

January 6, 2022

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

Re: ZP Battery, 1355 Main Street
Special Permit Review

To the Planning Board:

We are in receipt of the following information submitted in reference to the proposed Solar Energy Storage System site development located at 1355 Main Street:

- Plans entitled “Site Development Plan, Solar Energy Storage System (ESS), 1355 Main Street in Leicester Massachusetts”, consisting of 6 sheets, prepared by Hannigan Engineering, Inc., dated September 21, 2021, with revision date of 11/15/21
- A package of information submitted by Hannigan Engineering, Inc., dated December 16, 2021, addressed to Alaa Abusalah, Town Planner, which provides a project narrative, Special Permit Application and supporting information

At the request of the Board, we have reviewed plans for conformance with §5.16 *Earth Filling and Removal* of the *Zoning Bylaws for Leicester*, and with *Leicester Planning Board Special Permit Regulations*. Previously, Quinn Engineering, Inc. reviewed plans under *Site Plan Review* and *Stormwater Permit* requirements.

In the application package, the Applicant has requested the following waivers. Our comments on the requests follow each:

1. Waive §I, F, 11, a, 4 Traffic Study. Leicester Planning Board granted a waiver of the need for a traffic study during the Site Plan Review process, due to the limited nature of the vehicle access into and out of the subject property. Leicester Planning Board may feel it appropriate to extend this waiver to the Special Permit Application.
2. Waive §I, F, 11, a, 5, Restoration Plan. The site plan, which was approved by Leicester Planning Board, depicts a fully stabilized site development and is itself a Restoration Plan. We recommend this waiver.
3. Waive §I, F, 11, a, 6, b, Earth Filling Operations. Under this section, a detailed Soil Management Plan must be prepared by a Licensed Site Professional (LSP). The intent of the Soil Management Plan is to reduce the potential for receiving contaminated soils onsite, and to document quantities and sources of fill received. The Applicant states that the site operation will follow typical construction practices for earth filling operations, and will maintain standard record keeping activities. The bylaw requires efforts greater than standard or typical for the industry, however, the detailed requirements for compliance may be burdensome, particularly for a smaller site such as this one. In considering this waiver, Leicester Planning Board may wish to weigh the costs of compliance against the benefit to the Community. Under §5.16, F, 1, b, Leicester Planning Board may require an LSP conduct site inspections, and provide a written certification that imported soils comply with local, State and Federal regulations.

As to §5.16, I, Special Permit Criteria for Earth Removal and Fill Operations, Subsection 2:

- a.) Impacts on the natural environment. Placing of fill will require removal of vegetation and top soils onsite, limited to the site development area. A *Notice of Intent* has been filed with Leicester Conservation Commission, to evaluate compliance with the Wetlands Protection Act.
- b.) Traffic Flow and Safety. An access road into the site will be constructed initially, to permit truck traffic to completely depart Main Street before unloading fill. It may be expected that initial impact on traffic may occur, but once the access road has been constructed, impacts will be reduced. Leicester Planning Board may wish to condition a Special Permit to require the Applicant coordinate with Leicester Police Department, to provide police details when appropriate.
- c.) Management of Stormwater. The Site Plans call for a stormwater system in compliance with the Massachusetts Stormwater Management Policy. Erosion controls are proposed to contain and prevent release of sediment to wetlands and surrounding properties.

As to §5.16, I, Special Permit Criteria for Earth Removal and Fill Operations, Subsection 3:

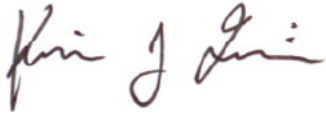
- a.) The earthwork operation on this site will create no greater danger to the public, public health or nuisance than typical of site development.
- b.) The earthwork operation on this site will generate no noise, dust or other effects greater than typical of such operations.
- c.) The quantity of fill to be transported is not so large as to constitute unusual traffic congestion, dust, spillage, noise or other nuisances or hazards.

- d.) The quantity of fill to be transported should not result in unusual damage or injury to Town ways.
- e.) No harm to wildlife, habitat or rare species has been identified; Leicester Conservation Commission will evaluate compliance with the Wetlands Protection Act, including wildlife, habitat and rare species.

Please don't hesitate to contact this office with questions you may have.

Sincerely,

QUINN ENGINEERING, INC.

A handwritten signature in dark ink, appearing to read "Kevin J. Quinn". The signature is fluid and cursive, with the first name "Kevin" and last name "Quinn" clearly distinguishable.

Kevin J. Quinn, P.E.

President