



# Town of Leicester PLANNING BOARD

1

3 Washburn Square  
Leicester, Massachusetts, 01524-1333  
Phone: 508-892-7007 Fax: 508-892-7070  
[www.leicesterma.org](http://www.leicesterma.org)

## PLANNING BOARD AGENDA Tuesday January 19, 2021 @ 7:00PM **ONLINE MEETING ONLY**

Please join the meeting from your computer, tablet or smartphone.  
<https://global.gotomeeting.com/join/232175485>

You can also dial in using your phone.  
United States (Toll Free): 1 866 899 4679  
Access Code: 232-175-485

### ORDER OF BUSINESS\*

1. 7:00PM **ANR Plan**  
Lilyestrom Grove (Applicant: James White)
2. 7:10PM **Approval of Minutes**
  - December 8, 2020
3. 7:20PM **Town Planner Report/General Discussion:**
  - A. DLTA Grant Support Letter
  - B. Zoning Bylaw Amendments
  - C. Miscellaneous Project Updates
  - D. Board Member Committee Updates
  - E. Upcoming Meeting Dates
4. **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”



# Town of Leicester PLANNING BOARD

2

3 Washburn Square  
Leicester, Massachusetts, 01524-1333  
Phone: 508-892-7007 Fax: 508-892-7070  
[www.leicesterma.org](http://www.leicesterma.org)

## Memorandum

**TO:** Planning Board Members  
**FROM:** Michelle R. Buck, AICP  
Town Planner/Director of Inspectional Services  
**DATE:** January 13, 2021  
**RE:** **January 19, 2020 Planning Board Meeting**

---

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

### **Remote Meeting – Suggested Instructions:**

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

### **ANR Plan, Lilyestrom Grove**

The Planning Board approved an ANR Plan in 2002 for this site with 3 lots meeting the 50,000 square foot minimum lot size at that time. The current plan is to create 2 lots in conformance with the current 80,000 square foot minimum requirement.

### **Zoning Bylaw Amendments**

My work on these has been on hold because of the staff changes in the Department, but I'll provide a status update at the meeting.

### **DLTA Grant Support Letter**

We may be submitting a District Local Technical Assistance Grant later this month. We're still reviewing potential projects, but the grant requires support of the Planning Board. I'll provide details at the meeting.

### **Miscellaneous Project Updates**

#### *15 Water Street*

I've included an email from Carol Pappas regarding noise complaints for CS Landscaping at this address. She's requesting that the Planning Board restrict their hours. There are also issues outstanding with the Fire Department and Leicester Water Supply district related to sprinklers. Below are the Project Specific Conditions for this site from the Site Plan Approval:

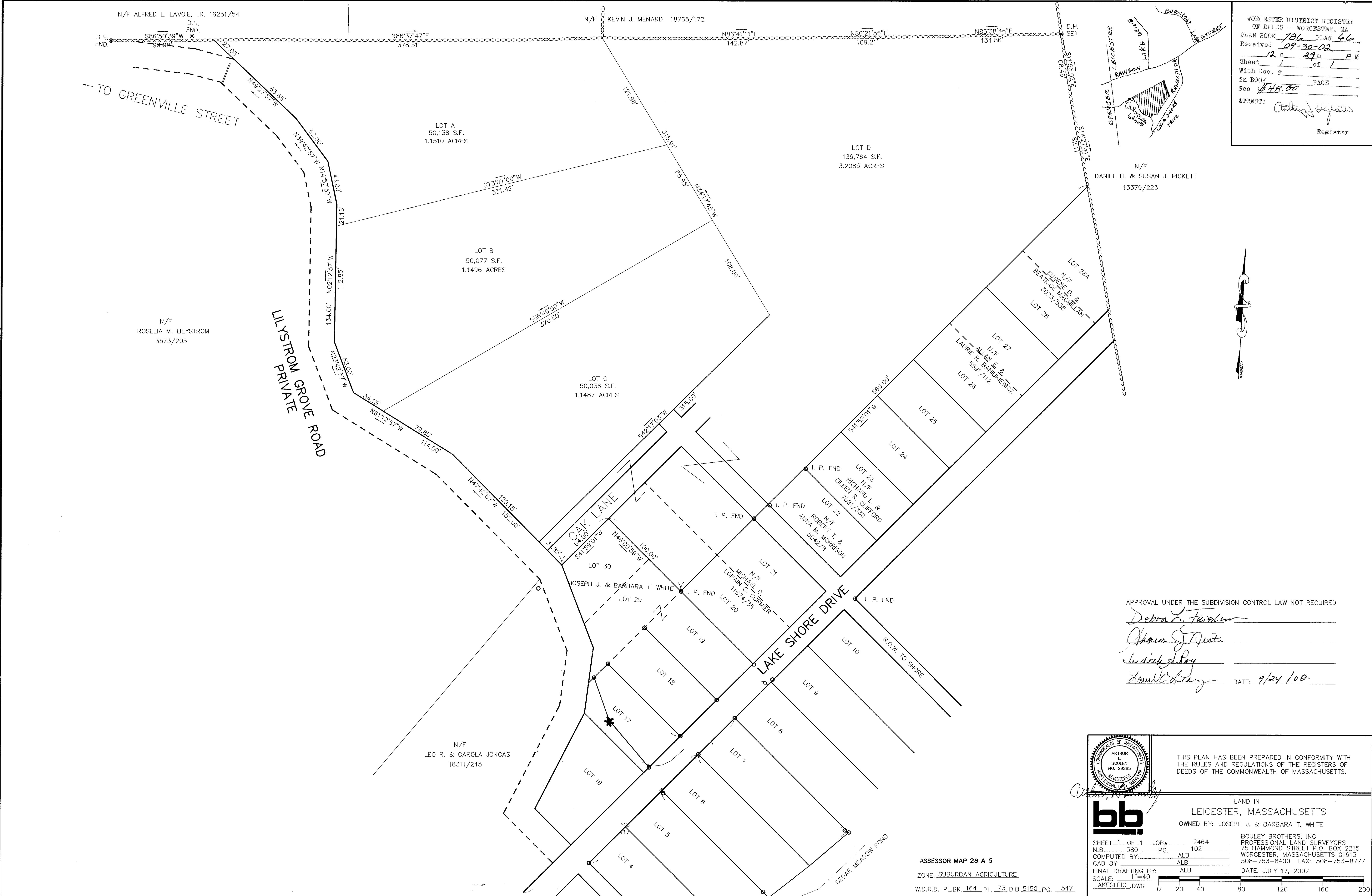
#### **Project-Specific Conditions:**

1. The applicant shall address Leicester Water Supply District concerns prior to operation or issuance of business licenses for the site.
2. The dumpster shall be enclosed on all 4 sides by an opaque fence and shall remain locked when not in use. The dumpster enclosure shall be installed within 45 days of this

decision and prior to issuance of business licenses, unless extended by majority vote of the Board.

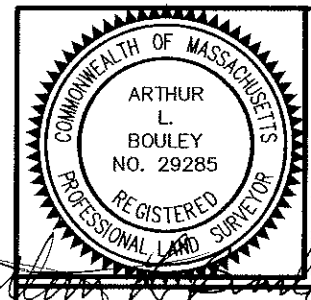
3. The building shall be for offices and storage only for the two proposed businesses (masonry and landscaping activities will take place off-site). Maintenance of vehicles and equipment shall take place inside the building.
4. Trucks shall not remain in operation while parked or loading and unloading or at the site.

I've also attached the relevant portion of the meeting minutes from the August 18, 2020 public hearing.



WORCESTER DISTRICT REGISTRY  
OF DEEDS -- WORCESTER, MA  
PLAN BOOK 786 PLAN 66  
Received 09-30-02 12 h 29 m PM  
Sheet 1 of 1  
With Doc. #         
in BOOK        PAGE         
Fee \$48.00  
ATTEST: Anthony Higgins  
Register

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED  
Debra L. Furdan  
Chau S. Nix  
Judith J. Roy  
Laurie L. Roy DATE: 9/24/02



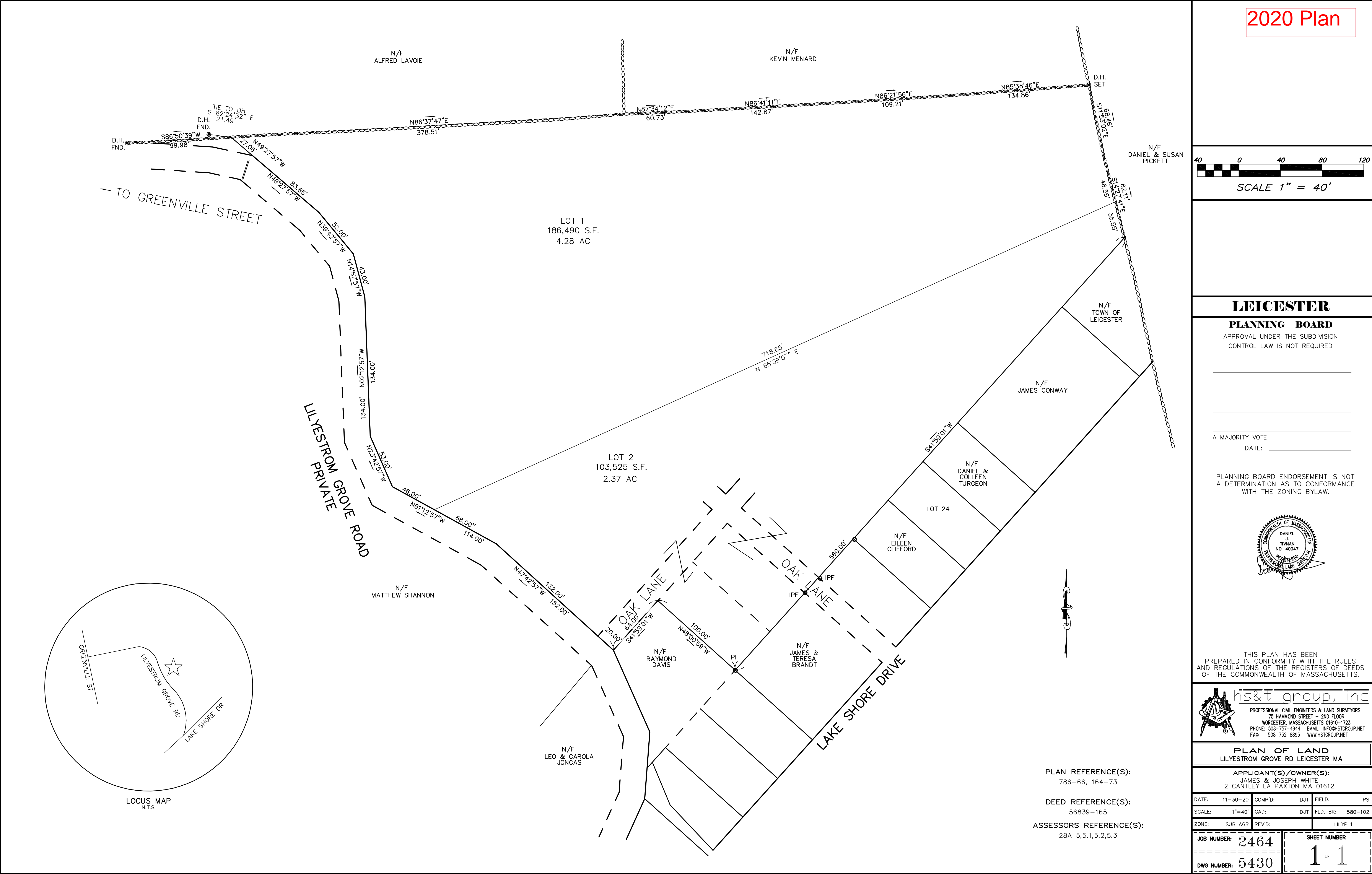
THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH  
THE RULES AND REGULATIONS OF THE REGISTERS OF  
DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.



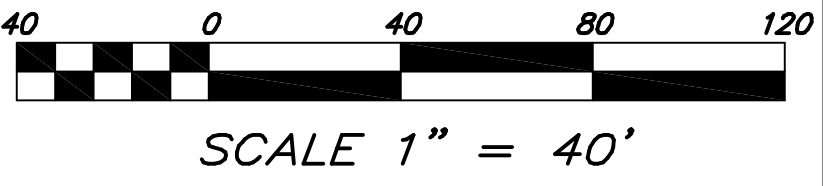
LAND IN  
LEICESTER, MASSACHUSETTS  
OWNED BY: JOSEPH J. & BARBARA T. WHITE  
BOULEY BROTHERS, INC.  
PROFESSIONAL LAND SURVEYORS  
75 HAMMOND STREET P.O. BOX 2215  
WORCESTER, MASSACHUSETTS 01613  
508-753-8400 FAX: 508-753-8777  
DATE: JULY 17, 2002  
SHEET 1 OF 1 JOB# 2464  
N.B. 580 PG. 102  
COMPUTED BY: ALB  
CAD BY: ALB  
FINAL DRAFTING BY: ALB  
SCALE: 1"=40'  
LAKESLEIC.DWG

ASSESSOR MAP 28 A 5  
ZONE: SUBURBAN AGRICULTURE  
W.D.R.D. PL.BK. 164 PL. 73 D.B. 5150 PG. 547





2020 Plan



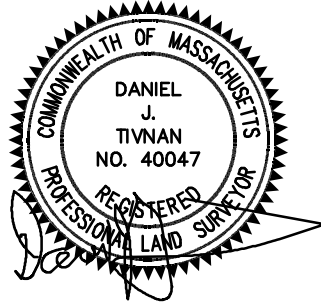
LEICESTER

PLANNING BOARD


APPROVAL UNDER THE SUBDIVISION  
CONTROL LAW IS NOT REQUIRED

A MAJORITY VOTE  
DATE: \_\_\_\_\_

PLANNING BOARD ENDORSEMENT IS NOT  
A DETERMINATION AS TO CONFORMANCE  
WITH THE ZONING BYLAW.



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



**h&s&t group, inc.**  
PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
75 HAMMOND STREET - 2ND FLOOR  
WORCESTER, MASSACHUSETTS 01610-1723  
PHONE: 508-757-4944 EMAIL: INFO@HSTGROUP.NET  
FAX: 508-752-8895 WWW.HSTGROUP.NET

PLAN OF LAND  
LILYESTROM GROVE RD LEICESTER MA

APPLICANT(S)/OWNER(S):  
JAMES & JOSEPH WHITE  
2 CANTLEY LA FAXTON MA 01612

DATE:	11-30-20	COMP'D:	DJT	FIELD:	PS
SCALE:	1"=40'	CAD:	DJT	FLD. BK:	580-102
ZONE:	SUB AGR	REV'D:			LILYP1

JOB NUMBER:	2464	SHEET NUMBER	1 OF 1
DWG NUMBER:	5430		

**Town of Leicester Planning Board  
Meeting Minutes  
December 8, 2020**

*[Note: This meeting was held remotely using GoToMeeting]*

**MEMBERS PRESENT:** Jason Grimshaw, Chair; Debra Friedman, Vice Chair; Sharon Nist; Andrew Kularski; Jaymi-Lyn Souza

**MEMBERS ABSENT:** James Reinke, Associate Member

**IN ATTENDANCE:** Michelle Buck, Town Planner, Tiffany Peters Department Assistant

**MEETING TIME:** 7:00PM

1. 7:00PM **Request for Extension of Site Plan Approval Deadlines**  
Boutilier Solar #3 (SPR2018-06), Applicant: Zero Point Development
2. 7:05PM **Open Space & Recreation Plan Committee**  
Planning Board Representative
3. 7:10PM **Approval of Minutes**
  - October 6, 2020
  - October 20, 2020
  - November 10, 2020
4. 7:20PM **Town Planner Report/General Discussion:**
  - A. Zoning Bylaw Amendments
  - B. Miscellaneous Project Updates
  - C. Board Member Committee Updates

**5. Adjourn**

Mr. Grimshaw called meeting to order at 7:00PM. [Jaymi-Lynn Souza wasn't present for votes except adjournment.]

**Request for Extension of Site Plan Approval Deadlines, Boutilier Solar #3 (SPR2018-06)**

Mr. Tom Corbett is present for Zero-Point Development Inc. He states that they are requesting an extension due to National Grid's responsiveness to their ongoing studies. He states this project has been placed into a transmission study which is set to start next week and end in August 2021. They are going to evaluate the 270 megawatts of solar that are moving forward, and they are requesting an extension based upon the findings. Ms. Buck recommends that the Board grant a one-year extension for the deadline to start and the deadline to finish the project. The original deadline to start was December 18, 2020 and to finish was December 18, 2021.

**Motion:** Ms. Friedman moved to that the Board extend the start and finish date by one year for Boutilier Solar [to 12/18/2021 and 12/18/2022, respectively]

**Second:** Ms. Nist

**Discussion:** None

**Vote:** All in favor (4-0-0)

**Open Space & Recreation Plan Committee**

Ms. Nist volunteers to be the Planning Board representative on the Open Space & Recreation Plan Committee.

**Motion:** Mr. Kularski moved to nominate Ms. Nist to the Open Space & Recreation Plan Committee.

**Second:** Ms. Friedman

**Discussion:** None

**Vote:** All in favor (4-0-0)

### **Approval of Minutes:**

#### **October 6, 2020**

**Motion:** Ms. Nist moved to approve the minutes for October 6, 2020

**Second:** Mr. Kularski

**Discussion:** None

**Vote:** (3-0-1) Mr. Grimshaw abstained

#### **October 20, 2020**

**Motion:** Ms. Nist moved to approve the minutes for October 20, 2020

**Second:** Mr. Kularski

**Discussion:** None

**Vote:** (3-0-1) Mr. Grimshaw abstained

#### **November 10, 2020**

**Motion:** Ms. Nist moved to approve the minutes of November 10, 2020

**Second:** Ms. Friedman

**Discussion:** None

**Vote:** (3-0-1) Mr. Kularski abstained

### **Zoning Bylaw Amendments**

#### *Marijuana*

Ms. Buck states that the Cannabis Control Commission voted on their revised regulations last week. Ms. Buck is still in the process of reviewing the revisions. She states she is also planning to consult with Town Counsel as it mentions in the regulations that Town's might have to allow delivery if they allow retail marijuana sales. Ms. Buck states that currently our bylaw explicitly excludes delivery.

#### *Pleasant Street Re-Zoning*

Ms. Buck states that she has once again begun looking at Pleasant Street re-zoning because someone is interested in purchasing 760 Pleasant Street (former Suburban Propane).

Ms. Souza arrived at this time (7:11PM)

### **Miscellaneous Project Updates**

#### *11 Hankey Street*

An Enforcement letter was sent to 11 Hankey Street. They state that they are in the process of working on their Special Permit. The Fire Department did an inspection and there are numerous

safety violations. The Department of Inspectional Services and the Fire Department are jointly issuing them a Cease & Desist letter today.

#### *Chapter 61 Request*

We received a Chapter 61 Request for a parcel near the intersection of Route 56 and Stafford Street. The Coopers are selling the property to Mr. Jackie Daige. The Board has no comments.

#### *15 Water Street*

Ms. Buck states that the applicant wanted the dumpster in front of the building for better access. The Fire Inspector visited the site and stated in an email that there was no fire access around the building, but it was not clear if the dumpster was the issue. Ms. Buck is continuing to follow up on this.

#### *Oakridge Estates*

They will be submitting their formal road acceptance request soon. We received a written complaint from the Homeowner's Association regarding the quality of the paving. Mr. Kevin Quinn was on site and subcontracted with a paving monitoring company that was also on site during the paving. Ms. Buck states she does not have any significant concerns at this time and that the site will continue to be inspected.

#### *Castle Restaurant Site*

A potential developer has reached out regarding this site. They have proposed demolishing the restaurant and building 15 multifamily housing units on the property.

#### *Main Street*

A potential developer has reached out regarding building 39 Duplexes on Main Street near St. Joseph's church. Ms. Buck states the initial conceptual plan was done without any engineering and doesn't account for storm water basins, road rights-of-ways, etc.

#### *Hank's Marine*

The owners of Hank's Marine plan on obtaining a Special Permit to build a show room, add parking, and be able to display boats for sale.

### **Board Member Committee Updates**

#### *CMRPC*

Ms. Souza states that she attended a CMRPC meeting which she states focused on diversity.

**Motion to Adjourn:** Ms. Nist

**Second:** Mr. Kularski

**Discussion:** None

**Roll Call Vote:** All in favor (5-0-0)

Meeting adjourned at 7:30PM

Respectfully Submitted,

Tiffany Peters, Department Assistant



**Documents included in meeting packet:**

- Agenda
- Memo to the Board from the Town Planner dated 12/3/2020
- Letter from Zero-Point Development, Inc. requesting an extension of site plan approval deadlines dated 11/30/2020
- Meeting minutes for October 6, 2020
- Meeting minutes for October 20, 2020
- Meeting minutes for November 10, 2020
- Status update of Bylaw Amendments dated 12/2/2020
- Letter from the Town to Randall Meraki (11 Hankey Street) dated 12/1/2020

**Documents submitted at meeting:** None

**From:** [Brooke Hammond](#)  
**To:** [Buck, Michelle](#)  
**Subject:** FW: DS Landscaping  
**Date:** Monday, January 11, 2021 3:09:33 PM

---

Got this email last week after I asked her to send a written request. I wasn't sure if this email came to you as well so I figured I would forward it.

---

**From:** Carol Pappas <carolp5116@hotmail.com>  
**Sent:** Thursday, January 7, 2021 10:15 AM  
**To:** Leicester Planning Board <planning@leicesterma.org>  
**Subject:** DS Landscaping

Hi Brooke,

When DS Landscaping came before the Planning Board last year I had requested limits on his hours of operation. The Board turned me down claiming he needs extra hours for his snow plowing business.

We have had no snow this week. Monday night at 3 am he was out there letting trucks run the whole time (isn't there some regulation about that?) and making all kinds of loud noises.

He repeated the same thing Tuesday night except he started at 1 am and continued for more than 2 hours.

Can you please re-present this to the Planning Board? It probably won't make any difference. He thinks the town and the rules are a joke and does what he wants. He washes trucks and personal cars during the drought. He blocks the road with his trucks. He leaves trucks running for hours. He was supposed to enclose his dumpster on 4 sides within 90 days and it is still not done. He just moved it to the other side of the building.

Would the Board reconsider the hours of operation? This is a residential neighborhood. I would ask that hours be from 7 am to 7 pm Monday through Friday and 8 am to 5 pm on weekends. There could be exceptions if there is plowable snow.

Thank you for your help. You can call me if you have questions 508-892-5116.

Carol Pappas

**Planning Board Public Hearing 8/18/2020**  
**15 Water Street, Special Permit (SP2020-02)**

Ms. Buck explains that we received a Special Permit application to allow reuse of the old fire station for business offices and storage. The applicant, Mr. Brian Thibeault, is present and states that there are two separate businesses in the building, a landscaping business and a masonry business with a total of 7 employees and 7 vehicles between them both. The building will be used as office space and to store their vehicles and tools.

Ms. Friedman asks if anyone on the Board has questions. Ms. Nist asks how snow removal will be handled. Mr. Thibeault states that snow will be moved to the back of the building and that they also own the building next door so there is plenty of room to put snow. A letter submitted by an abutter expressed discontent with the location of the dumpster on the property. Ms. Nist asks the applicant how he intends on addressing that issue. Mr. Thibeault believes that the current location of the dumpster is the only place that the Fire Department would allow it to go. Ms. Nist suggests that the applicant get that statement from the Fire Chief in writing.

Ms. Souza asks why they chose a new site to build the new fire station and asked if the reasoning for moving the location of the fire station would impact the new businesses going into that location. Ms. Friedman states that the site at 15 Water Street was not large enough to accommodate the new fire station.

Ms. Buck asks the applicant to address the comments from the water district regarding floor drains. Mr. Thibeault states that the floor drains will be plugged and will not be used. Mr. Thibeault states that the hours of operation will generally be from 7:00AM to 5:00PM but he does not think that it is fair to put restrictions on the hours that the businesses can operate as there are times they may come home late from jobs and that the building is being used as a storage and office area more than anything else. He states that there will be no exterior changes to the building and there is plenty of parking. Ms. Buck confirms that the one handicap parking spot on site fulfills the requirement for handicap spaces.

Mr. Kularski asks if there is going to be any landscaping/construction debris or product stored outside of the building and if outside storage was approved by the Fire Department. The applicant states that there will be a small amount of bark mulch stored behind the building and to his knowledge the Fire Department did not have an issue with it during their inspection.

Ms. Buck begins to discuss site specific conditions which include that the applicant must address concerns from LWSD prior to operation or issuance of a business license. The applicant confirms that the landscaping and masonry businesses are the only uses that he is proposing. Ms. Buck asks if the Board would like to include hours of operation in the conditions. Mr. Friedman thinks it should be addressed since there was concern from an abutter. Mr. Kularski confirms with the applicant that the landscape company will be participating in snow plowing. He is concerned that restrictions on their hours would hinder their business. Mr. Thibeault states that after hours the building would be used primarily for storage, parking and minor automotive maintenance if necessary when snow plowing. Ms. Buck confirms that it is acceptable from them to do minor vehicle maintenance but that anything more than that is not allowed in that district. Mr. Dimitri Saffron, of D.S. Landscapes who is renting space in the building states that

they will not be doing vehicle repairs after hours and in the circumstance that maintenance is needed, the vehicle would be pulled into the garage bay with the door closed with no excessive noise outside of the shop. He states that they wait to turn on the truck emergency lights on until they get on Route 9 and that they will continue to be respectful to the fact that it is a residential neighborhood.

Further discussion is had regarding the location of the dumpster. Mr. Saffron states that part of the reasoning for its current location is due to accessibility for the driver that picks up the trash. Ms. Friedman confirms with the applicant that the dumpster will be locked in order to eliminate potential trash debris from blowing around, she adds that enclosing the dumpster would also assist with this. It is decided that the dumpster will be enclosed on all 4 sides with an opaque fence and will be locked when not in use.

The Board reviewed draft conditions and did not include a limitation on hours but will note that there won't be outside labor (landscaping and masonry activities will take place off-site). The applicant will also have to address LWSD comments. Ms. Buck asks the Board if they want the condition that trucks may not be idling when parked or loading/unloading to remain. Ms. Friedman answers that it should remain a condition and that it is a state law as well. There are no further questions from the public or Board.

**Motion:** Mr. Kularski moved to approve the Special Permit at 15 Water Street with the conditions that have been set forth

**Second:** Ms. Nist

**Discussion:** None

**Roll Call Vote:** (4-0-0)