

February 15, 2022

Leicester Planning Board
Town of Leicester
3 Washburn Square
Leicester, MA 01524-1333

Re: #1355 Main Street
Special Permit – Earth Filling & Removal

To the Board:

This office has received an email from tcorbett@zpeenergy.com with a file *Soil Management Plan_Feb2022_Optimized.pdf* attached. The file contains a document titled “Soil Management Plan ZPB-38 Battery Storage Project” prepared by Full & O’Neill dated February 2022.

At the request of the Ms. Abusalah, the *Soil Management Plan* has been reviewed with respect to the Zoning Bylaw §5.16 Earth Filling & Removal. It should be noted that this office does not have expertise in soil contamination regulations/requirements and cannot comment on the portions of the *Soil Management Plan* related to those topics.

This office previously reviewed the site plan application, including the *Site Development Plan* and *Drainage Analysis* prepared by Hannigan Engineering, Inc. for the proposed energy storage system on this property. It is understood that the *Soil Management Plan* has been prepared because the proposed work associated with the site plan involves greater than 1,000 cubic yards of earth fill.

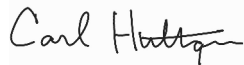
It is also understood that in January 2022 the Conservation Commission issued an Order of Conditions for the proposed work depicted on the *Site Development Plan* prepared by Hannigan Engineering, Inc. Accordingly, the *Soil Management Plan* has not been reviewed with respect to the Wetland Protection Act Regulations or for potential impacts to the wetland resource areas.

The following comments are offered:

1. The special permit criteria listed in §5.16.I.2 are related to impacts on the natural environment, traffic flow/safety and stormwater management. It is reasonable to assume that these criteria are met through the following:
 - a. Impacts on the natural environment are minimized assuming the testing protocol and soil management practices in the *Soil Management Plan* are followed and construction is conducted in accordance with the Site Plan approval and Order of Conditions.
 - b. A permit from MA DOT will be required for the proposed work. It is assumed that impacts on traffic flow and safety will be reviewed as part of that permit application.
 - c. The proposed erosion and sediment controls are designed to mitigate stormwater runoff during construction and earth filling operations.

2. It is reasonable to assume that the requirements of §5.16.I.3 will be met if the earth filling work and testing protocols are conducted in accordance with the *Soil Management Plan*, MA DOT access permit requirements and Order of Conditions,
3. Under §5.16.E.a, the applicant must identify the origin of the earth material. The *Soil Management Plan* identifies that the supplier has not been identified at this time. The Board may wish to condition the permit to require that the supplier's information be submitted to the Board once it is determined.
4. Under §5.16.E.b, the Planning Board may specify inspections by the LSP during the course of the project. The *Soil Management Plan* identifies that the Fuss & O'Neill LSP will periodically inspect the progress. The Board may wish to specify a minimum number of inspections and/or inspections at certain milestones.
5. Under §5.16.E.b, upon completion of the work, the LSP is required to provide written certification (signed and stamped) stating that all earth materials used for fill comply with Leicester's Bylaws and Regulations and applicable Federal and State Regulations. It is recommended that this be a condition of approval.
6. The Board may wish to require financial surety in accordance with §5.16.G.
7. The Board may wish to apply the conditions listed in §5.16.J.

Sincerely,
QUINN ENGINEERING, INC.



Carl Hultgren, PE
Senior Engineer

CC: Tom Corbett – Zero Point Development, Inc.
Daniel LaFrance, PE – Fuss & O'Neill
Christopher Anderson, PE – Hannigan Engineering, Inc.
File