
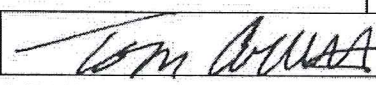


For Planning Office Use:
File #: _____

Leicester Planning Board
Site Plan Review & Special Permit Application Form

PERMIT TYPE: ☒ Special Permit ☐ Site Plan Review

CONTACT INFORMATION

Owner Information			
Name:	William Roberts	Company Name:	W R Enterprise LLC
Signature:			
Address:	1323 Main Street Leicester, Ma 01524		
Phone:	(508) 892-8007	Email:	bill@classicautomotivema.com
Applicant Information			
Name:	Tom Corbett	Company Name:	ZP Battery Devco LLC
Signature:			
Address:	10 E Worcester Street Suite 3A Worcester, MA 01604		
Phone:	(774) 479-9870	Email:	tcorbett@zpeenergy.com
Primary Contact Person <i>(The person that will be contacted by Planning Board staff during the application process.)</i>			
Name:	Tom Corbett	Company Name:	ZP Battery DevCo LLC
Address:	10 E Worcester Street Suite 3A Worcester, Ma 01604		
Phone:	(774) 479-9870	Email:	tcorbett@zpeenergy.com

PROJECT INFORMATION

Project Address:	1355 Main Street	Zoning District:	HB-1
Assessors Map & Parcel #	26B A1	Deed Reference (Book & Page):	62166/240
Applicable Zoning Bylaw Section(s):	5.16 Earth Filling & Removal		
Proposed Land Use:	Permitted Energy Storage Facility		
Existing Land Use:	wooded lot		

For Planning Office Use:
File #:

PROJECT INFORMATION, Continued

Size of Proposed Structure(s):		NA	
Total Lot Area:	5.44 AC		
Water Source: (Select One) NA	<input type="radio"/> Private Well	<input type="radio"/> Cherry Valley & Rochdale Water District	
	<input type="radio"/> Hillcrest Water District	<input type="radio"/> Leicester Water Supply District	
Sewer Source: (Select One) NA	<input type="radio"/> Private Septic System	<input type="radio"/> Cherry Valley Sewer District	
	<input type="radio"/> Hillcrest Water District	<input type="radio"/> Leicester Water Supply District	
	<input type="radio"/> Oxford Rochdale Sewer District		
Brief Project Description: Please include a brief description on this form (i.e. do not write "see attached"). [Examples: New construction of a 20,000s.f. retail building and associated parking; Use of a 1,000s.f. portion of an existing structure for a proposed pet grooming clinic.] Placement of approximately 6,000 cubic yards of fill material in order to facilitate construction of a recently permitted Energy Storage System (ESS) at 1355 Main Street.			

Application Checklist

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

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

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

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

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

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

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

December 16, 2021

RE: Special Permit – Earth Moving
#1355 Main Street Energy Storage System (ESS)
ZP Battery Devco, LLC
Map 26/Parcel A1

Dear Ms. Abusalah,

On behalf of our client ZP Battery Devco, LLC, Hannigan Engineering, Inc. is submitting an application for Special Permit Review for earth moving activities associated with the installation of a proposed Solar Energy Storage System (ESS) at #1355 Main Street in Leicester, Massachusetts (Map 26/Parcel A1). The project is located within the Highway-Business-Industrial District-1 (HB-1) Zoning District and Special Permit review is required by the Bylaw under Section 5.16.C.1(a) *The filling of land that involves greater than 1,000 cubic yards of or more of earth and/or fill material per calendar year*. It is noted that the construction of the ESS system was approved through Site Plan Review by the Board in November of 2021. Conditional of this approval was the submittal and review of a Special Permit for the intended earthwork

Submitted as part of this application are the previously approved Site Development Plans of the project depicting the proposed construction, along with the Drainage Analysis & Report which outlines the impacts and mitigation of the construction project relative to Stormwater Management. The Project will be situated on a portion of the #1355 Main Street property along the southerly side of Main Street (Route 9) in Leicester. The property is currently approximately 5.44 acres which is generally undeveloped and comprised mostly of woodland and brush areas. It is noted that some areas of an existing gravel access way exist within the area of development that is associated with the previous use of the adjacent property at #1323 Main Street. Areas subject to protection under the Wetlands Protection Act and the Leicester Wetland Bylaws were reviewed and delineated by Caron Environmental. These areas are limited to a Bordering Vegetated Wetland (BVW) along the southerly property line. A Notice of Intent is being filed concurrently with this submittal with the Leicester Conservation Commission.

It is the intent of the applicant to install a new Solar Energy Storage System (ESS) on the property with an estimated storage capacity of 5-Megawatt AC. For the purposes of classification under the current Zoning Bylaw this project is being considered as a Medium-scale Ground-Mounted Solar Energy System as the net cleared area of land is less than 40,000 square feet. The overall development will be comprised of eight (8) concrete pads to store the ESS units along with applicable electrical components to allow for the interconnection to the grid. The total area of alteration associated with the project will be approximately 38,000 square feet.

Access to the site will be via an existing 20-foot gravel access drive off of Main Street Road. This gravel drive will run along the easterly limit of the project area and be the permanent access to the site. It is anticipated to only be utilized on a periodic basis for general maintenance and inspections of the facility. This access drive will be fitted with a T-turnaround which will allow for a typical emergency vehicle (SU40) or service vehicle to turnaround within the site.

The entire system will be surrounded by a chain-link security fence to prevent unauthorized entry. A gate will be provided at the entrance to the site with a Knox Box to allow emergency personnel to enter if necessary. Additional access gates will be provided along the perimeter of the system to allow for access to the proposed drainage infrastructure. Additionally, as required by the Bylaw, a sign will be added at the entrance of facility with the appropriate contact information for the operator and emergency contacts.

As part of the review, Stormwater Management Regulations are applicable, and the Stormwater Drainage Analysis and Report is included with this submission. To provide compliance with Stormwater Management Regulations for this project, a dry-detention basin will be constructed to mitigate the increases in peak rate of runoff. Stormwater generated by the completed project site will be transmitted via overland flow to the detention basin, which will be equipped with a PVC sub-drain system and an outlet structure consisting of various orifices to control the discharge rate of the flow. During smaller storm events, the stormwater will back up in the detention basin and be controlled by the discharge flow allowed by the subdrain system and outlet control structure.

The utility connection will utilize underground electrical conduits to transmit the electricity from the ESS to a series of transformers and inverters. From there, additional underground conduits will transmit the power to a series of connection poles or pad mounted equipment for final connect to the grid. The final design and connection location will be established by National Grid and is not under control of the applicant.

SPECIAL PERMIT REVIEW

Per the Leicester Planning Board Special Permit Regulations, further information relative to the final project is required in aiding in the Planning Board's decision for the issuance of a Special Permit relative to Earth Filling Operations. As stated above, the subject property is located at #1355 Main Steet on land of WR Enterprises, LLC with an approximate land area of 5.44-acres. The construction associated with the ESS is limited to less than an acre to be utilized as part of this ESS Development. Currently, the property is undeveloped and comprised of mostly woodland and brush, with a small area of jurisdictional wetland along the southerly property line. Upon the completion of construction, there will no habitable structures on the property, with the only structures on the property being the ESS storage units and associated electrical equipment.

As part of this project approximately 6,000 cubic yards of material will be imported to the site in order to facilitate the construction of the ESS. This material will be provided via outside sources and will be clean and free of deleterious material or contamination. As this earthwork is associated with the placement of fill associated with the grading in connection with the otherwise lawful construction of new structures and driveways, much of the applicable information required under the Section I.F.11.a.6.b of the Special Permit Regulations is not applicable. Furthermore, much of the required documentation is typical of that of a large earth moving facility and not that of a typical construction site. As such a waiver will be requested from providing a Soil Management Plan under the regulations.

STANDARDS FOR SPECIAL PERMIT REVIEW

Per the Leicester Zoning Bylaw Section 5.16.I, as part of the Special Permit review, certain considerations must be given to the proposed use and the impacts to the town. These are reviewed as follows:

2. *Permits for earth removal and/or fill operations shall be granted by the Planning Board only upon its written determination that the proposed use shall not cause substantial detriment to the neighborhood, or the Town, considering the characteristics of the site and the proposal in relation to the site and surrounding environment. In addition to any specific factors that may be set forth elsewhere in this Bylaw and its associated Regulations, such determination shall include consideration of each of the following:*

- a. *Impacts on the natural environment*

As previously noted, the project is subject to review under the Wetlands Protection Act and the Leicester Wetland Bylaw, and a Notice of Intent has been filed with the Conservation Commission for the project. The project complies with the regulations and does not require the direct alteration of resource areas.

- b. *Traffic flow and safety, including loading and unloading; and*

As previously noted, there is an existing gravel road that provides access directly to Main Street, which will be utilized as the primary construction entrance for the project and will be the primary means of unloading earth material. This will allow all truck traffic to be completely off of the roadway during construction activities. Additional signage will be provided within the area of construction to alert traffic that there is an active construction site at the property.

- c. *Management of stormwater*

Upon the completion of construction runoff from the proposed development will be directed towards a stormwater detention basin to mitigate the impacts caused by the development. This basin will also function as a temporary sediment basin during construction and prior to final close out of the project, all sediment will be removed and the basin fitted per approved plans. During construction additional erosion control measures will also be provided to mitigate sedimentation and siltation, these will remain in place until full stabilization of the project site.

- 3 *No Special Permit shall be issued for the removal of earth or the placement of fill in any location if such an operation will:*

- a. *endanger the public safety, public health or constitute a nuisance; or*

It is not anticipated that the project will not endanger the public safety, public health or constitute a nuisance. The project is located within a primarily industrial/commercial area of the town with little residential uses within the immediate vicinity. As such the impacts from the placement of the fill should be minimal to abutting properties and public facilities. In addition, the project is located in a moderately inaccessible area from the roadway that does not experience significant

pedestrian foot traffic or vehicle traffic beyond the by-pass traffic along Main Street. As such the potential for impact to pedestrian traffic and safety along Main Street is anticipated to be minimal.

b. produce noise, dust, or other noxious effects observable at the lot lines of the property in amounts objectionable or detrimental to the normal use of adjacent properties; or

It is anticipated that the project will not produce noise, dust or other noxious effects to the abutting properties. As required by the Site Plan approval, work shall be performed during typical business hours and on certain days. In addition, the proposed earthwork will comply with applicable regulations associated with dust and other noxious impacts caused by the filling and construction work.

c. result in the transportation of materials in such manner as to cause traffic congestion, dust, spillage, noise, or other nuisances or hazards, particularly on residential streets; or

It is the intent that all earth placing activities will occur on the property not within Main Street. In addition, all vehicle traffic will be routed along Main Street (Route 9) and not along any primarily residential streets.

d. result in the transportation over ways which will be unduly injured thereby; or

Access to the site will be provided by an existing gravel path off of Main Street which has been utilized by previous owners. As such earth placement activities and the corresponding vehicular traffic are not anticipated to negatively impact the public ways within the area as there is an established access point to the property and all vehicle movements associated with the earth filling will perform their functions on the property and not in the traveled way.

e. cause irreparable harm to or loss of important wildlife, wildlife habitat or rare plant species indigenous to the area; or

Per review of MassGIS OLIVER there are no important wildlife, wildlife habitat or rare plant species documented within this area. In addition the proposed work is subject to review by the Leicester Conservation Commission for impacts upon abutting wetland resource areas and their abutting Buffer Zones.

f. result in stormwater damage to abutting properties.

As previously mentioned, the ESS project has been granted Site Plan Approval and Stormwater Permit for the proposed work. As such the final ESS project complies with the requirements of the Massachusetts Stormwater Regulations.

WAIVER REQUESTS

Per the Leicester Planning Board Site Plan Review Rules and Regulations and Special Permit Rules and Regulations, the Planning Board may waive any of the requirements upon submittal of information by the applicant that substantiates the waiver request. As required by the Zoning Bylaw several of the aspects of site plan review are not applicable to a project of this type specifically, traffic and a soil management plan.

Due to the nature of this project, portions of this Special Permit Application are not applicable and waivers to these sections are requested as follows:

Section I. F.11.a.4: Traffic Study

– Due to the nature of the project, it is not anticipated that the project would have an adverse effect on traffic surrounding the site. During construction, construction vehicles and equipment will be accessing the site by a proposed gravel drive off of Main Street. Additional signage will be placed along the roadway in this area to alert drivers of construction activity. Upon the completion of the project, the only traffic for the project would be for inspection and maintenance.

The applicant, therefore, requests a waiver to Section I. F.11.a.4: Traffic Study of the Regulations

Section I. F.11.a.5: Restoration Plan

-As previously mentioned, the earth filling operations are associated with an approved Site Plan Approval and Stormwater Permit issued by the Planning Board for the Construction of an ESS project. Upon the completion of earth filling operations, the final site will be as constructed or restored based on the approved Site Plan.

The applicant, therefore, requests a waiver to Section I. F.11.a.5: Restoration of the Regulations

Section I. F.11.a.6.b: Earth Filling Operations

- It is the intent of the applicant to utilize typical construction practices relative to placement of earth that will be free of deleterious materials, as well as standard record keeping of activities. As such the preparation of a Soil Management Plan as prepared by a Licensed Site Professional, would be redundant as this project is as associated with the construction of a structure and/or feature. This would require the proponent to follow all applicable regulations typical of construction and as required review by Town as needed. As such a waiver is requesting a waiver from providing a Soil Management Plan for this project.

The applicant, therefore, requests a waiver to Section I. F.11.a.6.b: Earth Filling Regulations of the Regulations

HANNIGAN ENGINEERING, INC.

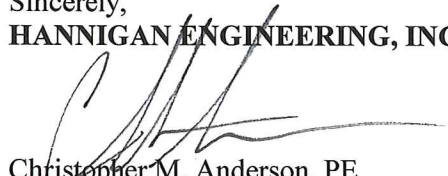
8 MONUMENT SQUARE, LEOMINSTER, MA 01453 PHONE: (978) 534-1234 FAX (978) 534-6060

CIVIL ENGINEERS & LAND SURVEYORS

On behalf of our client, Hannigan Engineering, Inc. is requesting that this project be put on the agenda for the next available meeting. Representatives of this office and of the Applicant will be available to address any questions or concerns raised at that time. Should you require additional information prior to the meeting, please do not hesitate to contact this office. We appreciate the Town's assistance in this process as we look forward to working with you to obtain the anticipated approval of this project.

Sincerely,

HANNIGAN ENGINEERING, INC



Christopher M. Anderson, PE
Project Engineer

William D. Hannigan, PE
President

pc: Pete Forte, ZP Battery Devco, LLC
Tom Corbett, ZP Batter Devco, LLC

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