



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 May 4, 2021 @ 7:00PM *ONLINE MEETING ONLY*

LEICESTER PLANNING BOARD

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

<https://global.gotomeeting.com/join/281878021>

United States (Toll Free): +1 (877) 309-2073

Access Code: 281-878-021

ORDER OF BUSINESS*

1. 7:00PM **Public Hearing, Zoning Bylaw Amendment**
Marijuana Establishments: amendments to allow delivery and to increase the cap on marijuana retailers from 1 to 2 establishments
2. 7:15PM **Continued Public Hearing, Special Permit**
803 Main St, Afro Evolution Steppers (SP2021-04), reuse of existing structure for dance studio and hair braiding salon (Applicant: Candice Pabarroo)
3. 7:30PM **Continued Public Hearing, Special Permit**
WorcShop/11 Hankey Street (SP2021-03), Makerspace (Applicant: The WorcShop)
4. 7:45PM **Approval of Minutes**
 - April 6, 2021
5. 8:00PM **Town Planner Report/General Discussion:**
 - A. Discussion of Greenville Village NB District amendments (Patrick Carroll)
 - B. Planning Board Report on Zoning Bylaw Amendments
 - C. Miscellaneous Project Updates
 - D. Board Member Committee Updates
6. **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: April 29, 2021
RE: **May 4, 2021 Planning Board Meeting**

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

Remote Meeting – Suggested Instructions:

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

Public Hearing, Zoning Bylaw Amendment (Marijuana Establishments)

Amendments to allow delivery and to increase the cap on marijuana retailers from 1 to 2 establishments (hearing re-opened to reconsider the cap on retail establishments). At the hearing, I'd also like to change something in the draft – delivery should be "N" in the CB district (current buffer requirements eliminate the entirety of the district). Bylaw attached.

Afro Evolution Steppers (SPR2021-04), Continued

I met with the applicant, Candace Parraboo, earlier this week and I expect to hear from her to have revised submittals prior to the meeting, but I have not yet received anything. A revised draft decision is attached.

The WorcShop/11 Hankey Street (SP2021-03), Continued

Fire Access plan enclosed; Mike Wilson gave verbal approval of this (I've asked for written confirmation). I haven't yet received a plan showing the proposed location of storage units. I've also attached an email that summarizes some of the issues related to storage. Draft decision enclosed.

Greenville Village NB District Amendments

Patrick Carroll is interested in purchasing 760 Pleasant Street, and had asked about use of a portion of the building as a machine shop. The Zoning Enforcement Officer issued a determination that a machine shop is not an allowed use in the NB district, and that Mr. Carroll's options were to 1) appeal his determination to the ZBA, or 2) seek a Zoning Bylaw Amendment. Mr. Carroll would like to speak to the Board about a bylaw amendment.

Planning Board Report on Zoning Bylaw Amendments

Draft report for Town Meeting enclosed.

**Zoning Bylaw Amendments:
Marijuana Establishments
4/10/2021**

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>

N

C. Amend Section 5.1.5.02.I, as follows:

I. Limitations

Marijuana Retailers, Consumer Sales Only shall be limited to ~~4 establishment~~ 2 establishments in the Town of Leicester.



Town of Leicester PLANNING BOARD

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LEICESTER, MASSACHUSETTS, 01524-1333

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

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DRAFT 4/28/2021 **SPECIAL PERMIT DECISION**

Date:

File Number: SP2020-02

Applicant: Candace Pabarroo
879 Main Street
Leicester,
Attn: Joe Abramoff
34 Chiltern Hill Rd
Worcester, MA 01602

Owner: ATC Leicester LLC
Attn: Joe Abramoff
34 Chiltern Hill Rd
Worcester, MA 01602

Location: 803 Main Street/Map 21, parcel B3

Deed Ref.: Book 51546, Page 384

Zoning: Business (B)

Water/Sewer: Leicester Water Supply District

Subject: Application for Special Permit under §3.2.03.3 of the Leicester Zoning Bylaw to allow a dance studio.

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

Procedural History:

1. On March 23, 2021, 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 (Application Form, Project Narrative, and abutters list)
 - B. Site Photographs (undated)
2. The Planning Board held a public hearing on the application on April 20, 2021. The hearing was continued to May 4, 2021. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on _____.
3. 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. Insert description of new submittals

C. Written comments from the following Town Boards and Departments: Police Department, Fire Department, Leicester Water Supply District, Building Inspector, and the Town Planner.

Findings:

1. No exterior alterations to the building or site are proposed. The proposed project consists of reuse of a 2,700 square foot portion of an existing 4,500 square foot structure for a dance studio (1,800s.f.) and hair braiding studio (900s.f.) The two businesses combined will have 4-6 employees. The applicant proposes dance classes with 10-15 students at one time; there would be no more than 3 hair clients at a time. The remaining portion of the building is used by a cable company.
2. The subject property is located in the B zoning district, which allows a dance studio under that category of “place of amusement or assembly, club conducted for profit” (§3.2.03.3) by Special Permit from the Planning Board. The braiding studio use is allowed by-right (§3.2.03.1, service).
3. The proposed site has ____ parking spaces. Leicester’s Parking Regulations for the category of “Clubs, lodges, and other places of assembly (includes indoor recreational facilities, *dance studios*, gymnastic studios, etc.)” require “1 space per 4 seats or occupants of total seating/occupancy capacity.” *[Insert further information regarding parking when available]*
The Board finds _____.
4. MGL, Chapter 40A, §9 requires that the Board find uses allowed by special permit to be “in harmony with the general purpose and intent of the ordinance or bylaw.”
The Board finds that this project is in harmony with the purpose and intent of the Bylaw.
5. Section 5.8.04.B of the Zoning Bylaw, includes the following Special Permit Review Criteria for the Business (B) district:
 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;**
The Board finds the proposed project meets this standard as conditioned herein.
 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;**
The Board finds the proposed project meets this standard as conditioned herein.
 3. **The design of the project shall provide for adequate methods of disposal of sewage, refuse, or other wastes generated by the proposed use;**
The Board finds the proposed project meets this standard.
 4. **The project shall comply with all applicable environmental laws and regulations;**
The Board finds the proposed project meets this standard.
 5. **The proposed project shall be consistent with Leicester's Master Plan; and,**
The proposed use is consistent with Leicester’s Master Plan, including, but not limited to encouragement of activities that will provide employment opportunities, increase the tax base, and re-use existing underutilized commercial buildings.

6. The project shall comply with all of the above B District Site Development Standards.
Not applicable (existing structure).

Waivers:

In accordance with the Planning Board's Special Permit Regulations, after finding that it is in the public interest and not inconsistent with the Leicester Zoning Bylaw, the Planning Board agrees to accept the plans as submitted and to waive strict compliance with applicable provisions of the Planning Board Special Permit and Site Plan Regulations submittal requirements, including but not limited to the following:

- Site Plan Rules & Regulations (§II.A Site Plan, and §II.B Locus Plan): The project involves reuse of an existing structure, *and the applicant has submitted sufficient information to evaluate the proposed project.*
- Parking Regulations. *Based on the specifics of the proposed use and as conditioned herein, the Board waives strict compliance with Parking Regulations and finds parking adequate for the proposed uses on site.*

Decision:

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

Pre-Construction

1. The Special Permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
2. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address, email, and business phone number of the individual who shall be responsible for all construction activities on site.

General

3. Final design and construction shall be in substantial conformance to the plans submitted to the Planning Board and this Order of Conditions. No substantial corrections, field modifications, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board, which in its sole discretion, may determine such substantiality. Any requests for substantial modifications shall be made to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary and supporting documentation.
4. Unauthorized deviations from the approved plan may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.

5. Construction on the site must be started or substantial activity commenced by _____ (one year from the date of approval). Construction, once begun, shall be actively and continuously pursued to completion within by _____ (two years from the date of approval). Such deadlines may be extended for good cause upon the written request of the applicant prior to the specified deadline. If the time period for commencement or completion has elapsed, the rights granted by this approval shall expire and may be reestablished only after another application.
6. Litter and debris on-site shall be removed regularly to maintain a neat and orderly appearance.
7. The use shall not result in any undue disturbance to adjoining property owners or to the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.
8. All travel lanes and parking areas shall remain accessible and clear of snow year-round. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
9. All signs shall comply with §3.2.07 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

Project-Specific Conditions:

10. The Applicant shall install backflow protection on the potable water line under in accordance with Leicester Water Supply District requirements prior to occupancy of the building and shall notify the Planning Board office when this is completed.
11. The Applicant shall limit class capacity and/or establish drop-off protocols so that parking is accommodated in existing spaces on site without cars blocking emergency access to the building or parking in areas not designated for parking.
12. Other conditions?

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

RECORD OF VOTE

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

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

Jason Grimshaw, Chair

Debra Friedman, Vice Chair

Sharon Nist

James Reinke, Associate

Jaymi-Lyn Souza

Copy of Decision sent to:

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

* by certified mail

** where applicable

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

PROJECT NAME:

THE WORCSHOP
PERMIT SET

PROJECT ADDRESS:

11 HANKEY ST.
ROCHDALE, MA 01542

CLIENT

THE WORCSHOP
11 HANKEY ST.
ROCHDALE, MA 01542

ARCHITECT

OPRCH
THE OFFICE OF PENN RUDERMAN
ARCHITECTS, INC.
110 GLEASONDALE RD
STOW, MA 01775
617.855.5277

CONTRACTOR

CODE CONSULTANT

CODE RED CONSULTANTS, LLC
154 TURNPIKE ROAD, SUITE 200
SOUTHBOROUGH, MA 01772
T. 617.500.7633
F. 617.500.2074

REVISIONS

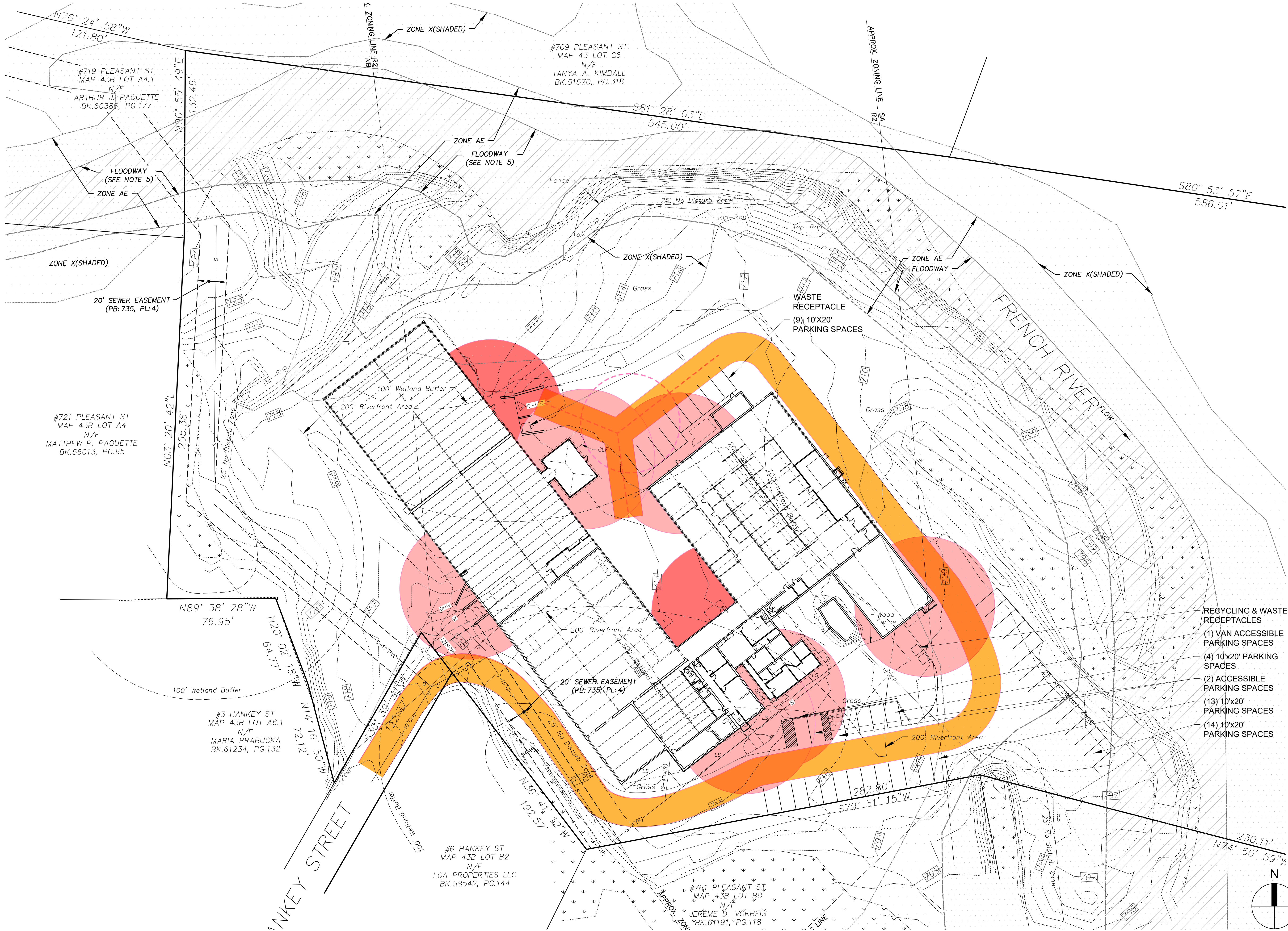
DATE: MAR 24, 2021

SITE PLAN

A1.00

DRAWINGS MAY NOT BE USED OR DISTRIBUTED
WITHOUT EXPRESS WRITTEN PERMISSION.

© OPRCH



From: [ethan_desota](#)
To: [Buck, Michelle](#)
Subject: Questions re Storage
Date: Wednesday, April 28, 2021 6:06:19 AM

Michelle - I spent some time with the WorcShop going over the outside storage, the containers at the location and the storage actually needed. I have compiled my information gathering here for a discussion when you are available.

Some factors to consider:

- Of the 10 containers or semi-trailers at the site, 6 of them pre-dated the WorcShop and contain items from the former owners. These items will be moved over time after the sale is complete.
- 1 of the containers contains a set of my tools - I moved it there in anticipation of work starting, but it will be gone when construction is complete.
- 3 of the containers are from the WorcShop original location.
- I propose that having containers is preferable to the scattered outside storage present today (junk and other items just sitting in the outdoor elements). The nature of a maker space is that there is a constant influx of incoming supplies and outgoing products and containers do provide a secondary staging point for this ebb and flow. If they can do this and avoid fire lanes, etc. we will have the architect place containers on the plan so that you can see where they will be stored.
- One of the members has a business modifying busses and trailers into tiny homes for use on other properties. There are currently 2 trailers, and 4 buses which are there for that purpose. The WorcShop can provide contracts showing that the mods do not include any on-site mechanical work, but are limited to interior cabinetry and electrical. I have proposed to the WorcShop that the mods should be limited to one or two at a time and should be parked on impervious surfaces if they are to be allowed at all.
- There are a lot of random items sitting outdoors both next to the building and in and around the containers. This falls into two categories - Items that need to be removed and items that will be moved and installed inside once work can begin again at the site.
- I have worked with Randal to identify all items that should be removed permanently and to reach out to makers who have deposited items outdoors and asked them to come in and clean these up.
- Clear communication has gone out to all members with individual communication to members who have been coming in and, at times, accessing or working on projects outdoors. They have been reminded that the cease and desist applies to them as well.
- I am assuming that work directly related to cleaning up the premises and organizing or removing outside/inside storage is authorized.
- One complication to keep in mind is that there is a great deal of indoor and outdoor equipment and random parts/pieces leftover from the previous owner - this has been added to by WorcShop items and together they are presenting a bit of an ugly face.

My suggestions:

- We find a way to authorize outdoor storage in containers at appropriate points along the backside of the property as was the habit of the former owners.
- We give a period of grace - not to exceed X months after permitting that allows for the movement out of the former owner's contents and supplies and the movement and organization of the WorcShop supplies.

- I am having the WorcShop write a clear automotive repair policy that strictly prohibits with fines any repairs that involve engines, transmissions, fluid exchanges, painting and body-work, or under-the-hood modifications. If possible, can they still allow mods that involve interior cabinetry, related electrical, and welding/metalworking mods that do not involve fluid exchanges or drivetrain repairs?

Would really appreciate your feedback.

Ethan DeSota

evdesota@gmail.com

810.874.6463

www.ethandesota.com



Town of Leicester PLANNING BOARD

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LEICESTER, MASSACHUSETTS, 01524-1333

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

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DRAFT
4/29/2021

SPECIAL PERMIT/SITE PLAN REVIEW DECISION

Date:

File Number: SP2021-02

Applicant: Randolph Gardner
The WorcShop
11 Hankey Street
Rochdale, MA 01542

Owner: David Magnuson
Rochdale Holdings/Worcester Tool & Stamping
11 Hankey Street
Rochdale, MA 01542

Location: 11 Hankey Street (Map 43 C7 & C8)

Deed Ref.: Book 3170, Page 111
Book 3685, Page 500

Zoning: Greenville Village Neighborhood Business District (NB)
Residential 1 (R1)
Suburban Agriculture (SA)
Adaptive Reuse Overlay District (AROD)

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

Subject: Application for Special Permit under §5.10 of the Leicester Zoning Bylaw to allow Adaptive Reuse of an existing structure as a makerspace

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

Procedural History:

1. On February 22, 2021, an application for a Special Permit and Site Plan Approval was submitted to the Leicester Planning Board (the Special Permit Granting Authority). All application materials are on file with the Planning Board. The Board's decision is based on the following submittals:
 - A. Application packet (Application Form, Project Narrative, and abutters list)
 - B. Code Red Consultants Fire Protection/Life Safety Chapter 34 Building Investigation & Evaluation Report, The WorcShop, 11 Hankey Street, Leicester MA, Prepared for Penn Ruderman Architects, and dated February 2, 2021.
 - C. Set of Plans (7 sheets), as follows:

Sheet #	Prepared By:	Sheet Title	Last Revision Date
A1.00	Penn Ruderman Architects, Inc.	Site Plan	3/24/2021
A1.01	Penn Ruderman Architects, Inc.	Special Permit First Floor Plan	2/12/2021
A1.02	Penn Ruderman Architects, Inc.	Special Permit Second Floor Plan	2/12/2021
LS1.01	Penn Ruderman Architects, Inc.	Special Permit First Floor Life Safety Plan	2/12/2021
LS1.02	Penn Ruderman Architects, Inc.	Special Permit Second Floor/Mezz. Life Safety Plan	2/12/2021
20-806	Jarvis Land Survey	Plan of Property	12/22/2020
EX-1	Samiotos Consultants, Inc.	Existing Conditions of Land	3/19/2021

[Insert description of later submittals & plans]

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 April 6, 2021. The hearing was continued to April 20, 2021. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on _____.
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 March 17, 2021;
 - C. Written comments from the following Town Boards and Departments: Police Department, Town Planner, _____.

Findings:

1. The subject property is located in the following Zoning Districts: Greenville Village Neighborhood Business District (NB), Residential 1 (R1), Suburban Agriculture (SA), and Adaptive Reuse Overlay District (AROD). A portion of the site (approximately 150' from the eastern boundary of parcel 43-C7) and only a small portion of the existing building is in the NB district; the remainder of the building is in the R1 district. The rear (west) portion of the site (some of the paved area and vacant land) is in the SA district. The AROD is applicable as the structure meets the eligibility requirement of §5.10.B.2 ("an existing structure having not less than 10,000 square feet constructed more than sixty (60) years ago and historically part of a mill complex.").
2. Much of the parcel is within wetland buffers and the Riverfront Area of the French River. No work is currently proposed in these areas.
3. The Adaptive Reuse Overlay District allows a makerspace (§5.10.D.2.o) by Special Permit. Site Plan Review is required as a portion of the site is in the NB district.
4. Specifically, the applicants have requested the following activities to be included in the makerspace use: blacksmithing, glass & jewelry making, metal fabrication, machine shop, wood shop, conference room, electronics, 2D/3D Print Shop, CNC Shop, as well as

associated office and storage space. **Future planned uses are an automotive innovation shop as well as sandblasting and finishes.**

5. The project site has 43 parking spaces, including 1 van-accessible and 2 handicap spaces. The current parking expectations for 200 members is as follows: staff parking (6 spaces), daily member use (10%-20 spaces), up to two concurrent classes on any given day with 6-8 individuals per class (16 spaces). Total anticipated spaces needed at any time up to an including 200 members = 42 spaces.
6. *Insert summary of outside storage issues*
7. Section 5.2.05 of the Zoning By-law contains Standards for Site Plan Approval (standards A-G). With regard to the Applicant's development proposal, the Planning Board makes the following findings pursuant to Section 5.2.05:
 - A. **The use complies with all the provisions of the Leicester Zoning By-Law;**
The Board finds that this standard has been met as conditioned herein.
 - B. **The use will not materially endanger or constitute a hazard to the public health;**
The Board finds that this standard has been met as conditioned herein.
 - C. **The use will not create undue traffic congestion or unduly impair pedestrian safety;**
The Board finds that this standard has been met as conditioned herein.
 - D. **Sufficient off-street parking exists or will be provided to serve the use;**
The Board finds that this standard has been met as conditioned herein.
 - 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;**
Public water & sewer will be provided by the Cherry Valley & Rochdale Water District/Oxford Rochdale Sewer District. Other utilities will be provided by the owner at the owner's expense.
 - F. **The use will not result in a substantial increase of volume or rate of surface water runoff to neighboring properties and streets, nor will result in pollution or degradation to surface water or ground water;**
No exterior changes that would affect stormwater are proposed.
 - G. **The use will not result in any undue disturbance to adjoining property owners or the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.**
The Board finds that this standard has been met as conditioned herein.
8. In accordance with Section 5.10 (Adaptive Reuse Overlay District), subsection F2: Site Development Standards for the underlying district are applicable. Where the underlying district does not have Site Development Standards, the standards for the Business (B) District shall apply. The Board, through the ARD special permit, may allow for modifications of Site Development Standards where not feasible due to existing site constraints."

As noted above, the site is multiple zoning districts (NB, R1, SA), and most of the building and site is in residential districts without Site Development Standards.

Business District Site Development are not applicable to reuse of existing structures. The applicant has requested a waiver of the NB district requirement for a 50 buffer from residential districts.

9. 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.

10. Section 5.10.G. of the Zoning By-law, Adaptive Reuse Overlay District Standards for Approval, contains the following standards for approval:

- (1) As a condition of any special permit for the an Adaptive Reuse Project that proposes 10 or more multi-family dwelling units, a minimum of ten (10%) of the total number of dwelling units shall be required, in perpetuity, to be restricted to persons qualifying as moderate income in accordance with the Massachusetts Department of Housing and Community Development definitions of low and moderate incomes. This affordability requirement is recommended but not required for live-work spaces associated with makerspaces.

Not Applicable

- (2) The proposed project preserves or enhances the historic significance of existing buildings on or eligible to be on the State or National Register of Historic Places and, where applicable, the eligibility of the same for listing on the State or National Register of Historic Places as an individual property or a contributing property to an area.

No exterior changes are proposed to the existing building.

- (3) Any expansion of existing buildings on or eligible to be on the State or National Register of Historic Places is consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation, as determined by the Leicester Historical Commission.

Not applicable

- (4) The project shall have sufficient local infrastructure to accommodate the proposed development.

The Board finds the project meets this standard.

- (5) The proposed ARD does not cause substantial detriment to the neighborhood after considering the following potential consequences

- a) noise, during the construction and operational phases,
- b) pedestrian and vehicular traffic,
- c) environmental harm,
- d) visual impact caused by the character and scale of the proposed structure(s), and

Waivers:

In accordance with the Planning Board’s Regulations and the Zoning Bylaw, after finding that it is in the public interest and not inconsistent with the Leicester Zoning Bylaw, the Planning Board agrees to accept the plans and related materials as is and to waive applicable provisions of Planning Board requirements including the following:

- Site Plan Review Regulations II.G. (Locus Plan).
- Zoning Bylaw §5.6.05.2.B (NB district landscape buffer), as the building and parking are almost entirely outside of the district and no exterior site changes are proposed.

Decision:

In view of the foregoing, at the meeting of _____, the Planning Board voted to approve/disapprove the Special Permit application for the above-described project. As used in

this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

Pre-Construction/Use

1. The Special Permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
2. Prior to issuance of an occupancy permit or business license to allow commencement of activities and uses authorized by this special permit, the Applicant shall demonstrate conformance with the conditions of this approval.
3. Prior to the issuance of any required building permits, all required federal, state, and local permits and licenses for the construction of the proposed project which is the subject matter of the building permit shall be obtained and presented to the Building Inspector.
4. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address, email, and business phone number of the individual who shall be responsible for all construction activities on site.

General

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

10. All travel lanes and parking areas shall remain accessible and clear of snow year-round. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
11. All signs shall comply with §3.2.07 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

Project-Specific Conditions:

12. Hours of Operation: _____ The Planning Board may modify hours of operation upon the written request of the Applicant, with at least thirty (30) days' notice. *[note: if the Board allows 24-hour operation, consider: The Board may restrict hours of operation if there is evidence of residential occupancy on the site]*
13. This special permit is limited to the activities described above. Future planned uses, such as an automotive innovation shop are not authorized by this special permit. Changes shall require an amendment to this special permit.
14. Activities authorized by this special permit are limited to the interior of the building. Outside activity (e.g. repair, manufacturing, construction) is prohibited.
15. *Storage trailers? Grace period to remove old trailers, organize WorcShop items?*
16. Storage in the building shall be limited to storage associated with uses in the building. Rental self-storage is not permitted by this special permit.
17. Residential occupancy on the site or in the building (i.e. members, staff, or anyone else living on the premises) is strictly prohibited. The Leicester Fire Department will conduct regular (no less than every 6 months) unannounced inspections. If evidence of residency is found; and immediate cease & desist order will be issued.
18. Membership is limited to 200 members. The applicant shall provide an annual written report to the Planning Board including current membership numbers and an updated membership utilization percentage study based on front-desk sign-in data. This report shall be reviewed by the Planning Board at a regular meeting of the Board. Memberships beyond 200 are prohibited until an updated parking plan has been approved by the Planning Board through an amendment to this Special Permit and the new parking area is installed at the site.
19. Parking areas and fire lanes shall be striped (painted). To maintain safe emergency access to the building, parking is prohibited in areas not designated for parking.
20. A General Entertainment License from the Select Board is required for Annual Open House events or other special events with anticipated total attendance of 50 or more. The applicant shall include detailed planning for off-site parking and shall require the approval of the Fire & Police Departments.
21. Existing wooded areas on the site shall remain undisturbed except to remove dead or diseased trees that would pose a safety hazard.
22. *Conditions related to parking lot lighting? [waiting on lighting detail].*
23. *Condition(s) related to potential limited vehicle-related use?*

24. Fire Department restrictions?

25. Other conditions?

Construction

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

Occupancy

31. The Applicant shall notify the Planning Board when work is complete and ready for inspection.
32. No final certificate of occupancy shall be issued until site work is complete and all conditions of approval have been addressed. Prior to the issuance of a certificate of occupancy, all site improvements, landscaping, and infrastructure specified on the plans shall be constructed and installed to adequately serve said Facility, unless adequate security has been provided, reasonably acceptable to the Board, to ensure such completion. Any such performance guarantee shall be approved as to form by the Board's designee.
33. If there are field changes from the approved site plans referenced above, the Applicant shall submit as-built plans (3 full-size copies, 1 11" x 17" and a .pdf version) showing such changes prior to the final certificate of occupancy. No final certificate of occupancy shall be issued until the Planning Board or its agent confirms that all improvements or alterations substantially comply with the approved Site Plan.
34. Approval by the Planning Board shall not be construed as approval from any other board, official or regulation that is needed regarding permitting for this project.

RECORD OF VOTE

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

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

Jason Grimshaw, Chair

Debra Friedman, Vice Chair

Sharon Nist

Jaymi-Lyn Souza

James Reinke, Associate Member

Copy of Decision sent to:

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

* by certified mail

** where applicable

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

**LEICESTER PLANNING BOARD
MEETING MINUTES 4/6/2021**

MEMBERS PRESENT: Jason Grimshaw (Chair), Deb Friedman (Vice-Chair), Sharon Nist, James Reinke (Associate Member)

MEMBERS ABSENT: Jaymi-Lyn Souza

STAFF PRESENT: Michelle Buck, Town Planner; Brooke Hammond, Department Assistant

TIME: 7 PM

ORDER OF BUSINESS*

1. 7:00PM **Continued Public Hearing, Special Permit/Site Plan Review**
Town Meadow Farm/124 Green Street (SP2021-02), Outdoor Marijuana Cultivation (Applicant: Leon Dykas III)
2. 7:15PM **Public Hearing, Special Permit**
WorcShop/11 Hankey Street (SP2021-03), Makerspace (Applicant: The WorcShop)
3. 7:45PM **Discussion, Amendment of Site Plan Approval**
Leicester Fire & EMS Headquarters (SPR2015-06), 3 Paxton Street, Stormwater Improvements (Applicant: Town of Leicester)
4. 8:00PM **General Board Discussion, Bylaw Amendments:**
 - A. General Bylaw Amendment: Architectural Conservation District (Historical Commission)
 - B. Zoning Amendment Request: Marijuana Retail (Christopher Fevry)
5. 8:15PM **Approval of Minutes**
 - March 16, 2021
6. 8:30PM **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
 - C. Upcoming Meeting Dates
7. **Adjourn**

Mr. Grimshaw called the meeting to order at 7:06 pm.

1. Continued Public Hearing, Special Permit/Site Plan Review: Town Meadow Farm (124 Green St)

Ms. Friedman and Mr. Grimshaw said the applicant did a great job addressing all of the Boards concerns from the last meeting. The Board is satisfied with the proposed conditions of approval.

Motion: Ms. Friedman moves to approve the special permit with the proposed conditions.

Second: Ms. Nist

Discussion: Mr. Dykas asks if the snow plowing condition is applicable because the property will mainly operate seasonally. Ms. Buck says this condition can be modified so that all driving lanes and parking spots must be accessible during hours of operation. Mr. Dykas says after each CCC inspection in the spring snow will be removed from the driveway and parking areas.

Motion: Ms. Friedman moved to approve the special permit site plan with amendments as discussed.

Second: Ms. Nist

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

2. Public Hearing, Special Permit: WorcShop (11 Hankey St)

[Mr. Grimshaw reads the Public Hearing Notice.]

Randolph Gardner, owner of the WorcShop, explains how they plan to convert the Worcester Tool & Stamping mill building into a makerspace with office, lab, creative, and manufacturing/fabrication spaces for their members to rent out. Ms. Friedman asks what the proposed hours of operation will be. Mr. Gardner says office hours will be 9-5 for employees and members would have 24/7 access to their respective work/business spaces. Ms. Friedman asks what type of exterior lighting they plan to use to illuminate the parking lot for members entering after dark. Mr. Gardner says there will be waist-high parking lot lights. He explains these lights minimize light pollution to surrounding properties.

Ms. Friedman asks how many people the applicant plans to have in the building at one time. Mr. Gardner says the WorcShop experiences about a 10% utilization of space at any time. He says the 24-hour availability prevents a surge of members entering in the morning and/or evening. Ms. Friedman asks what the maximum number of members will be. Mr. Gardner expects to max out at around 400 members given the size of their new building at 11 Hankey St. They will also hold small classes of about 4-6 people for non-members. There will be both remote and in-person classes. Mr. Gardner expects to offer 2 in-person and one remote class, mainly held weekends and evenings. This may expand to weekday classes as membership grows. Mr. Gardner states there are 3 employees now and hopes to hire 5 more in the near future.

Ms. Friedman asks how they will accommodate 60 members in their parking lot. Mr. Gardner says they expecting to reach 400 members in the next 5 years, but currently only have 50. He says the parking on site is more than enough to accommodate the current members and employees. Mr. Gardner says WorcShop does not want to add to the impermeable area of their property; when their membership increases in the future, they will apply for a new permit with the Planning Board for an expanded parking plan to accommodate members.

Ms. Friedman asks how the Town will monitor member parking both now and in the future without a parking plan for the WorcShop at maximum capacity. Ethan DeSota, the facilities director for WorcShop, says this special permit could be limited to allow for parking for up to 200 members; the WorcShop would have to apply for a new special permit in the future when their membership exceeds 200. Ms. Friedman asks what level of noise is to be expected from a facility like this. Mr. DeSota says there will be less noise than Worcester Tool & Stamping created. Most members working at night are using the office spaces, and most of the people using machinery visit during the day. Ms. Friedman asks if machinery will be available to use 24/7. Mr. DeSota says it could conceivably be used 24 hours a day, but the noise that Worcester Tool & Stamping machinery created was much louder than WorcShop's machines will be. Ms. Buck notes that Worcester Tool & Stamping had normal weekday business hours unlike the WorcShop.

Ms. Friedman asks about the traffic impact of embers entering and leaving. Mr. DeSota says over the course of a day there will be less than 15 cars at any time, so the traffic disruption will be minimal.

Ms. Nist says she is concerned about noise after normal business hours disrupting the community. Mr. Gardner says they can enact internal policies limiting the hours that members can operate loud machinery.

Mr. Reinke raises concerns about odor control from certain activities such as car finishing, welding, etc. Mr. Gardner states members will be monitored and follow regulations for manufacturing space. The building will be equipped with point-source capture and HVAC, and the paint booths with particulate matter and water filters. Ms. Nist asks how they plan to dispose of hazardous waste. Mr. Gardner says waste will be minimized, and the building has floor drains and a separation system to separate hazardous liquid. Mr. DeSota says the WorcShop does not plan on doing automotive work, but rather developing battery-based cars and auto innovations.

Mr. Reinke asks what the building's maximum occupancy will be. Mr. DeSota says the total load capacity is 550 occupants, which will include members, employees, and visitors in classes at any given time. On average there are 20 to 30 people inside the building at a time, but this number fluctuates throughout the day. Mr. Gardner says the sprinkler, water, and sewer systems can sustain the building at maximum capacity.

Mr. Grimshaw asks what the speed limit is on Hankey St. Ms. Meraki states there is no speed limit sign on the road, but normal residential roads are 25 miles per hour; she says their team will put up signage urging drivers to slow down when entering and exiting.

Ms. Meraki says the only time the building would reach maximum capacity is when an event is held, and town police will be notified when events are to be held. Mr. Reinke and Ms. Friedman request that the WorcShop submit a preliminary event plan, so the Board knows what to expect on these occasions.

Ms. Friedman asks if Leicester Fire Department had any comments on the WorcShop's application. Ms. Buck says the Fire Department has not yet commented. The Board agrees they would like written comments from the Fire Department before the next meeting.

Ms. Buck says more detail on exterior lighting, parking spaces, hours of operation, and capacity should be addressed by the WorcShop team. She advises the Board to continue the hearing so the WorcShop can provide these plans to the Board, and so appropriate conditions for project approval can be written.

Motion: Ms. Friedman moves to continue the hearing.

Second: Ms. Nist

Discussion: Ms. Buck notes the meeting date and time must be included in the motion. The next meeting is April 20, 2021. The hearing would be continued to 7:30 PM.

Amended Motion: Ms. Friedman move to continue the hearing to April 20th at 7:30 PM.

Second: Ms. Nist

Discussion: The Board outlines the materials they are requesting for the next meeting. Fire Department approval, a parking plan, exterior lighting plan, and an event plan are needed.

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

3. Amendment of Site Plan Approval: Leicester Fire/EMS Headquarters

Luke Boucher of VHB says the Fire/EMS Headquarters' original design was to have two infiltration basins on site through which all water was supposed to filter through. The original design had no pipes pumping water off-site, and as a result the basins have had stagnant water in them since construction. The Fire/EMS employees have been manually pumping water out of the basins. The Town and Select Board contracted VHB to modify the system to address these issues. The groundwater level is higher than initially believed, and water doesn't infiltrate easily through the basin's soil. The only option is to pipe the water off site, which will involve easements on Warren Ave, Gleason Way, and 14 Harberton Dr.

The bottom of the basins will be raised above groundwater level so they will no longer pool with water during storms, and overflow structures will be installed [effectively converting the infiltration basins into detention basins]. The basins will also be extended horizontally. Existing pipes will move the water offsite and will discharge through the easement on Warren Ave about 450' from Sergeant Pond and 100' from the wetlands on either side. The existing drainage structures at the end of Gleason way will be replaced and tied into these pipes. A catch basin will be placed on Paxton St and tied into the existing system to collect water from the parking lot. [Note: Police detail will be present when installing the catch basin on Paxton St.] All easements were approved by the property owners.

Mr. Genereux and Mr. Griffin say drainage will be done biannually by the Highway Department.

Motion: Ms. Friedman

Second: Ms. Nist

Discussion: None

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

4. Bylaw Amendments

Architectural Conservation District

The Historical Commission proposed a new Architectural Conservation Overlay district in the center of town. Joe Lennerton from the Historical Commission says the area would include the Town Common and some of the buildings belonging to Becker College. This amendment would be added to the town's general bylaws and a new commission would be appointed to approve any demolition, construction, and interior renovations done to buildings in the district. The district would preserve the architectural history of the buildings within its boundaries but will not be a designated Local Historic District. The Historical Commission is looking for Planning Board recommendation to move forward with this district. The Board agrees this will be a good way to preserve the architectural integrity of this part of town.

Motion: Ms. Friedman moves to recommend the Architectural Conservation District.

Second: Ms. Nist

Discussion: None

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

Zoning Amendment Request for Marijuana Retail

Mr. Genereux and the Select Board discussed the possibility of amending the zoning to allow a second marijuana retail facility in town after receiving a request from Christopher Fevry. The Select Board voted 4-1 in favor of supporting a second retail facility at a recent meeting.

Mr. Fevry explains his business caters specifically to veterans and those with special needs. He wants to work with Leicester to launch his small business in Leicester at 488 Stafford St. He is looking for the Planning Board's support to amend the Zoning Bylaw to allow a second marijuana retail facility.

Ms. Friedman explains the Board is voting on amending the Zoning Bylaw, not on a specific person or site. If the amendment passes, it is not a guarantee that Mr. Fevry's business would be the second retail facility in town. John Shocik from the Select Board offers support for Mr. Fevry and the zoning amendment request.

Ms. Buck says a new hearing notice would need to be advertised. The hearing could take place on May 4, 2021 if the Board votes to reopen it.

Motion: Ms. Friedman moves to reopen the Zoning Bylaw amendment hearing as discussed.

Second: Ms. Nist

Discussion: Ms. Friedman asks if the zoning amendment will appear on the Town Meeting warrant. Mr. Genereux says the public hearing will be reopened, the Planning Board hearing will take place on May 4, and the Board will make the decision whether to approve or deny the proposed amendment. If the Planning Board chooses not to reopen the public hearing, someone can make a substitute motion at Town Meeting and the Town Moderator can allow or not allow it on Town Meeting floor. Ms. Friedman says its best to reopen the hearing in order to listen to arguments for and against the amendment. The hearing will be held May 4, 2021 at 7 PM.

Roll-Call Vote: (2-1-0) [Ms. Nist opposed.]

5. Approval of Minutes: March 16, 2021

March 16, 2021 minutes will be reviewed at the next meeting.

6. Town Planner Report/General Discussion

Patrick Carroll asked about allowed uses at 760 Pleasant St. Ms. Buck says the allowed uses for each district are listed in the Zoning Bylaw.

No further discussion or updates.

7. Adjourn

Motion: Ms. Nist

Second: Ms. Friedman

Discussion: None

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

The meeting was adjourned at 9:42 pm

Respectfully Submitted,

Brooke Hammond, Department Assistant

Documents included in the meeting packet:

- Agenda
- Town Planner Memo
- Supplemental Special Permit Information Memo for Town Meadow Farm dated 3/29/2021
- Site Plans for Town Meadow Farm dated 2/1/2021
- Griffin Greenhouse Supply letter dated 3/26/2021
- Onliant Horticulture Order Confirmation dated 3/19/2021
- Aerial photos of Town Meadow Farm
- Lighting Specs for Town Meadow Farm
- Quinn Engineering Memo dated 4/1/2021
- Town Planner Memo to Mr. Dykas dated 3/22/2021
- Supplemental Special Permit Information Memo for Town Meadow Farm dated 3/15/2021
- Support Letter dated 3/12/2021 from Sen. Michael Moore and State Rep. David LeBeouf
- Supplemental Special Permit Information Memo for Town Meadow Farm dated 3/16/2021
- Supplemental Special Permit Information Memo for Town Meadow Farm dated 3/11/2021
- Example photos of outdoor marijuana cultivation
- Greenhouse specs
- Security Plan for Town Meadow Farm
- Draft Decision – Town Meadow Farm dated 3/31/2021
- Public Hearing Notice – WorcShop (11 Hankey St)
- Special Permit Application – WorcShop
- WorcShop project narrative
- WorcShop site and building plans
- Fire Protection/Life Safety Report for WorcShop
- Town Planner Memo dated 3/22/2021 regarding the WorcShop
- Quinn Engineering letter dated 3/17/2021
- Polce Dept. comments for WorcShop dated 2/23/2021
- Draft decision for WorcShop dated 4/1/2021
- Ethan DeSota email to Town Planner and Building Inspector dated 3/31/2021
- Site Plan revisions for WorcShop dated 3/24/2021
- Site Plan Review Application – Leicester Fire/EMS Station
- Project Narrative – Fire/EMS Station dated 3/25/2021
- Draft decision – Fire/EMS Station dated 4/1/2021
- Site plans for Fire/EMS Station dated 3/25/2021
- Christopher Fevry email dated 3/30/2021
- Dris Presentation



Planning Board Report: Zoning Bylaw Amendments Articles 25 - 29

Leicester Annual Town Meeting
May 11, 2021

Planning Board Members:

Jason Grimshaw, Chair
Debra Friedman, Vice-Chair
Sharon Nist
Jaymi-Lyn Souza
James Reinke, Associate Member

Town Planner:

Michelle R. Buck, AICP

Note:

This report provides a summary and Planning Board recommendations on proposed Zoning Bylaw Amendments (Articles 25 - 29). The full text changes proposed by all Zoning Articles are included in the printed Annual Town Meeting Guide.

Article 25: Amendment of Sections 5.6 and 3.2.07 of the Zoning Bylaws, Regarding the Greenville Village Neighborhood Business District and Signs

Summary:

Leicester first created the Greenville Village Neighborhood Business (NB) District in 2002. This district allows a limited range of small-scale businesses along Pleasant Street (between Green Street and roughly 600 feet south of Hankey Street). The current proposal for amendments to the district is intended to make it easier to redevelop existing structures in the district, particularly commercial structures that were in existence prior to 2002, by making the following changes:

- Elimination of the Planning Board Site Plan Review requirement for reuse of existing structures, except where a special permit is required.
- Clarification of allowed and prohibited uses; prohibition of rental self-storage except in pre-existing commercial buildings
- Elimination of the 50 foot landscaped buffer from abutting zoning districts and also certain landscaping requirements for pre-existing structures & parking areas (except may be required for special-permitted uses).
- Removal of the 3,000s.f. size limitation for commercial structures in existence prior to 2002
- Addition of uses, by special permit, in commercial structures in existence prior to 2002 (makerspaces, outdoor storage, parking of commercial and construction vehicles, rental self-storage facilities)
- Creation of sign requirements for the NB district

The Planning Board recommends approval of Article 25.

Article 26: Highway Business Industrial HB-1 & HB-2 District Amendments

Summary:

This amendment makes the following changes to the HB-1 and HB-2 zoning districts:

- Changes the threshold for site development standards (standards related to landscaping, parking, etc.) so that these standards would apply only to “new construction of non-residential uses, expansions of more than 25% of the existing non-residential uses, and increases of more than 10 parking spaces.” This change makes the HB-1 & HB-2 districts consistent with the requirements for other commercial zoning districts in Leicester.
- Updates the title for the Planning Board’s Special Permit Regulations (previously called “Rules and Regulations for Special Permit Applications”)
- Clarifies that the requirements and standards for the HB-1 district also apply to the HB-2 district. This is already the case; it’s just referenced in a separate section of the Zoning Bylaw (§3.31), which states that “The Highway Business-Industrial District 2 (HB-2) shall comply with all requirements for the Highway Business-Industrial District 1 (HB-1), except that the minimum lot size for HB-2 shall be 45,000 square feet.”

The Planning Board recommends approval of Article 26.

Article 27: Marijuana Establishment Amendments

Summary:

This article makes the following changes related to marijuana establishments:

- Add definitions of marijuana courier, marijuana delivery licensee and marijuana delivery operator, and modifies other marijuana-related definitions to allow for home delivery services.
- Increases the allowed number of marijuana retailers from 1 to 2.

The Planning Board recommends approval of Article 27.

Article 28: Amendments to Outdoor Storage Bylaw

Summary:

Article 28 proposes several changes related to rental self-storage, outdoor storage, and parking, as summarized below:

- Adds a definition for Rental-Self Storage Facility (see below) and creates a consistent name for this use throughout the bylaw

RENTAL SELF-STORAGE FACILITY – A building or buildings consisting of individual self-contained units that are leased for the storage of vehicles or business and household goods. Storage of hazardous materials or substances, hazardous waste, gas, oil or any substances or materials which pose a threat to human health or safety or a threat to the environment is prohibited. No activity other than storage shall occur in such facilities. Such facilities may have associated outdoor storage by special permit in certain Zoning Districts (See Sections 3.2.03. and 5.2.18).

- Requires a special permit for any rental self-storage facility with outdoor storage
- Expands the list of commercial districts that allow outdoor storage of commercial vehicles as a primary use (adds HB-1 & RIB)
- Changes “Zoning Board of Appeals” to “Special Permit Granting Authority” as the Planning Board is the permit granting authority in some cases.
- Add standards for rental self-storage facilities outdoor storage and general requirements for outdoor storage

The Planning Board recommends approval of Article 28.

Article 29: Amendments to Business Residential 1 (BR-1) and Residential Industrial Business (RIB)

Summary:

Article 29 is a minor “housekeeping amendment that re-numbers and re-organizes subsections of Sections 3.30 [Business-Residential 1 (BR-1) Zone] and 3.32 [Residential Industrial Business (RIB) Zone].

The Planning Board recommends approval of Article 29.