

**Town of Leicester Planning Board  
Meeting Minutes**

MEMBERS PRESENT: Jason Grimshaw, Debra Friedman, Sharon Nist, David Wright,  
Alaa AbuSalah

ASSOCIATE MEMBER: Carol Pappas

MEMBERS ABSENT:

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

MEETING DATE: September 6, 2016

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM          Public Hearing continued:  
                    Special Permit/Site Plan Review for Bus Storage and Residential, 100 South Main  
                    St (AA Transportation)
- 7:20PM          Application Discussion continued:  
                    Site Plan Review, LaFlash Boutilier Solar Farm (ZPT Energy Solutions, LLC)
- 7:30PM          Public Hearing:  
                    Special Permit/Site Plan Review for Self-Storage units and Contractor's Yard  
                    (C & J Realty Trust)
- 8:00PM          Approval of Minutes
- 6/21/2016
  - 8/2/2016
- 8:30PM          Town Planner Report/General Discussion:
- Miscellaneous Project Updates

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

**Public Hearing (continued)**

Special Permit/Site Plan Review for Bus Storage and Residential, 100 South Main Street (AA Transportation)

Bruce Williams of Guerriere & Halnon presented the application. Mr. Ron Ernenwein President of AA Transportation in attendance.

Mr. Williams gave an overview from the last meeting. This was the former Inland Divers site and they are seeking 3 special permits. Two are for the uses that existed on the site previously, which are residential and retail. The third special permit is for the bus dispatch center. The difference from the old site on Route 56 and this new site is that the school bus training facility goes away and replaced with a school bus dispatch center.

The changes made on the ground will be minimal. They will be widening the driveway on the right side of the building to allow emergency vehicles a turnaround area. Since they already have pavement for that, they will be taking out an equivalent amount of pavement so they don't disturb the sites drainage. There will be painted lines showing the parking spaces and some signage recommended by the Police Department. There will be no other physical changes occurring on the site.

Ms. Buck noted for the record that the two members who were absent at the last meeting have listened to an audio tape of the last meeting in order to participate in tonight's meeting (Mr. Grimshaw & Ms. AbuSalah).

Ms. Buck continued. The changes made from the last meeting were an improvement in regards to accessing to the rear building, addressing Fire Department comments, but the parking remains a big concern. There was concern raised at the last meeting regarding pulling in and out at the same time and some of the spaces were short for this kind of use. It would be tight having that many buses parked, plus employee parking; there won't be enough parking spaces for each. There will be 14 buses and 16 employees, which would be 30 spaces needed and they are only showing 22 spaces set aside for those uses and the remaining spaces were set aside for retail and residential use.

Ms. Buck continued. There were additional comments received from the Cherry Valley Rochdale Water District who had concerns about the potential stormwater impacts from the change of use. She explained because this was a reuse, a stormwater permit isn't required, though there is a major water district expressing concerns regarding water problems.

Ms. AbuSalah asked the reason for moving from the previous location on Route 56. Mr. Ernenwein said he was renting at their current location and they didn't have an adequate space for the dispatch office to operate; currently it was operated out of a trailer. He would like to own, with enough space inside the building to operate a dispatch center. Ms. Nist asked if they had looked into buying the Route 56 site. Mr. Ernenwein said yes and the property owner wasn't interested in negotiating.

Ms. Friedman asked what the use with the pool will be and how that would impact the parking. Mr. Williams said the pool area will be shut down and sealed. Ms. Friedman asked if it was being eliminated. Mr. William said it will be sealed up until a future use at some point. Ms. Friedman asked at that point, what will happen with the parking? For example, Guiguere Gymnastics in Cherry Valley is a parking mess because they kept expanding their programs, but didn't plan in their parking. So now they have people crossing Route 9 in order to find an empty parking spot, because there's not enough room in the main parking area. This has now become a safety issue. Ms. Friedman felt the same potential exists at this site, when at some point the pool could open up for lessons, etc. She asked if the pool potentially would open at a future date. Mr. Williams said not as a pool, but the area may, but the primary use of the site will be for AA Transportation to park buses.

Ms. Friedman said there is a business proposed to go in there that hasn't been named at this point. Mr. Williams agreed and explained that the retail section didn't have a tenant signed on to the space and noted the retail space is 8,000 square feet within the building. He said whatever is done with the pool area in the future, it will be something that will not impact AA Transportation's use of the site.

Mr. Wright understood and explained that any kind of retail will impact the site and increase the occupancy of who can be there. That's where the issue of additional parking may be required. He asked how they will address parking. Mr. Williams felt when that time came, it would be

considered a change of use and they would need to come back before the Board. Ms. Buck agreed it would be a change of use, but it wouldn't necessarily need to come back before the Planning Board unless the Board added some kind of condition in the Decision requiring it. If there wasn't a condition added, new retail would still need to comply with the parking regulations, but it would be handled through the Zoning Enforcement Officer.

Ms. Friedman asked about the pool and the possibility of someone coming in wanting to rent the pool area on Saturdays for swimming lessons. Mr. Williams said as far as this application is concerned, it states on the plan that the pool area is to be sealed off and was not part of this application. Ms. Friedman suggested to include a condition in the Decision that indicates the pool would not be used for any type of commercial use.

Ms. Friedman asked if they would increase lighting on the site. Mr. Williams said there were no plans at this time to increase the lighting. Ms. Friedman questioned the need for lights when school bus drivers arrive in the morning when it is pitch black and there's no lighting. Mr. Williams said at that point, if they find additional lighting was needed, it would be installed. Ms. Friedman said any additional lighting will need to be shown on the plan so the Board can see if it would affect residents next door. Mr. Williams agreed and asked that it be a condition of approval. Ms. Friedman said any additional lighting will need to be shown on the plan and the Board's Town Engineer would need to review it, to make sure there wouldn't be any outward glare, etc.

Mr. Grimshaw had concerns with the shuffling around of parking spaces in the morning when drivers arrive. Ms. AbuSalah asked if all the buses left the site at the same time in the morning. Mr. Ernenwein said no; they're staggered. They come in at different times and leave at different times. Ms. AbuSalah asked how many would arrive at one time. Mr. Ernenwein said maybe 4 or 5. Mr. Williams said when one bus leaves; there would be room for 2 cars to park in the bus spaces. Mr. Grimshaw asked if other sites were similar to this site. Mr. Ernenwein said yes, this kind of set up is not uncommon.

Ms. Nist asked at the event of an oil spill or fuel leak, what would be the response time for cleanup. There is that potential of contaminants going into a major drinking water supply and the lot being located in a water overlay protection district is a concern. Mr. Ernenwein said the company they would contact was located out of Marlboro, who cover all of New England and have a rapid response time. Ms. Nist asked to pinpoint a response time. Mr. Ernenwein couldn't, but said the company was very efficient on getting to the scene of a spill and handling cleanup.

Mr. Ernenwein said regarding limitations on a future use of the pool area, he asked the Board to make their decision contingent upon a future use of that area pertaining only to parking. He plans to convert that area to storage space for the retail store. He didn't want to be restricted from commercial use. Ms. Friedman said that wasn't her intent to restrict commercial use, but with an extended use that would create additional parking, would require additional review. She said she didn't have a concern, as long as there was language in the decision regarding parking and additional lightings that will need to be shown on the plan and reviewed by the Town Engineer.

Mr. Wright asked if consideration was given about preventing containments from getting into the ground soil that's the pervious surface adjacent to the parking area. He asked if they considered putting in a berm to prevent a spill from leaving the site and getting into the overlay district of the reservoir. He also questioned if drivers knew how far back to park before getting onto the dirt area without having a berm along the edge of the parking adjacent to the dirt areas. He felt a berm would limit the flow of a spill getting into the ground. Mr. Williams said there were existing drainage controls in the parking lot. There is a catch basin and the parking lot is graded towards that catch basin.

Mr. Wright said having a vehicle parked at the edge of the parking lot and something was to spill, without a berm, it can migrate into the ground soil. That is the Board's concern and the Cherry Valley/Rochdale Water Districts' concern. Mr. Williams said they were agreeable to making those changes to the site.

Ms. Nist said the spaces previously used for snow, will now be used as parking for the buses, she asked where the snow will go now.

Mr. Williams said he assumed it would be plowed to the back of the site. He noted the abutting driveway was around 70 feet from the parking lot and shouldn't be affected.

Mr. Jim Reinke, 46 Lake Sargent Drive, said his concern was the same as the Fire Department's when they looked at this site, in terms of turning out and moving up Route 9 in traffic and the interchange with large apparatus pulling out on a busy road. Another concern was whether this business, being a sea full of yellow buses, was the right fit for that spot. Being in the Center of Leicester, he felt this type of business was more suited for an area such as Route 56. He asked if some kind of vegetated buffer was considered along Route 9 to shield the buses. Ms. Friedman felt a vegetated buffer along Route 9 would be difficult because of the sight line, but it might be possible along the east side where the residential property was located.

Hearing no further questions or comments from the Board or public, Mr. Grimshaw asked for a motion.

MOTION: Ms. Friedman moved to approve the Special Permit/Site Plan Review for Bus Storage & residential located at 100 South Main Street, Leicester for AA Transportation with all of the conditions discussed, such as; lighting, a berm, and some type of restriction as to the use of the existing pool area for commercial purposes as it relates to parking.

SECONDED: Mr. Wright – Discussion: landscaping & snow removal reviewed.

VOTE: 4 –In Favor / 1 – Opposed (Ms. Nist)

### **Application Discussion (continued):**

#### Site Plan Review, LaFlash Boutilier Solar Farm (ZPT Energy Solutions, LLC)

A written request was received for a continuance for LaFlash Boutilier Solar to September 20, 2016 and to extend the deadline to file a decision to September 22, 2016.

MOTION: Ms. Friedman moved to accept the applicant's request to continue Site Plan Review Discussion to September 20<sup>th</sup> and to extend the deadline to file a decision to September 22<sup>nd</sup>.

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

### **Public Hearing**

#### Site Plan Review Self-Storage Units and Contractor's Yard ( C & J Realty Trust)

Mr. Grimshaw read the notice into the record and opened discussion to the applicant.

Mr. Jason Dubois, DC Engineering, presented the application. Marc Curtis, C & J Realty Trust, property owner, in attendance.

The property is located at 1749 Main Street right along Route 9 and west of Town Beach Road. The site is just over 6 acres and is a long rectangular parcel. A wetland line runs along the property and into an adjacent field. There is an existing house and garage on the site with a driveway having access off Route 9. The proposed use is to construct self-storage units and in the front of the property, a Contractor's Yard. The storage units will extend to the back of the property. There are three rows toward the middle of the property and two rows that continue all the way down. The stormwater management will have catch basins, grass swales, forebay inside the infiltration basin, and controls for the discharge, which will direct the flow back into the wetlands southwest of the property. There is a 25 foot strip along the abutting residential properties, where there will be a 6-foot privacy fence, as well as trees every 50 feet on center. There will be a chain-link fence around the storage units with gated access. The entrance for the units will use the current driveway. The existing garage will be demolished and the access will continue down through the site between all the units.

Ms. Friedman asked what their plans were for the house. Mr. Curtis said down the road they may do something else with it, but currently it was being rented as residential.

Mr. Dubois said there will be a two-way traffic flow in-between the storage units and along the sidelines. It will flow between each section of the buildings and all the way down to the back area where they can turn around. It will be a gated access to the storage units. There is no plan to have an office onsite and they will use their existing office out of owner's home. Mr. Curtis said the front section of the property, where the house is located will be saved for a future opportunity.

Ms. Friedman asked to elaborate on what the Contractor's Yard would be. Mr. Curtis said he is in the excavation business and wanted an area where he can store equipment. It would probably be in the range of 10 to 15 pieces of equipment.

Ms. Buck explained there was a defined use in the Bylaw for a Contractor's Yard and anyone applying triggers Site Plan Review, because of the amount of area used and she had requested from the applicant more detail on exactly what was being proposed.

Ms. Friedman asked to show on the plan where the Contractor's Yard would go. Mr. Dubois said there will be a fence placed in front of the storage units and that area from the fence to the road will be the Contractor's Yard. They have a 50 foot setback located along the front that will remain grass.

Mr. Curtis reiterated that this was not the ultimate plan for this site and was something that will work for now. In the scheme of things, he is waiting for someone to come along who would be interested in setting up shop at this location.

Ms. Friedman asked if there would be any outside storage. Mr. Curtis said he would like to have a little bit of outside storage, but the main use will be inside storage. Ms. Buck said outside storage wouldn't be allowed under the Zoning Bylaw.

Ms. Friedman asked about lighting. Mr. Dubois said they were proposing wall tack lighting on the building; there will not be actual parking lot lights.

Ms. Friedman asked if there would be 24-hour access. Mr. Dubois said yes.

Ms. Nist asked if there was a set pattern for the traffic flow. Mr. Curtis said they will enter from Route 9 and there will be two-way traffic throughout the site, having 25 feet between all the buildings. Ms. Nist asked if a stop sign will be placed at the exit out to Route 9. Mr. Dubois said yes.

Mr. Wright said comment from the Police Department asked to place some kind of barrier separating the contractor's yard from the storage units and marking the boundaries of the contractor's yard, so people would not drive or park in the construction lot. Mr. Curtis felt that made good sense. Mr. Wright said there's approximately an acre being saved for a future use, he asked how much of the contractor's yard would take up that one acre. Mr. Curtis said when that time comes, the contractor's yard would be eliminated.

Ms. AbuSalah asked if there was landscaping proposed between the house and the storage facilities. Mr. Curtis said yes and he is open to ideas. They will be preparing a landscape plan and the plan does show the trees on the residential side. They will add some vegetation along the front along the fenced in area. Mr. Dubois said there is existing vegetation between this site and property to the east that will be removed.

Ms. Nist asked where people would park for the storage units. Mr. Dubois said they would pull up and park in front of their unit.

Ms. AbuSalah asked about security. Mr. Curtis explained the owners would have a card with a pass code to operate the gate to enter and the gate would automatically close behind them. Eventually, they will be looking into installing solar panels on the units.

Ms. Nist asked about snow removal. Mr. Curtis said the snow would be pushed down back and run into the stormwater system and if necessary, he could truck it out.

Ms. Nist asked about disposal of trash. Mr. Dubois said it's been recommended not to show a dumpster location on the site, so people won't think they have a free dumpster service. The idea was to have people remove their own trash from the site; what they carry in, they carry out. Mr. Curtis said they could consider a small dumpster, as far as maintaining the site.

Ms. Buck didn't have any major concerns with this project or the use in this location. The applicant needs to address the landscaping and the comments from Quinn Engineering. She noted that when looking at potential future uses at this site, to take into account the need for parking. Mr. Curtis agreed.

Hearing no further discussion from the Board, Mr. Grimshaw asked for a motion to continue.

MOTION: Ms. Friedman moved to continue the public hearing for 1749 Main Street to October 4, 2016 at 7:30PM

SECONDED: Ms. Nist –

DISCUSSION: Kevin Desaulnier, 1741 Main Street, had concerns on the effect this might have on his well. He noted the vinyl fence was proposed would not withstand the winds. Mr. Dubois suggested instead of vinyl, a chain-link with the green slats because that might have a stronger wind resistance.

Mr. Desaulnier asked how many trees would be removed and the location, because the property line goes through the middle of the tree line. He mentioned there was barbed wire going through the middle of the trees. His concern was all the trees being removed. Mr. Dubois said they plan to remove right up to the property line, but agreed a few could remain and would not be removing any trees from Mr. Desaulnier's property.

Mr. Desaulnier asked if a turnoff was provided for cars to pull off Route 9 before entering the property.

Ms. Friedman asked the site distance. Mr. Dubois said he hadn't check it, but felt there was a long site distance.

Ms. Friedman asked if there was a plan to change the curb cut. Mr. Dubois said no, but they do have to apply to Mass DOT on change of use. He said Mass Highway wouldn't allow a turnoff lane on this type of use because it's not considered a high traffic use.

Ms. Nist asked what kind of storage would be allowed. Mr. Curtis said general storage, small RV storage, no automobiles.

Ms. Friedman noted the limit on what can be stored, such as chemicals, etc. Mr. Curtis agreed.

Ms. Buck said the fire department submitted comment that they must provide fire protection in the area of the contractor's yard.

Ms. Nist asked about equipment leaking from the contractor's yard and protecting the wetlands.

Mr. Curtis said it will not be a paved area. Mr. Dubois noted all the water will flow towards the back of the site and go through the stormwater system.

Mr. Grimshaw recapped for next meeting. The applicant will relook at the fence, the removal of trees, drainage flow from the contractor's yard, trash receptacle, snow removal and another gate to deal with the snow removal, abutter's concern for their well, and landscaping plans for the front.

Ms. Nist asked where the tenants would park if the garage was removed. Mr. Curtis said there was an area around the side or back of the house.

With no further discussion, Mr. Grimshaw asked for a vote.

VOTE: All in Favor

## **Approval of Minutes**

6/21/2016

MOTION: Mr. Wright moved to approve the minutes of June 21, 2016 as amended

SECONDED: Ms. Nist – Discussion: None

VOTE: 4 in favor / 1 abstained (Ms. Friedman)

8/2/2016

MOTION: Ms. Friedman moved to approve the minutes of August 2, 2016

SECONDED: Ms. Nist – Discussion: None – VOTE: All in Favor

## **Town Planner Report/General Discussion:**

### **A. Miscellaneous Project Updates**

- The Verizon cell tower is being reviewed by court on the writing record from the hearings; there will not be any depositions. Attorney Cove is in process of compiling the information and submitting it to the court. There will be a ruling done by a Judge, on the record, either up or down.
- Mr. Wright made note that the “No Left Turn” sign has been installed at Cumberland Farms.
- Harry Brooks asked for an update on the sushi restaurant proposed next to Crossroads Marketplace. Ms. Buck said she hasn’t heard from the applicant, and explained there were many problems, one being showing adequate parking.
- Decision reviewed on exact wording of conditions for AA Transportation.

MOTION: Ms. Nist moved to adjourn

SECONDED: Mr. Wright – Discussion: None – VOTE: All in Favor

Meeting adjourned at 8:40PM

Respectfully submitted,

*Barbara Knox*

Barbara Knox

## **Documents included in meeting packet:**

- Agenda
- Memo to the Board from Michelle Buck regarding the September 6<sup>th</sup> Planning Board Meeting
- Comments received from Cherry Valley & Rochdale Water District, the Fire Department, Quinn Engineering regarding AA Transportation
- Draft Decision Notes on AA Transportation dated 9/1/2016
- Public Hearing Notice on Curtis Self-storage & Contractor’s Yard Site Plan Review/Special Permit Application
- Site Plan Review/Special Permit Application for Curtis Self-storage & Contractor’s Yard
- Project Narrative on Curtis Self-storage & Contractor’s Yard from Jason Dubois, Engineer for the project
- Comments received from Highway Department, Historical Commission, Police Department, & Quinn Engineering regarding 1749 Main Street, Curtis Self-storage & Contractor’s Yard.
- Memo from Michelle Buck to Jason Dubois regarding Curtis Self-storage & Contractor’s Yard
- Planning Board Minutes of August 2, 2016

## **Documents submitted at meeting:**

- None