

Town of Leicester Planning Board Meeting Minutes
October 21, 2015

MEMBERS PRESENT: Jason Grimshaw, David Wright, Debra Friedman, Sharon Nist, Adam Menard

ASSOCIATE MEMBER: Alaa Abusalah

IN ATTENDANCE: Michelle Buck, Town Planner; Barbara Knox, Board Secretary

MEETING DATE: October 21, 2015

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM Discussion:
 Conceptual Plan, Solar Farm Boutilier Road
- 7:15PM Public Hearing, continued
 Special Permit/Definitive Subdivision Approval Modification, Oakridge Estates
- 7:30PM Public Application
 Site Plan Review/McNeil Solar Farm, SunConnect
- 8:00PM Town Planner Report/General Discussion:
 A. Central Mass Crane Occupancy
 B. Planning Board Vision & Mission
 C. Quarterly Report
 D. Miscellaneous Project Updates

Mr. Grimshaw called the meeting to order at 7:00pm.

Discussion:

Conceptual Plan, Solar Farm Boutilier Road

Michael Meloche, attorney for the property owner, was present.

Ms. Buck gave a brief review. She had several discussions with Mr. Meloche regarding the best way to move forward, procedurally, with this project. One option was to have the applicant file a formal subdivision plan, with several waiver requests. That way there would be a structured way to condition and make sure nothing else could be built on the opposite side of the road. A rough sketch of the project proposal was included in the meeting packet to allow for any initial comments from the Board on the way it's being designed.

Brendan Gove from Zero Point Development, Inc. presented a larger plan and Mr. Meloche gave an overview. Boutilier Road, up to a certain point, is a private way and to avoid any more conflict with the abutting property owner they would bend the proposed private way onto Mr. LaFlash's property in its entirety. The lots shown would only be for solar panel purposes and all the lots meet the frontage requirements for solar, having 50 feet. If this plan was acceptable, the project would have limited access and only allow access for the purpose of the solar farms only and no one would be allowed to build any homes there.

Mr. Gove agreed and said the purpose of this development would be for solar only and there would not be any residential development that would happen without having it come back before

the Planning Board. The plan shows a cul-de-sac at lots 5 & 6 and they already contacted the Fire Chief to make sure that would be an adequate turnaround.

Ms. Friedman said the lots being created will not be conforming to current zoning for a single family resident. Mr. Meloche agreed.

Ms. Friedman asked what was meant by an earlier comment that it was not known what would happen with this property 20-years from now. Mr. Meloche said the solar company will be buying this property outright from the owner. Mr. Gove said DPT Energy Solutions will be the holding company as well as the owner of the project and land.

Ms. Buck confirmed the lots would be conforming for solar, because the Bylaw allows 50 feet of frontage for a solar project.

Mr. Meloche said 25 years from now, if anyone were to consider building single family homes there; they would have to come back before Planning and redo it all over to meet the zoning for single family homes. Ms. Friedman asked how the Board would be able to specify that. Mr. Meloche suggested having it stated right on the plan.

Ms. Nist asked how many lots there would be and on how many acres. Bertin Engineering said 6 lots on 32-36 acres. This would be an approved subdivision that is subject to the condition of the road and the existing lots will be reconfigured, combining some of the lots so the total would be 6 lots.

Public Hearing Cont.

Special Permit/Definitive Subdivision Approval Modification, Oakridge Estates

Mr. Kevin Maher was present.

Ms. Buck reviewed from the last meeting there were still some loose ends that needed to be cleaned up. Revised plans were submitted and reviewed by Quinn Engineering; those comments were received late last week and enclosed with the meeting packet. The Letter of Credit was finalized and the corrections were made to the Open Space Plan regarding plan references and dates. There was some discussion at the last meeting regarding putting in a fence at the slope area where the existing detention basin was located. The developer contacted a fence company to install a fence and they will be extending the existing fence that will run 50-60 feet to the left of the pavement by the pump station building.

Ms. Friedman asked if the fence was being put in the location the residents had requested. Mr. Maher said yes.

Mr. Grimshaw opened discussion to the public.

Mr. Richard Culross, 71 Virginia Drive, said he asked about the fence at the last meeting and the concern had to do with safety and someone falling down the slope. Ms. Friedman asked if the residents were satisfied with what was being proposed. Mr. Culross said yes.

Ms. Buck asked for confirmation regarding dates for planting the street trees. Mr. Maher said September 30, 2016 for Phases 1 & 2 and September 30, 2017 for Phase 3. Ms. Buck noted that September 30, 2017 was after the project's completion date and she had changed the date back to June 30, 2017, because the deadline to complete work was August 18, 2017. Mr. Maher said they expect to complete work within 3 years and was fine moving the date to June 30, 2017, but he may need to revisit that. He did agree to Phase 1 & 2 street trees being planted in the spring 2016.

Mr. Grimshaw asked for any further comments or concerns; hearing none, asked for a motion.

MOTION: Ms. Friedman moved to approve the Special Permit/Definitive Subdivision Modification for Oakridge Estates

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

MOTION: Ms. Friedman moved to approve the Performance Agreement for Oakridge Estates

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

MOTION: Ms. Friedman moved to approve the Open Space Plan for Prospect Hill Estates, LLC (Oakridge Estates)

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Public Application

Site Plan/McNeil Solar Farm, SunConnect

Leslie Wilson, Bertin Engineering, representing the applicant, gave the presentation.

The site's location is the Paintball Facility located at 9 McNeil Highway. There is an existing cleared area in front, with an existing access drive off Route 9 that they will utilize and add onto allowing for access to the back lot. There will be some additional clearing in the current wooded area. Conservation requested they put boulders around the wetland area; otherwise they did receive Conservation approval and they will be widening the drive to 14 feet from the current 11 feet, as recommended by the Fire Department and they've addressed Quinn Engineering's concerns.

Ms. Friedman noted the Fire Chief commented on having more of a pull off coming off Route 9. Ms. Wilson said there is an existing chain-link fence that will be pulled back 50-feet off the road, allowing any vehicle that needs to pull into the site to be able to pull in completely off Route 9, open the gate, and go in.

Ms. Buck noted the zoning district required a 50 foot buffer from abutting residential properties and there was one residential lot with a house that sat to the left of this site. She felt the existing vegetation would take care of the buffer requirement. Ms. Friedman asked if any of the vegetation in back would be removed. Ms. Wilson said all the existing vegetation in back was staying and the vegetation on the side where the house was will not be touched either. Ms. Friedman asked what abuts the property in the back. Ms. Wilson said another wetland. Ms. Friedman asked how far the house was from the site. Ms. Buck said at least a few hundred feet.

Ms. Wilson noted there will be additional vegetation added along the Route 9 frontage area.

Ms. Buck reviewed the draft decision with the Board. The Board discussed the draft and proposed conditions.

Ms. Nist asked if a turnaround was provided; Ms. Wilson said yes there was one already there.

With no further discussion; the following motion was made:

MOTION: Ms. Friedman moved to approve the Site Plan Review application for SunConnect of 3021 Airport Pulling Road, Suite 201, Naples, FL to install a 1.3 MW large scale ground mount solar photovoltaics on existing wooded property located at 9 McNeil Highway, Leicester, Ma.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Security amount discussed.

Ms. Buck explained part of the requirements prior to receiving occupancy was that a decommissioning bond be provided to the satisfaction of the Town. The applicant proposed an amount of \$55,000 and the Town Engineer, after his review, recommended an amount of \$67,658. Ms. Wilson agreed to the bond amount recommended by the Town Engineer.

MOTION: Ms. Friedman moved to amend the motion to include the amount of the Decommission Bond to be set at \$67,658.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Town Planner Report/General Discussion:

A. Central Mass Crane Occupancy

The project is complete and the applicant will be seeking occupancy tomorrow. Ms. Buck did a site visit and noted the site looked good and all the required work was completed.

B. Planning Board Vision & Mission

Ms. Buck asked the Board to provide suggestions on what they felt the Planning Board's vision and mission was. The Board agreed the vision & mission should be concentrated on implementing the Town's Master Plan & Open Space Plan.

C. Quarterly Report

Town Planner Report, 1st Quarter FY2016 (July 1, 2015 – September 30, 2015)

D. Miscellaneous Project Updates

Rezoning request for Main Street

Ms. Buck reviewed the Rivers Protection Act, which has a 200 foot buffer from each side of a river, with the first 100 foot allowing no activity, and very limited activity in the remaining riverfront area allowed.

1605-1608 Main Street

The Office received a call related to pulling a demolition permit on this property the day the permit was to expire. After some discussion with the Building Inspector and documentation received from the applicant's attorney (related to asbestos work), Ms. Buck and the Building Inspector it was determined that they had met the criteria on commencing of work. Ms. Buck noted the Town Bylaw has a requirement for a deadline date to *complete* a project, so the deadline to finish work with this project will be in 2016 and the applicant will need to ask for another extension at that time.

Davis storage

The project is complete and the applicant will be seeking occupancy tomorrow. Ms. Buck did a site visit and noted the building was sitting higher than what was shown on the approved plan. She felt that the project was still consistent with the Board's approval. All agreed.

Economic Development Self-Assessment Survey

About 90% of the survey is complete. Additional information is needed regarding available office space and commercial properties. Ms. Friedman suggested asking the Economic Development Committee for help. Ms. Buck reminded the Board about the scheduled Economic Development Self-Assessment meeting at the High School on November 17, 2015 at 6:00PM.

Hearing no further comments or concerns; Mr. Grimshaw asked for a motion to adjourn.

MOTION: Ms. Friedman moved to adjourn meeting

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Meeting adjourned at 8:15PM

Respectfully submitted:

Barbara Knox

Barbara Knox

Documents included in meeting packet:

- Agenda
- Memo to the Board from Michelle Buck regarding October 21st Planning Board Meeting
- Draft copy of the Special Permit Decision for Oakridge Estates
- Draft copy of the Performance Security Agreement for Oakridge Estates
- Copy of Special Permit application for McNeil Highway Solar facility
- Copy of McNeil Highway Solar facility project narrative
- Town Planner Report, 1st Quarter FY2016
- Request to the Board regarding their Vision & Mission
- McNeil Highway Solar Site Grading & Drainage Plan
- Comments from Quinn Engineering regarding McNeil Highway solar project – Second review

Documents submitted at meeting:

- Comments from Quinn Engineering regarding the amended Oakridge Estates Senior Village Definitive Site Plan – Second review
- Memo from Kevin Maher, Project Manager of Oakridge Estates, regarding the Fence at the slop area

Approved at the 12/1/2015 Planning Board Meeting