

**Town of Leicester Planning Board
Meeting Minutes
August 4, 2020**

[Note: This meeting was held remotely using GoToMeeting]

MEMBERS PRESENT: Jason Grimshaw, Chair; Debra Friedman, Vice Chair; Sharon Nist

MEMBERS ABSENT: Andrew Kularski; Jaymi-Lyn Souza

IN ATTENDANCE: Michelle Buck, Town Planner, Tiffany Peters Department Assistant

MEETING TIME: 7:00PM

AGENDA:

1. 7:00PM **Public Hearing, Special Permit (SP2020-02)**
15 Water Street, reuse of old fire station (Applicant: ZJBV Properties)
2. 7:30PM **Discussion, Preliminary Subdivision Plan (SUB2020-01)**
Parker Street North (Applicant: Schold Development, LLC)
3. 8:00PM **Mulberry Solar III (SP2018-02)**
Site Plan Approval & Special Permit Extension Request (Applicant: Syncarpha Leicester, LLC)
4. 8:15PM **Approval of Minutes:**
 - July 7, 2020
5. 8:30PM **Town Planner Report/General Discussion:**
 - A. Miscellaneous Project Updates
 - B. Board Member Committee Updates
 - C. Upcoming Meeting Dates
6. Adjourn

Mr. Grimshaw called meeting to order at 7:06PM

15 Water Street, Special Permit (SP2020-02)

Mr. Grimshaw reads the public hearing notice. Ms. Friedman asks if the applicant submitted the outstanding documentation that was requested of him. Ms. Buck advised that he had not. This hearing is being continued the August 18, 2020 meeting due to a lack of quorum.

Motion: Ms. Friedman moved to continue hearing until August 18th at 7:00PM

Second: Ms. Nist

Discussion: None

Roll Call Vote: (3-0-0)

Parker Street North: Discussion, Preliminary Subdivision Plan (SUB2020-01)

Mr. Grimshaw reads the public hearing notice. Ms. Buck states that the applicant is proposing an extension of the paved portion of Parker Street which currently shows three lots. Ms. Buck states that some of these lots could be divided and there is additional land leading up to the

project. She states that they are requesting a series of waivers from the Subdivision Regulations including pavement width, drainage, etc.

Mr. Brian MacEwen of GRAZ Engineering is representing the applicant. He states that this is an undeveloped piece of land which is approximately 70+ acres. He states the northern portion of Parker Street was improved and the Town was involved in those improvements. He states that the applicant, Mr. Matt Schold is looking to improve the graveled portion of the roadway to the development which shows three lots but could potentially be up to five lots. He states that Mr. Schold currently has a potential prospect to purchase Lot 1. He states the remaining land would stay in Mr. Schold's ownership. He states that there is also land owned by the YWCA between the portion of Parker Street that extends off Pine Street and this new proposed development. He states that there is also the potential for building lots there, but there would be restrictions due to wetlands.

Mr. MacEwen states that they petitioned for several waivers. These waivers include street width (requesting a width of 18-feet), dead-end cul-de-sac length and the need for sidewalks. A waiver for underground utilities was requested but this request will be removed from the definitive plan. He states the owner is amenable to providing streetlights and that it will be worked out in the contract with the municipality and the utility supplier. Mr. MacEwen addresses the comments from the Town Planner; he states that the intent would be to not install sidewalks at all because it would not be compatible with the roadway width and the right-of-way width. Regarding adding an island to the cul-de-sac, he states that they would like some landscaping in the middle of the cul-de-sac but on the other hand, it becomes a maintenance issue for the DPW. He states that there will be 60+ acres of land in Mr. Schold's ownership and states that it can be a condition that any further development on this land (extensions, buildable lots) would be brought back before the Planning Board. Mr. MacEwen also states that they would never extend off the cul-de-sac. He states there could be the potential for development of a lot or two on the south end of the project in the future.

Mr. Schold states he has had conversations about his plans for this project with Town Department Heads. He wants to match the road that was already put in place by the Town at the beginning portion of Parker Street with a few lots and a dead-end cul-de-sac. He states there is never going to be a continuance of the road. He states any potential further development on this land would be on the south end of Parker Street with another cul-de-sac.

Mr. Dennis Griffin, Leicester Highway Superintendent, states that there has been concern regarding use of four-wheelers on the property and that Mr. Schold has put up gates and secured the area. Mr. Griffin states that per conversations with Mr. Schold, besides the development of potential cul-de-sacs on each end of Parker Street, the remaining land would be declared open space. Mr. Griffin states he has had discussions with the Police Chief about this project and that Mr. Schold has spoken to the Fire Department and is amenable to their recommendations. He states he thinks an 18-foot width road with swale style drainage would be enough because of the low level of traffic and that if there is an open swale the Highway Department can move the snow. He states that he lives in the area and there is low traffic volume in that area and does not believe that sidewalks are necessary.

Ms. Friedman disagrees and states that sidewalks are needed as children will be walking to Pine Street for the school bus. She states she is ok with a sidewalk waiver on one side of the road but not on both. She states she has concerns about the drainage, specifically that it will not be adequate when snow starts to melt potentially resulting in icy roadways. Ms. Friedman states she would like to see something put into the final Order of Conditions that the road will never continue through. She states that just because inferior roads were built in the past, does not mean we need to continue to build them that way. She has concerns that if there is not strong enough language included in the conditions that eventually the road will be extended to the other end of Parker Street.

Mr. Schold states that any other road improvement would need to go before the Planning Board and that part of this approval includes abandoning the middle part of the road. He states in regard to the sidewalks, that there will be no children living there that would be attending Leicester schools and that there is little pedestrian traffic. Mr. Griffin states that when you get to the bridge, there are no sidewalks and that to implement a sidewalk on the bridge would be expensive. He also states that on the other side of the bridge there are also no sidewalks and thinks it would more dangerous to abruptly end the side than to not have one at all. Mr. Schold states that the road is 730 feet from the bridge, none of which has sidewalk.

Mr. MacEwen states the beginning portion of Parker Street was reconstructed in conformance with the Planning Boards standards in the fact that it is a well-drained pavement area. He states the goal is that any roadway improvements done to the extension would meet the minimum construction standards for a subdivision road, not in terms of width, but in terms of base material, shoulder, etc. He states that he does not think it is proper to compare these improvements to a street like Pine Street or Parker Street South.

Ms. Nist asks about the comments from the Fire Chief stating that the road width should be a minimum of 20 feet. Mr. Griffin states he believes this may be due to their large equipment. Mr. MacEwen states that this was addressed in the comments from Quinn Engineering which explains that the State regulation for a minimum fire lane is a width of 20 feet. Ms. Nist asks if they plan on putting in streetlights. Mr. Schold states that they do plan on putting in streetlights. Mr. Griffin states that a conversion has been made to LED streetlights due to cost and continuity of maintenance. He states when using LED, the lighting is better so less streetlights may be needed.

Ms. Buck brings up the importance of there being some type of restriction on the remaining land. She states that when roads are extended in small portions at a time, the Board gets pressure to extend these roads at their existing width. Mr. Schold states that it will never be a through road and that he does have an issue including verbiage in the conditions that says that. Mr. Grimshaw asks if it would be enough to include restrictions on the dead-end into the order of conditions. Ms. Friedman states that she believes it needs to be a deed restriction or both because anything that is in the order of conditions can be reversed. Mr. Grimshaw states that if we could put these restrictions in place it would cover his concerns over the length of the dead-end road and the need for sidewalks. Mr. Grimshaw asks about the expense related to streetlights. Ms. Buck states that Town wants to keep the cost down. She states that for the last subdivision that was

approved (Oak Bluff) they required individual lights that were tied into the houses so there was no Town expense.

Ms. Buck asks Mr. Griffin to comment on a potential landscape island in the middle of the cul-de-sac. Mr. Griffin states that he is not in favor of an island as it makes snow removal more difficult and that by piling snow on it, the landscaping will be destroyed in the first season. Mr. Griffin states he could get by with a Cape Cod berm, but it will still make snow removal more time consuming. Mr. MacEwen states that if they were to implement an island, the plans would have to be run by the Fire Chief in order to make sure their equipment would be able to navigate around it.

Mr. Grimshaw runs through the list of waivers to ensure they have all been adequately addressed. The issue of the drainage is mentioned again. Ms. Buck states that regarding the drainage that she would want to be certain at the definitive stage that the type of drainage being proposed would adequately control the runoff. Mr. Griffin states he thinks the proposed drainage will work. He states they do not have an issue managing the existing 730 feet of road. He states it will work if they cut the grades properly and it's crowned and that it is easier to maintain than catch basins.

Ms. Buck suggests drafting more specific conditions to this project which could be reviewed at the next meeting. Ms. Friedman states she would like to see more details in writing and more verbiage regarding the restrictions of the dead-end before voting. Mr. Schold states that he would like to get the Board's approval tonight. He states that he has heard what the Board is requesting, and he wants to implement it into the definitive plan. He asks that the Board deliberate the conditions and move forward with the approval tonight.

The Board further discusses and reviews the waiver requests to apply specific conditions to the decision (contingent upon development restrictions to the dead-end). The Board would like to see a road width of 20 feet. The Board is amendable to waiving sidewalks if adequate restrictions are put in place for the dead-end. A fire cistern must be provided if required by the Leicester Fire Department (required for 5 or more homes). The developer must coordinate with Leicester Post Office regarding mailbox preference. Deed restrictions are to be put in place that limit the total number of lots to 5. Comments from the Town Engineer regarding drainage need to be fully addressed in the definitive stage.

Motion: Ms. Friedman moved to approve Preliminary Subdivision Plan for Parker Street North based upon the additional comments that were had regarding the definitive plan

Second: Ms. Nist

Discussion: None

Roll Call Vote: (3-0-0)

Mulberry Solar III, Special Permit Extension Request (SP2018-02)

Ms. Buck states that Mulberry Solar is requesting a one-year extension of the deadline to complete construction, which would make the new deadline September 11, 2021. Mr. Devin Howe of Beal's Associates is present at the meeting, representing Mulberry Solar. Mr. Howe states that the grass has started growing in on the site which helps with erosion issues.

Motion: Ms. Friedman moved to extend the Special Permit and the Site Plan Approval for Mulberry Solar to September 11, 2021.

Second: Ms. Nist

Discussion: None

Roll Call Vote: (3-0-0)

Approval of Minutes

July 7, 2020

Motion: Ms. Nist moved to approve the minutes for July 7, 2020

Second: Ms. Friedman

Discussion: None

Roll Call Vote: (3-0-0)

Town Planner Report/General Discussion:

11 Hankey Street/Maker's Space:

Ms. Buck states that she and the Economic Development Coordinator, Bryan Milward met with representatives from The WorcShop a couple of weeks ago and they discussed the changes in the zoning and the necessity of filing a special permit application before they proceed. She said WorcShop representatives also submitted a revised proposal for a significant number of housing units, greenhouses and artist spaces surrounding the building. Ms. Buck states that the multi-family would require another bylaw amendment. Another obstacle for this proposal is the French River which is located behind the building. The Rivers Protection Act mandates a 200-foot buffer on either side of the river and a no disturb zone within 100 feet of it. This greatly limits development potential. She states these concerns were discussed with the representatives. Other structures proposed were out of the riverfront area but were within the property line setbacks. She states she sent the application materials out to them but has not heard back from them and will reach out again.

Evolve Cultural Center

Ms. Buck states that Mr. Milward has been reaching out to the owner by phone and email, but the owner has been unresponsive. She states that they originally thought that there was not a business license issued for the owner. It was discovered that there is a license on file, however it lacks significant details.

Board Member Committee Updates

Economic Development Committee:

Mr. Grimshaw states that EDC met on 7/30/2020 but the meeting was rescheduled due to technical issues. The meeting was rescheduled until 8/6/2020.

Upcoming Meeting Dates:

August 18, 2020

September 8, 2020

September 22, 2020

Motion to Adjourn: Ms. Nist

Second: Ms. Friedman

Discussion: None

Roll Call Vote: (3-0-0)

Meeting adjourned at 8:47PM

Respectfully Submitted,
Tiffany Peters, Department Assistant

Documents included in meeting packet:

- Agenda
- Memo to the Board from the Town Planner dated 7/29/2020
- Public Hearing Notice for Special Permit for 15 Water Street
- Special Permit application & site plan for 15 Water Street
- Comment sheets from Board of Health, Highway Dept, LPD and Leicester Water Supply District for 15 Water Street
- Memo to Brian Thibeault from the Town Planner dated 7/16/2020
- Special Permit Draft Decision for 15 Water Street
- Public Hearing Notice for Parker Street North Preliminary Subdivision Plan
- Preliminary Subdivision application & plans for Parker Street North
- Email from Brian MacEwen of GRAZ Engineering, LLC to the Town Planner dated 7/22/2020
- Review of Parker Street North Preliminary Subdivision from Quinn Engineering dated 7/28/2020
- Comment sheets from LFD, LPD, & Highway Department for Parker Street North
- Parker Street North Project Summary dated 7/28/2020
- Meeting Minutes from 7/7/2020

Documents submitted at meeting: None