

## Town of Leicester PLANNING BOARD

3 Washburn Square Leicester, Massachusetts, 01524-1333 Phone: 508-892-7007 Fax: 508-892-7070 www.leicesterma.org RECEIVED 2023 SEP 14 PM 12: 24 TOWN CLERK'S OFFICE LEICESTER. MASS.

PLANNING BOARD AGENDA Tuesday, September 19, 2023, 7PM

Meeting Room 3

### **Pledge of Allegiance**

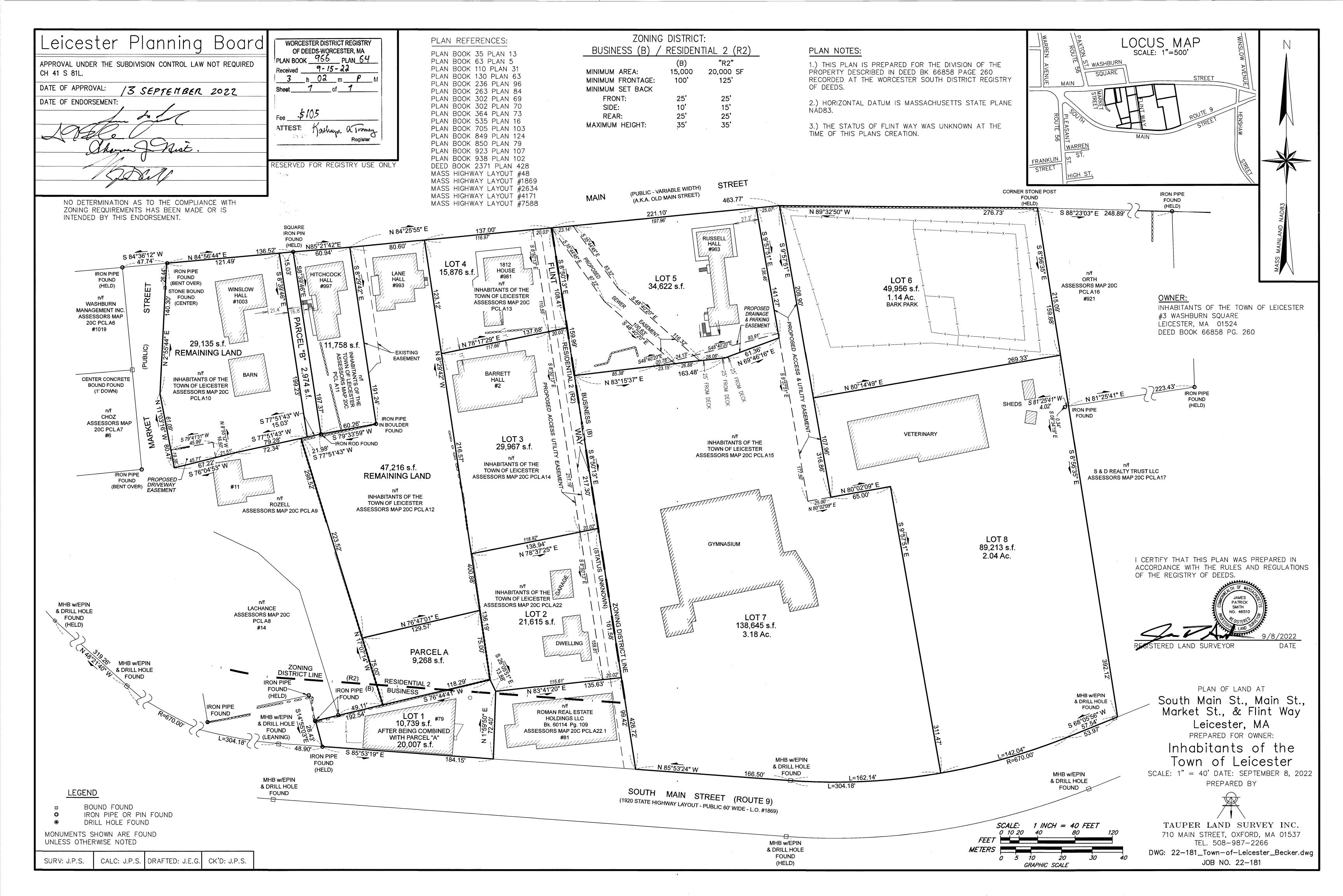
- Administrative
- <u>Flint Way Road Acceptance</u>
   The Town of Leicester requests the Planning Board recommends the acceptance of the road Flint Way as a public way
- Public Hearings
- <u>SP2021-03 11 Hankey Street, WorcShop-Continued</u> Request by applicant to amend Special Permit SP2021-03
- <u>ANR</u>
- <u>ANR-2023-03</u> 651 Main Street, Map: 21, Parcel: 85.1, Zoning District: Business.
   Planning Board will make a determination of whether or not this plan requires their approval under the Subdivision Control Bylaw

### New Business

- Review of Plans for the Site Plan at 112 Huntoon Memorial Highway submitted by Jack Daige
- Discussion with Diago McClain regarding land purchased on Huntoon Memorial Highway
- Discussion with Prospect Hill Estates, LLC regarding their request for release of performance bond for Oakridge Estates Senior Village
- Old Business
- Town Planner Report/General Discussion
- Adjourn

### \*Note: Agenda times for items that are not public hearings may be taken out of order.

"The listings of matters are those reasonably anticipated by the Chair 48 hours before said meeting, which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law



### Leicester Planning Board Site Plan Review & Special Permit Application Form

PERMI	T TYPE: 🖌 Special Perm	uit Site	e Plan Re	view		
CONT	ACT INFORMATION					
Owner I	nformation					
Name:	David Magnu		ompany ame:	Rochdale Ho	oldings / Worcester Tool and	d Stámping P
Signatur	e: Jord	M	lagn	ma		
Address	11 Hankey St Rochdale, MA 01542	V	' (			
Phone: (	508) 892-8195	Email:	adm	in@wo	orcester-tool.c	com
Applica	nt Information					
Name:	Randolph Garc	- 1	ompany ame:	Word	Shop	
Signatur	·e:					
Address	<sup>:</sup> 11 Hankey St Rochdale, MA 01542					
Phone: (	508) 713-7776	Email:	thev	vorcsh	op@gmail.coi	m
	Contact Person (The person the			Planning Boar	d staff during the application	process.)
Name:	Ethan DeSo		ompany ame:	Etha	nDeSota.c	om
Address	: 444 Henshaw Rochdale, MA 01542					
	810) 874-6463	Email:	evde	esota@	gmail.com	
	ECT INFORMATION					
Project A		/ St			Zoning District: NE	}
Assessors & Parcel #				Reference & Page):	3170 / 11 <sup>.</sup>	1
Applicable	e Zoning Bylaw Section(s): Se	ection 5.	.10 Ad	laptive L	Jse Overlay	
Propose				-	daptations	
Existing	Land Use: F2		-			

ł

### **PROJECT INFORMATION, Continued**

Size of Proposed Structure(s):				
Total Lot Area:	9.96 Acres			
Water Source: (Select One)	O Private Well Hillcrest Water District	Cherry Valley & Rochdale Water District		
Sewer Source: (Select One)	Private Septic System Hillcrest Water District Oxford Rochdale Sewer District	Cherry Valley Sewer District Leicester Water Supply District		

### **Brief Project Description:**

Please include a brief description on this form (i.e. do not write "see attached"). [Examples: New construction of a 20,000s.f. retail building and associated parking; Use of a 1,000s.f. portion of an existing structure for a proposed pet grooming clinic.]

Adapting historic mill building and manufacturing facility to a Makerspace via Leicester Zoning and By-laws Section 5.10. Although this permit anticipates remodeling and repairs to the current structure, no expansion of the current building or substantial reconfiguring of the current grounds is anticipated.

### **Application Checklist**

Use this checklist to ensure you have provided all required information. See Planning Board Site Plan Review & Special Permit Regulations for details. 13 copies are required except where noted.

Plans (2-full-size & 11- 11"x17")	Detailed Project Narrative including any waiver requests <sup>1</sup>	Drainage Analysis/ Stormwater Report, (3 copies) n/a
Documentation of Availability of Water & Sewer	Certified Abutters List (1 copy) <sup>2</sup>	Traffic Study (3 copies)
Fees <sup>3</sup>	.pdf copy of all required submittals	s (CD or USB Drive)

<sup>1</sup> See Planning Board Site Plan Regulations for details on what should be included in a Project Narrative. For special permits that don't require conformance with Site Plan Review submittal requirements, submit a narrative explaining conformance with special permit approval criteria (see Special Permit Regulations for details).

<sup>2</sup> certified abutters lists are required for all Special Permits applications and for Major Site Plan Review Applications (new construction over 30,000 s.f. and ground-mounted solar over 250,000 s.f or 2 acres or more of tree clearing)

<sup>3</sup> Please refer to the Planning Board's Fee Regulations. Checks must be made out to the <u>Town of Leicester</u>

For Planning Board Use:	
Date of Submittal:	
Public Hearing/Meeting Date(s):	
Date of Planning Board Vote:	
Date Decision Filed with Town Clerk:	

Town of Leicester Abutters List

02/17/2021

1-25-30PM

Page 1 of 1

PLANNING

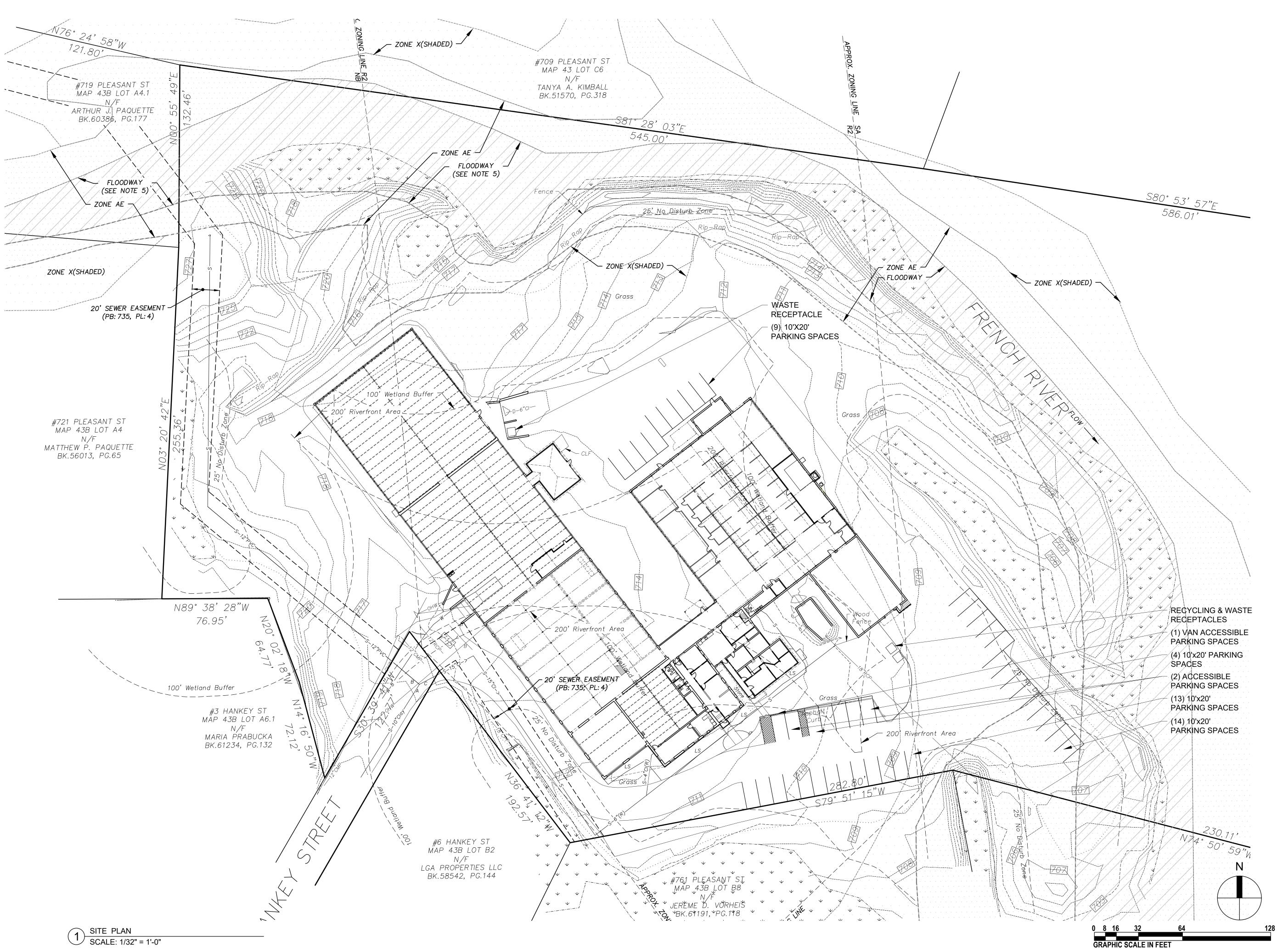
ParcelID	Location	Owner	Co-Owner	Mailing Address	City	Stat	State Zip
43 A10 0	724 PLEASANT ST	JONES GUY G	JONES MAUREEN B	724 PLEASANT ST	ROCHDALE	MA	01542
43 A8 0	710 PLEASANT ST	WESSNER HOLDINGS CORP		65 JAMES ST	WORCESTER	MA	01603
43 A9 D	PLEASANT ST	BAPTIST PARSONAGE		700 PLEASANT ST	ROCHDALE	MA	01542
43 C5 0	PLEASANT ST	TOWN OF LEICESTER	TOWN HALL	<b>3 WASHBURN SQUARE</b>	LEICESTER	MA	01524
43 C6 0	709 PLEASANT ST	KIMBALL TANYA A		709 PLEASANT ST	ROCHDALE	MA	01542
43 C7 0	11 HANKEY ST	WORCESTER TOOL+STAMPING C		PO BOX 308	ROCHDALE	MA	01542-0308
43 C7.1 0	HANKEY ST	BERGIN JR JOSEPH D	<b>BERGIN JR THOMAS J</b>	P O BOX 486	HARDWICK	MA	01037
43 C8 0	HANKEY ST	WORCESTER TOOL+STAMPING C		PO BOX 308	ROCHDALE	MA	01542-0308
43 C9 0	REAR PLEASANT ST	BERGIN JR JOSEPH D	<b>BERGIN JR THOMAS J</b>	P O BOX 486	HARDWICK	MA	01037
43A C9 0	693 695 PLEASANT ST	MURPHY EDWIN L	<b>BERNIER SHARON A</b>	693-695 PLEASANT STREET	ROCHDALE	MA	01542
43B A2 0	713 PLEASANT ST	VETERANS OF FOREIGN WARS	POST#7556-R WEYMOUTH E	PO BOX 47	ROCHDALE	MA	01542-0047
43B A3 0	PLEASANT ST	TOWN OF LEICESTER		<b>3 WASHBURN SQUARE</b>	LEICESTER	MA	01524
43B A4 0	721 725 PLEASANT ST	PAQUETTE MATTHEW P	PAQUETTE JESSICA L	723 PLEASANT ST	ROCHDALE	MA	01542
43B A4.1 0	719 PLEASANT ST	PAQUETTE ARTHUR J	PAQUETTE KATHLEEN M	17 CRAIG STREET	ROCHDALE	MA	01542
43B A5 0	731 PLEASANT ST	BRINK VANESSA		731 PLEASANT ST	ROCHDALE	MA	01542
43B A6 0	733 PLEASANT ST	YEAWOLO YATA		733 PLEASANT ST	ROCHDALE	MA	01542
43B A6.1 0	3 HANKEY ST	BLEASE LINDSEY P	LEVINE JOSEPH D	3 HANKEY ST	ROCHDALE	MA	01542
43B B1 0	HANKEY ST	WORCESTER TOOL+STAMPING C		P O BOX 308	ROCHDALE	MA	01542-0308
43B B2 0	68 HANKEY ST	LGA PROPERTIES LLC		58 DOUGLAS RD	SUTTON	MA	01590
43B B3 0	2 4 HANKEY ST	HAGGLUND CHARLES A	HAGGLUND NANCY	PO BOX 132	ROCHDALE	MA	01542-0132
43B B6 0	PLEASANT ST	GELINAS JAMES A		751-753 PLEASANT STREET	ROCHDALE	MA	01542
43B B7 0	PLEASANT ST	GELINAS JAMES A		751-753 PLEASANT STREET	ROCHDALE	MA	01542
43B B8 0	761 PLEASANT ST	CASSANI JOHN	CASSANI HEATHER	761 PLEASANT ST	ROCHDALE	MA	01542

End of Report

Above is a certified list of abutters and abutters to abutters within 300 feet of subject. Subject property: 11 Hankey Street, Assessors Map 43-C7-0, Deed Ref. 3170/111 Subject owner(s): Worcester Tool & Stamping Co. Inc.

Sandy Genna, Principal Assessor

Prepared by: Kathleen Asquith, Assistant



PROJECT NAME:

THE WORCSHOP PERMIT SET

PROJECT ADDRESS:

11 HANKEY ST. ROCHDALE, MA 01542

CLIENT

THE WORCSHOP 11 HANKEY ST. ROCHDALE, MA 01542

ARCHITECT

OPRCH

THE OFFICE OF PENN RUDERMAN ARCHITECTS, INC. 110 GLEASONDALE RD STOW, MA 01775 617.855.5277

CONTRACTOR

CODE CONSULTANT

CODE RED CONSULTANTS, LLC 154 TURNPIKE ROAD, SUITE 200 SOUTHBOROUGH, MA 01772 T. 617.500.7633 F. 617.500.2074

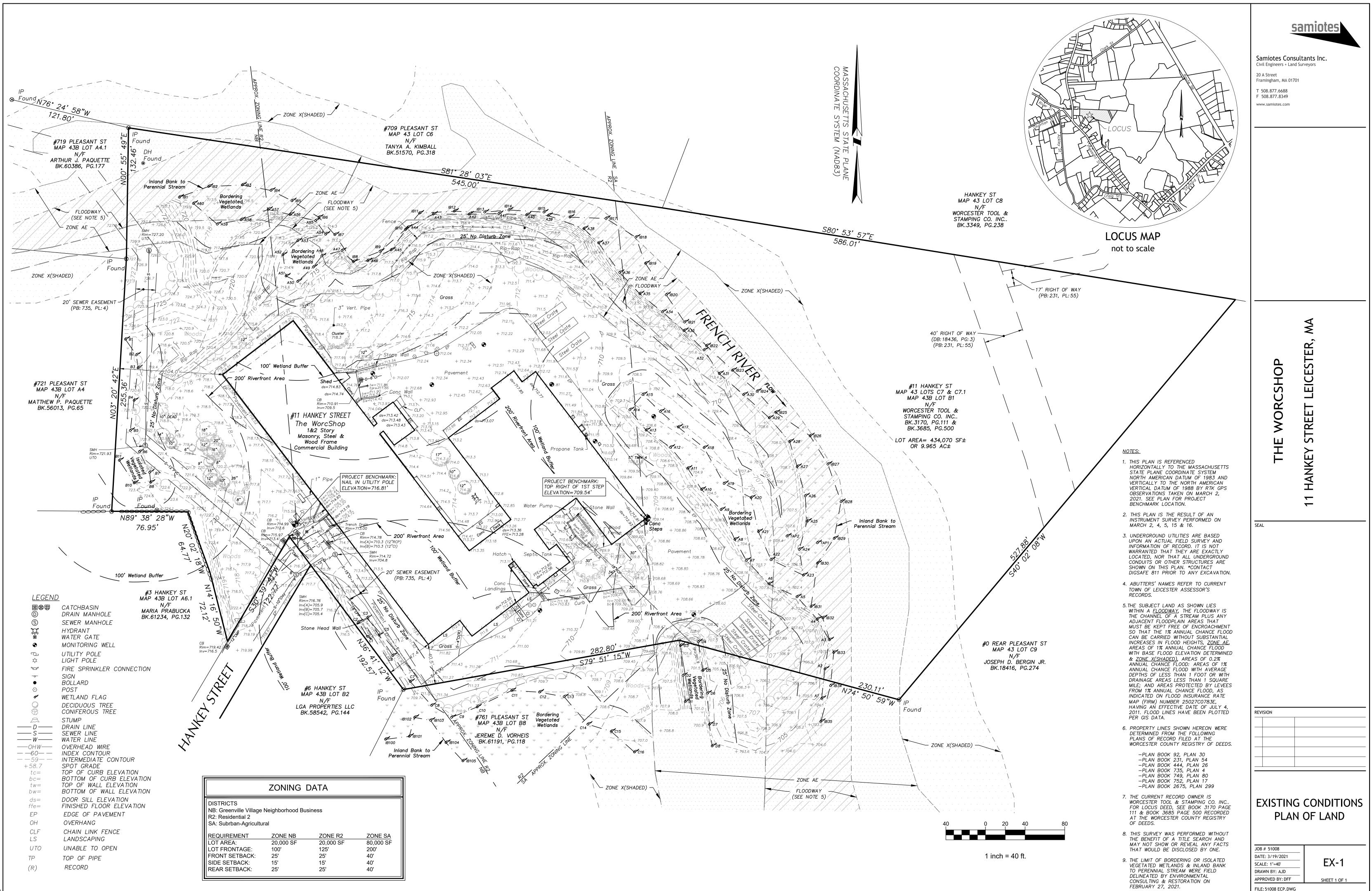
REVISIONS

DATE: MAR 24, 2021

SITE PLAN

A1.00

DRAWINGS MAY NOT BE USED OR DISTRIBUTED WITHOUT EXPRESS WRITTEN PERMISSION. C OPRCH



P:\PROJECTS\2021\51008 11 HANKEY STREET, LEICESTER, MA\SURVEY\DWG\51008 ECP.DWG

**OPYRIGHT SAMIOTES CONSULTANTS, II** 

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**Town of Leicester** PLANNING BOARD

RECEIVED PLANNING DUANA LEICESTER, MASSACHUSETTS, 01524-1333 2021 MAY 10 MM 10: 14 TOWN CLERK'S OFFIC LEICESTER, MASS www.leicesterma.org

### SPECIAL PERMIT/SITE PLAN REVIEW DECISION

Date: May 4, 2021

File Number: SP2	021-03
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Applicant:	Randolph Gardner The WorcShop 11 Hankey Street Rochdale, MA 01542
Owner:	David Magnuson Rochdale Holdings/Worcester Tool & Stamping 11 Hankey Street Rochdale, MA 01542
Location:	11 Hankey Street (Map 43 C7 & C8)
Deed Ref.:	Book 3170, Page 111 Book 3685, Page 500
Zoning:	Greenville Village Neighborhood Business District (NB) Residential 1 (R1) Suburban Agriculture (SA) Adaptive Reuse Overlay District (AROD)
Water/Sewer:	Cherry Valley & Rochdale Water District/Oxford Rochdale Sewer District

Application for Special Permit under §5.10 of the Leicester Zoning Bylaw to Subject: allow Adaptive Reuse of an existing structure as a makerspace

The decision of the Planning Board on the above-referenced application is as follows:

### **Procedural History:**

- 1. On February 22, 2021, an application for a Special Permit and Site Plan Approval was submitted to the Leicester Planning Board (the Special Permit Granting Authority). All application materials are on file with the Planning Board. The Board's decision is based on the following submittals:
  - A. Application packet (Application Form, Project Narrative, and abutters list)
  - B. Code Red Consultants Fire Protection/Life Safety Chapter 34 Building Investigation & Evaluation Report, The WorcShop, 11 Hankey Street, Leicester MA, Prepared for Penn Ruderman Architects, and dated February 2, 2021.
  - C. Set of Plans (7 sheets), as follows:

Sheet #	Prepared By:	Sheet Title	Last Revision Date
A1.00	Penn Ruderman Architects,	Site Plan	5/1/2021
	Inc.	Consist Dewrit First Floor	2/12/2021
A1.01	Penn Ruderman Architects, Inc.	Special Permit First Floor Plan	
A1.02	Penn Ruderman Architects,	Special Permit Second Floor	2/12/2021
	Inc.	Plan	
LS1.01	Penn Ruderman Architects,	Special Permit First Floor	2/12/2021
	Inc.	Life Safety Plan	
LS1.02	Penn Ruderman Architects,	Special Permit Second	2/12/2021
	Inc.	Floor/Mezz. Life Safety Plan	
20-806	Jarvis Land Survey	Plan of Property	12/22/2020
EX-1	Samiotes Consultants, Inc.	Existing Conditions of Land	3/19/2021

- D. Lighting Plan prepared by MaxLite and dated April 16, 2021
- E. Email from Ethan DeSota to Michelle Buck dated April 14, 2021, with multiple attachments:
  - External Lighting Plan
  - WorcShop event Best Practices
  - Fire & Safety Narrative
  - Special Events Permit sample
  - Noise Study
  - Courteous Neighbor Policy
  - Hazardous Material Storage and Handling
  - Revised Site Plan
- F. Fire Access Plan (Overlay on Site Plan Sheet A1.00), dated March 24, 2021
- G. Email from Ethan DeSota to Michelle Buck dated May 3, 2021, with multiple attachments:
  - Updated Site Plan
  - Architect's notes on Mike Wilson's Fire Access requirements
  - Updated Policy on outdoor storage
  - Lighting details
- 2. The Board engaged Quinn Engineering of Paxton, Massachusetts, pursuant to G.L. c. 44, s. 53G, to review the Applicant's proposed development.
- 3. The Planning Board held a public hearing on the application on <u>April 6, 2021</u>. The hearing was continued to <u>April 20, 2021</u> and <u>May 4, 2021</u>. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on <u>May 4, 2021</u>.
- 4. During the review process, the following documents, exhibits and plans were submitted to the Planning Board:
  - A. The plans and submittals referred to above;
  - B. Correspondence of Quinn Engineering, Inc. to Leicester Planning Board dated March 17, 2021;
  - C. Written comments from the following Town Boards and Departments: Police Department, and Town Planner
  - D. Several comment letters from the public.

### Findings:

- 1. The subject property is located in the following Zoning Districts: Greenville Village Neighborhood Business District (NB), Residential 1 (R1), Suburban Agriculture (SA), and Adaptive Reuse Overlay District (AROD). A portion of the site (approximately 150' from the eastern boundary of parcel 43-C7) and only a small portion of the existing building is in the NB district; the remainder of the building is in the R1 district. The rear (west) portion of the site (some of the paved area and vacant lant) is in the SA district. The AROD is applicable as the structure meets the eligibility requirement of §5.10.B.2 ("an existing structure having not less than 10,000 square feet constructed more than sixty (60) years ago and historically part of a mill complex.").
- 2. Much of the parcel is within wetland buffers and the Riverfront Area of the French River. No work is currently proposed in these areas.
- 3. The Adaptive Reuse Overlay District allows a makerspace (§5.10.D.2.0) by Special Permit. Site Plan Review is required as a portion of the site is in the NB district.
- 4. Specifically, the applicants have requested the following activities to be included in the makerspace use: blacksmithing, glass & jewelry making, metal fabrication, machine shop, wood shop, conference room, electronics, 2D/3D Print Shop, CNC Shop, as well as associated office and storage space. Future planned uses are an automotive innovation shop as well as sandblasting and finishes (not part of the current application).
- 5. The project site has 43 parking spaces, including 1 van-accessible and 2 handicap spaces. The current parking expectations for 200 members is as follows: staff parking (6 spaces), daily member use (10%-20 spaces), up to two concurrent classes on any given day with 6-8 individuals per class (16 spaces). Total anticipated spaces needed at any time up to an including 200 members = 42 spaces.
- 6. The applicant has identified an area for storage containers on site; existing outside storage will be cleaned up within six months.
- Section 5.2.05 of the Zoning By-law contains Standards for Site Plan Approval (standards A-G). With regard to the Applicant's development proposal, the Planning Board makes the following findings pursuant to Section 5.2.05:
  - A. The use complies with all the provisions of the Leicester Zoning By-Law; The Board finds that this standard has been met as conditioned herein.
  - B. The use will not materially endanger or constitute a hazard to the public health; The Board finds that this standard has been met as conditioned herein.
  - C. The use will not create undue traffic congestion or unduly impair pedestrian safety; The Board finds that this standard has been met as conditioned herein.
  - D. Sufficient off-street parking exists or will be provided to serve the use; The Board finds that this standard has been met as conditioned herein.
  - E. The use can be adequately served by water, sewer, and other necessary utilities, or if these are unavailable, that they will be brought to the site at the owner's expense; or, the Planning Board is satisfied that the proposed alternatives will comply with all applicable regulations;

- (5) The proposed ARD does not cause substantial detriment to the neighborhood after considering the following potential consequences
  - a) noise, during the construction and operational phases
  - b) pedestrian and vehicular traffic
  - c) environmental harm
  - d) visual impact caused by the character and scale of the proposed structure(s)

The Board finds the project meets this standard as conditioned herein.

### Waivers:

In accordance with the Planning Board's Regulations and the Zoning Bylaw, after finding that it is in the public interest and not inconsistent with the Leicester Zoning Bylaw, the Planning Board agrees to accept the plans and related materials as is and to waive applicable provisions of Planning Board requirements including the following:

- Site Plan Review Regulations II.G. (Locus Plan).
- Zoning Bylaw §5.6.05.2.B (NB district landscape buffer), as the building and parking are almost entirely outside of the district and no exterior site changes are proposed.

#### Decision:

In view of the foregoing, at the meeting of <u>May 4, 2021</u>, the Planning Board voted to <u>approve</u> the Special Permit application for the above-described project. As used in this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

### Pre-Construction/Use

- 1. The Special Permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.
- 2. Prior to issuance of an occupancy permit or business license to allow commencement of activities and uses authorized by this special permit, the Applicant shall demonstrate conformance with the conditions of this approval.
- 3. Prior to the issuance of any required building permits, all required federal, state, and local permits and licenses for the construction of the proposed project which is the subject matter of the building permit shall be obtained and presented to the Building Inspector.
- 4. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address, email, and business phone number of the individual who shall be responsible for all construction activities on site.

### General

5. Final design and construction and use of the site and structure shall be in substantial conformance to the plans submitted to the Planning Board and this Order of Conditions. No substantial corrections, field modifications, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board, which in its sole discretion, may determine such substantiality. Any requests for substantial modifications shall be made to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary and supporting documentation.

- 6. Unauthorized deviations from the approved plan and all related application materials may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
- 7. Construction on the site must be started or substantial activity commenced by <u>May 4, 2022</u> (one year from the date of approval). Construction, once begun, shall be actively and continuously pursued to completion within by <u>May 4, 2023</u> (two years from the date of approval). Such deadlines may be extended for good cause upon the written request of the applicant prior to the specified deadline. If the time period for commencement or completion has elapsed, the rights granted by this approval shall expire and may be reestablished only after another application.
- 8. Litter and debris on-site shall be removed regularly to maintain a neat and orderly appearance.
- 9. The use shall not result in any undue disturbance to adjoining property owners or to the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.
- 10. All travel lanes and parking areas shall remain accessible and clear of snow year-round. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
- 11. All signs shall comply with §3.2.07 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

### **Project-Specific Conditions:**

- 12. Hours of operation shall be limited to 6AM midnight (12:00AM) for a period of 6 months, after which 24 hour operation is allowed with Planning Board approval at regular meeting of the Board provided the applicant is not in violation of the terms of this permit.
- 13. This special permit is limited to the activities described above. Future planned uses, such as an automotive innovation shop are not authorized by this special permit. Changes shall require an amendment to this special permit.
- 14. Activities authorized by this special permit are limited to the interior of the building. Outside activity (e.g. repair, manufacturing, construction) is prohibited.
- 15. Up to 12 storage containers are allowed in the area designated on the plans. No hazardous materials shall be stored in storage containers. Clean-up of the existing outside storage shall be completed within six (6) months from the date of this approval.
- 16. Storage in the building shall be limited to storage associated with uses in the building. Rental self-storage is not permitted by this special permit.
- 17. Residential occupancy on the site or in the building (i.e. members, staff, or anyone else living on the premises) is strictly prohibited. The Leicester Fire Department will conduct regular (no less than every 6 months) unannounced inspections. If evidence of residency is found; and immediate cease & desist order will be issued.

- 18. Membership is limited to 200 members. The applicant shall provide an annual written report to the Planning Board including current membership numbers and an updated membership utilization percentage study based on front-desk sign-in data. This report shall be reviewed by the Planning Board at a regular meeting of the Board. Memberships beyond 200 are prohibited until an updated parking plan has been approved by the Planning Board through an amendment to this Special Permit and the new parking area is installed at the site.
- 19. Parking areas and fire lanes shall be striped (painted). To maintain safe emergency access to the building, parking is prohibited in areas not designated for parking.
- 20. A General Entertainment License from the Select Board is required for Annual Open House events or other special events with anticipated total attendance of 50 or more. The applicant shall include detailed planning for off-site parking and shall require the approval of the Fire & Police Departments.
- 21. Existing wooded areas on the site shall remain undisturbed except to remove dead or diseased trees that would pose a safety hazard.
- 22. The Applicant shall provide paper copies of all plans not previously submitted on paper within 30 days of this approval.

#### Construction

- 23. During construction, the Applicant shall comply with all local, state and federal laws regarding noise, vibration, dust and blocking of Town roads. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction on exterior features shall not commence on any day before 7:00AM and shall not continue beyond 7:00PM; provided, however, that such construction shall not commence on Saturday before 8:00AM and shall end at 3:00PM. There shall be no construction on any Sunday or state or federal legal holiday.
- 24. Members or agents of the Planning Board shall have the right to enter the site at reasonable times to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
- 25. The Applicant and/or property owner shall provide at least forty-eight (48) hour notice to the Town Planner and the Planning Board's engineer, prior to commencing any work on the site that requires inspection or review.
- 26. The Applicant shall promptly pay the reasonable fee of the consulting engineers for review of plans or field inspections during the construction phase.
- 27. Sediment tracked onto abutting public or private ways from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.

### Occupancy

- 28. The Applicant shall notify the Planning Board when work is complete and ready for inspection.
- 29. No final certificate of occupancy shall be issued until site work is complete and all conditions of approval have been addressed. Prior to the issuance of a certificate of occupancy, all site

improvements, landscaping, and infrastructure specified on the plans shall be constructed and installed to adequately serve said Facility, unless adequate security has been provided, reasonably acceptable to the Board, to ensure such completion. Any such performance guarantee shall be approved as to form by the Board's designee.

- 30. If there are field changes from the approved site plans referenced above, the Applicant shall submit as-built plans (3 full-size copies, 1 11" x 17" and a .pdf version) showing such changes prior to the final certificate of occupancy. No final certificate of occupancy shall be issued until the Planning Board or its agent confirms that all improvements or alterations substantially comply with the approved Site Plan.
- 31. Approval by the Planning Board shall not be construed as approval from any other board, official or regulation that is needed regarding permitting for this project.

1

### RECORD OF VOTE

The Board vote was <u>4</u> in favor of approval <u>0</u> opposed. [Jaymi-Lyn Souza was absent.]

The signatures below are made in accordance with MGL Ch. 110G and pursuant to the Planning Board's electronic signature authorization vote recorded on <u>May 11, 2020</u> in Book <u>62374</u> Page <u>135</u> at the Worcester District Registry of Deeds.

Jason Offinishaw, Chair

Shy762528 188056447.

----- DocuSigned by:

Jim Keinke

Janfes Refifices Associate Member

--- DocuSigned by:

Debra Friedman

Debra Friedman, Vice Chair

Jaymi-Lyn Souza

Copy of Decision sent to:

-Town Clerk	-Building Inspector	-4
-Applicant*	-Applicant Engineer**	-A
-Owner*	-Town Administrator	-(

-Assessors Office -Applicant's Attorney\*\* -Quinn Engineering\*\*

\* by certified mail

\*\* where applicable

Notice of Decision delivered to "Parties in Interest" (abutters & Planning Boards of abutting Towns)

DocuSign Envelope ID: 46C721DF-1BEA-4DB8-B951-56D0058A2A1A



### **Town of Leicester**

PLANNING BOARD LEICESTER, MASSACHUSETTS, 01524-1333 Phone: 508-892-7007 Fax: 508-892-7070 www.leicesterma.org

## SPECIAL PERMIT/SITE PLAN REVIEW DECISION

Date: May 4, 2021

File Number: SP2021-03

Applicant: Randolph Gardner The WorcShop 11 Hankey Street Rochdale, MA 01542

**Owner:** David Magnuson

Rochdale Holdings/Worcester Tool & Stamping 11 Hankey Street Rochdale, MA 01542

Location: 11 Hankey Street (Map 43 C7 & C8)

Deed Ref.: Book 3170, Page 111 Book 3685, Page 500

Zoning: Greenville Village Neighborhood Business District (NB) Residential 1 (R1) Suburban Agriculture (SA) Adaptive Reuse Overlay District (AROD)

Water/Sewer: Cherry Valley & Rochdale Water District/Oxford Rochdale Sewer District

**Subject:** Application for Special Permit under §5.10 of the Leicester Zoning Bylaw to allow Adaptive Reuse of an existing structure as a makerspace

The decision of the Planning Board on the above-referenced application is as follows: *Procedural History:* 

1. On <u>February 22, 2021</u>, an application for a Special Permit and Site Plan Approval was submitted to the Leicester Planning Board (the Special Permit Granting

Authority). All application materials are on file with the Planning Board. The Board's decision is based on the following submittals:

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B. Code Red Consultants Fire Protection/Life Safety Chapter 34 Building Investigation & Evaluation Report, The WorcShop, 11 Hankey Street, Leicester MA, Prepared for Penn Ruderman Architects, and dated February 2, 2021.

C. Set of Plans (7 sheets), as follows:

Sheet #	Prepared By:	Sheet Title	Last Revision Date
A1.00	Penn Ruderman Architects, Inc.	Site Plan	5/1/2021
A1.01	Penn Ruderman Architects, Inc.	Special Permit First Floor Plan	2/12/2021
A1.02	Penn Ruderman Architects, Inc.	Special Permit Second Floor Plan	2/12/2021
LS1.01	Penn Ruderman Architects, Inc.	Special Permit First Floor Life Safety Plan	2/12/2021
LS1.02	Penn Ruderman Architects, Inc.	Special Permit Second Floor/Mezz. Life Safety Plan	2/12/2021
20-806	Jarvis Land Survey	Plan of Property	12/22/2020
EX-1	Samiotes Consultants, Inc.	Existing Conditions of Land	3/19/2021

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D. Lighting Plan prepared by MaxLite and dated April 16, 2021

- E. Email from Ethan DeSota to Michelle Buck dated April 14, 2021, with multiple attachments:
  - · External Lighting Plan
  - · WorcShop event Best Practices
  - · Fire & Safety Narrative
  - · Special Events Permit sample
  - · Noise Study
  - · Courteous Neighbor Policy
  - · Hazardous Material Storage and Handling

- Revised Site Plan
- F. Fire Access Plan (Overlay on Site Plan Sheet A1.00), dated March 24, 2021
  - G. Email from Ethan DeSota to Michelle Buck dated May 3, 2021, with
    - multiple attachments:
      - $\cdot$  Updated Site Plan
      - · Architect's notes on Mike Wilson's Fire Access requirements
      - · Updated Policy on outdoor storage
      - · Lighting details
- The Board engaged Quinn Engineering of Paxton, Massachusetts, pursuant to G.L.
   c. 44, s. 53G, to review the Applicant's proposed development.
- 3. The Planning Board held a public hearing on the application on <u>April 6, 2021</u>. The hearing was continued to <u>April 20, 2021</u> and <u>May 4, 2021</u>. At each hearing date(s) opportunity was given to all those interested to be heard in favor of or opposition to such application. The hearing was closed on <u>May 4, 2021</u>.
- 4. During the review process, the following documents, exhibits and plans were submitted to the Planning Board:

A. The plans and submittals referred to above;

- B. Correspondence of Quinn Engineering, Inc. to Leicester Planning Board dated March 17, 2021;
- C. Written comments from the following Town Boards and Departments: Police Department, and Town Planner
  - D. Several comment letters from the public.

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### Findings:

 The subject property is located in the following Zoning Districts: Greenville Village Neighborhood Business District (NB), Residential 1 (R1), Suburban Agriculture (SA), and Adaptive Reuse Overlay District (AROD). A portion of the site (approximately 150' from the eastern boundary of parcel 43-C7) and only a small portion of the existing building is in the NB district; the remainder of the building is in the R1 district. The rear (west) portion of the site (some of the paved area and vacant lant) is in the SA district. The AROD is applicable as the structure meets the eligibility requirement of §5.10.B.2 ("an existing structure having not less than 10,000 square feet constructed more than sixty (60) years ago and historically part of a mill complex.").

- 2. Much of the parcel is within wetland buffers and the Riverfront Area of the French River. No work is currently proposed in these areas.
- 3. The Adaptive Reuse Overlay District allows a makerspace (§5.10.D.2.0) by Special Permit. Site Plan Review is required as a portion of the site is in the NB district.
- 4. Specifically, the applicants have requested the following activities to be included in the makerspace use: blacksmithing, glass & jewelry making, metal fabrication, machine shop, wood shop, conference room, electronics, 2D/3D Print Shop, CNC Shop, as well as associated office and storage space. Future planned uses are an automotive innovation shop as well as sandblasting and finishes (not part of the current application).
- 5. The project site has 43 parking spaces, including 1 van-accessible and 2 handicap spaces. The current parking expectations for 200 members is as follows: staff parking (6 spaces), daily member use (10%-20 spaces), up to two concurrent classes on any given day with 6-8 individuals per class (16 spaces). Total anticipated spaces needed at any time up to and including 200 members = 42 spaces.
- 6. The applicant has identified an area for storage containers on site; existing outside storage will be cleaned up within six months.
- 7. Section 5.2.05 of the Zoning By-law contains Standards for Site Plan Approval (standards A G). With regard to the Applicant's development proposal, the Planning Board makes the following findings pursuant to Section 5.2.05:
- A. The use complies with all the provisions of the Leicester Zoning By-Law; The Board finds that this standard has been met as conditioned herein.
  - B. The use will not materially endanger or constitute a hazard to the public health; The Board finds that this standard has been met as conditioned herein.
  - C. The use will not create undue traffic congestion or unduly impair pedestrian safety; The Board finds that this standard has been met as conditioned herein.
  - D. Sufficient off-street parking exists or will be provided to serve the use; The Board finds that this standard has been met as conditioned herein.
    - E. The use can be adequately served by water, sewer, and other necessary utilities, or if these are unavailable, that they will be brought to the site at the owner's expense; or, the Planning Board is satisfied that the proposed alternatives will comply with all applicable regulations;

Public water & sewer will be provided by the Cherry Valley & Rochdale Water District/Oxford Rochdale Sewer District. Other utilities will be provided by the owner at the owner's expense.

# F. The use will not result in a substantial increase of volume or rate of surface water runoff to neighboring properties and streets, nor will result in pollution or

degradation to surface water or ground water;

No exterior changes that would affect stormwater are proposed.

G. The use will not result in any undue disturbance to adjoining property owners or the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.

The Board finds that this standard has been met as conditioned herein.

8. In accordance with Section 5.10 (Adaptive Reuse Overlay District), subsection F2: Site Development Standards for the underlying district are applicable. Where the

underlying district does not have Site Development Standards, the standards for the Business (B) District shall apply. The Board, through the ARD special permit, may allow for modifications of Site Development Standards where not feasible due to existing site constraints."

As noted above, the site is multiple zoning districts (NB, R1, SA), and most of the building and site is in residential districts without Site Development Standards.

Business District Site Development are not applicable to reuse of existing structures. The applicant has requested a waiver of the NB district requirement for a 50 buffer from residential districts.

9. MGL, Chapter 40A, §9 requires that the Board find uses allowed by special permit to be "in harmony with the general purpose and intent of the ordinance or bylaw."

The Board finds that this project is in harmony with the purpose and intent of the Bylaw.

10. Section 5.10.G. of the Zoning By-law, Adaptive Reuse Overlay District Standards for Approval, contains the following standards for approval:

(1) As a condition of any special permit for the an Adaptive Reuse Project that proposes 10 or more multi-family dwelling units, a minimum of ten (10%) of the total number of dwelling units shall be required, in perpetuity, to be restricted to persons qualifying as moderate income in accordance with the Massachusetts Department of Housing and Community Development definitions of low and moderate incomes. This affordability requirement is recommended but not required for live work spaces associated with makerspaces.

Not Applicable

(2) The proposed project preserves or enhances the historic significance of existing buildings on or eligible to be on the State or National Register of Historic Places and, where applicable, the eligibility of the same for listing on the State or National Register of Historic Places as an individual property or a contributing property to an area.

No exterior changes are proposed to the existing building.

- (3) Any expansion of existing buildings on or eligible to be on the State or National Register of Historic Places is consistent with the U.S. Secretary of the Interior's Standards for Rehabilitation, as determined by the Leicester Historical Commission. Not applicable
- (4) The project shall have sufficient local infrastructure to accommodate the proposed development. The Board finds the project meets this standard.

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(5) The proposed ARD does not cause substantial detriment to the neighborhood after considering the following potential consequences

- a) noise, during the construction and operational phases
- b) pedestrian and vehicular traffic
- c) environmental harm

d) visual impact caused by the character and scale of the proposed structure(s)

The Board finds the project meets this standard as conditioned herein.

#### Waivers:

In accordance with the Planning Board's Regulations and the Zoning Bylaw, after finding that it is in the public interest and not inconsistent with the Leicester Zoning Bylaw, the Planning Board agrees to accept the plans and related materials as is and to waive applicable provisions of Planning Board requirements including the following:

• Site Plan Review Regulations II.G. (Locus Plan).

• Zoning Bylaw §5.6.05.2.B (NB district landscape buffer), as the building and parking are almost entirely outside of the district and no exterior site changes are proposed.

### Decision:

In view of the foregoing, at the meeting of <u>May 4, 2021</u>, the Planning Board voted to <u>approve</u> the Special Permit application for the above-described project. As used in this decision, the term "Applicant" shall mean the Applicant, its heirs, successors and assigns. Unless otherwise specified, the Board may designate an agent or agents to review and approve matters set forth in this decision. The Planning Board's approval is subject to the following conditions:

### **Pre-Construction/Use**

1. The Special Permit shall not take effect until it has been recorded at the Worcester District Registry of Deeds and evidence of such recording is delivered to the Planning Board.

- 2. Prior to issuance of an occupancy permit or business license to allow commencement of activities and uses authorized by this special permit, the Applicant shall demonstrate conformance with the conditions of this approval.
- 3. Prior to the issuance of any required building permits, all required federal, state, and local permits and licenses for the construction of the proposed project which is the subject matter of the building permit shall be obtained and presented to the Building Inspector.
- 4. Prior to the commencement of authorized site activity, the Applicant shall provide to the Planning Board Office the name, address, email, and business phone number of the individual who shall be responsible for all construction activities on site.

### <u>General</u>

5. Final design and construction and use of the site and structure shall be in substantial conformance to the plans submitted to the Planning Board and this Order of Conditions. No substantial corrections, field modifications, additions, substitutions, alterations, or any changes shall be made in any plans, proposals, and supporting documents approved and endorsed by the Planning Board without the written approval of the Planning Board, which in its sole discretion, may determine such substantiality. Any requests for substantial modifications shall be made to the Planning Board for review and approval and shall include a description of the proposed modification, reasons the modification is necessary and supporting documentation.

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- 6. Unauthorized deviations from the approved plan and all related application materials may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
- 7. Construction on the site must be started or substantial activity commenced by <u>May 4</u>, <u>2022</u> (one year from the date of approval). Construction, once begun, shall be actively and continuously pursued to completion within by <u>May 4</u>, <u>2023</u> (two years from the date of approval). Such deadlines may be extended for good cause upon the written request of the applicant prior to the specified deadline. If the time period for commencement or completion has elapsed, the rights granted by this approval shall expire and may be reestablished only after another application.

- 8. Litter and debris on-site shall be removed regularly to maintain a neat and orderly appearance.
- 9. The use shall not result in any undue disturbance to adjoining property owners or to the Town caused by excessive or unreasonable noise, smoke, vapors, fumes, dust, glare, etc.
- 10. All travel lanes and parking areas shall remain accessible and clear of snow yearround. In such instances where snow storage areas are not sufficient to accommodate heavy snow, the Applicant shall remove snow off site to ensure that all travel lanes and parking areas are accessible.
- 11. All signs shall comply with §3.2.07 of the Zoning By-law, unless a special permit or variance is granted by the Zoning Board of Appeals.

### **Project-Specific Conditions:**

- 12. Hours of operation shall be limited to 6AM midnight (12:00AM) for a period of 6 months, after which 24 hour operation is allowed with Planning Board approval at regular meeting of the Board provided the applicant is not in violation of the terms of this permit.
- 13. This special permit is limited to the activities described above. Future planned uses, such as an automotive innovation shop are not authorized by this special permit. Changes shall require an amendment to this special permit.
- 14. Activities authorized by this special permit are limited to the interior of the building. Outside activity (e.g. repair, manufacturing, construction) is prohibited.
- 15. Up to 12 storage containers are allowed in the area designated on the plans. No hazardous materials shall be stored in storage containers. Clean-up of the existing outside storage shall be completed within six (6) months from the date of this approval.
- 16. Storage in the building shall be limited to storage associated with uses in the building. Rental self-storage is not permitted by this special permit.
- 17. Residential occupancy on the site or in the building (i.e. members, staff, or anyone else living on the premises) is strictly prohibited. The Leicester Fire Department will conduct regular (no less than every 6 months) unannounced inspections. If evidence of residency is found; and immediate cease & desist order will be issued.

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18. Membership is limited to 200 members. The applicant shall provide an annual written report to the Planning Board including current membership numbers and an updated membership utilization percentage study based on front-desk sign-in data. This report shall be reviewed by the Planning Board at a regular meeting of the Board. Memberships beyond 200 are prohibited until an updated parking plan has been approved by the Planning Board through an amendment to this Special Permit and the new parking area is installed at the site.

- 19. Parking areas and fire lanes shall be striped (painted). To maintain safe emergency access to the building, parking is prohibited in areas not designated for parking.
- 20. A General Entertainment License from the Select Board is required for Annual Open House events or other special events with anticipated total attendance of 50 or more. The applicant shall include detailed planning for off-site parking and shall require the approval of the Fire & Police Departments.
- 21. Existing wooded areas on the site shall remain undisturbed except to remove dead or diseased trees that would pose a safety hazard.
- 22. The Applicant shall provide paper copies of all plans not previously submitted on paper within 30 days of this approval.

### **Construction**

- 23. During construction, the Applicant shall comply with all local, state and federal laws regarding noise, vibration, dust and blocking of Town roads. The Applicant shall at all times use all reasonable means to minimize inconvenience to residents in the general area. Construction on exterior features shall not commence on any day before 7:00AM and shall not continue beyond 7:00PM; provided, however, that such construction shall not commence on Saturday before 8:00AM and shall end at 3:00PM. There shall be no construction on any Sunday or state or federal legal holiday.
- 24. Members or agents of the Planning Board shall have the right to enter the site at reasonable times to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
- 25. The Applicant and/or property owner shall provide at least forty-eight (48) hour notice to the Town Planner and the Planning Board's engineer, prior to commencing any work on the site that requires inspection or review.
- 26. The Applicant shall promptly pay the reasonable fee of the consulting engineers for review of plans or field inspections during the construction phase.
- 27. Sediment tracked onto abutting public or private ways from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.

### **Occupancy**

- 28. The Applicant shall notify the Planning Board when work is complete and ready for inspection.
- 29. No final certificate of occupancy shall be issued until site work is complete and all conditions of approval have been addressed. Prior to the issuance of a certificate of occupancy, all site improvements, landscaping, and infrastructure specified on the plans shall be constructed and installed to adequately serve said Facility, unless adequate security has been provided, reasonably acceptable to the Board, to ensure such completion. Any such performance guarantee shall be approved as to form by the Board's designee.
- 30. If there are field changes from the approved site plans referenced above, the Applicant shall submit as-built plans (3 full-size copies, 1 11" x 17" and a .pdf version) showing such changes prior to the final certificate of occupancy. No final certificate of occupancy shall be issued until the Planning Board or its agent confirms that all improvements or alterations substantially comply with the approved Site Plan.
- 31. Approval by the Planning Board shall not be construed as approval from any other board, official or regulation that is needed regarding permitting for this project.

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### **RECORD OF VOTE**

The Board vote was <u>4</u> in favor of approval <u>0</u> opposed. [Jaymi-Lyn Souza was absent.]

The signatures below are made in accordance with MGL Ch. 110G and pursuant to the Planning Board's electronic signature authorization vote recorded on  $M_{ay}$  11, 2020 in Book <u>62374</u> Page <u>135</u> at the Worcester District Registry of Deeds.

**Notice of Decision** delivered to "Parties in Interest" (abutters & Planning Boards of abutting Towns)

## THE WORCSHOP'S REQUESTED AMENDMENT CHANGES:

(Updated changes are italicized.)

**Owner:** David Magnuson

Rochdale Holdings/Worcester Tool & Stamping 11 Hankey Street Rochdale, MA 01542 tod Update: Hannan Bhadaa

Requested Update: Hannan Rhodes Hankey Street Sun, LLC 11 Hankey St Rochdale, MA 01542

5. The project site has 43 parking spaces, including 1 van-accessible and 2 handicap spaces. The current parking expectations for 200 members is as follows: staff parking (6 spaces), daily member use (10%-20 spaces), up to two concurrent classes on any given day with 6-8 individuals per class (16 spaces). Total anticipated spaces needed at any time up to an including 200 members = 42 spaces.

Requested Update:

The project site has 53 parking spaces, including 1 van-accessible and 3 handicap spaces. Total occupancy permit is for 519 occupants with an expected 10% utilization including members, classes, and staff.

12. Hours of operation shall be limited to 6AM – midnight (12:00AM) for a period of 6 months, after which 24 hour operation is allowed with Planning Board approval at regular meeting of the Board provided the applicant is not in violation of the terms of this permit.

Requested Update:

Hours of operation are now 24/7 as amended by the Planning Board. Being a good neighbor is essential and any noise or traffic complaints must be addressed immediately. Please refer to our Courteous Neighbor Policy

13. This special permit is limited to the activities described above. Future planned uses, such as an automotive innovation shop are not authorized by this special permit. Changes shall require an amendment to this special permit. Requested Update:

Automotive repair and training is allowed in building #3 in designated areas and subject to all other regulations. See Policy #61 - Automotive/ Electric Vehicles/ Hybrids

14. Activities authorized by this special permit are limited to the interior of the building. Outside activity (e.g. repair, manufacturing, construction) is prohibited. Requested Update:

Activities authorized by this special permit are limited to the interior of the building. Outside activity (e.g. repair, manufacturing, construction) is limited to active projects within the designated areas as prescribed by the Conservation Commission and subject

## to Town bylaws. Inactive projects shall not be stored on the property exterior. See Policy #27.2 WorcShop Exterior Storage and Project Policy

17. Residential occupancy on the site or in the building (i.e. members, staff, or anyone else living on the premises) is strictly prohibited. The Leicester Fire Department will conduct regular (no less than every 6 months) unannounced inspections. If evidence of residency is found; and immediate cease & desist order will be issued.

Requested Update:

Residential occupancy on the site or in the building (i.e. members, staff, or anyone else living on the premises) is currently prohibited under this Special Permit. Future residential uses on the property shall require an amendment to this Special Permit.

18. Membership is limited to 200 members. The applicant shall provide an annual written report to the Planning Board including current membership numbers and an updated membership utilization percentage study based on front-desk sign-in data. This report shall be reviewed by the Planning Board at a regular meeting of the Board. Memberships beyond 200 are prohibited until an updated parking plan has been approved by the Planning Board through an amendment to this Special Permit and the new parking area is installed at the site. Requested Update:

Occupancy allowance to be indicated in the Occupancy Permit.

21. Existing wooded areas on the site shall remain undisturbed except to remove dead or diseased trees that would pose a safety hazard.

Request Update:

Existing wooded areas on the site shall remain undisturbed except to remove dead or diseased trees that would pose a safety hazard, unless/until permitted otherwise by the appropriate town board or committee.

## Leicester Planning Board ANR Plan Application

### FORM A. APPLICATION FOR ENDORSEMENT OF PLAN BELIEVED NOT TO REQUIRE APPROVAL Date: 08/22/2023

<b>Property Address:</b>	651 Main Street			
Assessors Map/Parcel:	Map 21/Parcel 85.1	Zoning District:	Business	
Deed Reference (Book/Page):	66895-224			
Plan Purpose:	Private Residential development			

To the Planning Board of the Town of Leicester:

The undersigned wishes to record the accompanying plan and requests a determination by said Board that approval by it under the Subdivision Control Law is not required. The undersigned believes that such approval is not required for the following reasons:

(Separate paragraphs are used to indicate alternative provisions. The applicant should select and complete the paragraph or paragraphs pertinent to his case.)

- **1.** The accompanying plan is not a subdivision because the plan does not show a division of land.
- 2. The division of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as required by the Leicester Zoning By-Law, which requires <u>100</u> feet for erection of a building on such lot; and every lot shown on the plan has frontage on:
  - a. a public way or way which the Town Clerk certifies is maintained and used as a public way, namely Main Street (aka Route 9), or
  - b. a way shown on a plan theretofore approved and endorsed in accordance with the Subdivision Control Law, namely \_\_\_\_\_\_, or
  - c. a private way in existence prior to the date the Subdivision Control Law became effective in the Town of Leicester, having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon and the buildings erected or to be erected thereon, namely
- 3. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely\_\_\_\_\_\_ which adds to/takes away from/changes the size and shape of, lots in such a manner so that no lot affected is left without frontage as required by the Leicester Zoning Bylaw.

RECEIVED

The division of land shown on the accompanying plan is not a subdivision because two or
more buildings were standing on the land prior to the date the subdivision control law
went into effect in the Town of Leicester, and one of such buildings remains standing on
each of the proposed lots shown on said plan. Evidence of the existence of such
buildings prior to the effective date of the Subdivision Control Law is submitted as
follows:

5. Other reasons or comment (See M.G.L., Chapter 41, Section 81-L)

Applicant Information		<b>Owner Information* (if not the Applicant)</b>	
Name:	651 Main Street LLC; attn Mark Klinger	Name:	651 Main Street LLC; attn Mark Klinger
Signature:		Signature:	
Address:	55 Mead Street Leominster, MA 01453	Address:	55 Mead Street Leominster, MA 01453
Phone #:	(646) 483-2517	Phone #:	(646) 483-2517
Email:	mark@globalgcny.com	Email:	mark@globalgcny.com

\*If there is more than one owner, all must sign.

Surveyor/	<b>Plan Preparer Contact Information</b>	1:	
Name:	Norman Lipsitz & Michael Malynowski	Company Name:	Allen & Major Associates, Inc.
Phone:	(603) 627-5500	Email:	mmalynowski@allenmajor.com

### RECEIVED

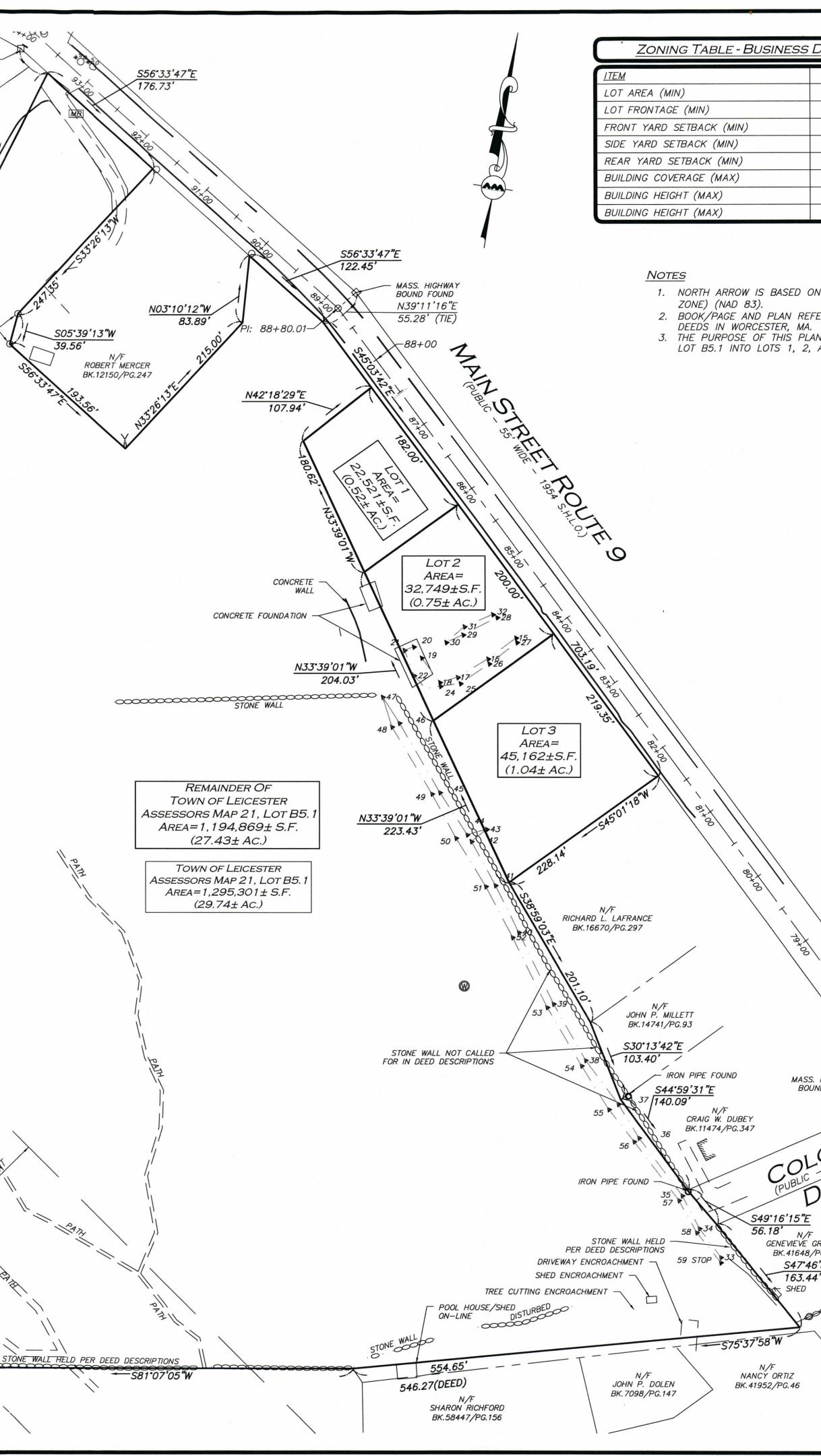
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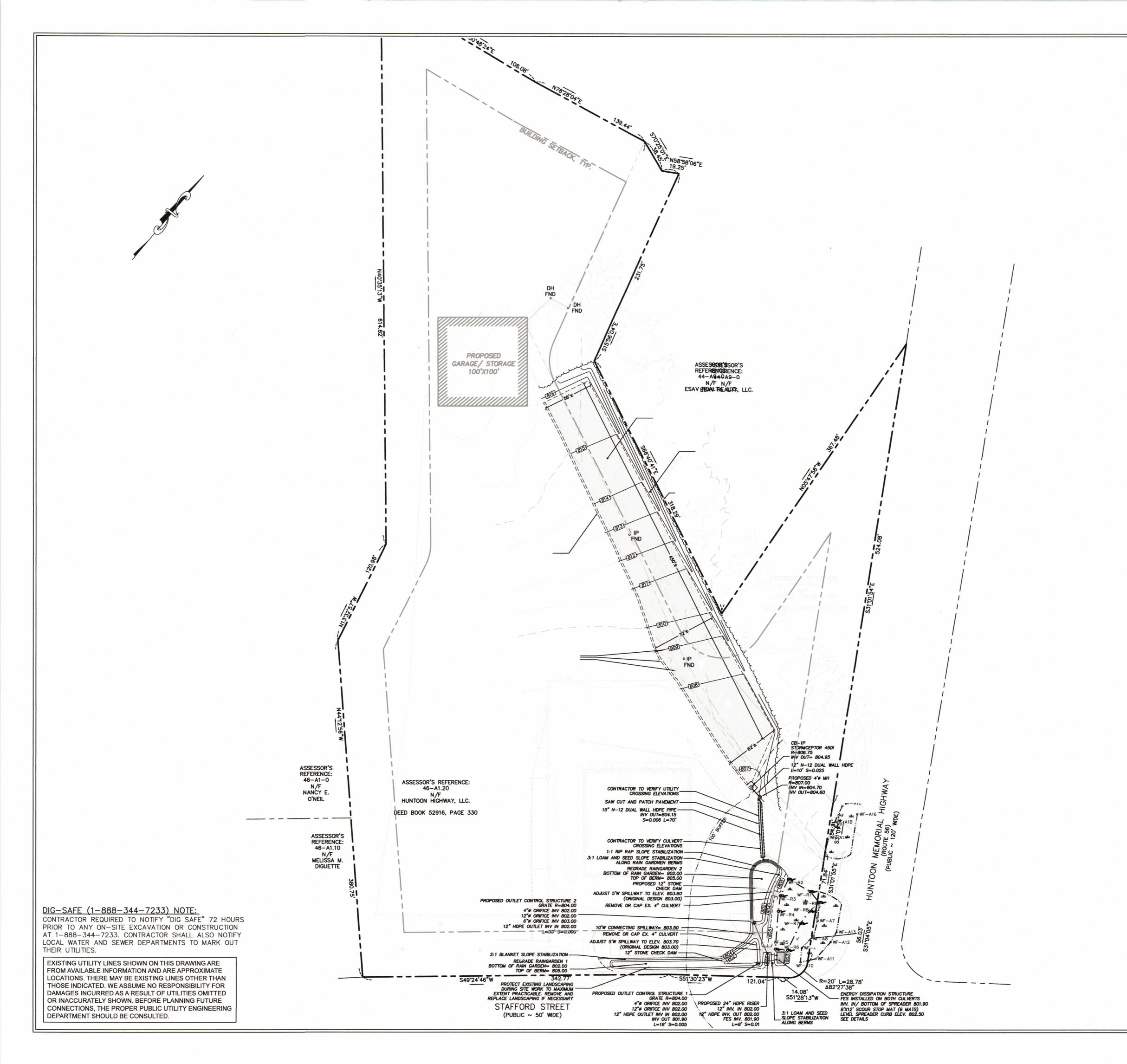
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Town of Leicester Development & Inspectional Services

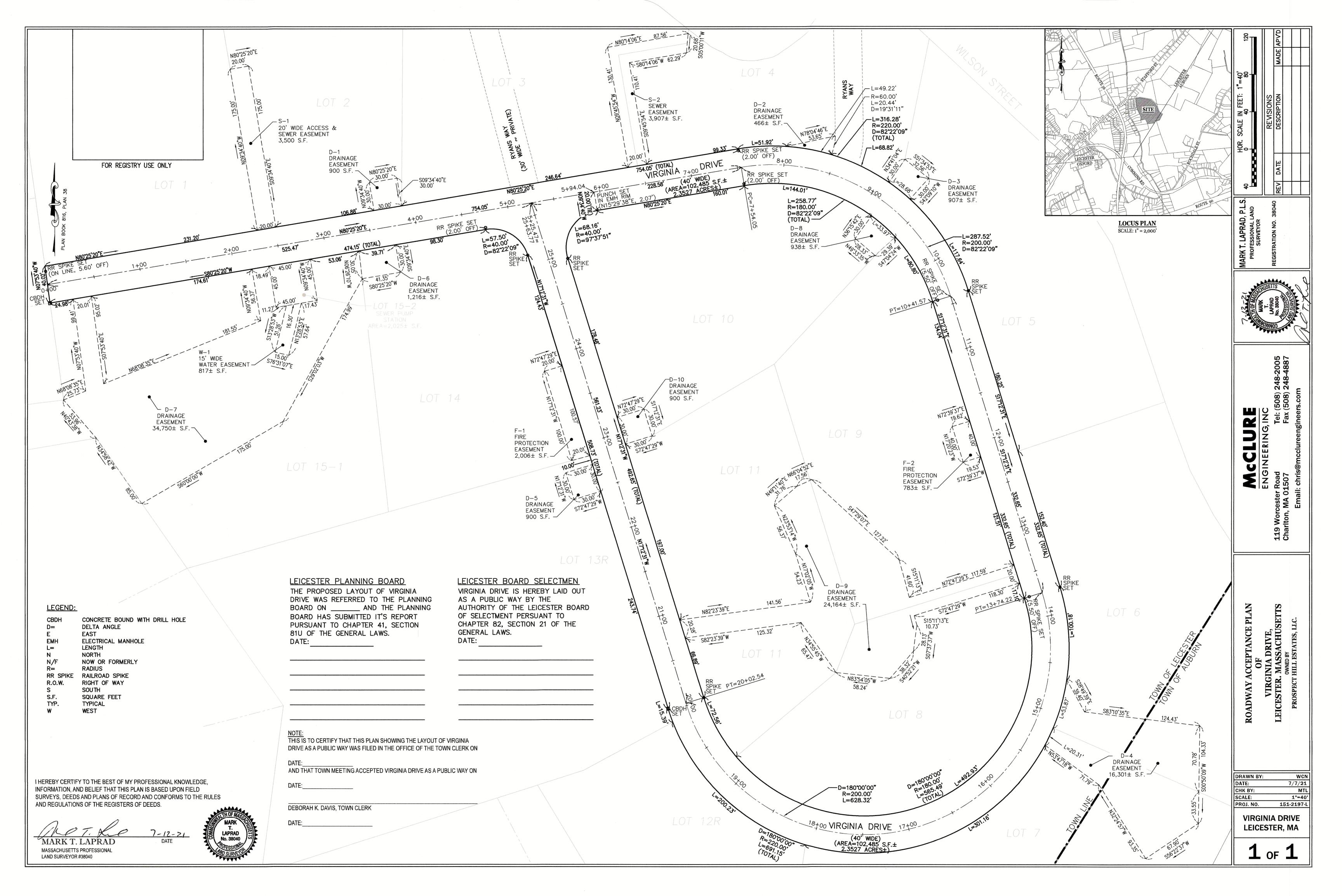
MASS. HIGHWAY -BOUND FOUND <u>N56°33'47"W</u> 45.14' (TIE) N17•10'13"E 257.95 N/F ROMAN CATHOLIC BISHOP OF WORCESTER PL. BK. 25/PL. 4 LOCUS MAP IRON ROD -WITH CAP (NOT TO SCALE) FOUND & HELD APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED TOWN OF LEICESTER PLANNING BOARD DATE: . <u>N76°00'17"E</u> 98.00' NO DETERMINATION OF COMPLIANCE WITH ALL ZONING REQUIREMENTS HAS BEEN MADE BY STONE WALL THE WOBURN PLANNING BOARD. Locus References -TOWN OF LEICESTER ASSESSORS MAP 51, LOT B5.1 -RECORD OWNER: EFG REALTY TRUST -DEED BOOK 16761, PAGE 78 ₹ P P -DEED BOOK 12150, PAGE 247 –DEED BOOK 3160, PAGE 136 –DEED BOOK 3142, PAGE 185 DIS -DEED BOOK 3133, PAGE 297 -DEED BOOK 3117, PAGE 204 –DEED BOOK 3096, PAGE 487 –DEED BOOK 3085, PAGE 328 -DEED BOOK 3085, PAGE 318 .0(DEED) 14(MEAS.) -DEED BOOK 3075, PAGE 346 -DEED BOOK 3053, PAGE 61 -DEED BOOK 3052, PAGE 600 -DEED BOOK 3052, PAGE 599 -DEED BOOK 2310, PAGE 153 PLAN REFERENCES –PLAN BOOK 25, PLAN 4 -PLAN BOOK 178, PLAN 33 -PLAN BOOK 254, PLAN 110 –PLAN BOOK 281, PLAN 59 <u>N15°50'37"W</u> -PLAN BOOK 357, PLAN 112 162.99' -PLAN BOOK 619, PLAN 99 –PLAN BOOK 775, PLAN 2 –PLAN BOOK 794, PLAN 34 N09°18'27"W 96.99 N/F CYNTHIA LOHNES BK.32673/PG.172 N12'32'31 "W 40.68' ►B11 459.70(DEED) 460.55' N78'17'23"E2 ELECTRIC TOWER B10 STONE WALL HELD PER DEED DESCRIPTIONS B9 ► B8 N/F CHERRY VALLEY WATER DISTRICT ►B7 0 7 > PUBLIC X SHAME B2 WALL AND DRIVEWAY -ENCROACHMENT - IRON ROD FOUND & HELD /\_\_\_\_ V R1 1081.95' S19**°**33'16"E N/F MICHAEL S. JUBINVILLE 58.50' (TIE) BK.56396/PG.315 — IRON ROD FOUND

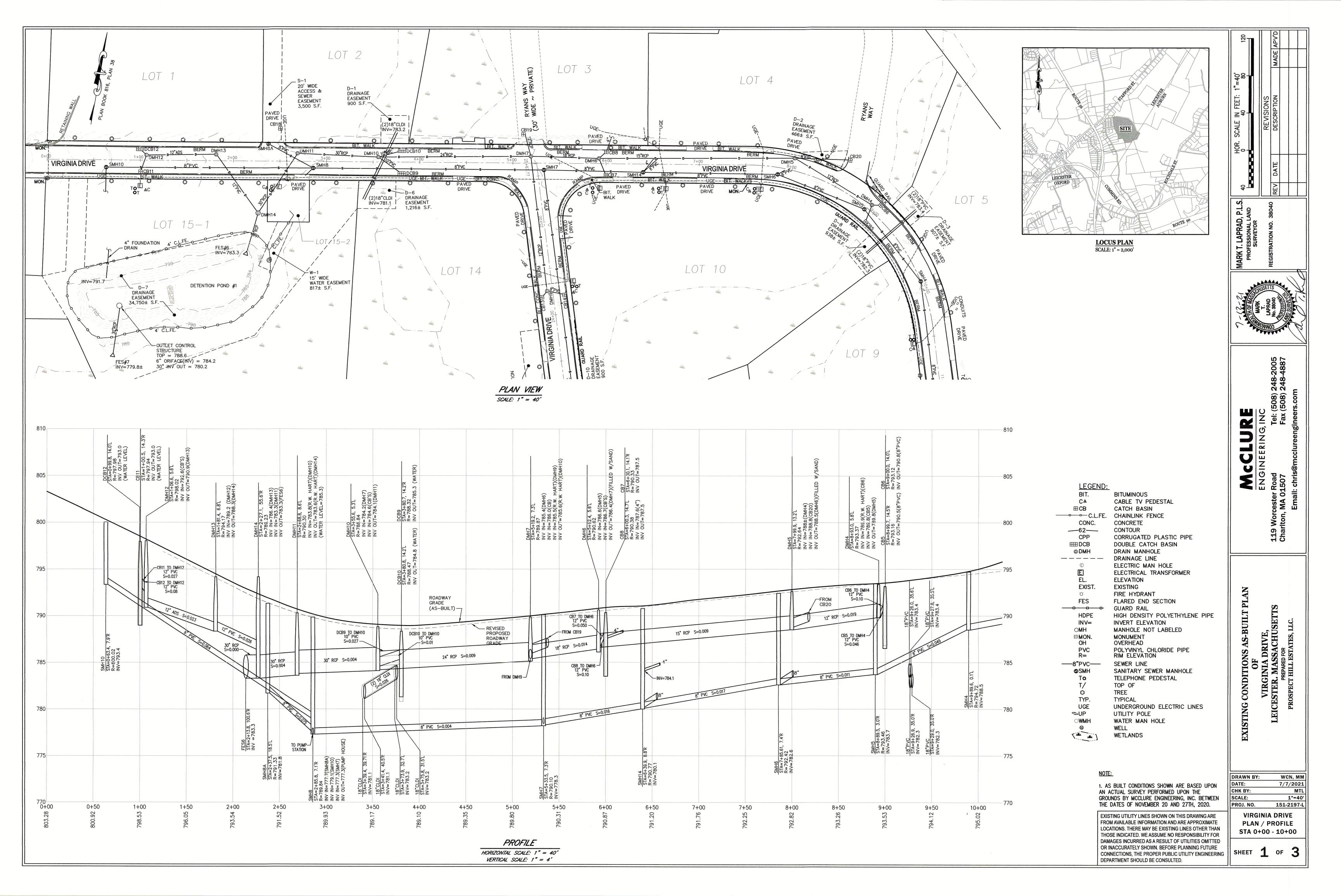


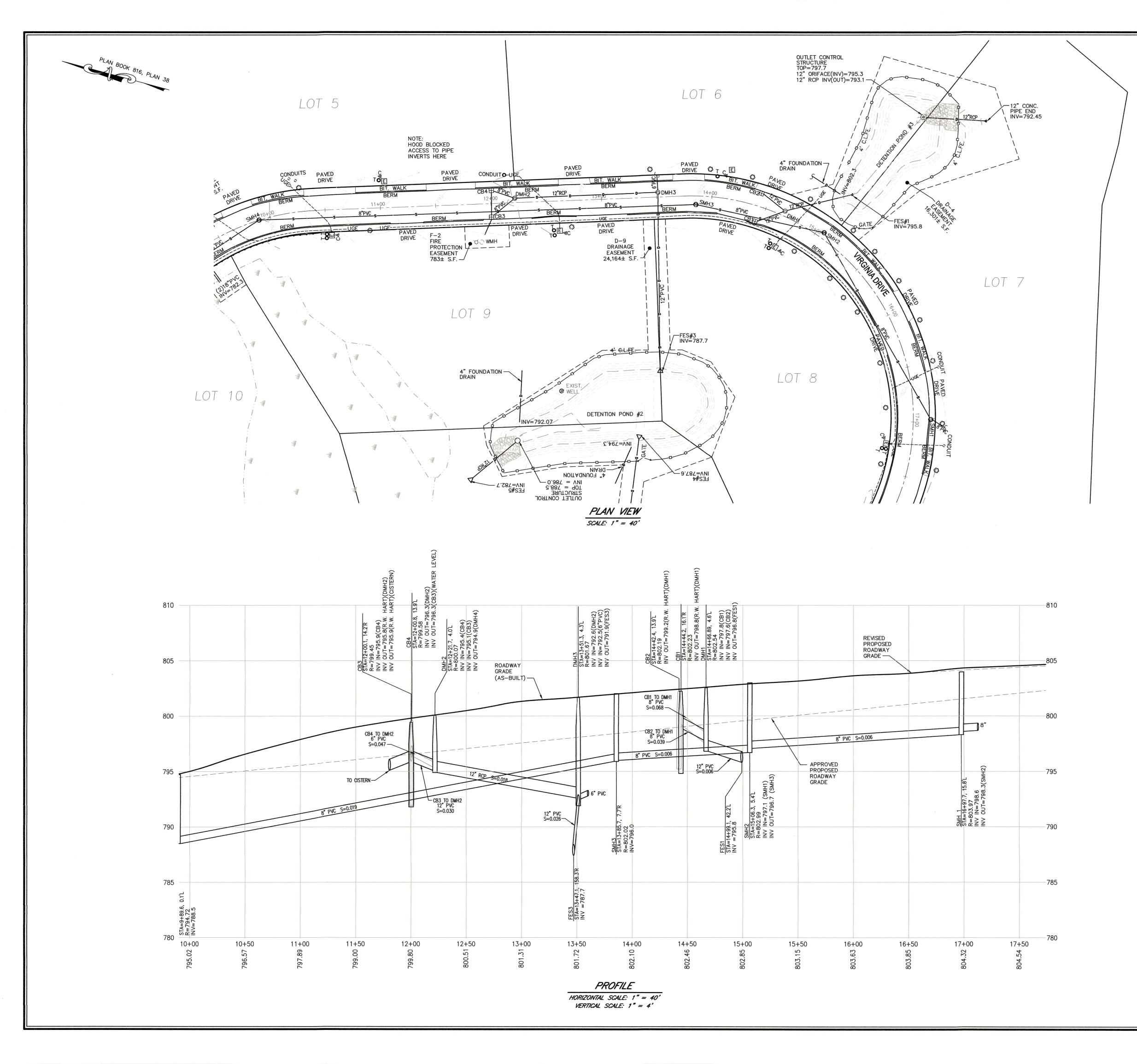
	WE HEREBY CERTIFY THAT:
DISTRICT	THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR
REQUIRED	BETWEEN JANUARY 10, 2021 AND FEBRUARY 9, 2021.
15,000	THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE
100' 25'	REGISTERS OF DEEDS DATED JANUARY 1, 1976 AND REVISED JANUARY 12, 1988.
10'	THE ABOVE CERTIFICATION IS INTENDED TO MEET REGISTRY OF DEEDS REQUIREMENTS
25'	FOR THE RECORDING OF PLANS AND IS NOT A CERTIFICATION TO THE TITLE OR OWNERSHIP
30%	OF THE PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE SHOWN ACCORDING TO CURRENT TOWN OF LEICESTER
2 1/2 STORIES	ACCORDING TO CORRENT TOWN OF LEICESTER ASSESSOR'S INFORMATION. THE ABOVE IS CERTIFIED TO THE BEST OF
FOR REGISTRY USE ONLY	MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.
FOR REGISTRY USE UNET	ALLEN & MAJOR ASSOCIATES, INC.
ON MASSACHUSETTS GRID COORDINATE SYSTEM (MAINLAND	
FERENCES ARE TAKEN FROM WORCESTER (SOUTH) REGISTRY OF	$\int \int \int \int \int dx dx dx$
AN IS TO DIVIDE THE TOWN OF LEICESTER ASSESSOR MAP 21,	ALA August 23
, AND 3 AS SHOWN HEREON.	PROFESSIONAL LAND SURVEYOR FOR
	ALLEN & MAJOR ÀSSOCIATES, INC.
	PERITH OF MASS
	NORMAN I.
	No.28446
LEGEND	AND SURVER
DRILL HOLE (DH)	0 24 23
STONE BOUND (SB)	21-11
IRON PIPE (IP) O	
IRON ROD (IR) ○ WETLAND FLAG ►A31	
BUILDING	
WETLAND	
EASEMENT LINE	
PROPERTY LINE	
ABUTTERS         LINE         —         #         #         # <th< th=""><th></th></th<>	
CURB =====	REV DATE DESCRIPTION
CHAIN LINK FENCE	APPLICANT:
BOOK BK.	MKEP 770 LLC 265 SUNRISE HIGHWAY, SUITE 1368
PAGE PG.	ROCKVILLE CENTER, NY 11570
	PROJECT:
	651 MAIN STREET
RECEIVED	LEICESTER, MA
SEP n 5 2023	
Town of Leicester	PROJECT NO. 2889-01 DATE: 08/10/2
Development & Inspectional Services	PROJECT NO.         2889-01         DATE:         08/10/2           SCALE:         1" = 80'         DWG. NAME:         S-2889-01-E
TR+ 100	DRAFTED BY: AJR CHECKED BY: N
	PREPARED BY:
S. HIGHWAY	
S. HIGHWAY	
NIAL 31	ALLEN & MAJOR
ONIAL 53.83' WIDE) BI SRIVE	ASSOCIATES, INC.
JRIVL	civil engineering ◆ land surveying environmental consulting ◆ landscape architectur w w w . a l l e n m a j o r . c o m
	100 COMMERCE WAY WOBURN MA 01801-8501
GRENIER	TEL: (781) 935-6889 FAX: (781) 935-2896
/PG.96	WOBURN, MA ♦ LAKEVILLE, MA ♦ MANCHESTER, N
6 <u>37</u> 44'	THIS DRAWING HAS BEEN PREPARED IN DIGITAL FORMAT CLIENT/CLIENT'S REPRESENTATIVE OR CONSULTANTS MAY B PROVIDED COPIES OF DRAWINGS AND SPECIFICATIONS FOR HIS/HE
po o o	INFORMATION AND/OR SPECIFIC USE ON THIS PROJECT. DUE TO TH POTENTIAL THAT THE PROVIDED INFORMATION MAY BE MODIFIED
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GRAPHIC SCALE	AUTHORSHIP ON THE DIGITAL MEDIA. PRINTED REPRESENTATIONS OF PORTABLE DOCUMENT FORMAT OF THE DRAWINGS AND SPECIFICATIONS ISSUED SHALL BE THE ONLY RECORD COPIES O
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( IN FEET )	APPROVAL NOT
1 inch = 80 ft.	REQUIRED PLAN OF LAND
N:\PROJECTS\2889-01\SURVEY\DRAWINGS\CURRENT\S-2889-01-ANR.DWG	Copyright©2023 Allen & Major Associates, Inc. All Rights Reserved

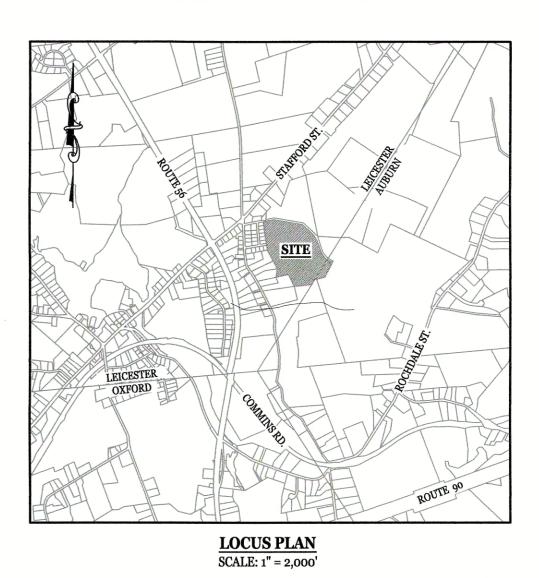


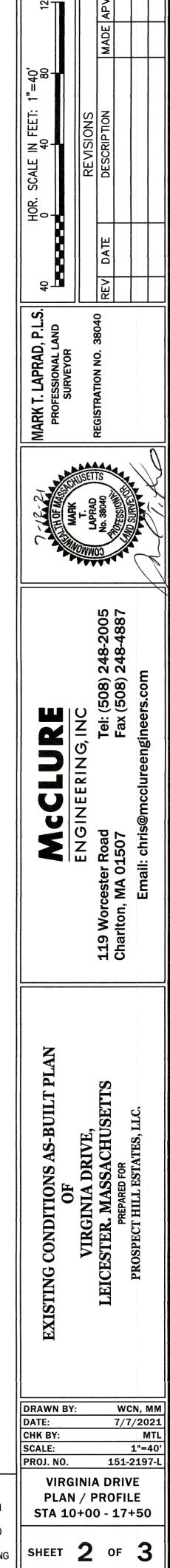
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PETER C. ENGLE, P.E. PROFESSIONAL ENGINEER MA LIC. NO. 53736
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<b>RE</b> INC Tel: (508) 248-2005 Fax (508) 248-4887 gineers.com
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<b>MCCLURE</b> ENGINEERING, INC r Road Tel: ( Fax ( Fax ( Fax (
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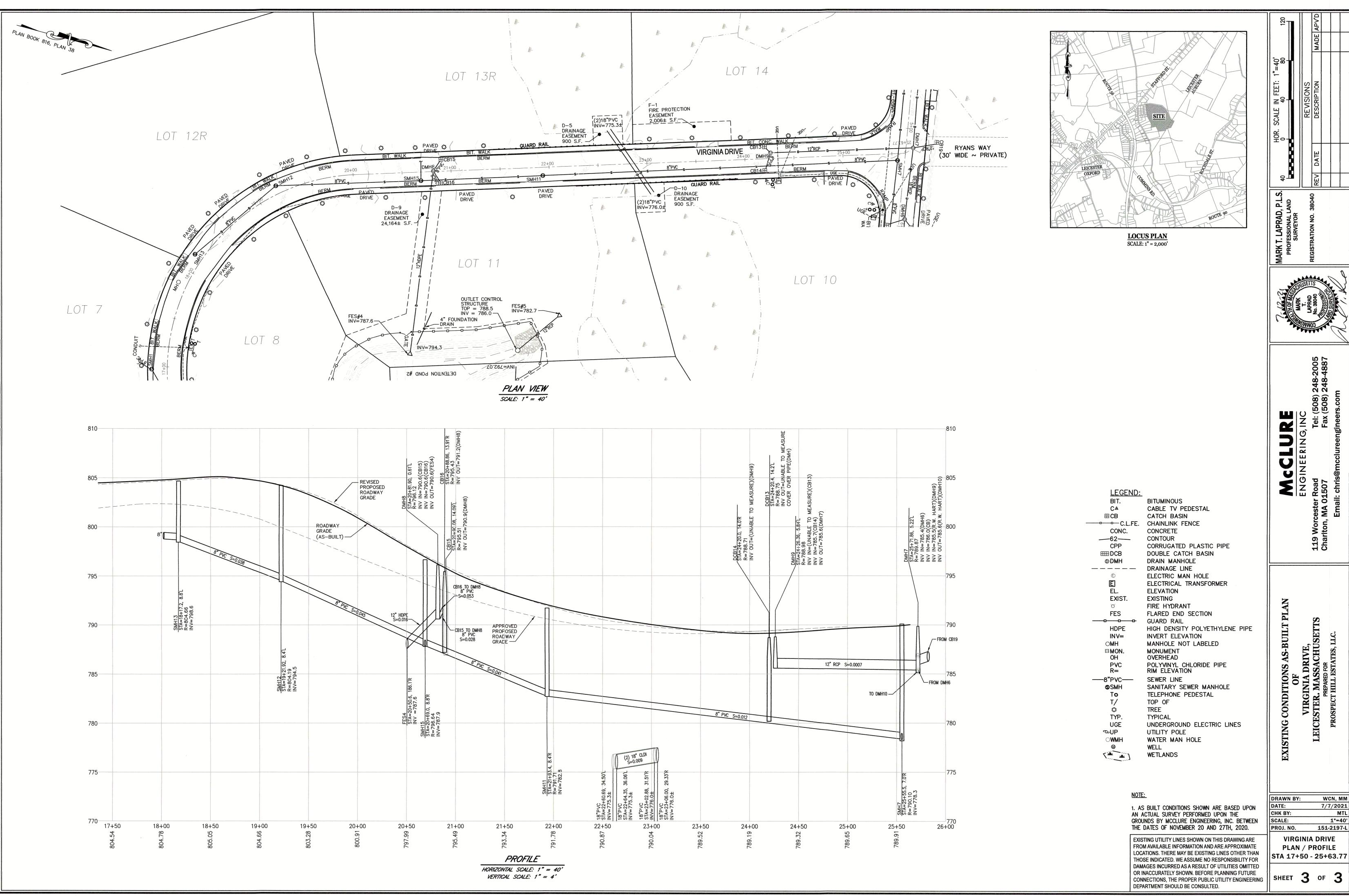
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NOTE:

1. AS BUILT CONDITIONS SHOWN ARE BASED UPON AN ACTUAL SURVEY PERFORMED UPON THE GROUNDS BY MCCLURE ENGINEERING, INC. BETWEEN THE DATES OF NOVEMBER 20 AND 27TH, 2020.

EXISTING UTILITY LINES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND ARE APPROXIMATE LOCATIONS. THERE MAY BE EXISTING LINES OTHER THAN THOSE INDICATED. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN. BEFORE PLANNING FUTURE CONNECTIONS, THE PROPER PUBLIC UTILITY ENGINEERING DEPARTMENT SHOULD BE CONSULTED.



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7/7/2021 MTL

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