

Town of Leicester Planning Board
Meeting Minutes

MEMBERS PRESENT: Jason Grimshaw, Chair; Debra Friedman, Sharon Nist,
Andrew Kularski, Alaa AbuSalah

ASSOCIATE MEMBER: Robyn Zwicker

MEMBERS ABSENT:

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

MEETING DATE: **April 17, 2018**

MEETING TIME: 7:00PM

AGENDA:

- 7:00PM General Discussion
- Potential Future Zoning Bylaw Amendments
- 7:30PM Public Hearing, Special Permit Application
- Amendment of Special Permit (SP2016-03) for Curtis Self Storage at
 1749 Main Street (Applicant: C&J Realty Trust)
- 8:00PM Approval of Minutes:
 - March 27, 2018
- 8:15PM Town Planner Report/General Discussion:
 - A. Planning Board Town Meeting Report
 - B. Submittal of Preliminary Subdivision Plan: Parker Street
 - C. Backyard Poultry Committee
 - D. Miscellaneous Project Updates
 - E. Board Member Committee Updates

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

General Discussion

Potential Future Zoning Bylaw Amendments

Ms. Buck said there were 45 potential Zoning Bylaw Amendments for review. Items considered for amendment next: further revisions on Solar Bylaw; address/clarify auto-related uses; add use for breweries and/or microbreweries and zoning related to backyard poultry. There's been previous discussion of a potential moratorium on solar, but it would be difficult to have a moratorium, because the purpose for a moratorium was to put things on hold while working on a bylaw, therefore, it would be better to just have an amendment ready for the fall Town Meeting.

An interested party, regarding large-scale solar project, pointed out a contradiction in the bylaw. In one section, it states large scale solar requires a special permit in R1 and R2 Districts and in another place, it states they are prohibited. This will be fixed for the fall meeting.

Another issue that comes up often was auto-related uses. In different zoning districts, some places in the bylaw, they are called auto repair and other places they are called service stations. It's not clear from one district to another, which allows car dealerships versus small used car lots. There is also lack of clarity in two of the zoning districts on parking in the front setbacks, whether that restricts the sale or displace of vehicles for sale.

Ms. Friedman asked whether there was a limit on car dealerships allowed in Town. Mr. Harry Brooks said there was a limit, but wasn't sure of the exact number. Ms. Friedman questioned how that number was set and whether it was something that needed review.

Ms. Buck said another item was a renewed interest with breweries. The way the zoning is now, depends on the district. In some districts, it might be squeezed in under the definition of restaurant, but if doing large-scale production, it might be considered under Industrial.

An amendment related to backyard poultry should be ready for next spring Town meeting, because filing deadlines the Town Administrator set for fall likely won't allow sufficient time to prepare an amendment.

The Town Administrator has made a request on reconsidering residential lot size for fall Town Meeting. Ms. Friedman felt it was a simple to prepare amendment, but the existing issues behind water and sewage is huge.

Ms. Buck asked for additional recommendations. Ms. Friedman suggested amending the "simple fix" amendments for fall town meeting, because those were just minor fixes to wording. All agreed.

Mr. Kularski asked on amending structure heights. Ms. Friedman felt that was more complex, as far as, involvement with the Fire Department and their recommendation. The Fire Chief did not seem to be in favor increasing stories/height of buildings. Mr. Harry Brooks pointed out, part of the promotion and specific reason people voted yes at Town Meeting for the Fire Department to buy the new scope fire truck, was to increase structure height to help promote Economic Development the Town needs.

Ms. Buck noted amending the "simple fix" amendments would significantly decrease the number of zoning amendments. The more difficult fixes would be done for spring Town Meeting, unless there was something the Board felt was necessary for fall. Mr. Grimshaw suggested adding in the Use Table & Definitions "Breweries/Micro-breweries, for fall, due increase interest. Ms. Friedman questioned what amendments can be put as a priority that would help with Economic Development.

Mr. Brooks asked to consider reducing residential lot sizes. He felt that would attract families to move into Town. Ms. Friedman felt the Board would need to engage an engineer who could speak on acreage needed for septic systems and/or wells. Mr. Kularski felt reducing lot sizes to an acre would not be sufficient for a septic system, because it is now required to have a reserved area in case the first system fails.

Ms. Friedman wasn't thinking in terms of Economic Development as housing. She was thinking more in terms of what would bring in tax revenue other than residential development.

Ms. Buck suggested that amending the Use Table and Definitions would help as far as clarity by including all Zoning Districts in the Use Table, expanding list of Uses, add Definitions and/or re-define Uses that are confusing and unclear. Another suggestion was to develop consolidated site development standards for all commercial districts, to reduce complexity in the Bylaw. All agreed amending the Use Table & Definitions, as well as, consolidating site development standards, as high priority.

Ms. Friedman asked about the Suburban Propane property and whether amending the split lot between zones issue be considered, to allow reuse of that property sooner rather than later. Ms. Buck said there were several concerns with that property. One, the NB and SA zone line go through the middle of the lot and the NB District is a difficult fix for that building. The NB District is very restrictive on what is allowed.

Public Hearing, Special Permit Application

Amendment of Special Permit (SP2016-03) for Curtis Self Storage at 1749 Main Street (Applicant: C&J Realty Trust)

Mr. Grimshaw read the notice into the record, gave instructions on hearing procedures and opened discussion to the applicant. Mr. Marc Curtis, property owner and Mr. Jason Dubois, DC Engineering in attendance.

Mr. Curtis asked, before starting discussion on the amendment request, to find out from the Board on allowing the east-side storage units that are finished, to get partial occupancy and start renting out those units. The privacy fencing was complete, except for 80-90ft, the entrance off Route 9 was complete, drainage was in, retention ponds constructed, manholes are in, the electronic fence was in the process of being installed, and the guardrails are in. Mr. Grimshaw advised that request would be taken up after discussion on the amendment request.

Mr. Frank Rigiero asked for clarification on installing the remaining 90ft of fence. The fencing right now stops around 15-20ft from the end of his driveway and it is supposed to go all the way down to the end of his property line. It hasn't gone that far and asked for clarification that it will. Mr. Curtis said the fence will continue to exactly what was agreed upon.

Mr. Jason Dubois, DC Engineering reviewed the change request. The original plan showed two sets of buildings going down and the east side buildings are the completed units. They are proposing to change the west side units and the larger unit attached. There is a 40 x 150 section and a 40 x 60ft section. They are looking to change one section to 50ft wide instead of 40ft and still maintain a 60ft section of it. By doing that, it will eliminate the 10 x 10ft buildings on the westerly side of the property.

The proposed new plan shows the 50 x 60ft section with the change making it one large unit 50 x 150ft unit. It will be a climate-controlled single building with interior hallways. Mr. Curtis submitted renderings showing what the proposed unit looked like.

Mr. AbuSalah asked for a floor plan. Mr. Curtis explained the buildings aren't designed until he gives them the footprint.

Ms. Buck asked if the height of the building was 2-stories. Mr. Curtis said looking in from Route 9 will look like a one story, but the site drops down and will be 2-stories. Ms. Friedman asked the height in back. Mr. Curtis said around 23ft. It will have interior hallways and lockers for the storage.

Ms. Nist said there is an entrance for the lower level and an entrance for the upper level. She asked if there was a stairwell inside. Mr. Curtis said yes. There were only two entrances, one in the back and one on Route 9.

Ms. Friedman asked about parking. Mr. Dubois said there were no designated parking spots in back. It's unusual to get more than a couple of people at one time. Ms. Buck said the previous plan showed the parking layout. Ms. Nist pointed out there was nothing in the back for the lower level.

Mr. Rigiero asked if the slab was already down for the new building. Mr. Curtis said the new building will have a full foundation. The only ones with slab are the units completed.

Ms. Debra Rigiero asked if the driveway would have a paved surface. Mr. Curtis said one side is gravel and once things are completed, it will be paved in the isles and all the way through.

Mr. Kularski asked if the Contractor's Yard will remain in the front. Mr. Curtis said it was still in the front, but because of the money invested in the storage units, he wasn't sure if the Contractor's Yard would remain there.

Mr. Kevin Desaulnier was concerned with a gravel driveway instead of paved because of the possibility with vehicle oil leaking and draining onto his property and contaminating his well water. Mr. Grimshaw pointed out the original approved plan called for compacted gravel and was not a change made for the new proposal. Mr. Curtis said compacted gravel was traditionally used for all the driveways within storage unit areas. Ms. Friedman noted outside storage of vehicles would not be allowed, like other storage units in neighboring towns allow.

Mr. Desaulnier said the landscaping at the property line was to put in spruce trees as opposed to red maples because of the leaves. He pointed out red maples were still shown on the plan.

Mr. Grimshaw said there is a checklist of concerns from Quinn Engineering that need to be reviewed and hopefully will address everyone's concerns as well.

Mr. Rigiero questioned if the Contractor's Yard was not going to be used, could it be taken off the plan. Mr. Curtis said he wanted to keep everything the same. He wanted to keep that luxury to not park anything there and probably won't. It would be kept as open space.

Mr. Grimshaw asked whether the house was being removed. Mr. Curtis said the house was staying, the garage was already removed and the office will go in part of the house.

Mr. Dubois reviewed Quinn Engineering comments.

- 1) The building coverage listed on the cover sheet will be updated to reflect the proposed building configuration.
- 2) The size of the office needs to be provided and one parking space needs to be provided. Mr. Curtis said the office will be approximately 400 square feet.
- 3) Clarify on interior of proposed 50 x 150 building and what the lower level will be used for. Mr. Dubois said that information will be provided.
- 4) Providing 2 parking spaces for residential home and also addressing parking for office, requiring 1 to be an accessible parking spot; and
- 5) Parking should be to the rear of the front setback line. Mr. Dubois will rework the plan and add the additional spaces.
- 6) Parking calculations must be updated to reflect number of storage units and office space.
- 7) It's recommended the entire accessible parking area and aisle at end of 50 x 150 building be paved.
- 8) Portions of paved area along 50 x 150 building slopes are in excess of 10%, if these areas are considered driveways; slope should be limited to 5%. Ms. Buck said the Board reviewed before and required to stay below the 5% at the main entrance to the site, but not the entire interior of the site.
- 9) Updated elevations of the exterior facades of 50 x 150 building to be provided. Ms. Buck asked the Board on accepting the renderings submitted tonight. All agreed.

- 10) Landscaping along the eastern boundary has changed. Mr. Dubois explained there was no intention of changing the agreed landscaping along the eastern boundary placing spruce trees. He will provide an updated plan showing that.
- 11) The proposed fence at the end of the 50 x 150 building will obstruct vehicles backing out of the parking spaces, the fence must be moved or spaces revised. Mr. Dubois said they will move the spaces to the other side of the fence. Ms. Buck asked if the new building was at the same dimensions, why the parking is a problem now. Something had to change if there was now a problem backing out. Mr. Kularski pointed out the parking spaces were east/west before and now are going north/south.
- 12) A ramp called out at the existing residential structure was not shown on plan. Mr. Dubois will clarify location of the ramp on the plan.
- 13) The outlet from Catch Basin-1 has less than 6" of cover near finished grade of 88;
- 14) Catch Basin-2 location recommended to be shifted so runoff will collect more effectively. Mr. Dubois will provide additional information showing adequate coverage.
- 15) 20-Crimson King Maple trees specified, only 19 are depicted. Mr. Dubois will clarify on the plan trees will be spruce, white pine and not red maple.

Mr. Desaulnier asked on getting rid of the contractor's yard. Mr. Curtis did not want to get rid of that portion yet. It will stay somewhat empty because he didn't want to make a distraction from the storage units.

Mr. Grimshaw said Building Inspector approved with modifications. He noted lack of an elevation plan and road width. He recommended the owner change his building permit to comply with the proposed changes. Sewer & Water Department noted it was available if requested.

Comments from the Police Department recommended conducting a public safety radio test for an adequate transmission from new building. As well as, to provide remote access to any surveillance cameras during alarms. Mr. Curtis noted receiving this information and agreed to comply.

Ms. AbuSalah questioned the location of the office being in the storage unit. Mr. Curtis explained the original thought was to have the office there, but now it will be located in the house.

Ms. Rigiero asked the operating hours and if there was additional lighting added. Ms. Buck said the self-storage facility hours will be 6am to 12am and there will be motion activated lighting, and there will be some additional 24-hour security lighting. Ms. Rigiero asked about security cameras and where they would be placed. Mr. Curtis said there will be a couple of cameras watching the aisles and gate.

Mr. Desaulnier asked when the lights will be installed, before the opening of the finished units or after the construction of the new building. Mr. Curtis said in order to open the finished units, he has to complete the entire infrastructure.

Mr. Grimshaw said the new plans show west of the new building the drive being reduced down to one lane. Mr. Dubois confirmed.

Mr. Desaulnier asked about fencing in front of the property not being completed. Mr. Curtis said he was asking Mr. Dubois about what type of fence to finish with. He understood there were a

couple more privacy panels to put in. Mr. Desaulnier said the privacy panels were going in the back corner of the house. Mr. Curtis understood the front fence would be something that could be seen through. Mr. Desaulnier asked if it would be chain-link or something with slats. Mr. Curtis thought something like a split rail, something that looks nice across the yard. Mr. Desaulnier agreed a split rail would look nice at the front. Mr. Curtis agreed.

Ms. Buck said the fence needs to be what is shown on the approved plan. Ms. Friedman agreed the fence will be what was shown on the plan. Mr. Grimshaw agreed the fence should be whatever was originally approved.

Mr. Rigiero asked what Stormwater Bylaw meant, how his well will be protected from contamination and what it meant to waive the Bylaw. Ms. Buck explained the Applicant's engineering firm put information together to meet Stormwater requirements. This particular site made it extremely difficult to meet the requirements in full.

MOTION: Ms. Friedman moved that due to the numerous outstanding concerns, to continue the public hearing on 1749 Main Street/Curtis Self Storage to Tuesday, May 15 at 7PM.

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

Mr. Curtis asked on opening the completed storage units on the east side. Ms. Friedman asked whether there were any changes proposed to the east side. Mr. Curtis said no and for an office to conduct business for the east side, they have an office trailer on site and will continue to use that.

Mr. Grimshaw asked if all the necessary work on the east side building would be complete before the May 15th meeting. Mr. Curtis said yes, the east building is done and the architecture will be sending everything over to the Building Inspector. There is some landscaping left to do, as well as paving from the street coming in. The storm drainage is complete and everything is in.

Ms. Friedman asked if all paving was being done before construction on the new building started. Mr. Curtis said no, just the aisle going down to the finished units. It will be compacted grindings or trap rock so it won't be muddy or uncomfortable for the customers. Ms. Friedman asked if the fencing, lighting, stormwater and landscaping will be in and all that will need work, was the west side of the site. Mr. Curtis said yes.

Mr. Curtis agreed to definitely have all the fencing, landscaping, and stormwater done and inspected before opening. The one item that can't be finished is the center aisle. It is shown as being paved, but would likely be temporarily gravel. Ms. Buck felt either this should require a bond or have a definite deadline set for completion.

Ms. Friedman felt if this project was first presented as a phased development, the paving wouldn't have been an issue. She asked the timeframe on the construction of the west side building if the Board approves the changes. Mr. Curtis wasn't sure and would have a better idea once the east side gets rented.

Mr. Desaulnier felt the climate control building was a significant change from the original design and would like to see the contractor's yard removed from this. Mr. Curtis understood, but that was something to his best interest to keep.

MOTION: Mr. Kularski moved to allow Mr. Curtis to open the east side of the facility with the condition that the pavement is completed within one year, with an inspection and all remaining requirements met prior to opening.

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

Approval of Minutes

March 27, 2018

MOTION: Ms. Nist moved to approve the minutes of March 27, 2018

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

Town Planner Report/General Discussion:

A. Planning Board Town Meeting Report

The Board was asked if there were any particular points they wanted mentioned in the Town Meeting written report. The entire text of the Bylaw change will be included in the Meeting Warrant therefore; the Board's handout will only have a summary and the Board's recommendations.

Ms. Friedman suggested including the State requirements and that the Town had no leeway with the buffer requirements. Also, include State requirements on the number of facilities allowed and why this has to move forward because of the way the Town voted on the ballot issue. Mr. Grimshaw agreed. Ms. Friedman also suggested putting the report on Facebook for people to read ahead of Town Meeting.

Ms. Buck reviewed the updated Zoning Map from CMRPC showing the 200ft and 500ft buffers from schools and residential districts. This will be included with the Town Meeting Report.

B. Submittal of Preliminary Subdivision plan: Parker Street

A Preliminary Subdivision Plan was submitted to the Town Clerk's Office last week. It is proposed along the undeveloped portion of Parker Street. The plan may be sent to Town Counsel for opinion, because as it stands right now, they are proposing no paving or stormwater improvements.

C. Backyard Poultry Committee

The applicants appointed to the Committee by the Planning Board were notified. The two At-Large members were asked for available days to meet and both applicants did not want Wednesday. Ms. Friedman suggested doing alternate Tuesdays from the Planning Board meeting and scheduling the first meeting for Tuesday, May 8th. Ms. Buck informed the Board that Claire Carter from the Agricultural Committee, Pat Dykas, Animal Control Officer agreed to sit on the Poultry Committee and the Board should take a vote to appoint.

MOTION: Ms. Friedman moved to appoint Claire Carter from the Agricultural Committee and Patricia Dykas, Animal Control Officer as members to the Backyard Poultry Sub-Committee.

SECONDED: Ms. Nist – Discussion: Mr. Brooks noted individuals who are already members of a Board or Committee won't need to get sworn in, but advised the At-Large members will need to be sworn in. – VOTE: All in Favor

D. Miscellaneous Project Updates

Waiver Requests

Ms. Buck said when applications for subdivisions have numerous waiver requests, Quinn Engineering doesn't necessarily weigh in on some requests if not related to engineering that are more of a policy decision. For example; the Board is opposed to a dead-end length of more than 2000ft, but from an engineering standpoint, there might not be a problem with a road that length

if it can support a number of houses. Quinn Engineering had concern of being put into a position of contradicting the Board's wishes, unless the Board wanted a more frank response on all waiver requests.

Ms. Friedman felt from an engineering standpoint, it would be good to hear what the engineer had to say, because sometimes, there are safety issues that are not necessarily engineering issues and should be pointed out. Mr. Grimshaw agreed it would be good to hear the engineer's point of view, because they know more about it. All agreed they want comments on all waiver requests.

Cultivate Traffic Study

Ms. Buck explained reviewing submittal requirements for Site Plan Review with the owners of Cultivate. The outstanding question was whether the Board would require a Traffic Study for a business use along a major road. The Board had only required this for two other sites, Wal-Mart and Cumberland Farms. Mr. Kularski felt doing a traffic count now could be different from a traffic count in 6 months. Ms. Friedman agreed, as well as a traffic count in 18 months could be less than previous 6 months. Mr. Grimshaw questioned if two studies had been done previously along the same major roadway, was a third study warranted. Mr. Brooks felt the first few months of opening, traffic will be a problem. Ms. Friedman agreed and gave Tree House Brewery as an example on being inundated with unexpected traffic when first opened. She wanted to make sure that the Town was prepared for the traffic this business could bring. Upon Discussion, all agreed to require an initial traffic study with the submittal and potentially one in 6-months after opening.

E. Board Member Committee Updates

Economic Development Committee next meeting April 26 2018. Capital Planning Committee will meet after Town Meeting. Central Mass. Regional Planning Commission Annual Meeting is June 14, 2018.

MOTION: Ms. Nist moved to adjourn meeting

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

Meeting adjourned at 8:55 PM

Respectfully submitted:

Barbara Knox

Barbara Knox

Documents included in mailing packet:

- Agenda
- Letter to Planning Board from Michelle Buck, Town Planner regarding April 17, 2018 Planning Board Meeting
- List of potential Zoning Bylaw Amendments: updated 4/3/2018
- Public Hearing Notice for C&J realty Trust to Amend Special Permit approval for Self-Storage Units on property located at 1749 Main Street
- Application letter from DC Engineering regarding C&J Realty Trust, 1749 Main Street/Proposed Self-Storage Site-Contractor's Yard
- Special Permit Application for C&J Realty Trust, 1749 Main Street; Self-Storage/Contractor's Yard
- Proposed site plan dated 4/2018 & 5/2017 on 1749 Main Street, Curtis Self-Storage Facility
- Comments from Police Department, Building Inspector, Water & Sewer Departments regarding 1749 Main Street, Curtis Self-Storage Facility
- Draft copy of Special Permit, Site plan & Stormwater Permit Approval-Amendment for Curtis Self-Storage Facility, 1749 Main Street
- Planning Board Minutes of March 27, 2018

Document submitted at meeting:

- Memo from Quinn Engineering regarding 1749 Main Street Special Permit Amendment; Curtis Self-Storage Facility