alignment 7 crosses the wetland/channel identified by wetland flags 33 through 59.

13. Pertaining to drainage design:

- a.) Plans for detention systems DS-1a, DS-1b, DS-2, and DS-3 call for exceptionally large diameter corrugated metal pipe assemblies. Corrugated metal pipe is not accepted in Leicester, due to its susceptibility to corrosion. HDPE or other non-corrosive pipe material should be proposed.
- b.) On plans, no details of construction of the large-diameter pipe assemblies are provided. Details including pipe trench cross section and bedding materials, manholes, culvert connections into and out of the culvert system, culvert angle change and manifold details, etc. must be provided.
- c.) Large diameter culverts systems appear to have standard manhole accesses. Plans must document access to large diameter culverts for maintenance.
- d.) Whatever material is proposed for the large-diameter pipe assemblies, the pipe material and specification must be defined (for example: SDR 35 PVC, or SCH 40 PVC), to ensure that structurally adequate pipe is provided. Naming only the material of construction is not sufficient. Engineer must submit information documenting the pipe specified is adequate for the use.
- e.) The design of the large-diameter pipe assemblies must include anti-flotation computations, to document stability under conditions when the pipe is not full, but high groundwater conditions prevail.
- f.) At the location where Alignment 9 intersects Main Street (Route 9), a drain connects into an existing catch basin. Drains must connect into drain manholes, not catch basins.
- g.) Plans call out "Gabion Style Stormwater Energy Dissipation Discharge" devices in two locations on plan. No information is provided as to what they are; no product definition is provided, no details of construction are provided. Plans must fully define what these are, and how they are constructed.

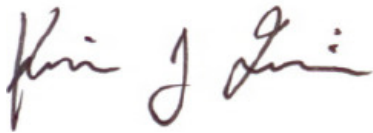
- h.) Detention systems are proposed in two locations on plan, which utilize “Retain-It” underground chambers. Details of construction must be provided, including bedding materials, outlet control structures, risers and interconnecting pipes, etc.
- i.) Technical information as to the “Retain-It” chambers must be provided, including storage volume, and basis for design.
- j.) Please submit Post-Development Hydrologic Routing Plan, and Watershed Plan, and Pre-Development Watershed Plan on larger paper; 8 ½ x 11” plans are virtually unreadable.
- k.) Swales along the sides of Alignment 7, Station 13+50 – 16+00 are exceptionally steep, and must be protected against erosion. Engineer must determine velocity of flow and document that proposed armor is sufficient to withstand velocity.
- l.) Engineer must document that Catch Basins CB-25 and CB-26 on Alignment 7, have sufficient “grate capacity” to admit design flow. Catch basins must be designed to capture high-velocity flow anticipated in these swales.
- m.) It is likely that the channel/wetland identified by wetland flags 33 through 59 conducts flow of water. At the location where Alignment 7 crosses the channel/wetland, plans should call out a culvert to permit continued flow of water.
- n.) Engineer proposes to meet the Massachusetts Stormwater Management Policy standard for recharge of stormwater to groundwater with the use of dry wells, installed at each residence in the subdivision. Dry wells will become private property. Dry wells on private property are not recommended for meeting the recharge standard for municipal stormwater facilities. The Town will lack the authority to implement maintenance of dry wells on private property.
- o.) Field test pit evaluation of soils must be conducted at all locations where infiltration will take place per Massachusetts DEP Stormwater Management Policy, to verify suitability of soils and compliance with groundwater table separation requirements.
- p.) The hydrologic analysis should include allowance for parking areas on individual home sites as well as multifamily lots.

Leicester Planning Board
Skyview Estates, First Review
August 27, 2021
Page 7 of 7

Due to the large scale of these plans, it is possible that other questions may arise in subsequent reviews.

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



Town of Leicester PLANNING BOARD

LEICESTER, MASSACHUSETTS, 01524-1333

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

www.leicesterma.org

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Memorandum

To: David King
Remax Patriot Realty
david@remaxpatriotrealty.com

FROM: Michelle R. Buck, AICP
Town Planner/Director of Inspectional Services

DATE: August 19, 2021

RE: Skyview Estates Subdivision
Special Permit/Definitive Subdivision Application
Planning Board File#s: SP2021-08/DSUB2021-01

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

Subdivision Regulations:

1. Plans don't show proposed street names. §III.B.2.d.) requires that "The proposed names of streets shall be shown, and are subject to approval by the Planning Board."

[Note: Subdivision Regulations will primarily be addressed by Quinn Engineering.]

Special Permit Regulations

2. §I.E. (Special Permit Criteria Evaluation). The applicable special permit criteria are those in Section 5.8 of the Zoning Bylaw for the Business District (See §5.8.04.B, attached).
3. §I.F.1.: Plans should conform to Site Plan Regulations (see below).
4. §I.F.4: Plans for Two-Family plans should conform to this section of the Special permit Regulations.

Site Plan Review Regulations

Site Plan Review is required for multi-family structures.

5. The following information is not included in the required project narrative (see Site Plan Review Regulations Section §II.E):
 - a. §II.E.1.b. "size of proposed structures, lot size, and building coverage %. In the Watershed Overlay district, include total impervious area."
 - b. §II.E.1.d. Number of existing and/or proposed parking spaces proposed, and description of conformance with the Planning Board's Parking Regulations.
 - c. §II.E.2.: A description of how the project meets each of the Standards for Site Plan Approval (see §5.2.05 of the Zoning Bylaw, attached) – applicable to multi-family. Where applicable, a description of how the project meets the criteria for issuance of a Special Permit (see Special Permit Regulations).
 - d. §II.E.3.: Description of permits/approvals needed from other permitting authorities
 - e. §II.E.4.: Proposed development schedule

6. Site Plan Requirements (II.F):

- a. §II.F.2.: location of all existing and proposed buildings and structures within the development including *dimensions, height and floor area*.
- b. §II.F.3. Zoning district boundaries (the boundary of the Water Resource Protection Overlay District is not shown)
- c. §II.F.4. Location of all driveways (no driveways are shown for the multi-family structure on Lot 9)
- d. §I.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.

Parking Regulations

- 7. Insufficient information is provided to determine conformance with the Planning Board's Parking Regulations. Two-family units require 2 spaces/unit. Multi-family structures require 1.5 spaces per dwelling unit for 1 bedroom; 2 spaces per dwelling unit for units with 2 or more bedrooms, plus 1 space per every 3 units.

Zoning Bylaw

- 8. Section 4.2-Table II.: application doesn't include density calculations to determine conformance with dimensional requirements (minimum lot size) for multi-family structures.
- 9. The driveway for the townhouse building on Lot 7 is not on the same lot. Leicester's Zoning Bylaw §1.3 (definition of ACCESS) requires access to be via the lot's frontage.
- 10. No information is provided to determine conformance with the Water Resources Protection Overlay District (§7.1)

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.

Business (B) District Special Permit Criteria (Section 5.8.04.B. the Zoning By-law):

B. Special Permit Review Criteria

- 1. 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;
- 2. The proposed use shall not overload the capacity of water and sewer systems, storm water drainage, solid waste disposal facilities, and other public facilities;
- 3. The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use;
- 4. The project shall comply with all applicable environmental laws and regulations;
- 5. The proposed project shall be consistent with Leicester's Master Plan; and,
- 6. ~~The project shall comply with all of the above B and CB District Site Development Standards~~ — **not applicable.**

Brooke Hultgren

From: Ken Antanavica <antanavicak@leicesterpd.org>
Sent: Thursday, August 12, 2021 10:17 AM
To: Brooke Hultgren
Cc: Mike Dupuis
Subject: RE: Definitive Subdivision Application, Skyview Estates

Hello Brook:

Chief Dupuis and I are waiting for a separate plan with the proposed elevations of the roadway as it leaves Rt. 9. We do not know if the heavy, long fire equipment will be able to make it up the proposed road. We did review the most recent position of the roadway where it intersects Rt 9 and found it to be suitable pending suitable elevations for fire access.

Here is a copy of the e-mail send to David King on 7/6/21:

Hello David:

The Fire Chief Dupuis and I met at the project site today. Officer Ruth's did an analysis of the proposed roadway to intersect with Rt 9 (as laid out on the plans). Westbound traffic has 600 feet of line of site and eastbound has 420 feet which is acceptable for this type of area. Chief Dupuis and I are concerned over the grade of the roadway as it would intersect onto Rt 9. Could you have your engineers clearly provide the intended grades as the sub-division road approaches Rt 9. If the grade is too steep fire apparatus would not be able to safely access the sub-division safely.

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: Brooke Hultgren <hultgrenb@leicesterma.org>
Sent: Tuesday, July 27, 2021 2:56 PM
To: Ken Antanavica <antanavicak@leicesterpd.org>
Subject: Definitive Subdivision Application, Skyview Estates

Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Definitive Subdivision & Special Permit
Project Name: Skyview Estates
Location/Description: 651 Main St
Water/Sewer: LWSD/CVSD
Planning Board Meeting Date: 9/7/2021

Deadline for Comments: 8/31/2021

The application & plans are available at the link below:

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

Brooke Hultgren

Planning, Conservation, and ZBA Assistant

Town of Leicester

(508) 892-7007

Please note that Leicester Town Hall is closed on Fridays.

Brooke Hultgren

From: Benjamin Morris <bmorris@cvrwd.com>
Sent: Friday, August 13, 2021 8:01 AM
To: Brooke Hultgren
Subject: RE: Definitive Subdivision Application, Skyview Estates

Follow Up Flag: Follow up
Flag Status: Completed

Good Morning Brooke,

The developer of the proposed subdivision has already been in contact with CVSD about connection into the sewer system. Sewer is available for this project however, if the town approves the project, the Developer will have to allow the Districts Engineering firm to review and comment on the sewer system design for the development. The Developer will be responsible for the cost of this as well as the cost of the connections of each home to the system. There was a brief discussion with the Developer at one time on this matter but it was not included in the connection eligibility letter that was provided.

If you have any questions please let me know

Benjamin Morris

Benjamin Morris
 Superintendent
 Cherry Valley & Rochdale Water District
 Chery Valley Sewer District
 PO Box 138
 Rochdale Ma. 01524
 508-892-9616 (office)
 bmorris@cvrwd.com

From: Brooke Hultgren <hultgrenb@leicesterma.org>
Sent: Tuesday, July 27, 2021 2:58 PM
To: Benjamin Morris <bmorris@cvrwd.com>
Subject: Definitive Subdivision Application, Skyview Estates

Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Definitive Subdivision & Special Permit
Project Name: Skyview Estates
Location/Description: 651 Main St
Water/Sewer: LWSD/CVSD
Planning Board Meeting Date: 9/7/2021
Deadline for Comments: 8/31/2021

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Brooke Hultgren

Planning, Conservation, and ZBA Assistant

Town of Leicester

(508) 892-7007

Please note that Leicester Town Hall is closed on Fridays.

Brooke Hultgren

From: jlennerton@aol.com
Sent: Tuesday, August 3, 2021 2:03 PM
To: Brooke Hultgren
Subject: Re: Definitive Subdivision Application, Skyview Estates

Contractor should pay attention to location of "Old County Road" as it is referred to on several area deeds. This is the old Boston Post Road and should the state decide to reclaim this, it could potentially be a problem as it is still state land.

Don Lennerton

-----Original Message-----

From: Brooke Hultgren <hultgrenb@leicesterma.org>
 To: jlennerton@aol.com <jlennerton@aol.com>
 Sent: Tue, Jul 27, 2021 2:54 pm
 Subject: Definitive Subdivision Application, Skyview Estates

The Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Definitive Subdivision & Special Permit
Project Name: Skyview Estates
Location/Description: 651 Main St
Water/Sewer: LWSD/CVSD
Planning Board Meeting Date: 9/7/2021
Deadline for Comments: 8/31/2021

The application & plans are available at the link below:
<https://www.leicesterma.org/planning-board/pages/current-applications-plans>

Brooke Hultgren

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

Please note that Leicester Town Hall is closed on Fridays.

September 1, 2021

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

Re: Definitive Subdivision Plan
Parker Street (North)

To the Board:

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

- Plan entitled “Parker Street (North), Definitive Subdivision Plan, Leicester, Massachusetts”, sheets 1 - 8, dated June 8, 2021 with revision date of 8/24/21, prepared by GRAZ Engineering, LLC, of Fitzwilliam, NH.
- Letter to Leicester Planning Board dated June 8, 2021, providing Project Narrative, submitted by GRAZ Engineering, LLC, of Fitzwilliam, NH.
- Letter to Leicester Planning Board dated June 8, 2021 with list of Waiver Requests, submitted by GRAZ Engineering, LLC, of Fitzwilliam, NH.
- “Hydrology & Stormwater Report, Proposed Parker Street Definitive Subdivision”, dated June 8, 2021, with revision date of August 24, 2021, prepared by GRAZ Engineering, LLC, of Fitzwilliam, NH
- Form C, Application for Approval of Definitive Subdivision Plan, dated June 8, 2021, Schold Development, LLC., applicant.
- Form D, Designers Certificate, dated June 8, 2021 submitted by Brian C MacEwen, RLS and Paul F. Grasewicz, PE.
- Pre- and Post-Development Watershed Plans, dated June 8, 2021 with revision date of 8/24/21 prepared by GRAZ Engineering, LLC, of Fitzwilliam, NH

We have reviewed this submittal for responses to comments of this office provided in a letter to Leicester Planning Board dated July 6, 2021 only. Any 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.

The following waivers are requested from Subdivision Rules and Regulations; our comment on the waiver requests follow in *italics*.

1. **No further comment.** Waive §V, A, 2, a of the Subdivision Rules and Regulations, requiring roads 28 feet wide, to permit a roadway with 20 feet traveled way.

Leicester Planning Board should seek input from public safety officials as to proposed width of road. 527 CMR (Commonwealth of Massachusetts Regulation) specifies a minimum fire lane width of 20 feet. It is the opinion of this office that a remote, rural roadway with two-way traffic flow should be at least 20 - 22 feet wide, to permit apparatus to pass parked vehicles or other apparatus.

2. **No further comment.** Waive §V, A, 4, a of the Subdivision Rules and Regulations, limiting dead-end streets to 500 feet, to allow a dead-end street length of 2,205 feet +/-.

Concerns for dead-end length center on blockage of the proposed road, isolating homes from public safety access, or other services. Longer dead-end roads have a greater chance of becoming blocked by a fallen tree, stormwater washout, vehicle accident or other unforeseeable event. If a waiver of dead-end length is to be considered, some means of mitigating risks should be proposed.

3. **No further comment.** Waive §V, A, 4, and §VI, G, 4 (1 through 3) of the Subdivision Rules and Regulations, which requires sidewalks on both sides of the road, to waive all sidewalks.

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

4. **No further comment.** Waive §V, C, 1 – 7, which requires a catch basin-to-manhole drainage system, to permit “country drainage”: a swale along the side of the roadway.

Although roadside swales can be a cost-effective means of collecting street runoff, typically a greater level of maintenance is required. Leicester Planning Board may wish to request input from Leicester Highway Department. Country drainage is suitable for rural areas, and can be incompatible with sidewalks, if required.

5. **No further comment.** Waive VI, E, which requires underground CATV, electric, telephone/communications wiring, to permit overhead utilities.

Overhead utilities are more susceptible to weather-related problems, with tree branches falling and pulling down wires. Overhead utilities are more easily accessed by the utility, for maintenance. Engineer notes that overhead utilities exist on other parts of Pine and Parker Streets.

6. **No further comment.** Waive §VI, I, which requires shade trees every 40 feet of roadway, to permit no street trees be installed.

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

The subdivision plans identify the two following waiver requests, not listed in the written requests for waivers:

7. **Waiver request withdrawn.** Waive §V, C, 4, which limits the design velocity of flow in storm systems to between 2 and 10 feet per second, to permit drainage velocity of 15 feet per second.
8. **No further comment.** Waive VI, E, 3 which requires street lighting, to waive the requirement for street lights.

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

Our comments pertaining to the submitted package are found below:

1. **Resolved.** Plans call for a sub-drain around the cul-de-sac and on the roadway in appropriate areas, to control and remove groundwater from the base gravel.
2. **No further comment.** Leicester Planning Board may wish to request an area be set aside for Open Space for passive or active recreation. (REF: §V, E)


3. **Resolved.** Engineer has evaluated the site to determine whether the use of guardrail is warranted in the areas of fill slope, and reports that the site does not meet criteria specified by AASHTO(American Association of State Highway and Transportation Officials).

Hydrology and Stormwater

4. **Resolved.** Engineer has provided topographic plans which outline subcatchment areas, design points, and runoff flow routes for both the pre-development model and post-development model.
5. **Resolved.** Engineer has revised the design and analysis, to document that post-development rates of runoff are not increased over the pre-development rates for all storms.
6. **Resolved, with Further Comment.** Engineer has provided logs of soils testing conducted per Massachusetts Stormwater Management Policy. Results of soils tests indicates that infiltration basin B1 does not comply with required separation between the basin floor and estimated seasonal high groundwater table of 2 feet.
7. **Resolved.** Access to the infiltration basin is restricted with a row of thorny rose bushes (“Rosa Rugosa”) along the outside crest of the basin, and 4 foot high fence at the emergency overflow, and a gate at the maintenance road.

Please contact this office should you have questions.

Sincerely,
QUINN ENGINEERING, Inc.



Kevin J. Quinn, P.E.
President

From: [Buck, Michelle](#)
To: ["Brian MacEwen"](#)
Subject: Parker Street
Date: Monday, August 16, 2021 4:23:00 PM

I reviewing this project in more detail, I noticed that some items required by the Preliminary Plan decision were not included, specifically conditions #2-5 of the Decision:

2. The Applicant shall provide a fire cistern on the Definitive Plan if required by the Fire Department (it is understood that the Applicant will be seeking a waiver because of the limited number of lots and proximity to Stiles Reservoir).

Did you receive a waiver from the Fire Department?

3. The Applicant shall coordinate with the Leicester Post Office and incorporate their preferences with mailbox locations into the Definitive Plan.

What is your plan for mail delivery, and have you coordinated with the Post Office?

4. The Definitive Plan application shall include an analysis of the full development potential along Parker Street from Pine Street to the end of the new roadway cul-de-sac.

This isn't included in your application.

5. The Definitive Plan application shall include proposed deed restrictions or other options to limit development in perpetuity so that the total number of lots served by the new roadway shall not exceed five (5), and to prohibit any further extension of (or new roadways off of) the Parker Street extension proposed by this application.

What is proposed to limit development?

If you have any questions, let me know.

Best regards,

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.

Brooke Hultgren

From: Dennis Griffin
Sent: Friday, June 11, 2021 7:50 AM
To: Brooke Hultgren
Subject: RE: Request for Comment - Parker St Definitive Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

After review of the application for the Parker St. subdivision the Highway Depts. Views on the requested waivers on the sidewalks is an acceptable thought process with the consideration currently no side walks in place nor the available space to the bridge or at the bridge. The placement of sidewalks to this point would then only offer the entering into the vehicle travel lane from the bridge to Pine St. The storm water plans also meet the state and local regulations. Consideration of the road width should be consistent with what is in place at 20'.

From: Brooke Hultgren <hultgrenb@leicesterma.org>
Sent: Thursday, June 10, 2021 10:53 AM
To: Francis Dagle <DagleF@leicesterma.org>; Michael Silva <SilvaM@leicesterma.org>; jlennerton@aol.com; Ken Antanavica <antanavicak@leicesterpd.org>; Mike Dupuis <mdupuis@leicesterfireems.org>; mwilson@leicesterfireems.org; Dennis Griffin <griffind@leicesterma.org>
Subject: Request for Comment - Parker St Definitive Subdivision

The Planning Board has received a new application, as summarized below. Comments, if any, should be submitted by email to hultgrenb@leicesterma.org or planning@leicesterma.org.

Type of Application: Definitive Subdivision Plan

Project Name: Parker Street

Location/Description: Off Pine St

Water/Sewer: Private septic/well

Planning Board Meeting Date: 7/20/2021

Deadline for Comments: 7/15/2021

The application & plans are available at the link below:

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

Brooke Hultgren

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

Please note that Leicester Town Hall is closed on Fridays.



Leicester Police Department
90 South Main Street
Leicester, MA 01524



Chief
Kenneth Antanavica
antanavicak@leicesterpd.org

www.leicesterpd.org

Emergency: 911
Non Emergency: 508-892-7009
Non Emergency: 508-892-7010
Fax: 508-892-7012

Chief Antanavica,

I, Officer Derrick Ruth have been a full-time Police Officer in the Town of Leicester, Massachusetts for approximately 19 years. I have attended 80 hours of basic crash investigation, 80 hours of advanced crash investigation and 80 hours of crash reconstruction. I have also attended a 40-hour commercial vehicle crash investigation class.

During my time as a Police Officer and a CEMLEC crash investigation team member, I have investigated numerous motor vehicle crashes, many of which include serious injury and/or death. The investigations of these crashes include investigating the safety of the roadways as well.

On Thursday, August 6, 2020 I responded to numerous streets within this jurisdiction having a cul-de-sac located at the end. The reason for this is to find a safe and reasonable conclusion as to what the width of a street leading up to a cul-de-sac should be.

First, I responded to Parker Street approximately a quarter of a mile east of where Pine Street intersects. In this area, there is a bridge leading to a dirt road that will eventually be constructed into a cul-de-sac neighborhood.

While taking measurements and photographs of this area I immediately noticed how narrow the roadway was. The width of the bridge from guardrail to guardrail was 22 feet, however, the width of the roadway pavement was only 18 feet (refer to attached photographs).

During my safety investigation of other roadways with cul-de-sacs, these were my findings as listed:

- Oak Bluffs Lane 26 feet wide roadway surface pavement. No sidewalks.
- Flagg Drive 27 feet wide roadway surface pavement. Sidewalk on 1 side.
- LaFlash Lane 28 feet wide roadway surface pavement. Sidewalk on 1 side.
- Homestead Lane 28 feet wide roadway surface pavement. Sidewalk on 1 side.

After the completion of my investigation, it is my opinion that no newly constructed streets or cul-de-sac neighborhoods should be constructed unless the streets leading up to the cul-de-sacs and around the neighborhood were minimally 26 feet wide, preferably 28 feet wide, having one sidewalk located on one side of the roadway.

In my opinion, the Parker Street bridge and attached roadway is much too narrow to safely have two lanes of traffic travelling east and west at the same time.

Respectfully submitted,

Officer Derrick Ruth
Leicester Police Department

GRAZ Engineering, L.L.C.

323 West Lake Road • Fitzwilliam, NH 03447 • Telephone (603) 585-6959 • Fax (603) 585-6960

Transmittal

To: Planning Board
Company: Town of Leicester
Address: 3 Washburn Square
City/State: Leicester, MA 01524

Subject: Revised Parker Street (North)
 Definitive Plans
Date: August 24, 2021
Transmitted: ☐ Mail ☒ Email ☒ Hand

- | | |
|--|---|
| <input checked="" type="checkbox"/> For Your Approval | <input checked="" type="checkbox"/> Which You requested |
| <input checked="" type="checkbox"/> For Your Review | <input type="checkbox"/> Approved |
| <input type="checkbox"/> For Your Signature | <input type="checkbox"/> Approved As Noted |
| <input checked="" type="checkbox"/> For Your Information | <input type="checkbox"/> Revise And Resubmit |
| <input type="checkbox"/> For Your Files | <input type="checkbox"/> Not Approved |

3	copies	Parker Street (North) - Definitive Subdivision Revision Letter dated 8/24/21
2	copies	Parker Street (North) - Revised Definitive Subdivision Plans, 8/24/21 (Full Size Plans)
2	copies	Parker Street (North) - Revised Definitive Subdivision Plans, 8/24/21 (11 x 17 Plans)
3	copies	Parker Street (North) - Revised Stormwater & Hydrology Documents, 8/24/21
3	copies	AASHTO Document Excerpt
1	email	Revised PDF Digital Copy of Submittal Materials, 8/24/21
	copies	
	copies	

Comments: Enclosed are the revised plans and associated documentation for the Parker Street (North) Definitive Subdivision located off from Pine Street.

Should you have any questions or require any additional information, please call my cell at 508-769-9084.

Respectfully yours,
 GRAZ Engineering, L.L.C.

Brian MacEwen, PLS, BSCE
 Project Manager

cc: Matt Schold, Applicant/Owner

GRAZ Engineering, L.L.C.



323 West Lake Road • Fitzwilliam, NH 03447 • Telephone (603) 585-6959 • Fax (603) 585-6960

August 24, 2021

Michelle Buck, Planner
Leicester Planning Board
3 Washburn Square
Leicester, MA 01524

**Subject: Parker Street (North)
Definitive Subdivision Revision 1**

Dear Ms. Buck:

GRAZ Engineering, L.L.C. (GRAZ) has received and reviewed the following letters regarding technical review and comments of the proposed Parker Street (North) Definitive Subdivision to be located off Pine Street.

- Leicester Police Department, not dated, received via email June 9, 2021 by Officer Derrick Ruth
- Leicester Highway Department, received via email on June 11, 2021, by Dennis Griffin
- Quinn Engineering, Inc. (QEI), dated July 6, 2021, received via email by Mr. Kevin Quinn, P.E.
- State Forester, received via email on June 29, 2021 by Chris Capone
- Leicester Planning Department, received via email on August 16, 2021 by Michelle Buck, AICP

On behalf of Schold Development, LLC (Matt Schold) and in response to the above noted letters and subsequent comments received during the Leicester Planning Board (LPB) public hearing to date, GRAZ submits the following item-by-item responses and the revised subdivision plans for final review and approval of the LPB. For simplicity, GRAZ will provide comment on only the items for which revisions have been made for this submittal.

Quinn Engineering, Inc. Letter

Waiver Requests:

5. *Waive VI, E, which requires underground CATV, electric, telephone/communications wiring, to permit overhead utilities.*

As noted in the initial public hearing, the Applicant proposes to install underground utilities from the last existing utility pole located on the east of Parker Street near the Y.W.C.A. The plans have been revised to note that accordingly.

6. *Waive §VI,L: To waive the installation of street trees.*

As noted in the initial public hearing, the Applicant proposes to install street trees as required to supplement the existing vegetation along the proposed roadway that is to remain. The plans will be revised to depict the estimated locations, quantity, and types of proposed street trees to be installed.

7. *Waive §V, C, 4, which limits the design velocity of flow in storm systems to between 2 and 10 feet per second, to permit drainage velocity of 15 feet per second.*

This waiver request has been removed.

8. *Waive §VI,E,(3): To waive the installation of required street lights.*

As noted at the initial public hearing, the Applicant proposes to install lot/street lights on the individual lots near the intersection of the proposed driveways with the proposed roadway. A note has been added to the plans (Sheet 6) to indicate this accordingly.

Comments:

1. *The proposed cul-de-sac cuts into a hillside grade, in an area where groundwater appears to be active. A sub-drain must be called out around the cul-de-sac in all cut areas, to control and remove groundwater from the base gravel.*

The plans have been revised to depict the locations, elevations, and details of the proposed sub-drain accordingly.

2. *Leicester Planning Board may wish to request an area be set aside for Open Space for passive or active recreation. (REF: §V, E).*

Due to the scale of the development, the Applicant does not propose any dedicated Open Space.

3. *From STA 16+50 to STA 21+50 +/-, a substantial fill slope is proposed on the west side of the roadway. In this area, the engineer should review the Massachusetts Department of Transportation warrant for guardrail, to evaluate whether guardrail should be installed.*

Our assessment of the embankment on the westerly side of the proposed roadway between STA 16+50 to STA 21+50 based on a review of the MassDOT guidelines indicates that guardrails are not required. See attached AASHTO documentation.

Hydrology & Stormwater:

4. *The Hydrology and Stormwater Report should provide a topographic plan which outlines subcatchment areas, design points, and runoff flow routes for both the pre-development model and post-development model. We cannot evaluate the stormwater analysis in the absence of this information.*

The Hydrology Report has been revised to include the pre & post development watershed plans complete with existing and proposed topography accordingly.

5. *The Hydrology and Stormwater Report documents that at Design Points 2 and 3, the post-development rates of runoff are increased over the pre-development rates for all storms. The Applicant states that the stormwater system was designed to conform to standards to the "maximum extent practicable". Although the Massachusetts Stormwater Management Policy states that projects which propose between five and nine homes may be designed to the greatest extent practicable, historically, the Massachusetts Department of Environmental Protection, Wetland Division, has held that no increase in post-development runoff is permitted, except for the 100 year storm. For that storm, it must be shown that no negative impact results downstream from an increase in the out flow.*

The Hydrology Report has been revised such that there are just two (2) Analysis Points for the proposed stormwater discharge, namely the wetlands to the northeast of the site and Stiles Lake to the west. Subsequently, the proposed peak rates of run-off for these two analysis points have been attenuated to less than or equal to the pre-development run-off rates.

6. *In Infiltration Basin #2P, no evidence of soils testing is found. Per Massachusetts Stormwater Management Policy, soils testing must be performed within the perimeter of infiltration basins.*

The Hydrology Report has been revised to include the deep hole soil testing data that was performed on August 12, 2021 in the sedimentation forebay (SF1) and the Infiltration Basin (B1) accordingly.

7. *The Stormwater Basin Cross Section, Sheet 8 of 8, calls for planting a row of thorny rose bushes ("Rosa Rugosa") along the outside crest of the stormwater basin berm (Infiltration Basin #2P), as a deterrent to entry. The roses cannot be planted on either the gravel access road, nor the Emergency Spillway. Some other means of restricting access over those areas must be developed.*

The plans have been revised to depicted two (2) means of entry deterrent to the stormwater basin (B1). Chain link fencing will be used at the entry point with the proposed roadway as well as across the top of the basin spillway weir. The remainder of the perimeter shall have the "Rosa Rugosa" plantings installed as depicted on the plans accordingly.

Town Planner Comments Relative to Preliminary Plan Approval Conditions:

2. *The Applicant shall provide a fire cistern on the Definitive Plan if required by the Fire Department (it is understood that the Applicant will be seeking a waiver because of the limited number of lots and proximity to Stiles Reservoir). Did you receive a waiver from the Fire Department?*

The Applicant has discussed the installation of a dry hydrant near the Parker Street bridge over Bartons Brook should the development exceed 4 or more houses. The Fire Department appears to be agreeable to this solution in lieu of installing a underground cistern for fire protection. The Applicant will obtain a letter from the Fire Departments stating the same.

3. *The Applicant shall coordinate with the Leicester Post Office and incorporate their preferences with mailbox locations into the Definitive Plan. What is your plan for mail delivery, and have you coordinated with the Post Office?*

The Applicant is coordinating with the Post Office to determine the method of mail delivery. It is anticipated that the delivery will be to the individual houses. The Applicant will obtain a letter from the Post Office to state the final method of mail delivery.

4. *The Definitive Plan application shall include an analysis of the full development potential along Parker Street from Pine Street to the end of the new roadway cul-de-sac. This isn't included in your application.*

Our analysis of the full development potential is as follows:

- **For the existing improved portion of Parker Street which extends just to the south of the bridge at Bartons Brook, the Y.W.C.A. lands appear to have sufficient frontage and area to support four (4) building lots.**
- **For the portion of Parker Street to be improved under this project which extends from just to the south of bridge at Bartons Brook, the Y.W.C.A. lands appear to have sufficient frontage and area to support three (3) additional building lots.**
- **And finally, for that of Parker Street that shall be improved under this project which extends from the southerly property lines of the Y.W.C.A. lands to the terminus of the proposed cul-de-sac, the Applicant's lands have sufficient frontage and area to allow a maximum of five (5) building lots.**

Thus, the full conceptual potential for buildable lots, without accounting for enviromental or constructability issues, once this project has been completed and the Town accepts the roadway would be twelve (12) lots.

5. *The Definitive Plan application shall include proposed deed restrictions or other options to limit development in perpetuity so that the total number of lots served by the new roadway shall not exceed five (5), and to prohibit any further extension of (or new roadways off of) the Parker Street extension proposed by this application. What is proposed to limit development?*

Sheet 3 of the plans has been revised to include notations as to what the Applicant understands to be the minimum restrictions for the build-out of the lands that is being developed under this project. These notes are as follows:

- **In perpetuity, the subdivision of the lands of the applicant and currently depicted on Assessor's Map 42 as lots A1.0 & B1.0 adjacent to the proposed roadway and associated right-of-way as depicted hereon shall be limited to a maximum of five (5) building lots.**
- **In perpetuity, the proposed roadway and associated right-of-way cannot be extended beyond the limits as depicted hereon and there can be no additional new roadways developed off from said proposed roadway.**
- **any further subdivision of the remaining lands of the applicant shall require further approval of the Leicester planning board pursuant to the subdivision control regulations.**

*GRAZ Engineering, LLC
Parker Street (North) Definitive Subdivision*

*August 24, 2021
Page 4 of 4*

I trust that this information will assist the Planning Board in their finalization of the "Decision" and "Conditions of Approval" of the Applicant's application for "Definitive Subdivision Approval". Should you have any other questions or require additional information prior to the next meeting please call me as soon as possible.

Respectfully yours,
GRAZ Engineering, L.L.C.


Brian MacEwen, PLS, BSCE
Project Manager

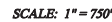

Paul Grasewicz, PE, PLS

BCM/PFG/bcm

cc: Matt Schold, Schold Development, LLC
Paul Grasewicz, GRAZ Engineering, LLC

attachment: AASHTO Document Excerpt

EBT ENVIRONMENTAL CONSULTING, 2 WELLINGTON ROAD, OXFORD, MA 01540



PLAN REFERENCE: PLAN BOOK 800, PLAN 29 - PARCELS A & C

MAX. LOT COVERAGE 30%

- TOTAL LAND AREA: ± 3,195,623 SQ. FT. (± 73.36141 ACRES)
 - TOTAL LOT AREA: ± 243,802 SQ. FT. (± 5.59693 ACRES)
 - REMAINING LAND: ± 2,912,178 SQ. FT. (± 66.85441 ACRES)
 - RIGHT-OF-WAY AREA: ± 50,322 SQ. FT. (± 1.15523 ACRES)
 - EASEMENT AREA: ± 72,776 SQ. FT. (± 1.67071 ACRES)

8 DRAINAGE DETAILS

TO ALLOW FOR STREET TREE PLANTINGS TO BE INSTALLED AS STIPULATED IN THE WRITTEN PLANNING BOARD DECISION AND AS DEPICTED ON THE FINAL APPROVED PLANS.


FOR REGISTRY USE ONLY

THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET THE REGISTRY OF DEEDS REQUIREMENTS AND ARE NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO THE CURRENT TOWNS OF LEICESTER & SPENCER ASSESSOR'S RECORDS.

I CERTIFY THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

CONDITIONS OF APPROVAL ARE CONTAINED IN THE WRITTEN DESIGN OF THE PLANNING BOARD ENTITLED, "CERTIFICATE OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN", DATED _____, PAGE _____, 2019 AND RECORDED IN THE WORCESTER DISTRICT REGISTRY OF DEEDS IN BOOK _____.
THE CONSTRUCTION OF WAYS AND INSTALLATION OF SERVICES SHOWN ON THIS PLAN ARE SECURED BY WAY OF A COVENANT, DATED _____ TO BE RECORDED HEREWITH.

APPROVAL OF THE LEICESTER PLANNING BOARD IS FOR _____ YEARS ONLY. IN THE EVENT THE WAYS AND SERVICES SHOWN ON THIS PLAN ARE NOT CONSTRUCTED AND INSTALLED WITHIN _____ YEARS FROM THE DATE OF ENDORSEMENT, THE BOARD'S APPROVAL IS RESCINDED, AND THIS PLAN IS AND SHALL BE NULL AND VOID.



CERTIFICATE OF NO APPEAL

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEICESTER PLANNING BOARD WAS RECEIVED AND RECORDED AT THIS OFFICE ON _____ AT _____ AND NO APPEAL WAS RECEIVED DURING THE 30 DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.


TOWN CLERK - LEICESTER

DATE: _____

APPROVED UNDER THE
SUBDIVISION CONTROL LAW
PLANNING BOARD OF LEICESTER

DATE: _____

SCALE:	DRAWN:	CHECKED:	PLAN DATE:
AS NOTED	BCM	PPG & BCM	JUNE 5, 2021
REV.	DATE	DISCUSSION	BY
1	8/24/21	REVS PER QUINN ENG. TECH. REVIEW & LTR	BCM



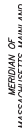
SHEET 1 OF 8
REGISTRY SHEET 1 OF 2

- 1) THE EXISTING TOPOGRAPHY, SITE FEATURES, AND UTILITIES DEPICTED HEREON ARE BASED ON AERIAL PHOTOGRAMMETRY PREPARED BY COE-EAST, INC. FROM AERIAL PHOTOGRAPHS TAKEN IN 2004.
- 2) THE EXISTING BOUNDARY LINES AND THE AERIAL PHOTOGRAMMETRIC INFORMATION DEPICTED HEREON ARE BASED ON SURVEYS CONDUCTED BY JOHN J. COE & SONS, INC. OF THE PROPERTY PERFORMED BY THE BSC GROUP, INC. IN JUNE THROUGH JULY 2005 AND MARCH 2005 AND COMPILATION OF THE IDEAS AND PLANS OF RECORD CHART HEREIN.
- 3) THE HORIZONTAL AND VERTICAL DATUMS WERE ESTABLISHED BY NETWORK+RTK GNSS GPS PERFORMED AT THE SITE.

HORIZONTAL DATUM & BEARING BASIS = MASSACHUSETTS
MAINLAND GRID (NAD83)

VERTICAL DATUM = NAVD83 (REFER TO PLAN FOR LOCATION OF
BENCHMARKS SET DURING SURVEY)

NOTE: THE NGVD 1929 DATUM IS 0.68 FEET HIGHER THAN THE NAVD 1983 DATUM.
1929 NGVD DATUM ELEV = 374.9
- 4) THE VERTICAL LINE DEPICTED HEREON WAS DETERMINED BY NETWORK RTK-GNSS LOCATION OF THE TOWN BOUNDS (MASSACHUSETTS MAP 068-053-053).
- 5) THE WETLANDS WERE FIELD DELINEATED BY EDT ENVIRONMENTAL CONSULTING, INC. IN OCTOBER 2005 AND WERE LOCATED BY THE FIELD SURVEY CHART ABOVE.
- 6) THE PORTION OF THE SITE ADDJACING THE EASTERLY SIDE OF STILES LAKE LIES WITHIN ZONE A, SPECIAL FLOOD HAZARD AREA WITH NO ELEVATIONS DETERMINED AS SET FORTH ON THE LOCAL PARALLEL-SLOPE STRUCTURE CONSTRUCTION MAP FIRM 2502C7083Z WITH THE REMAINDER OF THE SITE BEING IN ZONE X, MINIMAL FLOOD HAZARD AS SET FORTH ON THE FIRM 2502C7083Z, BOTH MAPS BEARING EFFECTIVE DATES OF JULY 4, 2011.
- 7) THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON, ARE APPROXIMATE AND ARE BASED ON RECORD DRAWINGS AND RECORDS SUCH AS CATCH BASINS, MANHOLES, WATER GATES, ETC. AND THE COMPILATION OF INFORMATION OBTAINED FROM VARIOUS UTILITY COMPANIES, AND GOVERNMENT AGENCIES. THE ENGINEER DOES NOT GUARANTEE THAT ALL UTILITIES ARE FULLY SHOWN OR CORRECTLY LOCATED. ANY CONTRACTOR SHALL VERIFY SIZE, LOCATION AND INVERT ELEVATIONS OF THE UTILITIES AND STRUCTURES, AS REQUIRED PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES ARE OBSERVED WHILE THE EXISTING CONDITIONS DEPICTED HEREON AND THE ACTUAL CONDITIONS.
- 8) IN ACCORDANCE WITH CHAPTER 82, SECTION 40, INCLUDING AMENDMENTS, ALL CONTRACTORS SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE AT 1-888-344-7233 72 HOURS BEFORE ANY EXCAVATION.
- 9) A FIFTY FOOT (15') WIDE TEMPORARY SLOPE AND CONSTRUCTION EASEMENT SHALL BE PROVIDED PARALLEL-SLOPE ALONGSIDE STRUCTURE CONSTRUCTION. THE CONTRACTOR SHALL MAINTAIN THE TEMPORARY SLOPE AND CONSTRUCTION EASEMENT SHALL BE MAINTAINED UPON ACCEPTANCE OF THE ROADWAY BY THE TOWN OF LEICESTER.
- 10) THE DRAINAGE AND UTILITY EASEMENTS DEPICTED HEREON ARE REQUIRED BY THE TOWN OF LEICESTER INFRASTRUCTURE DEPARTMENT IN ORDER TO MAINTAIN THE DRAINAGE INFRASTRUCTURE (SWALES, PONDERS, ETC.) AND SHALL BE GRANTED TO THE TOWN OF LEICESTER.



THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET THE REGISTRY DEEDS REQUIREMENTS AND ARE NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. THE OWNERSHIP RECORDS ARE SHOWN ACCORDING TO THE CURRENT TOWNS OF LEICESTER & SPENCER RECORDS.

CERTIFY THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

CONDITIONS OF APPROVAL ARE CONTAINED IN THE WRITTEN DESCRIPTION OF THE PLANNING BOARD NO. 2019, "STATEMENT OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN," DATED _____, 2019, AND RECORDED IN THE WORCESTER DISTRICT REGISTRY OF DEEDS IN BOOK _____, PAGE _____.

THE CONSTRUCTION OF WAYS AND INSTALLATION OF SERVICES SHOWN ON THIS PLAN ARE SECURED BY A BOND OF _____ DOLLARS TO BE PAID TO _____ TO _____ YEARS ONLY. IN THE EVENT THE WAYS AND SERVICES SHOWN ON THIS PLAN ARE NOT CONSTRUCTED AND INSTALLED WITHIN _____ YEARS FROM THE DATE OF ENDORSEMENT, THE BOARD'S APPROVAL IS RESCINDED, AND THIS PLAN IS AND SHALL BE NULL AND VOID.



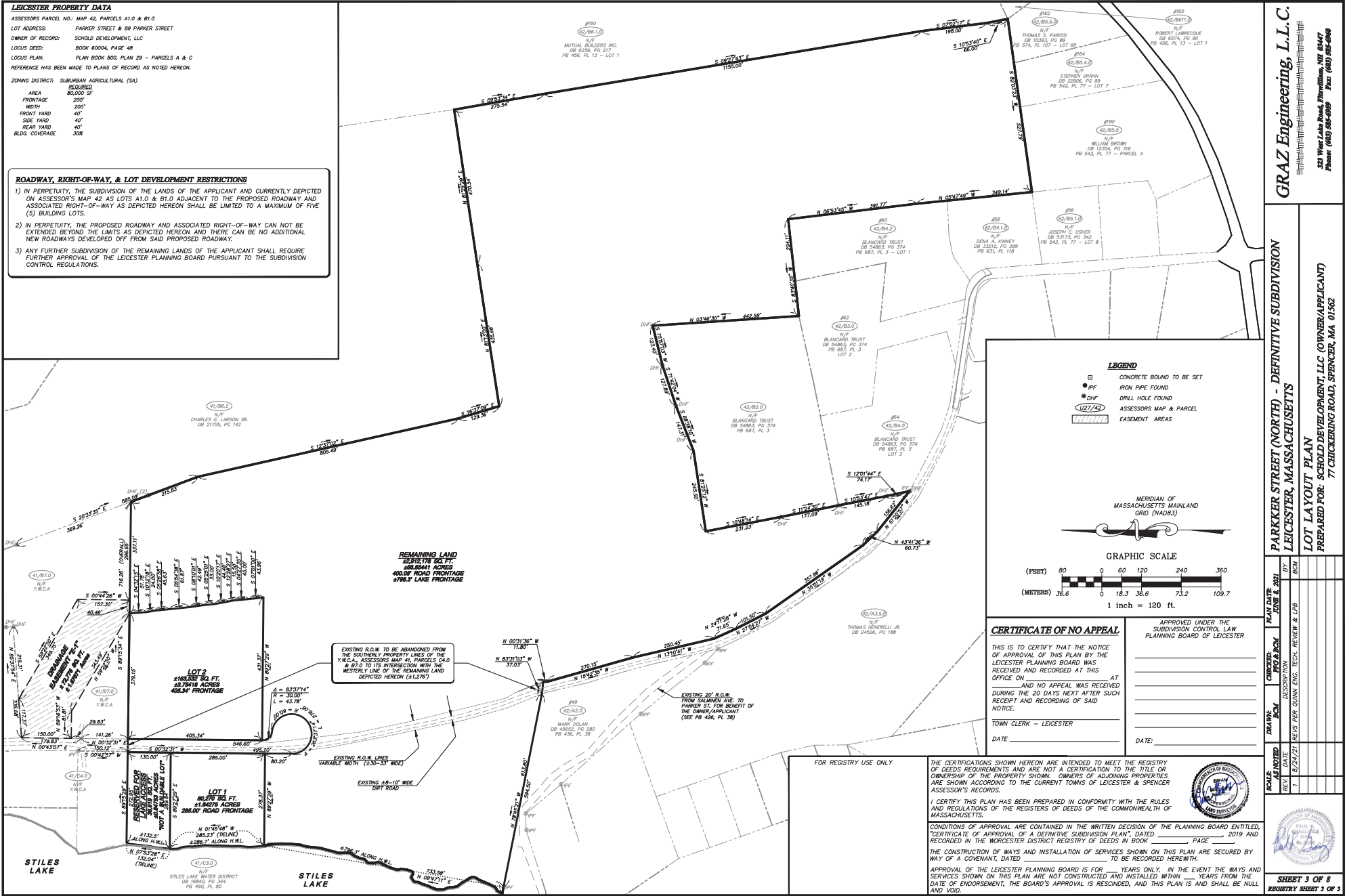
KEY PLAN

**PARKER STREET (NORTH) - DEFINITIVE SUBDIVISION
LEICESTER, MASSACHUSETTS**

KEY PLAN & NOTES

PREPARED FOR: SCHOLD DEVELOPMENT, LLC (OWNER/APPLICANT)
77 CHICKERING ROAD, SPENCER, MA 01562

[illegible]



LEICESTER PROPERTY DATA

ASSESSORS PARCEL NO.: MAP 42, PARCELS A1.0 & B1.0
LOT ADDRESS: PARKER STREET & 89 PARKER STREET
OWNER OF RECORD: SCHOLD DEVELOPMENT, LLC
LOCUS DEED: BOOK 800A, PAGE 48
LOCUS PLAN: PLAN BOOK 800, PLAN 29 - PARCELS A & C
REFERENCE HAS BEEN MADE TO PLANS OF RECORD AS NOTED HEREON.

ZONING DISTRICT: SUBURBAN AGRICULTURAL (SA)
RECORDED:
AREA: 80,000 SF
FRONTAGE: 300'
WIDTH: 200'
FRONT YARD: 40'
SIDE YARD: 40'
REAR YARD: 40'
BLDG. COVERAGE: 30%

ROADWAY, RIGHT-OF-WAY, & LOT DEVELOPMENT RESTRICTIONS

1) IN PERPETUITY, THE SUBDIVISION OF THE LANDS OF THE APPLICANT AND CURRENTLY DEPICTED ON ASSESSOR'S MAP 42 AS LOTS A1.0 & B1.0 ADJACENT TO THE PROPOSED ROADWAY AND ASSOCIATED RIGHT-OF-WAY AS DEPICTED HEREON SHALL BE LIMITED TO A MAXIMUM OF FIVE (5) BUILDING LOTS.

2) IN PERPETUITY, THE PROPOSED ROADWAY AND ASSOCIATED RIGHT-OF-WAY CAN NOT BE EXTENDED BEYOND THE LIMITS AS DEPICTED HEREON AND THERE CAN BE NO ADDITIONAL NEW ROADWAYS DEVELOPED OFF FROM SAID PROPOSED ROADWAY.

3) ANY FURTHER SUBDIVISION OF THE REMAINING LANDS OF THE APPLICANT SHALL REQUIRE FURTHER APPROVAL OF THE LEICESTER PLANNING BOARD PURSUANT TO THE SUBDIVISION CONTROL REGULATIONS.

LEGEND

- CONCRETE BOUND TO BE SET
- IRON PIPE FOUND
- DRILL HOLE FOUND
- ASSESSORS MAP & PARCEL
- EASEMENT AREAS

GRAPHIC SCALE
1 inch = 120 ft.

CERTIFICATE OF NO APPEAL

THIS IS TO CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE LEICESTER PLANNING BOARD WAS RECEIVED AND RECORDED AT THIS OFFICE ON _____ AT _____ AND NO APPEAL WAS RECEIVED DURING THE 20 DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.

TOWN CLERK - LEICESTER
DATE: _____

APPROVED UNDER THE SUBDIVISION CONTROL LAW
PLANNING BOARD OF LEICESTER

GRAZ Engineering, L.L.C.
533 West Lake Road, Westfield, MA 01087
Phone: (413) 585-6999 Fax: (413) 585-6969

**PARKER STREET (NORTH) - DEFINITIVE SUBDIVISION
LEICESTER, MASSACHUSETTS
LOT LAYOUT PLAN**

PREPARED FOR: SCHOLD DEVELOPMENT, LLC (OWNER/APPLICANT)
77 CHICKERING ROAD, SPENCER, MA 01562

PLAN DATE	REVISION	BY	DATE
2/28/21	1	REVIS PER PLANNING BOARD REVIEW & URB	

FOR REGISTRY USE ONLY

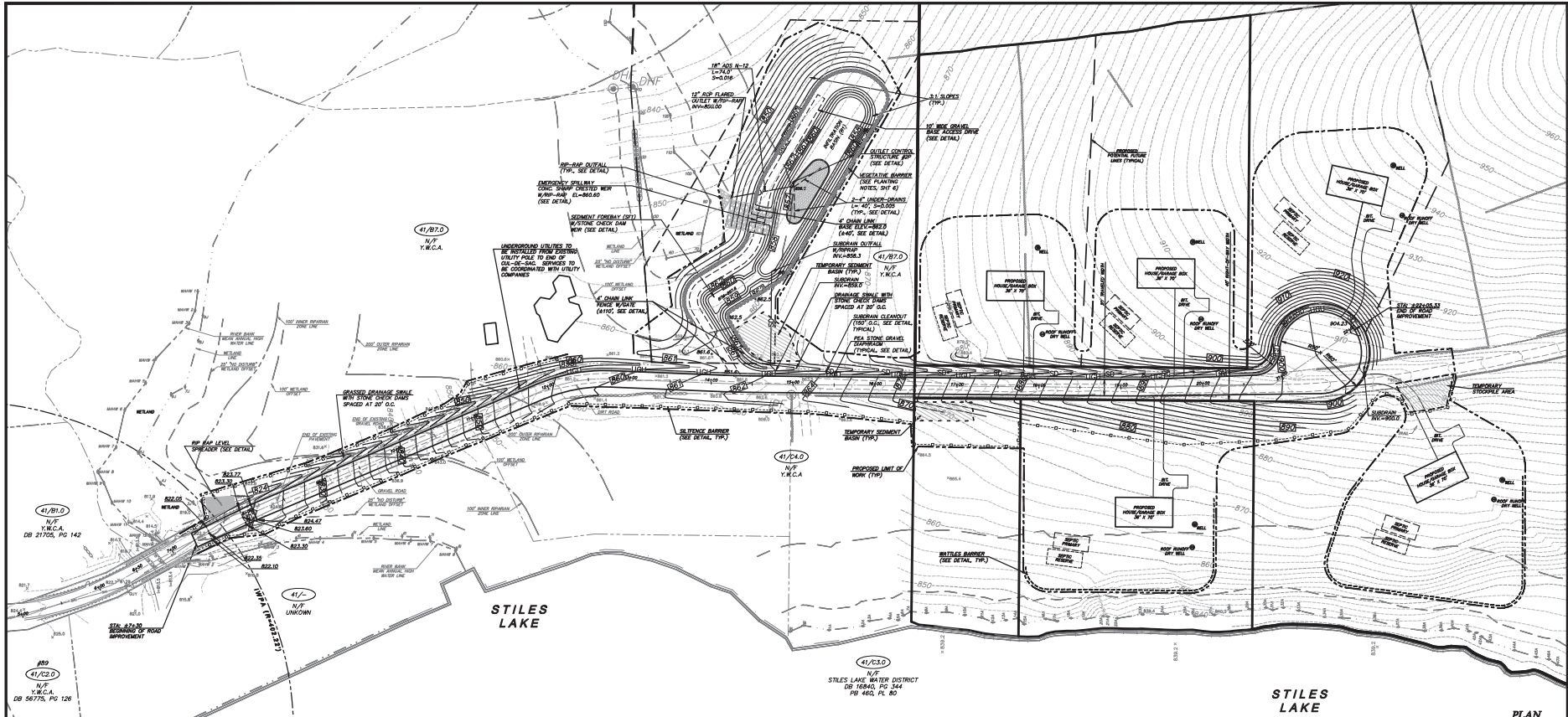
THE CERTIFICATIONS SHOWN HEREON ARE INTENDED TO MEET THE REGISTRY OF DEEDS REQUIREMENTS AND ARE NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO THE CURRENT TOWNS OF LEICESTER & SPENCER ASSESSOR'S RECORDS.

I CERTIFY THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

CONDITIONS OF APPROVAL ARE CONTAINED IN THE WRITTEN DECISION OF THE PLANNING BOARD ENTITLED, "CERTIFICATE OF APPROVAL OF A DEFINITIVE SUBDIVISION PLAN", DATED _____, 2019 AND RECORDED IN THE WORCESTER DISTRICT REGISTRY OF DEEDS IN BOOK _____, PAGE ____.

THE CONSTRUCTION OF WAYS AND INSTALLATION OF SERVICES SHOWN ON THIS PLAN ARE SECURED BY WAY OF A COVENANT, DATED _____. APPROVAL OF THE LEICESTER PLANNING BOARD IS FOR _____ YEARS ONLY. IN THE EVENT THE WAYS AND SERVICES SHOWN ON THIS PLAN ARE NOT CONSTRUCTED AND INSTALLED WITHIN _____ YEARS FROM THE DATE OF ENDORSEMENT, THE BOARD'S APPROVAL IS RESCINDED, AND THIS PLAN IS AND SHALL BE NULL AND VOID.

SHEET 3 OF 8
REGISTRY SHEET 3 OF 3



GRAZ Engineering, L.L.C.
 555 West Lake Road, Framingham, MA 01464
 Phone: (603) 955-0897 Fax: (603) 955-0898

**PARKER STREET (NORTH) - DEFINITIVE SUBDIVISION
 LEICESTER, MASSACHUSETTS
 EROSION CONTROL PLAN**
 PREPARED FOR: SCHOLD DEVELOPMENT, LLC (OWNER/APPLICANT)
 77 CHICKERING ROAD, SPENCER, MA 01562

STILES LAKE
PLAN
SCALE: 1" = 60'

EROSION CONTROL NOTES

- 1) AS THIS PROJECT SHALL ALTER OVER ONE ACRE OF LAND, IT WILL REQUIRE FILING A NOTICE OF INTENT WITH THE EPA UNDER THE NPDES PHASE I PROGRAM AND WILL REQUIRE A STORMWATER POLLUTION PREVENTION PLAN (SWPPP) TO BE FILED PRIOR TO ANY LAND DISTURBANCE. THE SWPPP SHALL BE PROVIDED TO THE SITE CONTRACTOR PRIOR TO CONSTRUCTION AND SHALL BE ACCESSIBLE ON SITE DURING ALL CONSTRUCTION ACTIVITY.
- 2) THE CONTRACTOR SHALL REVIEW AND COMPLY WITH ALL REQUIREMENTS OF THE PROJECT "ORDER OF CONDITIONS" AS ISSUED BY THE TOWN OF LEICESTER CONSERVATION COMMISSION. THE CONTRACTOR AND ALL SUB-CONTRACTORS ARE TO BE MADE AWARE OF THE ORDER OF CONDITIONS AS GRANTED BY THE LEICESTER CONSERVATION COMMISSION AND ITS REGULATIONS APPLICABLE TO THIS PROJECT. A COPY OF THIS ORDER IS TO BE READILY AVAILABLE ON SITE AT ALL TIMES.
- 3) THE SEDIMENTATION AND EROSION CONTROLS DEPICTED HEREON ARE THE MINIMUM REQUIRED. THE CONTRACTOR IS RESPONSIBLE FOR THE PROPER MAINTENANCE OF ALL EROSION CONTROLS AND SHALL INSTALL ADDITIONAL MITIGATION MEASURES AS MAY BE NECESSARY TO ENSURE PROTECTION OF ALL THE WETLAND RESOURCES.
- 4) PRIOR TO THE START OF ANY CONSTRUCTION, ALL SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE INSTALLED AS DEPICTED HEREON. THE CONTRACTOR SHALL MAINTAIN THESE MEASURES UNTIL ALL WORK IS COMPLETED AND ALL AREAS HAVE BEEN STABILIZED.
- 5) AT NO TIME SHOULD HEAVY EQUIPMENT CROSS THE EROSION CONTROL BARRIERS OR OPERATE BEYOND THE LIMIT OF WORK DEPICTED HEREON. ALL FUELING OF CONSTRUCTION EQUIPMENT IS TO BE DONE IN THE UPLANDS OUTSIDE OF THE 100' BUFFER ZONE.
- 6) TEMPORARY STABILIZATION OF DISTURBED AREAS IS TO LIMIT EROSION TOWARD THE WETLAND AREAS. ALL TRENCHES ARE TO BE FILLED ON A DAILY BASIS WITH SPECIAL CARE TAKEN TO AVOID ROUTING RAINFALL THROUGH GULLIES TOWARD THE WETLAND AREAS. TEMPORARY DETENTION BASINS ARE TO BE INSTALLED IN AREAS PRONE TO CHANNEL FLOODS DURING PERIODS OF HIGH INTENSITY RAINFALL.
- 7) THE CONTRACTOR IS TO USE PROPER ADJUDMENT RELATIVE TO CONSTRUCTION PRACTICES DURING ADVERSE WEATHER CONDITIONS OR PERIODS OF HIGH GROUNDWATER. NO WORK IS TO BE PERFORMED NEAR THE WETLAND AREAS DURING PERIODS OF HEAVY RAINFALL.
- 8) PERIODIC MAINTENANCE OF THE EROSION CONTROL MEASURES IS REQUIRED IN ORDER TO AVOID THE PROPER PROTECTION OF THE RESOURCE AREAS. MAINTENANCE CONTROL STRUCTURES ARE TO BE INSPECTED ON A WEEKLY BASIS OR IMMEDIATELY THERE IS A STORM EVENT EXCEEDING 1/2" OF RAIN IN TWENTY FOUR HOURS.
- 9) THE TREE CLEARING REMOVAL LIMITS SHALL NOT EXTEND BEYOND THE SILENCE/HAYMALE EROSION CONTROL BARRIERS AND THE LIMIT OF WORK. AREAS OF EXISTING VEGETATION TO REMAIN ARE TO BE PROTECTED THROUGHOUT CONSTRUCTION.

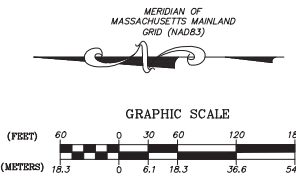
- 10) THE BASE OF ALL STOCKPILES SHALL BE CONTAINED WITHIN THE EROSION CONTROL MEASURES LIMITS. STOCKPILES TO BE LEFT OVER 30 DAYS SHALL BE SEEDED WITH ANNUAL RYE GRASS.
- 11) THE FUNCTIONING OF THE TEMPORARY SEDIMENT CONTROLS OR CONSTRUCTION OPERATIONS SHALL NOT CAUSE NOTICEABLE SEDIMENT PLUMES. IF PLUMES OCCUR, THE CONTRACTOR SHALL STOP WORK AND INSTALL ADDITIONAL SEDIMENTATION CONTROLS IMMEDIATELY TO PREVENT FURTHER SEDIMENTATION.
- 12) THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL ACCUMULATED SEDIMENT AS REQUIRED BY THE CONSERVATION COMMISSION OR AS DIRECTED BY THE ENGINEER.
- 13) AFTER THE CONSTRUCTION/INSTALLATION OF THE PERMANENT DRAINAGE INFRASTRUCTURE, THE CONTRACTOR SHALL INSTALL AND MAINTAIN THE APPROPRIATE SEDIMENTATION CONTROLS TO PROTECT THE INTEGRITY OF THE STRUCTURES DURING THE ONGOING CONSTRUCTION. ALL CATCH BASINS SHALL HAVE A STREAMLINED TYPE II-S ORF CATCH BASIN FILTER INSTALLED. THE FILTERS SHALL BE MAINTAINED AND/OR REPLACED AS NECESSARY UNTIL THE CONSTRUCTION IS COMPLETED.
- 14) ALL DISTURBED NON-PAVED AREAS WITHIN THE PROJECT LIMIT OF WORK SHALL BE DRESSED WITH A MINIMUM OF FOUR INCHES (4") OF SCREENED LOAM AND SHALL BE SEEDED WITH AN APPROVED GRASS MIX AND MULCHED AS SOON AS POSSIBLE IN ORDER TO INSURE THE RAPID STABILIZATION OF THE EROSION PRONE AREAS. A CONSERVATION SEED MIXTURE OF 20% ANNUAL RYEGRASS, 30% CREEPING RED FESCUE, 30% CHEROKEE FESCUE AND 20% PERENNIAL Ryegrass IS RECOMMENDED. IF PERMANENT SEEDING CAN NOT BE INSTALLED IMMEDIATELY AFTER FINAL GRADING, THE AREAS ARE TO BE TEMPORARILY MULCHED TO STABILIZE ALL SLOPES UPON COMPLETION OF WORK TO PREVENT EROSION OF SOILS INTO THE RESOURCE AREAS AND THEIR ASSOCIATED BUFFER ZONES. DURING THE GROW-IN PERIOD, TEMPORARY EROSION CONTROLS (I.E. BARRIERS OR STRAW) IS TO BE USED TO PREVENT EROSION DURING PERIODS OF RAINFALL OR SNOW MELT. WHERE PRACTICAL DURING CONSTRUCTION, DISTURBED AREAS SHALL BE STABILIZED BY TEMPORARILY SEEDING OR MULCHING.
- 15) ALL DISTURBED AREAS TO BE LEFT DOMINANT FOR MORE THAN 60 DAYS SHALL BE STABILIZED BY TEMPORARILY SEEDING OR MULCHING.
- 16) DRAINAGE OPERATIONS, IF REQUIRED SHALL DISCHARGE ONTO STABILIZED AREAS AND ALL DISCHARGE WATER IS TO PASS THROUGH SEDIMENTATION CONTROL DEVICES TO PREVENT IMPACTS UPON THE WETLAND RESOURCES, DRAINAGE SYSTEMS, AND ADJUTING PROPERTIES.
- 17) ALL TEMPORARY SEDIMENTATION AND EROSION CONTROL MEASURES SHALL BE REMOVED IN THEIR ENTIRETY AFTER FINAL SITE STABILIZATION AND ISSUANCE OF THE FINAL CERTIFICATE OF COMPLIANCE BY THE CONSERVATION COMMISSION.
- 18) THE APPLICANT IS TO NOTIFY THE LEICESTER CONSERVATION COMMISSION ONCE THE JURISDICTIONAL WORK HAS BEEN COMPLETED AND THE ENTIRE SITE HAS BEEN PROPERLY STABILIZED UPON APPROVAL OF THE WORK SUBJECT TO THE ORDER OF CONDITIONS. THE APPLICANT IS TO RECEIVE A CERTIFICATE OF COMPLIANCE THAT IS TO BE RECORDED AT THE WORCESTER REGISTRY OF DEEDS.

GENERAL CONSTRUCTION SEQUENCE

- ADVANCEMENT OF ROADWAY CONSTRUCTION AND ASSOCIATED INFRASTRUCTURE SHALL FOLLOW THE GENERAL SEQUENCE NOTED BELOW.
- 1) THE LIMITS OF CLEARING SHALL BE STAKED OUT PRIOR TO ANY CONSTRUCTION.
 - 2) INSTALL EROSION CONTROL BARRIERS AS DEPICTED HEREON.
 - 3) THE CONTRACTOR SHALL COORDINATE A SITE MEETING WITH THE TOWN OF LEICESTER PLANNING BOARD AGENT (GRAZ ENGINEERING, L.L.C.), CONSERVATION COMMISSION REPRESENTATIVE, HIGHWAY DEPARTMENT, AND GRAZ ENGINEERING, L.L.C. FOR REVIEW AND APPROVAL OF THE EROSION CONTROLS & LIMIT OF WORK FOR THE PROJECT PRIOR TO ANY TREE CLEARING AND CONSTRUCTION ACTIVITIES.
 - 4) CLEAR THE AREAS FOR THE TEMPORARY SEDIMENT BASINS AND TEMPORARY SNAILES FOR THE PROJECT AND START CONSTRUCTION OF EACH.
 - 5) COMPLETE CLEARING WITHIN LIMITS OF WORK FOR PROJECT.
 - 6) STRIP AND STOCKPILE TOPSOIL FOR WITHIN ROADWAY AND DRAINAGE BASIN AREAS. STABILIZE TOPSOIL NOT SUBJECT TO IMMEDIATE USE WITH A TEMPORARY SEEDING MIXTURE. ALL STOCKPILES SHALL BE RIMMED WITH SILT FENCE.
 - 7) MASS GRADING - PERFORM EARTHWORK OUT TO FILLS FOR ROADWAY AND DRAINAGE BASIN AS DEPICTED HEREON. STABILIZE DISTURBED AREAS BY HAY AND SEED IN ACCORDANCE WITH THE ORDER OF CONDITIONS.
 - 8) INSTALL INFRASTRUCTURE IMPROVEMENTS FOR THE PROJECT (INCLUDING ROADWAY & RIGHT-OF-WAY GRADING, STORM WATER BASIN, ETC.) AS DEPICTED HEREON.
 - 9) LOT DEVELOPMENT AND HOME-BUILDING.

LEGEND

- 328 — EXISTING CONTOURS
- 328 — MASS GS CONTOURS SK_ARC
- 328 — DESIGN CONTOURS
- +867.0 DESIGN GRADES
- — — SILENCE
- WATILES
- LIMIT OF WORK

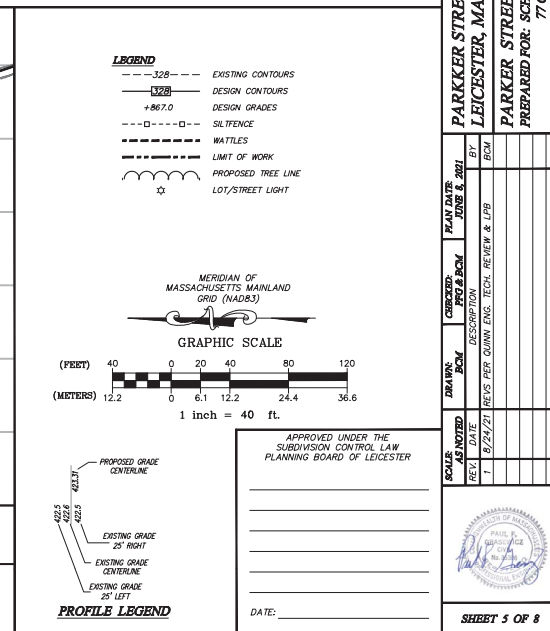
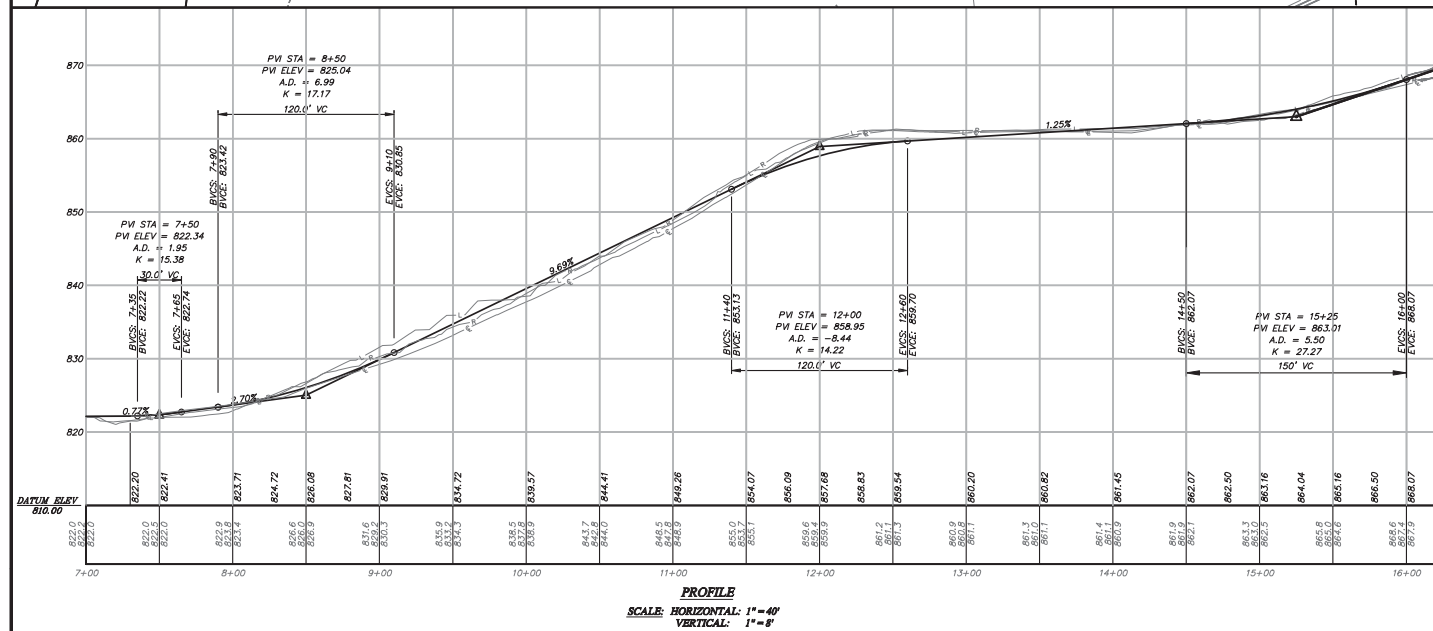


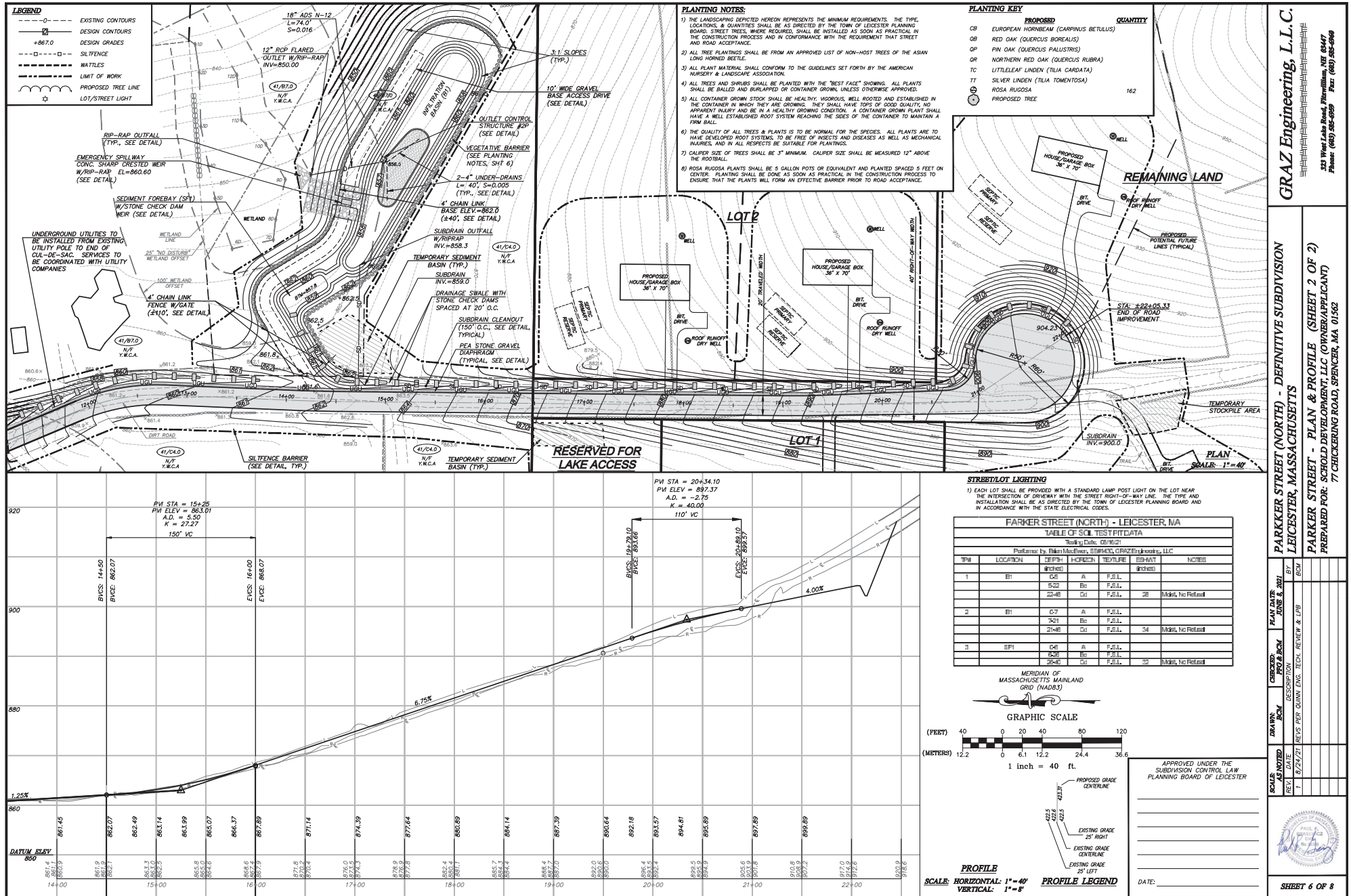
APPROVED UNDER THE
 SUBDIVISION CONTROL LAW
 PLANNING BOARD OF LEICESTER

DATE: _____

PLAN DATE	ZONE	BY	DATE
2/24/21	REVIEW & LTR		
2/24/21	REVIEW & LTR		







GRAZ Engineering, L.L.C.

533 West Lake Road, Westfield, MA 01087
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**PARKER STREET (NORTH) - DEFINITIVE SUBDIVISION
LEICESTER, MASSACHUSETTS**

**PARKER STREET - PLAN & PROFILE (SHEET 2 OF 2)
PREPARED FOR: SCHOOLD DEVELOPMENT, LLC (OWNER/APPLICANT)
77 CHICKERING ROAD, SPENCER, MA 01562**

PLAN DATE	DESIGNED BY	BY	DATE
2018.8.2011	BM	BM	
CHECKED BY	DATE	DATE	DATE
BM	8/24/21	BM	
SCALE	DATE	DATE	DATE
1" = 40'	8/24/21	BM	



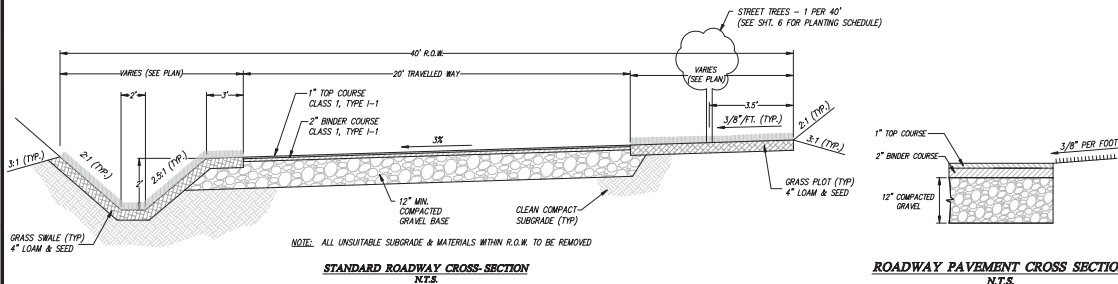
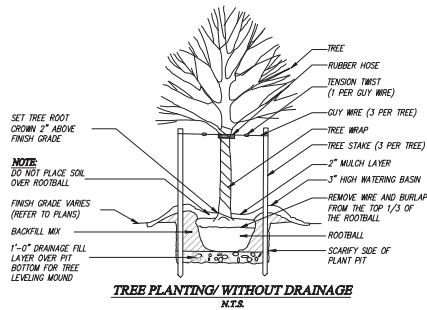
SHEET 6 OF 8

GENERAL CONSTRUCTION NOTES

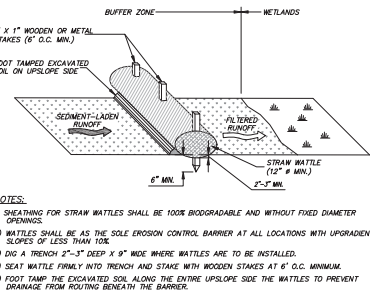
- 1) ALL REQUIRED PERMITS SHALL BE SECURED PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITIES.
- 2) THE TOWN OF LEICESTER CONSERVATION COMMISSION'S ORDER OF CONDITIONS ARE HEREBY MADE CONDITIONS OF THE JURISDICTIONAL WORK FOR THIS PROJECT.
- 3) AT LEAST 10 DAYS PRIOR TO COMMENCING ANY CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY THE TOWN LEICESTER PLANNING BOARD, CONSERVATION COMMISSION, BUILDING DEPARTMENT, HIGHWAY DEPARTMENT, & BOARD OF HEALTH, GRAZ ENGINEERING, LLC, AND QUINN ENGINEERING, INC.
- 4) IN ACCORDANCE WITH CHAPTER 82, SECTION 40, INCLUDING AMENDMENTS, ALL CONTRACTORS SHALL NOTIFY IN WRITING ALL UTILITY COMPANIES AND GOVERNMENT AGENCIES PRIOR TO ANY EXCAVATION WORK AND CALL DIG-SAFE AT 1-888-344-7233, 72 HOURS BEFORE ANY EXCAVATION.
- 5) THE LOCATION OF ALL UNDERGROUND UTILITIES SHOWN HEREON, ARE APPROXIMATE AND ARE BASED ON THE FIELD LOCATION OF THE OBSERVABLE STRUCTURES SUCH AS CATCH BASINS, MANHOLES, WATER GATES, ETC. AND THE COMPLETION OF INFORMATION OBTAINED FROM VARIOUS UTILITY COMPANIES, AND GOVERNMENT AGENCIES. THE ENGINEER DOES NOT GUARANTEE THAT ALL UTILITIES AND SUB-SURFACE STRUCTURES ARE SHOWN. THE CONTRACTOR SHALL VERIFY SIZE, LOCATION, AND INVERT ELEVATIONS OF THE UTILITIES AND STRUCTURES, PRIOR TO THE START OF CONSTRUCTION.
- 6) ALL WORK AND MATERIALS SHALL CONFORM TO THE TOWN OF LEICESTER SUBDIVISION RULES & REGULATIONS, ZONING BYLAWS, PLANNING BOARD DECISIONS, CONSERVATION COMMISSION ORDERS, & HIGHWAY DEPARTMENT STANDARDS, AND THE LATEST EDITION OF THE MASSACHUSETTS HIGHWAY DEPARTMENT OF PUBLIC WORKS (MHDWP) CONSTRUCTION STANDARDS AND THE MHDWP "STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES" AND ALL OF THEIR RESPECTIVE AMENDMENTS, UNLESS OTHERWISE SPECIFIED BY THE LOCAL AUTHORITY OR THE ENGINEER.
- 7) THE CONTRACTOR SHALL COORDINATE ALL UTILITY AND ROADWAY CONSTRUCTION WITHIN THE TOWN RIGHT-OF-WAYS WITH THE HIGHWAY DEPARTMENT SUPERINTENDENT AND/OR THE APPROPRIATE UTILITY COMPANY.
- 8) THE CONTRACTOR SHALL PROVIDE EVERYTHING NECESSARY TO CONSTRUCT THE UTILITIES AND ROADWAY WITHIN THE SPECIFIED PARAMETERS AND IN A WORKMANSHIP LIKE MANNER.
- 9) THE CONTRACTOR SHALL NOTIFY THE ENGINEER IF ANY DISCREPANCIES ARE OBSERVED BETWEEN THE EXISTING CONDITIONS DEPICTED HEREON AND THE FIELD VERIFIED CONDITIONS.
- 10) THE CONTRACTOR SHALL CONTROL AIRBORNE DUST WITH USE OF SPRAYED WATER AS REQUIRED TO MINIMIZE THE IMPACTS TO NEIGHBORING PROPERTIES. THE USE OF CALCIUM CHLORIDE OR OTHER CHEMICALS ARE PROHIBITED.
- 11) THIS ROADWAY PROJECT SHALL BE BUILT ALL IN ONE PHASE. IF AT ANY TIME SHOULD THE DEVELOPER DECIDE TO CONSTRUCT THE PROJECT IN PHASES, A CONSTRUCTION SEQUENCING PLAN SHALL BE SUBMITTED TO THE PLANNING BOARD FOR REVIEW AND APPROVAL PRIOR TO COMMENCING ANY CONSTRUCTION ACTIVITIES.
- 12) ALL PROPOSED LOTS ARE TO BE SERVICED BY PRIVATE ON-SITE SEPTIC AND WELLS.
- 13) THE TEST PITS FOR THE PROPOSED STORMWATER INFILTRATION BASIN SHALL BE PERFORMED PRIOR TO THE COMMENCEMENT OF ANY ROADWAY CONSTRUCTION.
- 14) BACK FILL FOR UTILITY TRENCHES SHALL BE PLACED IN 12-INCH LOOSE LIFTS AND COMPACTED TO 95 PERCENT DRY DENSITY, IN ACCORDANCE WITH ASTM DESIGNATION 1557-70 METHOD D.
- 15) "GRAVEL BASE" MATERIALS SHALL CONFORM WITH THE CURRENT TOWN SUBDIVISION REGULATIONS AND THE 1997 MASSACHUSETTS HIGHWAY DEPARTMENT STANDARD SPECIFICATIONS FOR HIGHWAYS AND BRIDGES. M1.03.0 TYPE "B" GRAVEL SHALL BE USED AND PLACED IN CONFORMANCE WITH MASS DOT SECTION 401.
- 16) TOP COURSE, BINDER COURSE, & MODIFIED CAPE COD BERM SHALL BE CLASS 1, TYPE I-1 (M3.11.0 & M3.12.0), PLACED IN ACCORDANCE WITH MASS DOT SECTION 460.
- 17) PLACE 4" OF LOAM AND SEED IN ALL DISTURBED AREAS OF THE PROJECT NOT OTHERWISE IMPROVED (E.G. PAVED, RIP-RAPPED, ETC.).
- 18) ALL PROPOSED GRADES SHALL BE GRADED SMOOTHLY AND EVENLY INTO THE EXISTING GRADES AND PROVIDE POSITIVE DRAINAGE. THE TOPS AND BOTTOMS OF ALL SLOPES SHALL BE ROUNDED OFF.
- 19) THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING ADEQUATE RECORDS OF THE LOCATION AND ELEVATION OF ALL WORK INSTALLED, INCLUDING TIES TO SERVICE LATERALS, AND SUBMIT ONE SET OF RED-LINED AS BUILT DRAWINGS TO THE ENGINEER OF RECORD.
- 20) FINAL DRIVEWAY LOCATIONS SHALL BE DETERMINED BY DEVELOPER DURING CONSTRUCTION. CURB CUTS AND DRIVEWAY OPENINGS SHALL BE COORDINATED WITH THE HIGHWAY DEPARTMENT SUPERINTENDENT AND COMPLY WITH THE TOWN DPW & SUBDIVISION REGULATIONS.

DEMOLITION NOTES

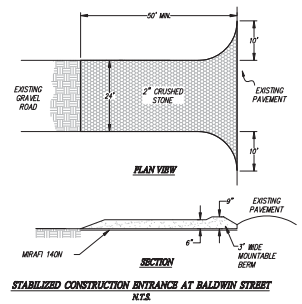
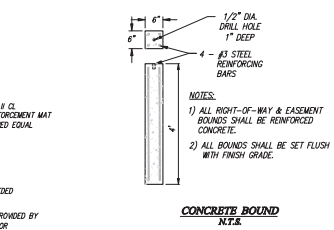
- 1) THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT THE EXISTING UTILITIES AND MAINTAIN UNINTERRUPTED SERVICES. ANY DAMAGE TO THE EXISTING UTILITIES BY THE CONTRACTOR'S OPERATION SHALL BE IMMEDIATELY AND COMPLETELY REPAIRED AT THE CONTRACTOR'S EXPENSE.
- 2) THE CONTRACTOR SHALL SAW CUT THE EXISTING BITUMINOUS PAVEMENT ON PARKER STREET WHERE REQUIRED TO CONSTRUCT AND SMOOTHLY BLEND THE PROPOSED ROADWAY AND WITH THE EXISTING PAVEMENT.
- 3) ALL EXISTING FEATURES TO BE REMOVED SHALL BE REMOVED IN THEIR ENTIRETY AND DISPOSED OF LEGALLY OFF SITE UNLESS NOTED OTHERWISE.
- 4) THE CONTRACTOR SHALL COORDINATE WITH RESPECTIVE GOVERNMENT AGENCIES AND UTILITY COMPANIES FOR DETAILS ON THE TEMPORARY REMOVAL, RELOCATION, AND ABANDONMENT OF ALL OVERHEAD AND UNDERGROUND UTILITY SERVICES INCLUDING ELECTRICAL, COMMUNICATIONS, WATER, SEWER, DRAINAGE, CATV, AND GAS.
- 5) THE TREE CLEARING LIMITS SHALL NOT EXTEND BEYOND THE HAYBALE/SILT FENCE BARRIER. AREAS OF EXISTING VEGETATION TO REMAIN ARE TO BE PROTECTED THROUGHOUT CONSTRUCTION. REVIEW THE ACTUAL LIMITS OF CLEARING WITH THE OWNER, AND SELECTIVELY CLEAR AND PRUNE AS REQUIRED TO REMOVE DEAD, DISEASED, OR POORLY FORMED VEGETATION.



ROADWAY PAVEMENT CROSS SECTION
N.T.S.



ACCESS & STORM WATER BASIN BERM DRIVE CROSS-SECTION
N.T.S.



- NOTES:**
- 1) SILT FENCE SHALL BE THE SOLE EROSION CONTROL BARRIER AT ALL LOCATIONS WITH UPGRADIENT SLOPES OF EQUAL OR GREATER THAN 10% AND AROUND ALL STOCKPILES.
 - 2) DO A TRENCH 4" DEEP X 4" WIDE WHERE SILT FENCE IS TO BE INSTALLED.
 - 3) SEAT THE SILT FENCE AGAINST THE DOWNGRADIENT SIDE OF THE TRENCH WITH THE BASE OF THE FENCING FABRIC SEATED INTO BOTTOM OF THE TRENCH.
 - 4) STAKE WITH WOODEN STAKES AT 15' MAXIMUM ON CENTER.
 - 5) FOOT TAMP THE EXCAVATED SOIL ALONG THE ENTIRE UPSLOPE SIDE THE SILT FENCE TO PREVENT DRAINAGE FROM ROUTING BENEATH THE BARRIER.
- SILT FENCE EROSION CONTROL BARRIER DETAIL**
N.T.S.

APPROVED UNDER THE
SUBDIVISION CONTROL LAW
PLANNING BOARD OF LEICESTER

DATE: _____

GRAZ Engineering, L.L.C.
533 West Lake Road, Framingham, MA 01947
Phone: (603) 555-0099 Fax: (603) 555-0098

**PARKER STREET (NORTH) - DEFINITIVE SUBDIVISION
LEICESTER, MASSACHUSETTS**
CONSTRUCTION NOTES & DETAILS
PREPARED FOR: SCHOOL DEVELOPMENT, LLC (OWNER/APPLICANT)
77 CHICKERING ROAD, SPENCER, MA 01562

PLAN DATE	REVISION	BY	DATE
08/28/2011			
09/24/21			





Town of Leicester PLANNING BOARD

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

75
DRAFT

Draft for discussion 9/2/2021

CERTIFICATE OF DECISION OF A DEFINITIVE SUBDIVISION PLAN & STORMWATER PERMIT

Date:

Project Name: Parker Street (North)

File #: DSUB2021-01

Applicant(s): Schold Development, LLC
Attn: Matthew Schold
77 Chickering Road
Spencer, MA 01562

Owner(s): Same as Applicant

Location: Parker Street, off Pine Street, Map 42 - Parcel A1.0 & B1.0

Deed Reference: Book 60004/Page 48

Water & Sewer: private wells & septic

Zoning District: Suburban Agriculture (SA)

Applicable Subdivision Regulations: September 20, 2006

Number of Lots: 3 (with potential for 5)

Subject: Application for approval of a Definitive Subdivision Plan and Stormwater Permit

A. *PROCEDURAL HISTORY:*

1. The Planning Board approved a Preliminary Plan for this project on August 4, 2020.
2. The Applicant submitted a Definitive Subdivision Plan application (application forms, plans, stormwater report, and fee) to the Town of Leicester on June 9, 2021.
3. The Board received the following written comments during the review process:
 - a. Comment letters from Quinn Engineering dated July 6, 2021, and September 1, 2021.
 - b. Comments from the following Boards and Departments: Highway Department, Police Department, and Town Planner.
 - c. Comments from the DCR Service Forester
4. A public hearing was opened on July 20, 2021. The hearing was continued to the following dates: August 17, 2021 (no discussion), August 31, 2021, and September 7, 2021. The hearing was closed on _____. At each hearing date opportunity was given to all those interested to be heard in favor of or opposition to such application.

B. PROJECT DESCRIPTION:

The subject property (72.7± acres) and the proposed new lots shown on the above-referenced plan are located on an unimproved and unpaved portion of Parker Street between Pine Street and Baldwin Street. The project is an extension of extension to the south of the existing portion of Parker Street that was improved and laid out by the Town of Leicester in 2004 as depicted in Worcester District Registry of Deeds Plan Book 807, Plan 10. The project area has been the subject of multiple applications to the Planning Board and Zoning Board of Appeals between 2003 – 2021. As it stands, the Town has determined that approval of roadway improvements under the Subdivision Control Law are required to create new building lots along this section of Parker Street.

The current proposal is development of an extension of Parker Street (from the Pine Street side) with 3 new lots with frontage on that that roadway (Lot 1, Lot 2, and Remaining Land). Lot 2 and the Remaining Land lot both have enough frontage to be split into 2 lots each. Without restriction, the total number of available lots on the new roadway would be 5. There is also potential for development of additional lots on the adjacent land owned by the YWCA (some on the existing paved portion of the roadway).

The existing graveled and dirt travelled way is proposed to be laid out and developed into a dead-end cul-de-sac (±2,250' dead-end distance from Pine Street; improved portion ±1,480') with a 20-foot wide paved roadway that is proposed to be submitted to the Town for acceptance as a public way upon completion. The project would also improvements of a portion of the currently paved 18' wide section of Parker Street to transition to the new section. Conservation Commission approval is also required for this project.

C. DECISION:

1. It is hereby certified by the Planning Board of the Town of Leicester, Massachusetts, that at the regular meeting of said Planning Board held on _____, it was voted to **approve/disapprove** a Definitive Subdivision Plan entitled:

Parker Street (North) Definitive Subdivision Plan Leicester, Massachusetts, prepared by Graz Engineering, Inc. (Engineer & Surveyor) and EBT Environmental Consulting (Environmental Consultant), dated June 8, 2021, revised through August 24, 2021. The set of plans contains the following sheets:

Sheet Title	Sheet Number	Registry Sheet Number
Cover Sheet	1	1 of 3
Key Plan and Notes	2	2 of 3
Lot Layout Plan	3	3 of 3
Erosion Control Plan	4	n/a
Parker Street Plan & Profile (Sht 1 of 2)	5	n/a
Parker Street Plan & Profile (Sht 2 of 2)	6	n/a
Construction Notes & Details	7	n/a
Drainage Details	8	n/a

2. The Board's decision is based on the above-referenced plan, and all submittals from the applicant, including the following:

- a. Hydrology & Stormwater Management Report, Proposed Parker Street Definitive Subdivision, prepared by Graz Engineering, Inc., dated June 8, 2021, revised August 24, 2021.

Approval by Board of Health is by failure to report.

D. WAIVERS

The Board **approved/disapproved** the following waivers from the Leicester Subdivision Rules & Regulations (hereafter referred to as the “Subdivision Regulations”) after finding such waivers are in the public interest and not inconsistent with the Subdivision Control Law:

1. Section V.A.2.a. & Section VI.A.2: minimum width of travelled way, 28' min. required; to allow a travelled way width of 20'. [Note: Approved on preliminary plan]
2. Section V.A.4.a: maximum length of dead-end cul-de-sac, 500' min. required: to allow dead-end street length of $\pm 2,205'$. [Note: 2,150' approved on preliminary plan]
3. Section V.C: Drainage; to waive the requirement for a conventional catch basin roadway drainage system and allow the proposed roadway drainage system to be comprised of grassed roadway shoulder drainage swale consistent with the most northerly section of Parker Street as designed by the State for the Town of Leicester around 2003-2004. [Note: Approved on preliminary plan, subject to the requirement that the Applicant fully address comments from the Town Engineer to adequately address stormwater.]
4. VI.E.3: street lighting shall be required; **to allow street lighting to be installed as stipulated in this written Planning Board Decision and as shown on the plans.** [Note: not included in waivers at preliminary approval]
5. Section V.A.4.a. & VI.G.1: sidewalks shall be installed on both sides of the roadway; to allow for no sidewalk installation. [Note: Approved on preliminary plan]
6. Section VI.L: street shade trees shall be installed on both sides of the roadway; **to allow for street tree plantings to be installed as stipulated in the written Planning Board Decision and as shown on the plan.** [Note: not included in waivers at preliminary approval.]
7. VI.E.: all wiring cables and other appurtenances of electric power, and telephone shall be placed underground; to permit overhead utilities on a portion of the proposed roadway where such utilities are already existing above-ground. [Note: This is consistent with the preliminary approval. Waiver may not technically be required for existing utilities, but I've included it to make sure it's covered.]

E. CONDITIONS

The Planning Board's decision is subject to the following conditions and modifications:

Items Required Prior to Construction

1. As soon as practical following the 20-day appeal period after this Decision is filed with the Town Clerk, the Applicant shall provide a full set of plans for the Board's endorsement. The Applicant shall provide an original (mylar) of sheets to be recorded and **2 paper copies [do we need 2?]** of the full set of plans (including survey sheets). Additional copies may be requested if plans do not appear to match approved plans and/or if copies are needed for outside review. Such plans must be submitted to the Planning Board a minimum of one

week prior to a scheduled Board meeting. Failure to submit plans for endorsement within 90 days from the date of approval shall constitute sufficient reason for rescission of approval.

2. The Applicant shall be solely responsible for ensuring that plans presented for endorsement comply with Registry of Deeds recording requirements. The plans to be recorded shall reference a) this Decision, b) the performance guarantee for the project, and c) the deadline for completion in accordance with Section III.B.8. Plans to be recorded may be re-numbered to comply with recording requirements, but no other changes may be made to the plans except where allowed as part of this Decision.
3. Prior to endorsement of the Board's approval of the plan, the Applicant will be required to provide a performance guarantee to secure the construction of ways and installation of services (Subdivision Regulations §III.B.3 and MGL Ch. 41, §81U). The performance guarantee shall be submitted a minimum of one week prior to a scheduled Board meeting.
4. Prior to endorsement, the Applicant shall also submit digital copies of the final set of plans (both .pdf and AutoCAD, Subdivision Regulations §III.B.1.d).
5. After the Plan has been endorsed (signed) by the Planning Board, the Applicant shall provide the Planning Board with one full-size, two 11" x 17" or 12" x 18", and a .pdf copy of the signed plans.
6. This Decision shall not take effect until recorded at the Registry of Deeds and evidence of such recording is provided to the Planning Board. The Applicant shall provide the Board with a copy of the Plan, this Decision, and the performance guarantee, as recorded at the Registry of Deeds, indicating date of recording, book and page number. No construction activity may commence at the site until and unless the Decision, Plan, and Performance Guarantee are recorded at the Registry of Deeds and evidence of same is provided to the Planning Board. The copy of the recorded plan may be submitted on 8½" x 11" sheets or other size acceptable to the Planning Board. Failure to record endorsed plans within 6 months of endorsement shall constitute sufficient reason for rescission of approval §III.B.8.
7. The Applicant shall submit a construction schedule prior to commencement of work at the site, in accordance with the Planning Board's Minimum Construction Program Requirements.

If applicable, include condition(s) requiring any minor changes on plans prior to endorsement (street trees?, street lights?, changes to notations on lot development restrictions, revised plans to correct the issues with infiltration basin B1, etc.)

Items Required Prior to Lot Releases or Building Permits

8. Submittal of a plan that clearly shows both lot numbers and street address numbers on a single plan.
9. Submittal of a Performance Guarantee other than a Covenant, in compliance with §IV of the Subdivision Regulations and MGL Ch. 41, §81U is required prior to any lot releases.

10. No lots shall be released until the base coat of pavement has been installed and inspected to the satisfaction of the Town Engineer and electric lines are installed.
11. All stormwater management facilities and associated structures, including pipe, loaming, and seeding, shall be completed, and stormwater runoff suitably controlled, to the satisfaction of the Planning Board prior to the release of any lot within that portion of the subdivision.
12. No lots shall be released until such lots have the approval of the Conservation Commission (where required).
13. [If applicable]. No lot releases be issued until water cistern(s) and/or fire hydrant(s) are installed to the satisfaction of the Fire Department. The Applicant shall coordinate the final cistern configuration with the Fire Department prior to ordering the tank.
14. No building or structure shall be placed on any lot without the consent of the Board of Health. Approval by the Planning Board of this plan shall not be treated as, nor deemed to be, approval by the Board of Health for a permit for construction and use on any lot.
15. The applicant must submit a streetlight plan to the Planning Board for approval within six (6) months of the date of Planning Board endorsement of the approved plan and prior to any lot releases. Such plan shall clearly show the location of streetlights on a single sheet, and provide detail of the type of streetlights. The Applicant may submit a written request for extension of this deadline. [Modify as needed depending on details of streetlighting.]

Items required prior to Occupancy Permits

16. Street signs and stop signs, as applicable, shall be installed prior to issuance of occupancy permits.
17. Final street speed limit issues and appropriate signage shall be coordinated with the Police Department and Highway Department and installed prior to occupancy permits.
18. Street lights for individual lots, in accordance with condition # _____ (below) shall be installed prior to occupancy.

Project Specific Conditions

19. Restriction on subdividing/extension of roadway [still working on this language.]
20. The applicant shall provide *Rosa Rugosa* plantings and/or fencing around the entire perimeter of the detention basins. Where used, *Rosa Rugosa* (5 gallon pots or equivalent) shall be planted spaced 5 feet apart on center. Planting shall be done as soon as practical in the construction process to ensure that the plants will form an effective barrier prior to road acceptance. Fencing, where provided shall be subject to the approval of the Highway Superintendent. [modify to reflect revised plans-rosa rugosa only on a portion of perimeter]
21. Street trees shall be planted as shown on the plans. The Applicant shall leave existing large trees undisturbed to the maximum extent feasible and may leave existing trees in lieu of

planted street trees at the discretion of the Planning Board. The final quantities and locations of proposed street trees shall be coordinated during construction and adjusted as necessary based on existing trees that can be retained. Street trees, where required, shall be installed as soon as practical in the construction process and in conformance with the requirement that street trees be in place for at least 1 winter season prior to final release of surety and road acceptance.

22. Each lot shall be provided with a standard lamp post light on the lot near the intersection of driveway with the street right-of-way line. The type and installation shall be as directed by the Town of Leicester Planning Board. [modify as needed based on final streetlight decision]

General Conditions

23. The name of the roadway, Parker Street, shall not be changed without the approval of the Planning Board. After the road is accepted as a public way, any name change must be approved by the Board of Selectmen.
24. All road maintenance, including but not limited to snowplowing, is the responsibility of the Applicant until such time as the road is accepted as a public way.
25. 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. No construction activity shall take place on Sundays or legal holidays.
26. Final design and construction shall be in conformance to the plans approved by the Planning Board (referenced above), except where such plan(s) are specifically modified under the conditions included as part of this Decision.
27. The applicant shall comply with the Planning Board's Minimum Construction Program Requirements for Approved Definitive Plans: Notice to Applicants.
28. Soil erosion shall be prevented before it occurs, and it shall be the Applicant's responsibility not to undertake more work than can be safely and adequately controlled. Areas that cannot be restored or stabilized immediately shall be mulched immediately to prevent any potential erosion or sedimentation.
29. The project shall be constructed in accordance with all applicable provisions of the Leicester Zoning By-Laws and Subdivision Regulations.
30. All lots within the subdivision shall conform to the dimensional requirements of the Leicester Zoning Bylaw and shall not be modified to create Limited Frontage Lots (Leicester Zoning Bylaws, Section 1.3).

31. Construction debris and trash generated during construction shall be removed from the site quickly. At no time shall debris be allowed to become wind blown throughout the site or adjacent properties. Dumpsters or similar structures will be emptied and maintained appropriately and not show evidence of overflowing their capacity.
32. This approval shall not be treated as, nor deemed to be, assurance of compliance with wetlands laws regulated by the Conservation Commission. If there is any inconsistency between the approved subdivision plan and plans as may be approved by the Conservation Commission, the applicant shall submit an amended plan to the Planning Board for approval.
33. Granting of this 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.
34. Construction shall commence within two (2) years from the date of endorsement and completion of all construction of all ways and installation of all municipal services in accordance with applicable rules and regulations shall be within five (5) years from the date of endorsement. Failure to comply will result in automatic rescission of the approval of the plan. The time for such construction and/or installation may be extended upon the written request of the applicant, for good cause shown, prior to the expiration of the approval period, and upon a vote of the majority of the Planning Board. In all cases, failure by the applicant to commence construction of ways and services shown on the Definitive Plan within five (5) years from the date of endorsement shall result in the automatic rescission of the approval (§III.B.8).
35. If at any time prior to the completion of the project the Planning Board finds the performance guarantee to be inadequate to secure the remaining work, the Planning Board will pursue all legal means allowed to address the situation, including issuance of a cease and desist order for all construction activity and initiation of rescission of approval for the project. Any deadlines contained herein shall not be extended without a sufficient performance guarantee on the project.
36. **The Applicant shall be solely responsible for meeting all deadlines and/or requesting extensions to such deadlines as specified in this Decision.**

F. APPEALS

The Planning Board should be notified immediately of any appeals made to the Superior or Land Court about this decision within the statutory twenty (20) day appeal period, which is counted from the date of filing of this decision with the Leicester Town Clerk's office.

g:\town planners office\subdivisions\parker street north (2020)\decisions\parker street definitive decision draft.docx

RECORD OF VOTE

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

Jason Grimshaw, Chair

James Reinke, Vice Chair

Sharon Nist

Jaymi-Lynn Souza

Joshua Campbell

Copy of Decision sent to:

Applicant

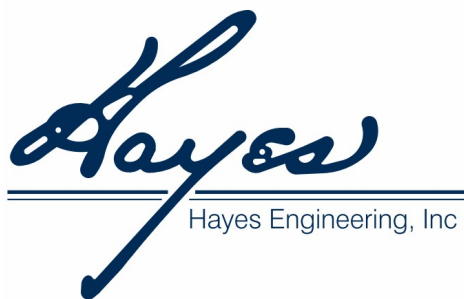
Owner

Town Administrator

Building Inspector

Quinn Engineering

Assessors Office



603 Salem Street
Wakefield, MA 01880
Tel: (781) 246-2800
Fax: (781) 246-7596

Nantucket, MA 02554
Tel: (508) 228-7909

Refer to File No. LEI-0001

July 1, 2021
Revised August 30, 2021

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

RE: #488 Stafford Street
Proposed Non-Retail Marijuana Establishment

Dear Members of the Planning Board:

Hayes Engineering, Inc. (HEI) is in receipt of the review prepared by Carl Hultgren, PE of Quinn Engineering, Inc. for the abover referenced project dated June 14, 2021. Quinn Engineering, Inc.'s comments appear in italic font below followed by the HEI response in plain type, below:

1. *A wavier is requested to not require a stormwater management report. On the proposed site plan, the existing area to the north of the building is mistakenly identified as paved. This area actually has a gravel finish and is not paved. The Applicant must clarify if this area is proposed to be paved as part of the parking improvements because that may affect runoff from the site and may require a Stormwater Permit. It is recommended that a stormwater report be submitted if an increase in impervious area is proposed. (SPRR II. H, Zoning Bylaw 5.2.05.F, Stormwater Regulations).*

The applicant will retain the existing surface which is gravel and reclaimed asphalt product (RAP). The applicant will retain a similar surface as this area will be solely for employee parking. A waiver is requested to the Stormwater Report and any condition(s) the Board may wish to impose that require that a Stormwater Report be submitted in the future should the surface be paved is amenable to the Applicant.

2. *Sheet 1 of the proposed site plan identifies that the boundary information and building location are not the result of an actual field survey. There are no exterior changes proposed to the existing building. The Board should note that these existing conditions are not based on field survey. (SPRR II.F.1)*

The Applicant is not seeking to modify the existing site conditions excepting the following:

- Removal of gravel and installation of loam and seed to better define the northerly parking area; and
- Delineation of an ADA / Massachusetts AAB compliant accessible space.



Leicester Planning Board
RE: 488 Stafford Street
July 1, 2021
Revised August 30, 2021

3. *Review by the Board of Health must be conducted in order to confirm the adequacy of the existing leaching area components, public water supply thresholds, etc. (SPRR II.I.2, Zoning Bylaw 5.2.05.E)*

The Applicant will comply with all Board of Health requirements and 310 CMR 15.00, State Environmental Code, Title V.

4. *Common access/egress driveways must be 25 feet wide per IV.C of the Parking Regulations. The existing driveway from Stafford Street is a common driveway serving the property at #488 and the property at #490. The proposed site plan identifies that the driveway is approximately 16 feet wide at the narrowest point. The Board should note that the existing driveway does not meet the width requirement in the regulations. (Parking Regulations IV.C)*

The Applicant contends this is an existing non-conforming condition that has not created issues with the existing uses. The access drive is bordered by steep slopes and increasing the width may require the construction of walls or other stabilized grading.

5. *The proposed accessible parking space and aisle must meet the MAAB and ADA requirements for slope, signage, etc. (Parking Regulations IV.D)*

The Applicant intends to comply with MAAB and ADA requirements and is amenable to any such condition.

6. *There appears to be little to no existing lighting on site. The application identifies that the facility is expected to operate between the hours of 6 AM and 11 PM. It is recommended that the Applicant clarify what type of lighting will be installed. The Board may wish that the Applicant prepare a photometric plan to demonstrate the lighting requirements are met. (Parking Regulations IV.G, Zoning Bylaw 5.2.05.G & 5.15.02.J)*

The Applicant will provide building mounted, dark-sky compliant, LED light fixtures at the Board's request. Late shifts will use the southerly parking area. The Applicant has provided a photometric plan as Sheet 3 of 3 of the Site Plan.

7. *The Applicant must clarify if signage will be proposed. (Zoning Bylaw 5.15.02.C)*

The Applicant is proposing wayfinding signage only utilizing the existing signage at Stafford Street.

8. *The Applicant must clarify if ventilation/odor control will be proposed. (Zoning Bylaw 5.15.02D)*

The Applicant is proposing ventilation and odor control that will meet or exceed the requirements of the Cannabis Control Commission (CCC) and will be subject to CCC architectural review. The Applicant is amenable to any such conditions requiring documentation of said review and approval. The Applicant is only proposing the



Leicester Planning Board
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manufacture of cannabis infused edibles made with cannabis distillate purchased wholesale. There is limited odor associated with this activity.

9. *The Applicant must clarify what type of security will be proposed. (Zoning Bylaw 5.15.02.E)*

The Applicant will meet or exceed all security requirements established by the CCC. A comprehensive security plan is required for CCC approval; typically, the contents of the security plan are not provided as part of the public record as an additional security precaution. The Applicant is amenable to any such conditions requiring documentation of said review and approval.

We trust this information to be sufficient to allow the Board to discuss the project at its next hearing. Thank you for your time and attention to this matter.

Sincerely,

HAYES ENGINEERING, INC.

Anthony M. Capachietti
Project Manager



OWNER:
 488 LAND HOLDINGS, LLC
 4 SQUARING STREET
 CHESHAM, MA 01514

APPLICANT:
 488 LAND HOLDINGS, LLC
 4 SQUARING STREET
 CHESHAM, MA 01514

DEED REFERENCE:
 30 HENLOCK STREET
 BRISTOL, MASSACHUSETTS 02302

ASSESSOR'S REFERENCE:
 30 HENLOCK STREET
 BRISTOL, MASSACHUSETTS 02302

DEED REFERENCE:
 30 HENLOCK STREET
 BRISTOL, MASSACHUSETTS 02302

PLAN REFERENCE:
 30 HENLOCK STREET
 BRISTOL, MASSACHUSETTS 02302

GENERAL NOTES:

1. BOUNDARY INFORMATION AND BUILDING LOCATIONS DERIVED HEREON ARE NOT THE RESULT OF AN INDEPENDENT SURVEY, BUT ARE BASED ON THE INFORMATION PROVIDED BY THE OWNER AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE.
2. NON-RECORD INFORMATION, REPORTED HEREON, TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) LIDAR TOPOGRAPHY AS PROVIDED BY MASSDOT, THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED BY VISUAL INSPECTION AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE.
3. THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED BY VISUAL INSPECTION AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE. THE SURVEYOR HAS NOT CONDUCTED A UTILITY LOCATING SERVICE. UTILITIES SHOWN COMPREHEND ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. THE SURVEYOR HAS NOT CONDUCTED A UTILITY LOCATING SERVICE. UTILITIES SHOWN COMPREHEND ALL SUCH UTILITIES IN THE AREA EITHER IN SERVICE OR ABANDONED. THE SURVEYOR HAS NOT CONDUCTED A UTILITY LOCATING SERVICE.
4. THE ENGINEER DOES CERTIFY THAT THEY ARE NOT PROVIDING ANY INFORMATION AS POSSIBLE FROM THE INFORMATION AVAILABLE.
5. THE ENGINEER DOES CERTIFY THAT THEY ARE NOT PROVIDING ANY INFORMATION AS POSSIBLE FROM THE INFORMATION AVAILABLE.
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10. THE ENGINEER DOES CERTIFY THAT THEY ARE NOT PROVIDING ANY INFORMATION AS POSSIBLE FROM THE INFORMATION AVAILABLE.

Site Plan in LEICESTER, MASS.

Hayes Engineering, Inc.
Civil Engineers & Land Surveyors
603 Salem Street
Wakefield, MA 01880
Telephone: 781-246-3800
Facsimile: 781-246-7596
www.hayeseng.com

Scale: 1" = 20'
0' 10' 20' 40' 60'
Rev. August 30, 2021
May 20, 2021

488 STAFFORD STREET Sheet 2 of 2 - Site Plan

ZONE: BUSINESS INDUSTRIAL 1 (B1)

MINIMUM SETBACKS:

FRONT = 30 feet
SIDE = 10 feet
REAR = 40 feet
MIN. FRONTAGE = 150 feet
MIN. LOT AREA = 20,000 sq. ft.

OWNER:

488 LAND HOLDINGS, LLC
4 SQUAMSETT STREET
CAMBRIDGE, MA 02140

APPLICANT:

488 LAND HOLDINGS, LLC
205 PRODUCTION CENTER
30 HEMLOCK STREET
BROCKTON, MASSACHUSETTS 02302

ASSESSOR'S REFERENCE:

488 STAFFORD STREET
PARCEL: 6P-24-111.0-0

DEED REFERENCE:

BOOK 56, PAGE 183
BOOK 56, PAGE 183

PLAN REFERENCE:

MANCHESTER COUNTY REGISTRY OF DEEDS
PLAN BOOK 640 PLAN 43

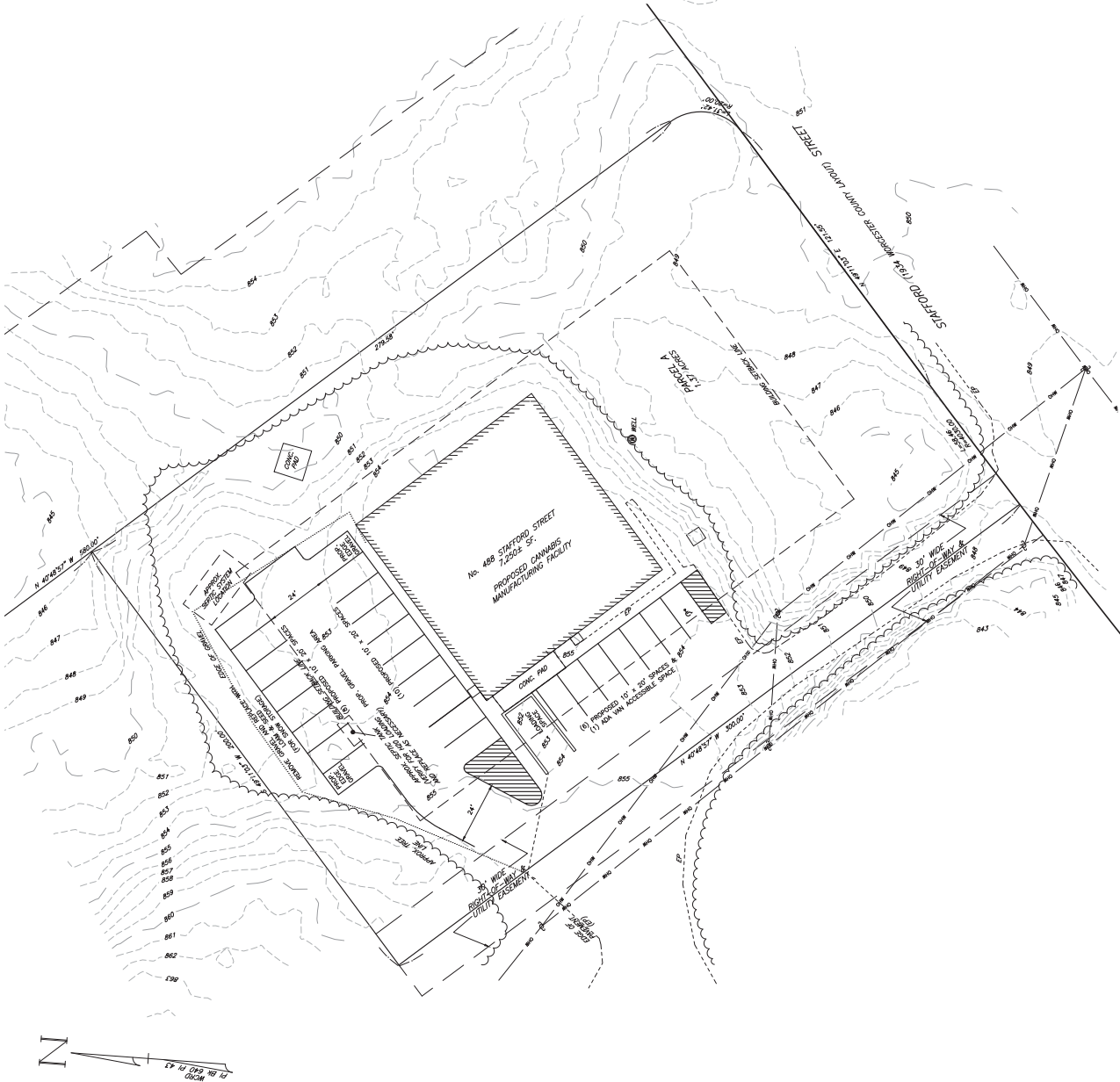
PARKING CALCULATIONS:

MANUFACTURING REQUIRED:

1 SPACE / 1,000 sq. ft. x 7,200 sq. ft. MANUFACTURING = 8 SPACES
TOTAL REQUIRED = 8 SPACES
TOTAL PROVIDED = 25 SPACES
TOTAL ADA ACCESSIBLE REQUIRED = 2 SPACES = 1 SPACE
TOTAL ADA ACCESSIBLE PROVIDED = 1 VAN ACCESSIBLE SPACE

GENERAL NOTES:

1. BOUNDARY INFORMATION AND BUILDING LOCATIONS DEPICTED HEREON ARE NOT THE RESULT OF AN INDEPENDENT SURVEY, BUT ARE BASED ON RECORDS OF THE MANCHESTER COUNTY REGISTRY OF DEEDS.
2. TOPGRAPHIC INFORMATION DEPICTED HEREON TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) 100-FLOOD-DATUM 1988 (NAD83). THE VERTICAL DATUM IS THE NORTH AMERICAN DATUM OF 1983 (NAD83).
3. THE UNDERGROUND UTILITIES SHOWN HEREON WERE OBTAINED FROM THE MASSACHUSETTS DEPARTMENT OF TRANSPORTATION AND INFRASTRUCTURE (MDOT&I) AND THE MASSACHUSETTS DEPARTMENT OF ENVIRONMENTAL AFFAIRS (DEA). THE INFORMATION AND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE UNDERGROUND UTILITIES SHOWN AND DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING THE LOCATIONS, SIZES, AND DEPTHS OF ALL UTILITIES SHOWN HEREON PRIOR TO ANY CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMEDIAL ACTION PRIOR TO PROCEEDING WITH THE WORK. THE ENGINEER IS NOT RESPONSIBLE FOR CONDUCTING DIG SAFE AT (800) 322-4844 PRIOR TO THE START OF ANY CONSTRUCTION.
5. THIS PLAN WAS PREPARED FOR REVIEW BY AND TO OBTAIN APPROVAL FROM PUBLIC AGENCIES AND IS NOT INTENDED AS A CONSTRUCTION DOCUMENT.



Site Plan in
LEICESTER, MASS.

Hayes Engineering, Inc.
Civil Engineers & Land Surveyors
603 Salem Street
Worcester, MA 01609
Telephone: 781-246-3800
Facsimile: 781-246-7596
www.hayeseng.com

Scale: 1" = 20'
0' 10' 20' 40' 60'
Rev. August 30, 2021

488 STAFFORD STREET
Sheet 3 of 3 - Photometric Plan

ZONE: BUSINESS INDUSTRIAL 1 (B1)

MINIMUM SETBACKS:

FRONT = 10 feet

REAR = 10 feet

MIN. FRONTAGE = 150 feet

MIN. LOT AREA = 20,000 sq. ft.

OWNER:

KAB LAND HOLDINGS, LLC

4 SQUADNEY STREET

OXFORD, MA 01540

APPLICANT:

DAVID J. HAYES

ONE PROLOGUE CENTER

30 HEMLOCK STREET

BROCKTON, MASSACHUSETTS 02302

ASSESSOR'S REFERENCE:

488 STAFFORD STREET

PARCEL ID: 24-11110-0

DEED REFERENCE:

DEED BOOK 56,786 PAGE 183

PLAN REFERENCE:

MANCHESTER COUNTY REGISTRY OF DEEDS

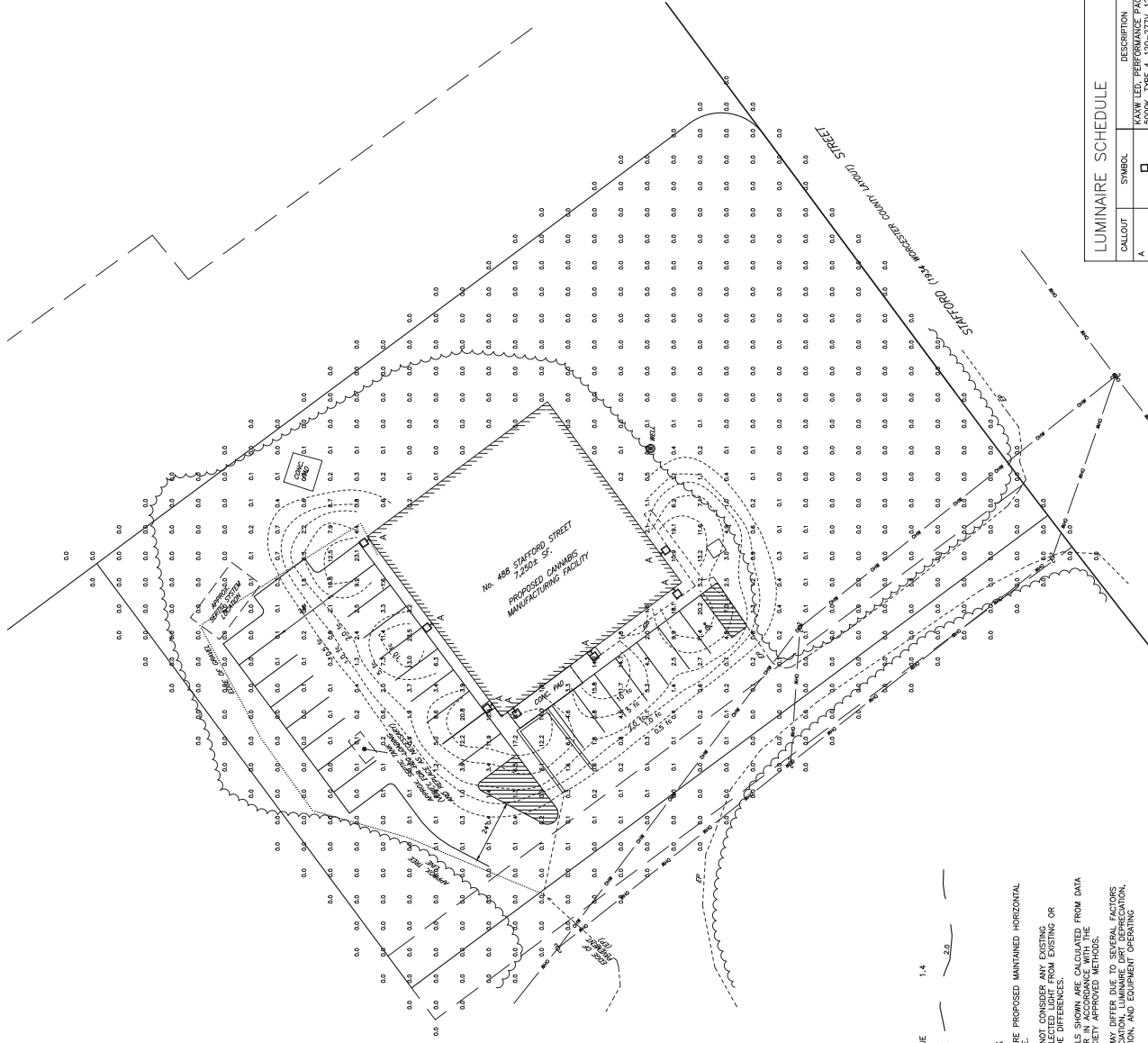
PLAN BOOK 640 PLAN 43

GENERAL NOTES:

- BOUNDARY INFORMATION AND BUILDING LOCATIONS DEPICTED HEREON ARE NOT THE RESULT OF AN ACTUAL FIELD SURVEY BY HAYES ENGINEERING, INC. AND WERE COMPILED FROM VARIOUS RECORD AND MAPS.
- TOPOGRAPHIC INFORMATION DEPICTED HEREON TAKEN FROM FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD ZONING MAPS AS MAINTAINED BY MASSDOT. THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
- THE UNDERGROUND UTILITIES SHOWN HAVE BEEN COMPILED FROM FIELD SURVEY INFORMATION AND RECORDS. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND DOES NOT GUARANTEE THE ACCURACY OF THE INFORMATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING THE LOCATIONS, SIZES, AND ELEVATIONS OF ALL EXISTING UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS AND SHALL NOTIFY THE APPROPRIATE AGENCIES PRIOR TO PROCEEDING WITH THE WORK.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CHECKING AND VERIFYING THE LOCATIONS, SIZES, AND ELEVATIONS OF ALL EXISTING UTILITIES SHOWN OR NOT SHOWN ON THESE PLANS AND SHALL NOTIFY THE APPROPRIATE AGENCIES PRIOR TO PROCEEDING WITH THE WORK.
- THIS PLAN WAS PREPARED FOR REVIEW BY AND TO OBTAIN APPROVAL FROM PUBLIC AGENCIES AND IS NOT INTENDED AS CONSTRUCTION DOCUMENTS.



LITHONIA KAXW-LED WALL PACK
NOT TO SCALE



PHOTOMETRIC LEGEND:

DENOTES ISOPHOTONABLE VALUE

DENOTES ISOPHOTONABLE LINE

GENERAL LIGHTING NOTES:

ILLUMINANCE VALUES SHOWN ARE PROPOSED MAINTAINED HORIZONTAL FOOTCANDLES ON LEVEL GRADE.

PHOTOMETRIC ANALYSIS DOES NOT CONSIDER ANY EXISTING ILLUMINANCE, SHADOW OR REFLECTED LIGHT FROM EXISTING OR PROPOSED STRUCTURES.

HORIZONTAL ILLUMINANCE VALUES SHOWN ARE CALCULATED FROM DATA PROVIDED FROM MANUFACTURER IN ACCORDANCE WITH THE ILLUMINATING ENGINEERING SOCIETY APPROVED METHODS.

ACTUAL ILLUMINANCE LEVELS MAY DIFFER DUE TO SEVERAL FACTORS INCLUDING BUT NOT LIMITED TO: DIFFERENCES IN SURFACE REFLECTANCE, LUMINAIRE SURFACE DEPRECIATION, AND EQUIPMENT OPERATING FACTOR.

CONTRACTOR TO VERIFY ALL UTILITIES BEFORE CONSTRUCTION.

LUMINAIRE SCHEDULE

CALLOUT	SYMBOL	DESCRIPTION	VOLTS	QUANTITY
A	☐	KAXW LED, PERFORMANCE PACKAGE 3, 5000K, TYPE 4, 120°-217V, 1/2" H	120V 1P 2W	7



Town of Leicester PLANNING BOARD

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

[Project Name: Zoning Amendments]

LEICESTER PLANNING BOARD PUBLIC HEARING NOTICE

Pursuant to MGL Ch. 40A, Sec. 5, the Leicester Planning Board will hold a public hearing to discuss proposed amendments to the Leicester Zoning Bylaws and Zoning Map on Tuesday, September 7, 2021, starting at 8:00PM or as soon thereafter as may be heard in Meeting Room 3, Leicester Town Hall, 3 Washburn Square, Leicester, MA. The meeting may also be attended virtually by visiting <https://global.gotomeeting.com/join/903182021> or by calling 1 (866) 899-4679 using access code 903-182-021. The subject matter of proposed amendments is as follows:

- A. **Marijuana:** Amend Sections 1.3 (Definitions), 3.2.03 (Schedule of Use, Business), and Section 5.15 (Medical Marijuana Treatment Centers and Marijuana Establishments) to allow for marijuana delivery services.
- B. **Zoning Map Amendment:** Amend the Zoning Map to rezone the following parcels from Residential 2 (R2) to Business (B): 4, 18 & 18A Sargent Street, and 1 Reservoir Street (Assessors Map 23B, Parcels A9, A10, B6, & B7); and to correct an error on the Zoning Map to reflect a change from R2 to B approved 11/12/2003 (affecting 146 Main Street/Map 23B, Parcel J2) so that the entire parcel is in the B district as intended.

The complete text and maps relative to the proposed amendments are available for inspection at the Town Clerk's Office during regular business hours and on the Planning Board's web page on the Town of Leicester's website at www.leicesterma.org.

Jason Grimshaw, Chair
Leicester Planning Board

To be published in the Worcester Telegram & Gazette on Tuesday, August 24, 2021 and Tuesday, August 31, 2021.

**Zoning Bylaw Amendments:
Marijuana Establishments
7/29/2021**

A. Amend Section 1.3 (Definitions), by inserting new definitions and amending existing definitions, as follows:

MARIJUANA COURIER: an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from a Medical Marijuana Treatment Center, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of marijuana or marijuana products to consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.

MARIJUANA DELIVERY LICENSEE: an entity that is authorized to deliver marijuana and marijuana products directly to consumers and as permitted, Marijuana Couriers to patients and caregivers

MARIJUANA DELIVERY OPERATOR: an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002: Definitions or 935 CMR 500.050: Marijuana Establishments and shall be subject to 935 CMR 500.050(1)(b): Control Limitations.

MARIJUANA ESTABLISHMENT: a licensed Marijuana Cultivator, Marijuana Testing Facility, Marijuana Product Manufacturer, Marijuana Retailer, Marijuana Delivery Operator or any other type of licensed marijuana-related business or businesses at a single location except a medical marijuana treatment center.

MARIJUANA ESTABLISHMENT, NON-RETAIL: a marijuana establishment that does not involve on-site retail sales to consumers, including Marijuana Cultivators, Marijuana Product Manufacturers that only sell to Marijuana Establishments but not consumers, Marijuana Testing Facilities, and Marijuana Transportation or Distribution Facilities. Not to include Marijuana Outdoor Cultivator or Marijuana Delivery Operator. *[amended ATM 6/2/2020]*

MARIJUANA RETAILER, CONSUMER SALES ONLY: a marijuana establishment that involves on-site retail sales to consumers and may also involve delivery to consumers by Marijuana Courier, excluding Marijuana Social Consumption Operators.

B. Amend Section 3.2.03, by inserting new use #23 (and renumbering later uses), as follows:

3.2.03 BUSINESS		SA	R1	R2	B	CB	I	BI-A	HB-1 & HB-2
23.	<u>Marijuana Delivery Operator</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>Y</u>

Leicester Zoning Map 2016 (Portion), Proposed Changes





From: [Kevin Murphy](#)
To: [Buck, Michelle](#)
Cc: [The WorcShop; Brent Arthaud | Construction](#)
Subject: Emailing: wf230457_gen2_area_light (1)
Date: Monday, August 23, 2021 11:00:15 AM
Attachments: [wf230457_gen2_area_light \(1\).pdf](#)
[Worcshop Site.pdf](#)

Good morning Michelle, we would like to submit these updated parking light & wall pack drawings from the original lighting plan prepared by MaxLite that was submitted with the special permit. These updated drawings prevent any excavation on the 100' wetland buffer, please review and let us know if there is anything else that would be needed from us.

The amount of parking spaces remains the same as the MaxLite original drawings

Thank you
Kevin

Your message is ready to be sent with the following file or link attachments:

wf230457_gen2_area_light (1)

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.



Luminaire Schedule						
Symbol	Qty	Label	Description	LLF	Lum. Watts	Lum. Lumens
	14	WM-T3	TCP # FCWUZDB1T340KBRPC	0.900	40.88	5099
	6	SL-T4	TCP # TALUZDA2T4F40KBR	0.900	104.598	15302

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	
Site Points	Illuminance	Fc	0.34	17.6	0.0	N.A.	N.A.	

Workshop Site Lighting
August 19, 2021

LED Area Light

Product Specifications



TCP's LED Area Light features a modern, lightweight design with tool-less driver compartment clips resulting in an easier and faster installation. This durable, 3G tested, luminaire construction provides bright, uniform light while maintaining a zero uplight BUG rating, allowing for Dark Sky Conformance. An energy efficacy of up to 137LPW combined with a 50,000 hour rated life significantly decreases energy, maintenance, labor and material costs over the life of the fixture – perfect for utility rebate programs.

Reasons to choose the LED Area Lights from TCP

- Uses up to 72% less energy than traditional HID
- Long 50,000 hour rated life minimizes replacement and labor costs
- Factory installed 3-pin or 7-pin NEMA photocontrol receptacle options available
- Easy-to-install mounting accessories available for various mounting options
- Mercury-free construction is great for all environments
- IP65 Rated – Suitable for outdoor installation
- Lightweight and low Effective Projected Area (EPA) reduces stress on existing poles
- Dark Sky Conformance: Full cutoff fixture results in zero uplight emission

Ideal Applications

- HID Shoebox Replacements
- Shopping Malls
- Parking Lots and Parking Garage Top Level
- Walkways
- Stadium Lots
- Dark Sky Applications
- Campuses
- Auto Dealerships

Specifications

Input Line Voltage	120-277 & 277-480VAC
Input Line Frequency (Hz)	50/60HZ
Lumens / Wattage	14,000L (100W), 19,500L (150W), 27,500L (200W), 37,500L (300W)
Lumens per Watt (LPW).....	>137 LPW
Color Temperature (CCT)	3000K, 4000K, 5000K
Rated Life.....	50,000 hours
Controls	NEMA 3-pin & 7-pin Photocontrol Receptacle options available
Operating Temperature.....	-40°C to 50°C
CRI.....	70+
Power Factor	>0.9
Surge Protection	10KV (120-277V), 20KV (277-480V)
THD.....	<20%
Ratings	UL/cUL, IP65 Wet Location rated

Warranty

Five year limited warranty against defects in manufacturing

Replacement Strategy

TYPE	WATTAGE*	ENERGY SAVINGS (%)
TCP Area Light A2 - 14,000 Lumens	100W	—
250W Metal Halide	295W	66%
400W Metal Halide	458W	78%
TCP Area Light A3 - 19,500 Lumens	150W	—
250W Metal Halide	295W	49%
400W Metal Halide	458W	67%
TCP Area Light A4 - 27,500 Lumens	200W	—
400W Metal Halide	458W	56%
1000W Metal Halide	1081W	81%
TCP Area Light A5 - 37,500 Lumens	300W	—
400W Metal Halide	458W	34%
1000W Metal Halide	1081W	72%

*Actual wattage may differ by +/- 5%, when operating between 120-277V +/- 10%.

NOTE: Charts show system lumens (delivered lumens), NOT straight lamp lumen output. This is calculated as follows:
System lumens = mean lumens x # lamps x ballast factor x luminaire efficiency factor



Applications

TCP's LED Area Lights feature a low profile, 3G vibration rated design that delivers a bright, uniform light while saving energy over traditional HID sources. Maintenance costs are virtually eliminated over their long-rated life. Applications include parking lots, walkways, auto dealerships, campuses and other public areas.

Construction

- Visually appealing slim, low-profile design
- Flat top design promotes self cleaning during rain events
- Heavy duty die-cast aluminum housing
- Durable UV stabilized powder coat finish
- Many optional mounting accessories available, see page 6

Electrical

- Accepts 120-277V or 277-480V
- NEMA 3-pin & 7-pin photocontrol receptacle options available
- System rated for long 50,000 hour rated life
- cULus wet location rated
- 10KV (120-277V) and 20KV (277-480V), surge suppression comes standard

Optics

- Durable acrylic optics resist yellowing
- Distribution Type III standard, Types IV and V optional
- Optics can be rotated to satisfy complex applications. See next page for more details



Listings

cULus Listed – wet location rated
RoHS Compliant
IP65 Rated
3G Vibration Rated

Installation

Surface or pole mounted

Before installation, please consult your local ordinances and building codes for compliance

Warranty

Five year, 50,000 hour limited warranty against defects in manufacturing*
* 10yr limited warranty available for an additional fee

Catalog Ordering Matrix

Example: TALUZDA2T3F40KBRMS

TAL	U	ZD	A2	T3	F	40K	N7	BR	
FAMILY	VOLTAGE	DIMMING	LUMENS PACKAGE (POWER) ^{1,2}	DISTRIBUTION	THROW	CCT ⁴	PHOTOCELL RECEPTACLE	COLOR ⁵	CONTROL OPTION ^{6,7}
TAL – TCP Area Light	U – 120-277V H – 277-480V	ZD – 0-10V Dimming	A2 – 14,000 Lumens (100W) A3 – 19,500 Lumens (150W) A4 – 27,500 Lumens (200W) A5 – 37,500 Lumens (300W)	T3 – Type III T4 – Type IV T5 – Type V	F – Forward L – Left B – Backward R – Right	30K – 3000K 40K – 4000K 50K – 5000K	Blank – No Receptacle N7 – NEMA 7-PIN ³	BR – Bronze WH – White BK – Black	Blank – No Added Control MS – PIR/Daylight Sensor P3 – Adds a NEMA 3-Pin Photocell in the box P7 – Adds a NEMA 7-Pin Photocell in the box

¹ Approximate lumen output. Actual performance may vary based on CCT, options selected and end user application

² Actual wattage may differ by +/-10%

³ Can be used with a standard 3-pin photocontrol

⁴ 3000K CCT is a special order item. Work with your TCP Representative for lead time details

⁵ BR - Bronze is the standard color. Other colors listed on spec sheet will require extended lead times.

⁶ Work with your TCP Representative for lead time details.

⁷ Leave photocell receptacle "Blank" when ordering MS control

⁸ When adding P3 or P7 to the box, you must include the N7 photocell receptacle in your item number

Accessories:

FIELD INSTALLED ACCESSORIES:	
TALPIRREMOTE	Remote Control to program the Motion Sensor. Only one needed per job
4INPOLEREDUCER	4" Pole Reducer
5INPOLEREDUCER	5" Pole Reducer
TALSHIELD1	Backlight Shield for A2 & A3 lumen packages
TALSHIELD2	Backlight Shield for A4 & A5 lumen packages
PC3UNDBU	3 Pin ON/OFF only photocontrol for use with 120-277V applications
PC7UDIMBU	7 Pin ON/OFF + daylight harvest photocontrol for use with 120-277V applications

TAL Area Light with Backlight Shield installed



Specifications and dimensions subject to change without notice.

Factory Installed Optic Distribution Flexibility



F – Forward Throw

Example Item #:
TALUZDA4T3**F**50KBR



R – Right Throw

Example Item #:
TALUZDA4T3**R**50KBR



B – Backward Throw

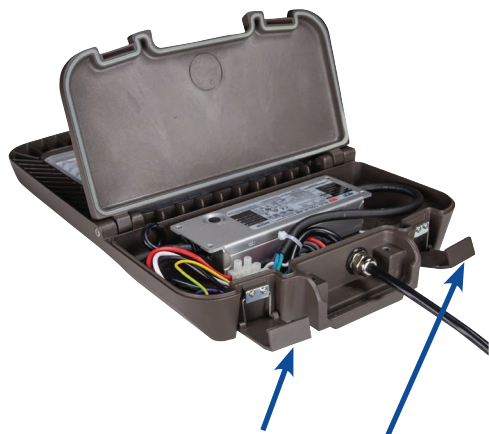
Example Item #:
TALUZDA4T3**B**50KBR



L – Left Throw

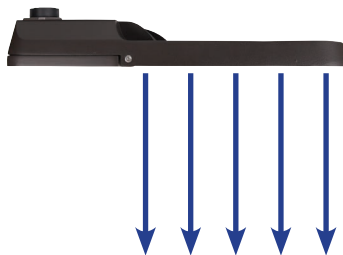
Example Item #:
TALUZDA4T3**L**50KBR

Tool-less Maintenance



The TAL Area Light features clips on the rear of the fixture to close the electrical compartment. These clips open and close without the need for tools, making maintenance and repairs in the field simple.





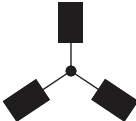
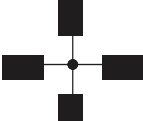
Dark Sky Conformance



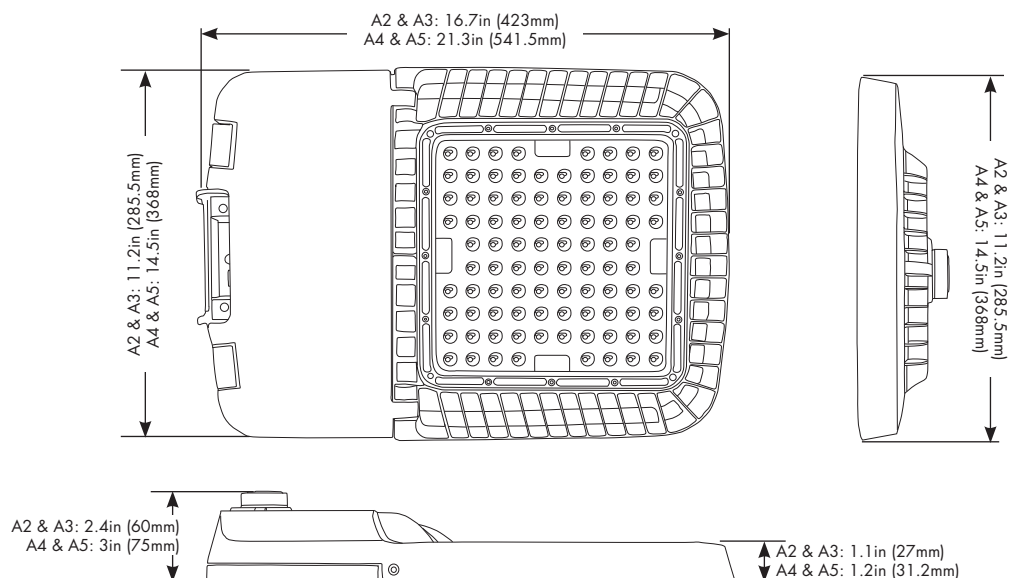
The TAL Area Light emits zero light above 90° and allows for conformance to the International Dark Sky Association's fully shielded light source requirement.

This does not include incidental light reflections.

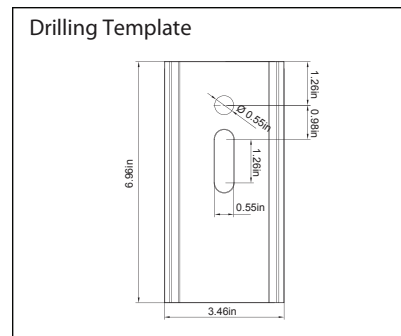
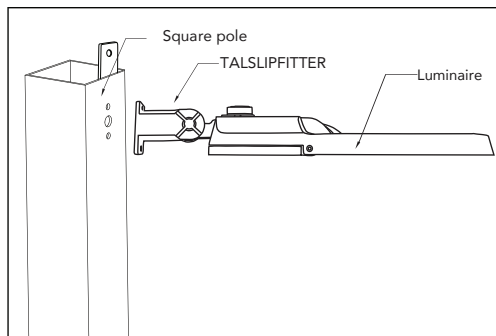
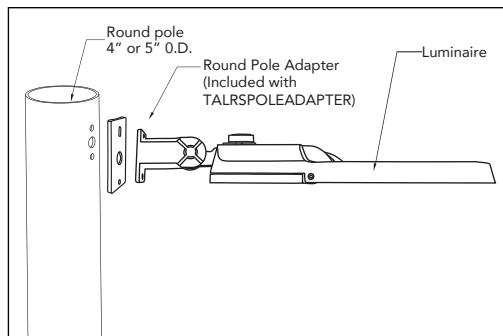
Effective Projected Area (EPA) of Area Light

Lumen Package						
	1	2 @90°	2 @180°	3 @90°	3 @120°	4 @90°
A2 (100W) A3 (150W)	0.5	0.7	1.0	1.1	1.1	1.1
A4 (200W) A5 (300W)	0.7	1.0	1.4	1.5	1.5	1.5

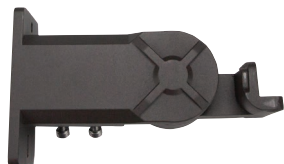
Dimensions



Mounting Diagrams



Mounting Accessories



TALSLIPFITTER

This cast aluminum slipfitter mount secures the luminaire to nominal 3" (2 3/8" O.D. pipe size) horizontal arm or vertical tenon. This mount can also be applied directly to the wall using the flanges shown above.



TALRPOLEADAPTER

This round or square pole mount adapter allows the TALSLIPFITTER to mount the side of a round or square pole. This can be used with 4" or 5" square or round poles.



TALTRUNNION

This trunion mount accessory allows for wall mounting with a flexible angle adjustment.

Performance Data

Lumen Package	Watts	Voltage	Distribution	Lumens	B-U-G Rating
A2	99	120-277V	Type III	13,706	B3-U0-G2
	103	277-480V	Type III	14,158	
A3	149	120-277V	Type III	19,244	B3-U0-G3
	153	277-480V	Type III	19,680	
A4	200	120-277V	Type III	27,473	B3-U0-G4
	201	277-480V	Type III	27,673	
A5	306	120-277V	Type III	37,767	B4-U0-G4
	299	277-480V	Type III	37,160	

Specifications and dimensions subject to change without notice.

TECHNOLOGY CAST IN A BEAUTIFUL LIGHT

For over 20 years, TCP has been designing, developing and delivering energy-efficient lighting into the market. Thanks to our cutting-edge technology and manufacturing expertise, we have shipped billions of high quality lighting products. With TCP, you can count on a lighting product that is designed to meet the needs of the market - that transforms your surroundings and envelopes you in warmth - lighting that generates beauty with every flip of the switch.

Sales:

Date:

Model:

Project:

Rep:

Catalog Number:

Type:

Notes:



For more information on the quality and care TCP can deliver, call us at 800.324.1496 or visit tcpi.com

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