

For Planning Office Use:
File #: SPR2022-02

Leicester Planning Board Site Plan Review & Special Permit Application Form

PERMIT TYPE: ☐ Special Permit ☒ Site Plan Review

CONTACT INFORMATION

RECEIVED
2021 DEC 20 PM 12:51
TOWN CLERK'S OFFICE
LEICESTER MASS

Owner Information			
Name:	Robert Greeney	Company Name:	E.F.G. Realty Trust
Signature:	<i>Robert Greeney</i> <small>dotloop verified 08/05/21 8:54 AM EDT Q7CM-XCDZ-1HCM-B1SW</small>		
Address:	76 McClellan St, Amherst, MA 01002		
Phone:	(413) 277-8868	Email:	
Applicant Information			
Name:	Mark Klinger & Eyal Preis	Company Name:	MKEP 770 LLC
Signature:	<i>Mark Klinger</i> <small>dotloop verified 07/14/21 5:54 PM EDT 0FZH-FRKO-435Z-JAYD</small>		
Address:	256 Sunrise Highway Suite 1368 Rockville Center NY 11570		
Phone:	(646) 483-2517	Email:	mark@globalgcny.com
Primary Contact Person (The person that will be contacted by Planning Board staff during the application process.)			
Name:	David King	Company Name:	Remax Patriot Realty
Address:	55 Mead Street Leominster MA 01453		
Phone:	(978) 580-7100	Email:	David@RemaxPatriotRealty.com

PROJECT INFORMATION

Project Address:	651 Main Street	Zoning District:	
Assessors Map & Parcel #		Deed Reference (Book & Page):	16761 78
Applicable Zoning Bylaw Section(s):			
Proposed Land Use:	Duplex Homes		
Existing Land Use:	Vacant Lot		

For Planning Office Use:
File #: _____

PROJECT INFORMATION, Continued

Size of Proposed Structure(s):		1681 sq. ft. duplex sides	
Total Lot Area:			
Water Source: (Select One)	<input type="radio"/> Private Well	<input type="radio"/> Cherry Valley & Rochdale Water District	
	<input type="radio"/> Hillcrest Water District	<input checked="" type="radio"/> Leicester Water Supply District	
Sewer Source: (Select One)	<input type="radio"/> Private Septic System	<input checked="" type="radio"/> Cherry Valley Sewer District	
	<input type="radio"/> Hillcrest Water District	<input type="radio"/> Leicester Water Supply District	
	<input type="radio"/> Oxford Rochdale Sewer District		
Brief Project Description: Please include a brief description on this form (i.e. do not write "see attached"). [Examples: New construction of a 20,000s.f. retail building and associated parking; Use of a 1,000s.f. portion of an existing structure for a proposed pet grooming clinic.] 49 DUPLEX UNITS WITH EACH SIDE BEING 1681 SQ. FT.			

Application Checklist

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

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

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

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

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

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

December 14, 2021

To:

Alaa M. Abusalah, Town Planner
Leicester Development and Inspectional Services
3 Washburn Square
Leicester, Massachusetts 01524

A&M Project #:

2889-01

Re:

Site Plan / Special Permit
651 Main Street
Map 21/Parcel B5.1

Copy:

Dear Ms. Buck

On behalf of our client, MKEP 770, LLC, the Applicant, Allen & Major Associates, Inc. is filing a Preliminary Subdivision Plan for the construction of a proposed subdivision off Main Street in Leicester, Massachusetts. The project includes land depicted on the Assessor's Map #21 as Parcel B5.1 (651 Main Street), owned by E.F.G. Realty Trust. The plans submitted intend to depict the land encompassing the subdivision based on the Existing Conditions Plan created by Allen & Major Associates, Inc. Dated: July 16, 2021.

It is the intent of the applicant is to subdivide the existing parcel into five separate lots, four (4) of which will be fee-simple lots have direct access to Main Street meeting the current zoning requirements (ANR plans to be prepared separately). The fifth and final lot will encompass the remaining land area and will be developed into a private residential development consisting of 2 family townhomes. The Project proposes to construct 49 duplex units consisting of two single-family residential dwellings, each consisting of approximately 2,188 square feet and have building coverage percentages ranging from 9.8% to 19.3% where 33% is allowed. (*SPR Section II, E-1b*). Access/egress to 92-units is serviced by the Project's proposed site driveway which connects to the southerly side of Main Street. An additional 6-units, in the form of three (3) duplexes will directly access Main Street with standard residential driveways.

The project property is approximately 29.78 acres and is located along the southwestern side of Main Street; (*SPR Section II, E-1b*). The majority of the property consists of mainly woodland and brush, with a brook and small wetland pockets near the property's boundary. Electrical utility lines and a tower are located at the southwestern portion of the parcel. As stated above, the existing electrical utility lines will be separated from the development and protected by a 250 foot electric easement.

As part of the proposed development, three interconnected roadways will be constructed to provide access to the individual dwelling units. Although the project will remain private under a home owner association model, the roadways are proposed to be 28-feet wide with a sidewalk to be in harmony with the local subdivision requirements. The primary access will be situated along Main Street approximately 500 feet southeast of Waite Street intersection with a secondary access via an extension of Colonial Drive. Gated emergency access is proposed via an existing residential driveway to #747 Main Street on the westerly end of the property

Along with the construction of the proposed roadway, several other utility improvements will be provided as part of the overall development. The project stormwater management system will be addressed through the construction of a closed drainage system which includes catchbasins and drainage manholes to capture the surface runoff. Through the use of hydrodynamic separator treatment devices, the collected stormwater will then be directed to one of several detention systems for peak rate mitigation and stormwater treatment. A comprehensive review of the drainage system and watersheds has been performed and the Grading & Drainage Plan depicts the anticipated drainage system for the project. A full stormwater analysis has been provided as part of the Definitive Subdivision submittal.

Environmental Analysis

As this proposed site plan will be creating frontage potentially allowing ten (10) or more family units, an Environmental Analysis has been provided herein. Many of the items outlined within the Environmental Analysis have been detailed within other plans or within the stormwater report, below is a summary of the specific items of concern.

a.) The same data as on the Definitive Plan

Refer to plans prepared by A&M dated December 14, 2021 consisting of approximately 24 sheets.

b.) Topography at two foot contour intervals, with graphic drainage analysis; indication of annual high water mark, location of existing structures, including fences and walls, and watershed boundaries.

Topographic information is shown on Sheet V-101 including existing structures, fences, walls and delineated resource areas. The existing and proposed watershed plan were prepared and included within the submitted Stormwater Report, refer to Sheet WS-1 and WS-2.

c.) Vegetation cover analysis, including identification of general cover type (wooded, cropland, brush, wetland, etc.); location of all major tree groupings, plus other outstanding trees or other botanical features; important wildlife habitats; and identification of areas not to be disturbed by construction.

The vast majority of the site consists of wooded cover with some areas of grass and brush. There are also several areas of delineated resource areas adjacent to Colonial Drive and Henshaw Street. Additionally, the southwest section of the property is bisected by an existing electrical transmission line easement. The areas can be seen on Sheet V-101. As part of the stormwater analysis for the project both the existing and proposed surface covers were calculated. A summary of these areas is listed below and additional information can be found in the stormwater report in Section 4 and Section 5.

Existing

Area (acres)	Description (subcatchment-numbers)
1.734	>75% Grass cover, Good
2.164	Brush, Good
0.071	Paved parking
25.418	Woods, Good

Proposed (SPR Section II, E-1a)

Area (acres)	Description (subcatchment-numbers)
14.189	>75% Grass cover, Good
2.065	Brush, Good
4.631	Paved parking
4.923	Roofs
3.376	Woods, Good

The proposed 98 dwelling units are encompassed within the proposed subcatchments area including driveways and roadways. Based upon the HydroCAD analysis included in the Drainage Report, the total project site will be approximately 32.74% impervious cover. Refer to Drainage Report for additional information. A separate calculation specific to the area directly within the Watershed Overlay District has been provided herein.

d.) Soil types, based on United State Department of Agriculture (USDA) soils study; approximate ground water level, location and results of soil percolation or other sub surface tests.

As the project is proposed to be on municipal sewer, soil percolation tests were not performed on the site. Published soil information from USDA and NRSC were utilized to approximate a design infiltration rate for the proposed roof drainage infiltration system.

e.) Visual analysis, including analysis of scenic vistas, and locations of visual prominence.

Although the project is situated on an elevated portion of the site, there are no significant scenic vistas that will be created nor impacted as part of the project.

f.) Location of surface water bodies, wetlands, aquifer or recharge areas for existing or potential drinking water supplies.

The vast majority of the site consists of wooded cover with some areas of grass and brush. There are also several areas of delineated resource areas adjacent to Colonial Drive and Henshaw Street. Additionally, the southwest section of the property is bisected by an existing electrical transmission line easement. The areas can be seen on Sheet V-101.

The following narrative will set to document the following, with reference to the above maps as germane.

a.) Impact upon surface water quality and level.

As part of the proposed project, impacts to surface water quality will be enhanced through the implementation of a new stormwater collection system. The stormwater collection system is a series of inlets located at low points within the limits of the paved area. All of the proposed on-site catch basins incorporate a deep sump and hooded outlet. The catch basins are connected by a closed gravity pipe network that pass through proprietary separators prior to entering the pipe detention systems or gabion walls.

The proposed stormwater management system has been designed to remove 80% of the average annual post-construction load for each treatment train. The TSS removal calculations can be seen within the appendix of the stormwater report. Structural Pretreatment BMPs consisting of Deep sump catch basins, also known as oil and grease or hooded catch basins, are underground retention systems designed to remove trash, debris, and coarse sediment from stormwater runoff, and serve as temporary spill containment devices for floatables such as oils and greases. Further treatment is provided via a proprietary separator this is a flow-through structure with a settling or separation unit to remove sediments and other pollutants. They typically use the power of swirling or flowing water to separate floatables and coarser sediments, are typically designed and manufactured by private businesses, and come in different sizes to accommodate different design storms and flow conditions.

As a further management system, a Long-Term Operation & Maintenance (O&M) Plan has been developed for the proposed stormwater management system and is included within the stormwater report. The purpose of the O&M is to identify potential sources of pollution that may affect the quality of stormwater discharges, and to describe the implementation of practices to reduce the pollutants in stormwater discharges.

b.) Impact upon ground water quality and level.

As indicated above, the proposed project, impacts to surface water quality will be enhanced through the implementation of a new stormwater collection system which will provide for pretreatment. The existing annual recharge for the site has been approximated in the proposed condition. Groundwater recharge will be provided through the use of proposed dry wells that are designed to meet this requirement. The proposed Recharge Volume is based on the Static Method per the MA DEP Stormwater Management Standards, Volume 3, Chapter 1. See the appendix located at section 6 of this report for stormwater recharge calculations.

c.) Effects on important wildlife habitats, outstanding botanical features, scenic or historic sites or buildings.

The property contains several areas subject to the Wetland Protection Act, all of which being outside direct impacts associated with the proposed roadway construction. These areas have been delineated by Gove Environmental Services, Inc. and are depicted on the Proposed Subdivision Plan. Some of the proposed drainage detention/infiltration basins are proposed to be located within the buffer zone and a filing with the Conservation Commission will be required. This will be made concurrent with the Definitive Subdivision review process.

Upon review of the Commonwealth's published data, there were no Areas of Critical Environmental Concern (ACEC); Outstanding Resource Waters (ORWs) nor areas of Priority and Protected Habitat for rare and endangered species located within the project limits. See Exhibit 3.4 within the submitted stormwater report.

d.) Capability of soils and vegetative cover to support proposed development without erosion, silting or other instability.

Existing Soil Conditions: The on-site soils were identified using the USDA Natural Resources Conservation Services (NRCS) Soil Survey for Worcester County. The site contains a range of soil types including: Ridgebury, Whitman, Paxton, Woodbridge, Charlton, Canton, and Udorthents. The majority of the site is made up of Paxton fine sandy loam. A copy of the NRCS Custom Soil Resource Report is included in the appendix of the stormwater report.

A plan to control construction-related impacts, including erosion, sedimentation and other pollutant sources during construction has been developed. A detailed Erosion and Sedimentation Control Plan is included in the Permit Drawings. Refer to Sheet C-100 for location of proposed erosion control measure and Section 2 of the Stormwater Report for additional information. The proponent will prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) prior to commencement of construction activities that will result in the disturbance of one acre of land or more.

The proposed stormwater management system for the site will control the Peak Rate of Runoff through the use of deep sump catch basins, pipe detention systems, a detention basin, outlet control structures, and gabion walls (level spreaders). These systems have been designed in accordance with the MA DEP Stormwater Management Policy to recharge groundwater and reduce rate of runoff from the parcel.

e.) Relationship to Massachusetts General Laws, Chapter 131, Sections 40, (Wetlands Protection Act) and Town Wetland Bylaw.

The property contains several areas subject to the Wetland Protection Act, all of which being outside direct impacts associated with the proposed roadway construction. These areas have been delineated by Gove Environmental Services, Inc. and are depicted on the Proposed Subdivision Plan. Some of the proposed drainage detention/infiltration basins are proposed to be located within the buffer zone and a filing with the Conservation Commission will be required. This will be made concurrent with the Definitive Subdivision review process.

f.) The report shall estimate the proposed traffic flow in relation to the roadways giving access to the subdivision.

The property contains several areas subject to the Wetland Protection Act, all of which being outside direct impacts associated with the proposed roadway construction. These areas have been delineated by Gove Environmental Services, Inc. and are depicted on the Proposed Subdivision Plan. Some of the proposed drainage detention/infiltration basins are proposed to be located within the buffer zone and a filing with the Conservation Commission will be required. This will be made concurrent with the Definitive Subdivision review process.

g.) The report shall estimate the effect of the project on public services, such as water, sewer, schools, police, fire and highway department.

Traffic

TEC, Inc. (TEC) has been retained by MKEP 770, LLC (the "Applicant") to prepare a Traffic Impact Assessment (TIA) associated with the proposed Skyview Estates (the "Project"). Traffic generated by the proposed residential development was determined based on the "Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition". The trip generation rates were based on Land Use Code 270, defined as a Residential Planned Unit Development. The estimated vehicle trips generated are shown in the following table:

The estimated vehicle trips are shown in the following tables:

Weekday	Total	Incoming	Outgoing
Daily	742	273	273
AM Peak	49	15	34
PM Peak	59	34	25

TEC has evaluated the traffic operations for the study area under existing and future conditions consistent with the Transportation Impact Assessment (TIA) Guidelines issued by the Massachusetts Department of Transportation (MassDOT) and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports. The future year examines traffic operations under a 7-year planning horizon (2028) for traffic-volume projections, which includes an evaluation of the build conditions (with site traffic added). A copy of the report has been included in this submission. Additionally, as part of the permitting process, a driveway access permit has been initiated through the Massachusetts Department of Transportation as Main Street, aka Route 9 as is currently under review.

Police, Fire & Highway Department

Based on email correspondence received from Fire Chief Dupuis and Police Chief Antanavica, they have both met on site to review the proposed project and do not have any concerns at this time. Street lighting is being proposed which will help deter suspicious activities from taking place within the development. The project proposes a new municipal water service, including strategic placement of fire hydrants throughout the development to lessen the burden on any potential firefighting activities that may occur.

Schools

All of the 98 units, will have a layout which places the living quarters all on the first floor including 2 bedrooms and 1 office area (that could be a bedroom). Based on the new alignment of the project, the spacing of the proposed homes and interior configuration of the homes, this is more conducive to young professionals or older couples without children, so it is presumed that these units would not have an impact on the school system.

It is anticipated that approximately 15% of the units will be marketed or sold with an option to expand the unit layout to include a total of 4 bedrooms which is more desirable for potential families with children. Based upon this presumption and the local average of 2.0 children per dwelling unit, it is anticipated that the project could produce 30 school age children. Based on discussion with school superintendents office about the impact on the schools for 98 homes. Here is what she said and the reports from the state.

1. K-4 would put a strain on the system, the school is at capacity.
2. Middle School - They can handle the new homes.
3. High School - They can handle the new homes.

Special Permit Criteria Evaluation

1. *Such use will not nullify or substantially derogate from the intent and purpose of this Bylaw;*
The proposed use (duplex) will not alter the general character of the surrounding area nor impair the intent or purpose of said bylaw because the proposed use conforms to the existing residential dwellings in the area. Although there are proposed to be 98 units of slightly varying size and configuration, the same general characteristics will be consistent, including separated building entrances and buffered driveways to aid in the appearance of each being a separate unit.
2. *Such use will not constitute a nuisance; and*
As the proposed project is for a residential development in accordance with Town standards, it will not constitute a nuisance to the surrounding area. Through the development of comprehensive stormwater management system, the site will control post development stormwater flows to below predevelopment conditions. Additionally, an extensive erosion control plan has been prepared, included a construction phase protections to prevent erosion concerns to abutting properties.
3. *Such use will not adversely affect the neighborhood in which the lot is situated.*
The proposed residential development which includes forty nine (49) duplexes will not adversely affect the surrounding neighborhoods as the layout has been designed to provide a consolidated entrance to the project along Main Street (Route 9). The proposed duplex home, although connected, are designed to provide a sense of separation through the placement of interior spaces as well as landscape buffers.
4. *Such use complies with the Standards for Site Plan Approval in the Leicester Zoning Bylaw.*
The proposed use (duplex) will not alter the general character of the surrounding area nor impair the intent or purpose of said bylaw because the proposed use conforms to the existing residential dwellings in the area.
5. *Provision shall be made for convenient and safe vehicular and pedestrian circulation within the site and in relation to adjacent streets and property. The service level of adjacent streets shall not be significantly reduced due to added traffic volume or type of traffic in accordance with the most recent edition of the Massachusetts Highway Department Highway Capacity Manual;*
The proposed residential development will be interconnected with paved roadways meeting the width of required by the subdivision regulations, including the installation of paved sidewalks. The added traffic volume is not anticipated to negatively impact the existing network. Please refer to Traffic Impact Analysis prepared by TEC, Inc.
6. *The proposed use shall not overload the capacity of water and sewer systems, storm water drainage, solid waste disposal facilities, and other public facilities;*
Both water and sewer will be provided through municipal services. In a letter obtained from Cherry Valley Sewer District, the project is available for hook-up to the public sewer system. The project proposes sewer manholes to be placed within the newly aligned roadways at various locations to collect sewage and direct it to the existing municipal sewer system along Main Street. In a letter obtained from Leicester Water Supply District, there is adequate water supply for the proposed development. Domestic water for the property is intended to be sourced from the existing municipal water main within Main Street.
7. *The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use;*
The subject is serviced by municipal sewer and a new collection system has been designed to service the individual building units. As the project will remain private under a home owner association model, trash collection will be handled by a private trash hauler. The project proposes the installation of several dumpster enclosures throughout the project and which will be screened from view.

8. *The project shall comply with all applicable environmental laws and regulations;*
The project will comply with applicable environmental laws and regulations through the implementation of comprehensive stormwater management system and permitting through the local conservation commission.
9. *The proposed project shall be consistent with Leicester's Master Plan; and,*
As the proposed project is for a residential development in accordance with Town standards and is consistent with Leicester's Master Plan..

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; (SPR Section II, E-1a)*
The proposed use (duplex) will not alter the general character of the surrounding area nor impair the intent or purpose of said bylaw because the proposed use conforms to the existing residential dwellings in the area. As the proposed use is residential in nature, there will be no employees nor hours of operation.
- B. *General description of the size of proposed structures, lot size, and building coverage %. In the Watershed Overlay District, include total impervious area*
- C. *The use will not materially endanger or constitute a hazard to the public health;*
As the proposed project is for a residential development in accordance with Town standards, it will not constitute a nuisance or hazard to the surrounding area or public health.
- D. *The use will not create undue traffic congestion or unduly impair pedestrian safety;*
The project Traffic engineer, TEC has evaluated the traffic operations for the study area under existing and future conditions consistent with the Transportation Impact Assessment (TIA) Guidelines issued by the Massachusetts Department of Transportation (MassDOT) and the standards of the Traffic Engineering and Transportation Planning professions for the preparation of such reports. The future year examines traffic operations under a 7-year planning horizon (2028) for traffic-volume projections, which includes an evaluation of the build conditions (with site traffic added).
- E. *Sufficient off-street parking exists or will be provided to serve the use (SPR Section II, E-1d)*
The proposed homes have been developed with a two stall garage and a driveway which could feasibly accommodate up to two additional vehicles for a total of four per units. There are no existing parking spaces within the parcel limits.
- F. *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; (SPR Section II, E-1e)*
Both water and sewer will be provided through municipal services. In a letter obtained from Cherry Valley Sewer District, the project is available for hook-up to the public sewer system. The project proposes sewer manholes to be placed within the newly aligned roadways at various locations to collect sewage and direct it to the existing municipal sewer system along Main Street. In a letter obtained from Leicester Water Supply District, there is adequate water supply for the proposed development. Domestic water for the property is intended to be sourced from the existing municipal water main within Main Street.
- G. *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;*
A plan to control construction-related impacts, including erosion, sedimentation and other pollutant sources during construction has been developed. A detailed Erosion and Sedimentation Control Plan is included in

the Permit Drawings. Refer to Sheet C-100 for location of proposed erosion control measure and Section 2 of the Stormwater Report for additional information. The proponent will prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) prior to commencement of construction activities that will result in the disturbance of one acre of land or more.

The proposed stormwater management system for the site will control the Peak Rate of Runoff through the use of deep sump catch basins, pipe detention systems, a detention basin, outlet control structures, and gabion walls (level spreaders). These systems have been designed in accordance with the MA DEP Stormwater Management Policy to recharge groundwater and reduce rate of runoff from the parcel.

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

The proposed residential development which includes of mixed single-family residential housing will not cause excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.

Site Plan Review Regulations

- a. *§II.E.1.b. "size of proposed structures, lot size, and building coverage %. In the Watershed Overlay district, include total impervious area."*

The Project proposes to construct 49 duplex units consisting of two single-family residential dwellings, each consisting of approximately 2,188 square. Below is a summary table of the lot size & building coverage.

	ALLOWED/ REQUIRED	PROPOSED (LOT 1)	PROPOSED (LOT 2)	PROPOSED (LOT 3)	PROPOSED (LOT 4)	PROPOSED (LOT 5)
LOT AREA (SF)	22,500	34,848	22,651	32,670	44,431	1,160,003
FRONAGE (FT)	100	176.73	182.00	200.00	219.35	175.40
FRONT YARD (FT)	25	N/A	25	27.1	26.8	279.3
REAR YARD (FT)	25	N/A	> 25	> 25	> 25	> 25
SIDE YARD (FT)	15	N/A	> 15	> 15	> 15	> 15
BUILDING HEIGHT (FT)	35	N/A	< 35	< 35	< 35	< 35
NO. OF STORIES	2.5	N/A	2	2	2	2
MAX BUILDING COVERAGE (%)	33	N/A	19.3%	13.4%	9.8%	17.4%

As a portion of the site is within the Watershed Overlay District, a separate impervious cover calculation was performed which concluded that this portion of the site will be approximately 29.7% impervious which will require the issuance of a Special Permit from the Zoning Board of Appeals. This application will be submitted concurrently as the Planning Board permit applications.

- 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.*

The proposed homes have been developed with a two stall garage and a driveway which could feasibly accommodate up to two additional vehicles for a total of four per units. There are no existing parking spaces within the parcel limits.

- 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).*

Refer to "Special Permit Criteria Evaluation" above for additional information.

d. *§II.E.3.: Description of permits/approvals needed from other permitting authorities*

- Special Permit from the Zoning Board of Appeals for impervious cover with Watershed Overlay District
- Notice of Intent from Conservation Commission. An "Order of Conditions" has been issued for the project by the Leicester Conservation Commission. This Order will need to be amended to now include some minimal impacts associated with the emergency access along Colonial Drive.

e. *§II.E.4.: Proposed development schedule*

The proposed project anticipates obtaining full permits by spring of 2022 with an anticipated start of construction for the summer/fall of 2022.

As part of this submittal, and in effort to provide comprehensive review for the Definitive Subdivision submittal, a preliminary list of waivers to the Leicester Subdivision Regulations is being submitted herewith. The applicant reserves the right to amend the list of waivers as needed during the Definitive Subdivision design and review process.

Waivers:

Section V.A.1.f - Minimum center line radii. 200' min. Required

To allow center line radius of 120' and 135'. This happens along centerline at the following locations:

Colonial Extension	Sta 0+36.10 to 1+58.59	Radius = 120'
Colonial Extension	Sta 2+94.62 to 4+63.02	Radius = 120'
Kettle Lane	Sta 2+69.81 to 3+54.73	Radius = 120'
Skyview Drive	Sta 11+29.41 to 14.50.18	Radius = 120'
Skyview Drive	Sta 18+44.86 to 20+16.05	Radius = 135'

A truck turning simulation has been prepared illustrating that fire apparatus can maneuver the roadway network without impacts to oncoming vehicles.

Section V.A.3.a - maximum street grade. 10%

To allow a roadway grade steeper than 10%. This happens along centerline at the following locations:

Skyview Drive	Sta 0+90.00 to 5+25.00	Slope = 11.65%
Colonial Extension	Sta 0+90.00 to 3+97.00	Slope = 11.56%
Emergency Access	Sta 1+20.00 to 3+75.66	Slope = 12.00%

Section VI.B.1a – reinforced concrete storm drainage piping required

A waiver is requested to utilize high density polypropylene (HDPE) drainage lines or approved equal within the drainage system of the subdivision.

Section VI.C.4 - velocities shall be between 2 and 10 feet per second

A waiver is requested allow water velocity within the closed stormwater system to exceed 10 feet per second for several of the proposed pipe runs due to the topography of the existing parcel. Actual velocities associated with the waiver request vary from 11.92 fps to 14.0 fps which is less than the manufactures recommendation for scour within the piping network.

Section VI.e.3 - street lighting required

To allow street lighting to be installed as private driveway light. Each lot shall be provided with a standard lamp post light on the lot near the intersection of the driveway with the street right-of-way line. Each lot light shall be placed on a dusk till dawn timer and shall be maintained by the individual property owner in perpetuity as stated in the proposed covenants.

Section VI.G.1 - Sidewalks shall be installed on both sides of all streets within a subdivision

A waiver is requested to install sidewalks on only 1 side of the roadway due to the steep terrain of the proposed subdivision and lack of connection to a municipal sidewalk along Main Street (aka Route 9)

At this time, Allen & Major Associates, Inc. is requesting to be placed on the agenda for the next available meeting of the Planning Board to discuss this Residential Site Plan. Representatives of this office and the owner/applicant will attend to present the plan and address any concerns raised by the Board at that time. We thank you in advance for your anticipated cooperation regarding this project and look forward to meeting to discuss the plans.

Very Truly Yours,

ALLEN & MAJOR ASSOCIATES, INC.



Michael Malynowski, PE
Senior Project Manager

December 14, 2021

To:

Michelle R. Buck, AICP, Town Planner
Leicester Development and Inspectional Services
3 Washburn Square
Leicester, Massachusetts 01524

A&M Project #:

2889-01

Re:

Skyview Estates
Special Permit /
Site Plan Review
Town & Engineer Comments
651 Main Street
Map 21/Parcel B5.1

Copy:

Dear Ms. Buck,

Please find Allen & Major Associates, Inc. (A&M) responses to the Town's review letter dated August 19, 2021, in reference to the Skyview Estates Special Permit/Definitive Subdivision Application, to be located at along Main Street in Leicester, Massachusetts. Also included are A&M's responses to the review letter provided by Quinn Engineering, Inc. dated November 12, 2021.

Town Comments:

Subdivision Rules and 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."*

Response: The proposed street names have been added to the plans.

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).*

Response: The updated narrative has been expanded to discuss these items.

3. *§I.F.1.: Plans should conform to Site Plan Regulations (see below).*

Response: The plans have been updated.

4. *§I.F.4: Plans for Two-Family plans should conform to this section of the Special permit Regulations.*

Response: More detailed architectural plans will be updated to address these items.

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."*

Response: The requested information has been included in the project narrative.

- 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.*

Response: Parking requirements have been discussed in the updated project narrative. Each residential dwelling will include a two car garage and paved driveway to reasonably accommodate two additional vehicles.

- 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).*

Response: This has been included in the update project narrative.

- d. *§II.E.3.: Description of permits/approvals needed from other permitting authorities*

Response: The project anticipates the need for an amended Notice of Intent from the Conservation Commission, Special Permit from Zoning and a highway access permit from MassHighway.

- e. *§II.E.4.: Proposed development schedule*

Response: As the project has not received full approval both at the local level and from the appropriate state agencies, the development of a construction schedule is pre-mature.

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.*

Response: Approximate areas for proposed residential dwellings have been shown on the updated plans. Final architectural plans are still evolving and more detailed architectural plans will be submitted to address these items.

- b. *§II.F.3. Zoning district boundaries (the boundary of the Water Resource Protection Overlay District is not shown)*

Response: Zoning district boundaries have been added as requested, see sheets C-101, C-101A, C-101B, and C-101C.

- c. *§II.F.4. Location of all driveways (no driveways are shown for the multi-family structure on Lot 9*

Response: The design has been revised and this multi-family structure is no longer proposed.

- 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.*

Response: More detailed architectural plans will be updated to address these items.

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.*

Response: Parking requirements have been discussed in the updated project narrative. Each residential dwelling will include a two car garage and paved driveway to reasonably accommodate two additional vehicles.

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.*

Response: Density calculations have been added to the plan.

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.*

Response: The design has been revised and this multi-family structure is no longer proposed.

10. *No information is provided to determine conformance with the Water Resources Protection Overlay District (§7.1)*

Response: As a portion of the site is within the Watershed Overlay District, a separate impervious cover calculation was performed which concluded that this portion of the site will be approximately 29.7% impervious which is less than the 30% outlined in Section 7.1. This will require the issuance of a Special Permit from the Zoning Board of Appeals, including submission of a comprehensive stormwater management system has been designed to treat stormwater associated with the impervious cover prior to discharge. The implementation of drywells for the project will provide the required recharge. This application will be submitted concurrently with the Planning Board permit applications.

Quinn Engineering Inc. Comments:

1. *As revised, the plans depict four frontage lots (Lots 1 – 4), with remaining land identified as Lot 5. Per the Applicant, the dwellings and roads on Lot 5 will remain private. On that basis, plans are subject to Major Site Plan Review, under §5.2.03, 4, B. Because all streets are now proposed as private, there is some question as to whether the Subdivision Control Law is an appropriate mechanism for reviewing the division of the lots. Lots 1-4 can be divided as Approval Not Required ANR lots.*

Response: The four lots along Main Street will be submitted under a separate ANR process.

2. *The submitted plans are found to be incomplete in relation to requirements for Site Plans. The following required plan information is not found:*

a.) *Locations of sidewalks to dwellings not shown. (REF: Site Plan Review Regulations, Section II, F, 4)*

Response: Sidewalk are to the front door of the homes with the paved driveways.

b.) *Proposed landscaping not found. (REF: Site Plan Review Regulations, Section II, F, 6)*

Response: Landscaping along the roadway has been added to the plans. Each home will be have a complete landscaping plan prepared and submitted as part of the building permit process. This has been noted on the plans.

c.) *Proposed water and sewer services not found on plan; roof drywells from each dwelling not found on plan. (REF: Site Plan Review Regulations, Section II, F, 7)*

Response: Each home has a dry well called out on the plan.

d.) *Proposed topography not shown on plan. (REF: Site Plan Review Regulations, Section II, F, 8). The revised roadway profiles will require much deeper excavation, with major revisions to the proposed topography onsite. This change will affect homes, retaining walls, drainage and hydrology over a large area. The Board is urged to not waive this requirement. See Comments 2e, 6, 13 and 24a below.*

Response: Grading for the roadway, dwellings and drainage infrastructure have been shown on the plans, including the placement of retaining walls.

e.) *Plans do not identify the location where earth removal or filling will take place, nor the volume of material to be moved. The required information cannot be provided in the absence of proposed topography. (REF: Site Plan Review Regulations, Section II, F, 9)*

Response: An approximate earth removal volume has been illustrated on the plans.

f.) *The plans received at this office do not include exterior facades of proposed structures. (REF: Site Plan Review Regulations, Section II, F, 10)*

Response: The foot print of the homes has been defined on the site plans.

3. *Lot 1 appears to propose a Single Family Home. In the Business (B) zoning district, Single Family Home use is not permitted.*

Response: This has been removed from the updated plan set.

4. *In his memorandum to Brooke Hultgren dated October 5, 2021, the Engineer states that the project will render 22.93% of the subject area impervious. Under the Watershed Protection Overlay District (WPOD) bylaw, §7.1.04, (2), Special Permit Uses states that uses which render impervious more than 15% or 2500 square feet of any lot, but not greater than 30% are subject to Special Permit. Based on the Engineer's calculation, the use proposed on Lot 5 is subject to Special Permit, under §7.1, before Leicester Zoning Board of Appeals. It is not clear whether the Engineer's impervious calculation pertained to the area within WPOD; the Engineer should clarify whether the percent impervious within WPOD.*

Response: As a portion of the site is within the Watershed Overlay District, a separate impervious cover calculation was preformed which concluded that this portion of the site will be approximately 29.7% impervious which is less than the 30% outlined in Section 7.1. This will require the issuance of a Special Permit from the Zoning Board of Appeals, including submission of a comprehensive stormwater management system has been designed to treat stormwater associated with the impervious cover prior to discharge. The implementation of drywells for the project will provide the required recharge. This application will be submitted concurrently with the Planning Board permit applications.

5. *Plans state that 103 "homes" are proposed, but the number of dwelling units depicted on plan does not equal 103.*

Response: The Site Plan Review application, narrative and plans should be revised to the correct number of dwelling units proposed.

6. *The roadway profiles propose 11.65% slope on Skyview Drive and 11.5% on Colonial Extension. The changes in road slopes will require much deeper excavation onsite than previous plans. It is not possible to evaluate the impact which these changes in topography will have on homes, drainage, hydrology or retaining walls. In the absence of proposed topography, these plans are considered incomplete.*

Response: The updated plans have a full complement of grading to illustrate the grading cut throughout the project.

7. *The plans propose maximum roadway slopes of 11.65% on Skyview Drive and 11.5% on Colonial Extension. Under the Subdivision Rules and Regulations a maximum road grade of 10% is permitted for minor roads. It is the opinion of this office that the proposed road grades do not constitute a safety hazard.*

Response: Understood, in addition to the reduced grade, the first section of roadway will be heated to provide for snow melt.

8. *Leicester Planning Board may wish to require Colonial Extension be designated as an Emergency Access Road, to divert traffic away from Colonial Drive, which slopes steeply (14%) down to Main Street.*

Response: We concur that Colonial Drive should be removed as an access road. The updated plans show this as a gated emergency access only.

9. *In several locations, plans indicate that the site is within the Business (B) and Suburban-Agricultural (SA) zoning districts. Any locations where the site extends into the SA district must be explicitly identified on the plan.*

Response: The parcel is wholly within the Business (B) district and flanked by the Suburban Agricultural.

In the SA district "Two family dwellings" and "Multi-family" uses are not permitted.

10. *Plans are not embossed with the stamp of a Massachusetts Registered Professional Engineer.*

Response: The updated plans have been stamped.

11. *A project narrative pertaining to Site Plan Review requirements must be submitted, addressing specific items required under Site Plan Review Regulations, Section II, E, 1 and 2.*

Response: The narrative has been updated.

12. *The Applicant's proposal package should identify how solid waste removal will be handled.*

Response: Each home will have a trash service, and several locations have been shown on the plans to accommodate centralized trash collection locations.

13. *Subdrains should be clearly identified on plan in all cut areas and areas where the gravel road base will be below existing grade, to control water in the road base. In locations where the road passes through cuts on both sides, subdrains should be required on both sides. Cut areas cannot be evaluated in the absence of proposed topography plan.*

Response: Underdrains within the roadway have been shown on the grading plans

14. *Given the likelihood of high groundwater tables in the area, test pits should be conducted on all proposed roads in locations of cuts.*

Response: Many test holes up to 30' deep were done on the site.

15. *Regarding retaining wall called out on Colonial Drive Extension, Sta 0+40 –2+65, in this location, guardrail is likely required under Massachusetts DOT warrant for guardrail. Engineer must evaluate the warrant for guardrail, to determine whether conditions dictate its installation.*

Response: A guardrail has been to the plans at this location.

16. *Engineer must evaluate the Massachusetts DOT warrant for guardrail, in areas with downslope grades to determine other areas that guardrail may be required for public safety.*

Response: Guardrails have been added to the plans where needed.

17. Main Street in this area is under control of Massachusetts Department of Transportation. A Permit to Access State Highway will be required.

Response: The application is currently under review.

18. A note on Sheet C-100 states "REMOVE VEGETATION & TREES" over the entire site, which appears to require clear cutting the site. Leicester Planning Board may wish to require that trees be preserved wherever possible.

Response: The site preparation plan has been updated including a construction sequence.

19. A detail for pavement and gravel base should be provided for the Emergency Access Road.

Response: The detail has been added to the plans.

20. Wheelchair ramps should be provided for crossing Skyline Drive at Sta 22+00, from Skyline Terrace.

Response: The detail has been added to the plans.

21. The driveways for Lots 1, 2, 3 and 4 must be configured to permit vehicles to turn around onsite. Vehicles should not be required to back onto Main Street.

Response: A vehicle turn-a-round has been shown for these dwelling units.

22. It is recommended that the names of the two proposed streets not share a common noun (Skyview), for public safety purposes.

Response: The names have been updated.

23. Regarding parking, Leicester Planning Board may wish the Applicant address guest parking onsite.

Response: Parking requirements have been discussed in the updated project narrative. Each residential dwelling will include a two car garage and paved driveway to reasonably accommodate two additional vehicles.

24. Pertaining to drainage design:

a.) The revised roadway profiles will completely alter the proposed topography over a large area of the site, resulting in changes to the drainage design and hydrologic analysis. The drainage report submitted pertains to the previous plan, and does not reflect the current proposed conditions. In the absence of current proposed topography, the drainage plans and hydrology analysis are not valid.

Response: The updated plans have a full complement of grading to illustrate the grading cut throughout the project.

b.) Drainage and stormwater management facilities must be located within an easement which permits access by Town of Leicester, for inspection and emergency maintenance purposes.

Response: Upon acceptance of the site plan, including the location of the specific drainage systems, easements will be illustrated on the final plans.

c.) At three locations on Main Street (Route 9), drains connect into existing catch basins. Drains must connect into drain manholes, not catch basins.

Response: The current drainage system within Main Street is a modified "country drainage" system comprised of two catch basins along each side of the pavement with a single discharge to the north side of Main Street. As this system is limited to two inlets and a single outlet, there are no manholes within the roadway. As such, the connection is made to the catch basin.

d.) Detention systems are proposed in three locations on plan, which utilize "Retain-It" underground chambers. Engineer must provide buoyancy calculations, documenting that the chambers are stable under high groundwater conditions, while empty.

Response: Buoyancy calculations will be included as part of the shop drawing process for the specific systems.

e.) The revised hydrology must include Post-Development Hydrologic Routing Plan, and Watershed Plan, and Pre- Development Watershed Plan on plan size (24' x 36") paper. Previous submissions on 8 1/2 x 11" paper were virtually unreadable.

Response: A full size routing diagram will be provided.

f.) Swales along the sides of Skyline Drive, beginning at Station 0+00 extending upgrade are steep, and must be protected against erosion, using check dams and/or rip-rap armor.

Engineer must determine velocity of flow and document that proposed armor is sufficient to withstand velocity.

Response: Stone check dams details have been added to the plans.

g.) Engineer must document that Catch Basins CB-03 and CB-09 on Skyline Drive, have sufficient "grate capacity" to admit design flow. Catch basins must be designed to capture storm flow at design velocity.

Response: These structures have been noted to be fitted with vane style grates for added inlet capacity

h.) Engineer states that 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. Site plans do not call for dry wells at any dwellings.

Response: The updated plans have the location of drywells indicated on the plans.

i.) 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.

Response: Additional test pits will need to be conducted at these specific locations. Will add a note to the plan calling for the extra test pits information.

We thank you in advance for your anticipated cooperation regarding this project and look forward to meeting to discuss the plans.

Very Truly Yours,

ALLEN & MAJOR ASSOCIATES, INC.



Michael Malynowski, PE
Senior Project Manager