

**Town of Leicester Planning Board
Meeting Minutes
December 18, 2018**

MEMBERS PRESENT: Jason Grimshaw, Chair; Debra Friedman, Vice-Chair; Sharon Nist, Andrew Kularski and Robyn Zwicker

MEMBER ARRIVED AT 7:25PM: Alaa Abusalah

IN ATTENDANCE: Michelle Buck, Town Planner, and Wanda Merced, Department Assistant.

MEETING TIME: 7:00 PM

AGENDA:

1. 7:00PM **Public Hearing, Major Site Plan Review, SPR2018-06**
Boutilier Solar Farm #3/500 Boutilier Road (Applicant: ZPT Energy Solutions, LLC)
2. 7:10PM **Site Plan Review Amendment, SPR2016-03**
LaFlash Boutilier Solar request to eliminate gate (Applicant: ZPT Energy Solutions, LLC)
3. 7:15PM **ANR Plans**
 - A. 557 Main street (Applicant: Reishardele Chaviero)
 - B. Lilystrom Grove Road (Applicant: Terence & Mary O'Coin)
4. 7:30PM **Request to Release Performance Security Agreement**
Cherry Valley Solar (SPR2016-02), site stabilization bond (Applicant: Pro-Tech Energy Solutions)
5. 7:35PM **Approval of Minutes:**
 - 12/04/2018
6. 7:40PM **Town Planner Report/General Discussion:**
 - A. General Discussion: solar bylaw
 - B. Miscellaneous Project Updates
 - C. Board Member Committee Updates

Jason Grimshaw called the meeting to order at 7:03PM

Public Hearing, Major Site Plan Review, SPR2018-06

Boutilier Solar Farm #3/500 Boutilier Road (Applicant: ZPT Energy Solutions, LLC)

Scott Patacchiola was present for ZPT Energy Solutions II. He stated that they received responses back from Kevin Quinn and all issues have been resolved. The Board reviewed Mr. Quinn's responses and were satisfied. Michelle Buck stated that she sent a draft decision to the applicant. Mr. Patacchiola confirmed that they were fine with the draft decision.

Mr. Grimshaw asked if anyone from the public had any comments and there were no comments.

MOTION: Ms. Friedman motioned to approve the site plan for Boutilier Solar Farm #3/500 Boutilier Road Solar.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

Site Plan Review Amendment, SPR2016-03

LaFlash Boutilier Solar request to eliminate gate (Applicant: ZPT Energy Solutions, LLC)

Ms. Buck addressed the Board and explained that the amendment is related to the gate. She further explained that the issue with access for residential development goes away because another solar farm was just approved for the remaining land on Boutilier Road. Ms. Buck included a draft decision in the meeting packet and the Board reviewed it.

Mr. Grimshaw asked if anyone from the public had any comments and there were no comments.

MOTION: Ms. Friedman motioned to approve the request to remove the gate on the LaFlash Boutilier Solar.

SECOND: Ms. Nist. Discussion: None

VOTE: All in favor.

ANR Plan

557 Main street (Applicant: Reissnardele Chaviero)

Kelley Urella was present for the owner and presented the Board with a revised plan for them to review. She stated that the new plans address the issue with regards to a common driveway. Ms. Urella explained to the Board that the driveway is solely on the parcel that the owner wants to convey. Ms. Friedman asked if the entrance will be off of Route 9 and Ms. Urella confirmed that it would be off of Route 9. Ms. Urella stated that owner will not be doing anything buildable on the second lot at this time. Ms. Buck stated that the second lot is not buildable and Ms. Urella stated she understood that. Ms. Buck further stated the owner would have to apply for special permits and variances if they consider building on that second lot.

The Board discussed the driveway and easement. Ms. Friedman asked if the easement goes onto the non-buildable lot and Ms. Urella said no. Ms. Friedman stated that the way the existing easement is, it looks like it runs on to the second unbuildable lot. Ms. Urella explained that the easement runs at the mouth of the driveway then veers off to the left and will not be on the non-buildable lot. Ms. Buck reminded the Board that the applicant only needs to show that they can access the property where the frontage is.

MOTION: Ms. Friedman motioned to approve the ANR Plan for 557 Main Street.

SECOND: Ms. Nist. Discussion: None.

VOTE: All in favor.

ANR Plan

Lilystrom Grove Road (Applicant: Terence & Mary O'Coin)

Ms. Buck explained to the Board that they are splitting a parcel in two. She further explained that both lots are not buildable and both are labeled as such. Ms. Buck stated that both lots will be used for septic systems for other properties (one existing septic system, one proposed). The plans were revised to add more clarification for the Board related to ownership of the parcels.

MOTION: Ms. Friedman motioned to approve the ANR Plan for Lilystrom Grove Road.

SECOND: Ms. Nist. Discussion: None.

VOTE: All in favor.

NOTE: Alaa Abusalah arrived at 7:25PM

**Request to Release Performance Security Agreement
Cherry Valley Solar (SPR2016-02), site stabilization bond (Applicant: Pro-Tech Energy Solutions)**

Ms. Buck reminded the Board that they are holding a small cash deposit for hydroseeding. She explained that Kevin Quinn will be going to do an inspection this week or next week to check on the hydroseeding and report back. Ms. Buck stated that she would prefer a conditional vote pending Mr. Quinn's inspection.

MOTION: Ms. Friedman motioned to release the Performance Security Agreement for Cherry Valley Solar contingent upon Kevin Quinn's inspection.

SECOND: Ms. Nist. Discussion: None.

VOTE: All in favor.

Approval of Minutes

MOTION: Ms. Nist moved to approve the minutes of December 4, 2018.

SECOND: Mr. Kularski. Discussion: None.

VOTE: All in favor.

Town Planner Report/General Discussion:

Solar Bylaw: Ms. Buck included a copy of the study in the meeting packet to give the Board background reading. This will be a continuing agenda item.

Miscellaneous Project Updates

Towing on Stafford Street

Ms. Buck told the Board that the Building Inspector reported that he spoke with the owner and that he doesn't feel that any business operation is going on there. Mr. Kularski asked if there is any bylaw on towing. He stated that the property most definitely looks like a towing business with two tow trucks regularly on site. Mr. Kularski asked if there are any bylaws that pertain to how many unregistered vehicles can be on a person's property. He said that there are at least 8 vehicles parked on the lawn and generally two tow trucks. One truck is usually parked blocking the entrance to the back yard and the other is usually parked in back with a vehicle on it. Mr. Kularski stated that if he were an abutter, he would be upset. Ms. Nist asked he has seen two tow trucks on the property and Mr. Kularski answered yes. Ms. Friedman suggested taking pictures of this property to show the Building Inspector. Ms. Friedman stated that the Planning Board suggested that the Board pursue this issue.

Boat Storage

Ms. Buck told the Board that the Building Inspector said the owner is grandfathered. Mr. Kularski stated that the previous owner stored boats on the property. Ms. Friedman asked if this is something a person needs to get a permit for and Ms. Buck stated that a new business would require a permit. Ms. Friedman said that the property is noticeably storing boats and she said it's apparent to anyone who sees it. Ms. Abusalah asked if there was any type of permitting for boat storage for the previous owner at any time and Ms. Buck responded no. Ms. Nist asked if the property still has a motel license and Ms. Friedman asked if there can be both a motel and boat storage area. The Board discussed pursuing this issue further.

Brookside Liquors

Ms. Friedman asked that it be noted in the minutes that she wants to file a complaint about the signage at Brookside Liquors saying it is truly non-conforming. She said the size of the Budweiser sign on the side of the building is too large and the spot light is too bright.

Ms. Buck asked if the Board was seeking to pursue complaints for all three issues and the Board confirmed this.

Chapel Street Mill

Ms. Buck told the Board that she met with developers who are interested in putting in high-end condominiums. She said they plan to fix the dam, tear down the building and clean up the property. Ms. Buck stated that what they are proposing will require multiple zoning amendments. She said that they want to build 100 units and the buildings will be five stories high. Ms. Friedman asked if they can make it affordable housing and Ms. Buck stated that they want luxury condominiums. Ms. Buck told the Board the project representative, Bob Mulcahey, is apparently a Planner who has done work in Worcester and said he could assist the Town with helping with the zoning amendments. Ms. Friedman stated that they would like to see a percentage of the units as affordable housing. Ms. Buck noted that they've asked to attend the January Board meeting to discuss the project. Ms. Friedman said discussion should be limited to 15 minutes to give a brief presentation to the Board. Ms. Buck stated that she is waiting for their contact information; they didn't have any business cards at the time of the meeting. She will ask them to attend the January meeting.

1521 Main Street Property

Ms. Buck told the Board that she is speaking with the current owner to see what can be done on the property. The building has been demolished. There's some concern that the location of the building wasn't properly staked by a surveyor prior to demolition. The owner is looking at a range of options and has many questions about permitting. Ms. Buck also mentioned that the neighbor has two sheds and a fence on this property.

Board Member Updates

Economic Development Committee

Ms. Abusalah stated the EDC met last month and hosted their Open for Business event. She said a small number of people showed up to the event even though over 300 were invited. She said she met new business owners and politicians. The December meeting will be delayed and the meetings will pick back up in January.

MOTION: Ms. Friedman moved to adjourn.

SECOND: Ms. Nist

VOTE: All in favor.

The meeting adjourned at 8:05PM.

Respectfully submitted:

Wanda Merced, Department Assistant

Documents included in meeting packet:

- Agenda
- Memo from Town Planner to the Planning Board dated 12/13/2018 regarding 12/18/2018 meeting
- Site Plan Approval (SPR2018-06) Order of Conditions DRAFT
- Site Plan Approval (SPR2016-03) Amendment DRAFT
- Request from Pro-Tec Energy Solutions for Release of the Performance Security Agreement for Cherry Valley solar along with supporting documents
- Meeting Minutes dated 12/04/2018
- Copy of *Blackstone River Watershed Association, Large-Scale Solar Installations Position Paper and Resource Guide for Town Officials, October 9, 2018*

Documents submitted at meeting: N/A