

Leicester Planning Board Meeting Minutes
July 9, 2013

MEMBERS PRESENT: Jason Grimshaw, David Wright, Debra Friedman, Sharon Nist, Adam Menard

ASSOCIATE MEMBERS: Kathleen Wilson

MEMBERS ABSENT:

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

MEETING DATE: July 9, 2013

MEETING TIME: 7:00 pm

AGENDA:

- 7:00PM Re-Organization of the Board
- 7:05PM Public Application
ANR Plan, 233 & 237 Pine Street
- 7:15PM Public Hearing Cont:
Proposed Parking Regulations
- 7:30PM Public Hearing:
Site Plan & Special Permit Application, 1603 & 1605 Main Street
(gas station, fast food, convenience store, car wash, pharmacy, bank)
- 8:15PM Approval of Minutes:
5/15/2013
6/7/2013
- 8:30PM Town Planner Report
 - FY 2014 Projects
 - Vacation Request
 - Miscellaneous Project Updates

Mr. Grimshaw called the meeting to order at 700PM. He thanked Mr. John McNaboe for his years of service, noting it being 15 years of service to the Town of Leicester. At that point, Mr Grimshaw congratulated and welcomed newly elected member Adam Menard to the Planning Board.

Re-Organization of Board

MOTION: Ms. Friedman moved to nominate Jason Grimshaw as Chairman to the Planning Board.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

MOTION: Ms. Nist moved to nominate Debra Friedman as Vice Chairman to the Planning Board

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

Committee Appointments

MOTION: Mr. Wright moved to appoint Adam Menard as the CMRPC Representative; Jason Grimshaw as Economic Development Committee Representative and Sharon Nist as Capital Planning Committee Representative

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

Public Application:

ANR Plan, 233 & 237 Pine Street

This plan shows a reconfiguration on two parcels to address a driveway encroachment.

MOTION: Ms. Friedman moved to approve the ANR Plan for 233 & 237 Pine Street

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Approval of minutes:

5/15/2013

MOTION: Ms. Friedman moved to approve the minutes of May 15, 2013

SECONDED: Mr. Wright – Discussion: None

VOTE: 4-In Favor / 1-Abstained (Mr. Menard)

6/5/2013

MOTION: Mr. Wright moved to approve the minutes of June 5, 2013

SECONDED: Ms. Nist – Discussion: None

VOTE: 4-In Favor / 1-Abstained (Mr. Menard)

Public Hearing continued

Proposed Parking Regulation

Ms. Buck gave a brief review. The Board first reviewed the proposed parking regulations at their May meeting and there were some concerns in a few areas that needed to be further researched. The Draft has been revised, reflecting those concerns. All the corrections are noted in bold and are underlined, also a strike-through reflects what has been eliminated.

Page 1- II. General Parking Space Requirements (par.) C.; added a new sentence as follows:
Employees shall include the largest number of owners, managers, full and part-time workers and volunteers that may be normally expected on the premises during any single shift or portion thereof. The number of seats in benches, pews or other continuous seating arrangements shall be calculated at 2-feet for each seat.

Page 2- III. Table of Parking Space Requirements; a typo was corrected under Family Child Care Home, deleting the second use of the word use. And adding two new categories as follows:

- 1) Schools and Colleges – 2-spaces per classroom for elementary and intermediate; 4 spaces per classroom for secondary, and 1 space per 2 students beyond secondary, none to be fewer than 1 space per teacher and staff, plus one space for every ten seats of total seating capacity in auditorium or gymnasium, whichever has the larger capacity.

Ms. Buck noted that when doing the research on this requirement, there was no consistency among the schools and colleges, it was all over the place. So, it was difficult to know what to include. The numbers shown in this draft were the ones most commonly used.

Mr. Grimshaw asked if there were any considerations made between public and private colleges and schools. Was there some kind of municipal exemption for schools and colleges?

Ms. Buck said generally no, they tend to be lumped together. There is under state law, a very broad exemption for non-profit educational uses, but parking can be reviewed.

Mr. Wright felt it was good to have something noted in the regulations regarding educational institutes and if the Board needed to, could always modify it later.

Mr. Grimshaw and Ms. Friedman agreed.

Mr. Wright continued. There was reference made in the draft to; “one space for every ten seats of total seating capacity in auditoriums or gymnasiums, whichever has the larger capacity.” He was suggesting decreasing the number to read; one space for every 5 or 6 seats. After some discussion, it was agreed to decrease the number of seats per space to 5.

2) Dormitories – 1 space per 2 beds.

Ms. Buck noted this use also had no consistency and it made more sense to make it “per bed”.

Ms. Friedman agreed because there can be 3 beds in a room.

Page 3- Clubs, lodges, and other places of assembly: the change show, 1 space per 4 seats, instead of 3, or occupants of total seating/occupancy capacity, as discussed at the May meeting.

Page 4- IV. Parking Facility Design; (par) B. Width of Drive Aisles; #1b & #2, there was new language added and strikeouts of #s 3 & 4.

- #1-b reads as follows; 16-feet from parking lots designed with angled parking with 60-degree stalls or lower degree angle;
- #2 reads as follows; Access aisles for parking spaces with single lane access shall be at least 16-feet.

Ms. Buck noted she had sent this draft to Kevin Quinn and asked him to comment specifically on the width of access isles. Mr. Quinn advised not to go lower than 16-feet, regardless of the angle of the parking stalls. So, the draft was changed to reflect that. Notice was also sent to the Fire Department to weigh in on this requirement, but did not hear anything back. Ms. Buck recommended that in paragraph B, #2-b; adding at the end “unless a greater width is required for emergency vehicle access”. All agreed.

Page 5- a new paragraph added as follows; J. Parking Location/Shared Parking – All parking shall be provided on the same lot with the principal use or on a contiguous lot within the same zoning district, provided that no space is counted as meeting the requirements of more than one building or use. (Note: this is a specific bylaw requirement in the following Zoning Districts: HB-1, HB-2, B, CB, NB and RIB.) Parking spaces that exceed parking otherwise required for all uses on a property may be shared or leased. Where use of shared or off-site parking is necessary to meet parking space requirements for a proposed use, the applicant must demonstrate adequacy of parking and submit an enforceable agreement, lease, deed, contract or easement to ensure reasonable current and future access to the parking spaces.

Ms. Buck noted that there is already some language in the Bylaw regarding this and this requirement will reflect that.

On the same page, lower down under; V. Waivers & Exemptions, par. B, language was added referencing “paragraph A above.”

A little further down, same page; paragraph C; language was added to allow to waive, not just the number of spaces, but to be able to waive the parking facilities design requirements, stated as

follows; C. The requirements of Section IV (Parking Facility Design) may be waived by the Board, when in the opinion of the Board the waiver does not impair safe pedestrian or vehicular access to and from the site or within the site. The Board may seek the opinion of the Town Engineer and/or public safety officials or other Town officials such as the Highway Superintendent in making a determination on a waiver requires. The Board may not waive items that are specifically required by the Leicester Zoning Bylaw (e.g. driveway width in HB-1 & HB-2 districts) or are required under state laws or regulations (e.g. handicapped parking).

Ms. Buck said that she was unable to include language regarding parking requirements for indoor recreation facilities, because she couldn't find a community that had any specific parking requirements.

There may be two options for the Board to take; either create a new category and pick a number or leave it in the "all other permitted uses" category.

After some discussion, all agreed it was not necessary that "indoor recreation facility" have its own category. It was suggested to add language that specifically says to include "indoor recreation facilities."

Ms. Friedman felt it would be appropriate to place "indoor recreation facility" in the "places of assembly" category.

Mr. Grimshaw asked if there was way to base the parking on occupancy, i.e. 1 space per 4 occupants.

Ms. Friedman agreed that basing the parking on occupancy would be the way to go.

Ms. Buck suggested putting in parenthesis "to include indoor recreation facilities, dance studios and gymnastic studios" under "other places of assembly".

Mr. Grimshaw agreed and recommended 1 space per 4 occupants or total occupancy.

Mr. Wright suggested combining what was already stated under "clubs, lodges and other places of assembly" because it already has "1 space per 4 seats or occupants of total seating/occupancy capacity".

All agreed to include in parenthesis under "clubs, lodges and other places of assembly", the language "indoor recreation facilities, dance studios and gymnastic studios", and incorporating the requirement of "1 space per 4 seats or occupants of total seating/occupancy capacity."

Mr. Grimshaw reviewed the changes made and then asked for any further comments, questions or concerns; hearing none, asked for a motion to adopt.

MOTION: Ms. Friedman moved to adopt the Leicester Planning Board's Parking Regulations as amended.

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Public Hearing

Site Plan & Special Permit Application, 1603 & 1605 Main Street (gas station, fast food, convenience store, car wash, general retail, bank)

Mr. Grimshaw read the notice into the record; gave instructions on the hearing procedures and then opened the hearing to the applicant to address the Board.

Mr. Mark Allen of Allen Engineering, representing the owners of the project, Leicester Main LLC, made the presentation. Mr. Allen also introduced the Traffic Engineer, Ron Müller of Ron Müller & Associates, who will do the review on the Traffic Study

Mr. Allen said the property that is before the Board is looking for Site Plan approval and various Special Permits and is a combination of two parcels; 1603 & 1605 Main Street. If heading east on Route 9, the property sits on the southerly side and just across from the Wal-Mart entrance traffic light, a.k.a. Soojians Drive. The property, in total, is 3.88 acres and currently has two residential homes on the property. The proposal will include razing the two structures that are there and building two new buildings, as described in the hearing notice, for commercial retail use.

The property is in the HB-1 zone and all of the building setbacks for the property have been met. Their proposed intersection will be located directly across from the existing light, making it a 4-way intersection that is currently a 3-way intersection. They will need to modify the light in order to accommodate the 4-way intersection. Mr. Müller, will explain all that shortly to the Board, as well as the Mass Highway procedure on permitting for new curb cuts.

The special permits they are seeking are for the first building, which will house the gas station use, as well as a convenient store inside it. There will also be a small restaurant, such as a Honey Dew or Dunkin Donuts or a Subway type of restaurant use. They are also looking to get a drive-thru on the easterly side of that building and have provided more than adequate queuing at that intersection.

The second building will be a multi-use building done in two phases. One of the tenants will be a retail store, such as an auto parts store, and the other tenant could possibly be a bank.

The parking requirements for Leicester are for 10 x 20 size spaces. Their plan shows a total of 71 spots; 59 of which are associated with the commercial retail; 12 spots associated with the gas station and there will be 8 fueling stations as part of the gas station.

With the utilities layout, there will be multiple permits needed, not from this Board, but from the Board of Health for the storage tanks; Mass Highway for the highway access; the MEPA process for the traffic access and Conservation for the work surrounding the wetlands.

This meeting with the Planning Board and getting Site Plan and Special Permit Approval for the uses, was their first step with the Town of Leicester.

All the utilities will be underground; the water and gas, they will also try to utilize the current hookups that are already there from the two existing homes. The property drains from north to south and drains naturally into the wetlands. They will meet all the Massachusetts Guidelines for Stormwater quality and quantity treatment.

In the rear, there will be a fully enclosed trash removal system, which will be a trash dumpster with a screen.

The landscaping requirements have been met, but they are seeking a waiver from the 50 foot landscape buffer. They are requesting to go down to 20 feet and provide additional

evergreen plantings along the two neighbor's properties, as well as, a 6 foot vinyl fence along the areas where they can't meet that 50 foot requirement.

The landscaping details show there will be planting done around the trash enclosure, as well as, down the property line.

The lighting plan will change a bit after getting some feedback from Quinn Engineering. Some of the buildings did not show lighting on them and they will add lighting to the buildings not lit.

The aerial view shows the Wal-Mart Plaza and at the intersection it shows where the queuing lines lineup going east to west.

The proposed building is highlighted on the plan in orange and it also shows the canopy for the gas station island. The car wash will be a part of the gas station and they will be looking for a special permit for the car wash, for the bank and drive-thru teller at the bank.

Ms. Buck asked Mr. Allen if he would turn the plan toward the audience and point out the specifics of the proposal. Mr. Allen agreed. At this point, Mr. Allen turned discussion over to Ron Müller of Ron Müller & Associates for a review on the Traffic Study.

Mr. Müller said the traffic study shows the site having two driveways, one being a full access driveway across from Wal-Mart's signal location and then to the east, there will be the right turn only driveway.

The traffic study looked at three different things. 1) the existing conditions that are out there today; 2) the future conditions, both if the project wasn't there and the site entering traffic and 3) what they are proposing for mitigation to best control the traffic they do generate.

On the existing conditions study, they did traffic counts in February and March of this year. They looked at conditions during the weekday and during certain time periods when it is usually at its busiest. What they found and also looking at seasonal adjustments was, February being typically 3% below average and March being about average. So what they did was bump everything up by 3% and used that traffic volume in the study.

They looked at accidents and the State requires comparing the number of accidents per the traffic flow through the intersection. So it would be an accident rate or how many accidents per minimum vehicles entering the intersection. When they looked at the last three years at this location and compared it to the state average, they are actually significantly below what the state describes as being average.

As part of the existing conditions, they looked at traffic speed and through that section it has a slower speed of 45mph and the average speed is actually lower about 40 to 42mph at an 85%. So the percentage of the traffic is consistent with the posted speed.

All this information is used to evaluate the site distances. So they looked at both the driveways to make sure the site distances do exist and they found it well exceeds the minimum requirement.

They then looked at future conditions and what the roadway would be if there wasn't a project being built at this site and what that impact would be. The study showed traffic counts in the area indicated since 2007, it had actually declined a little. There was Wal-Mart monitoring study in 2007 showing about a 1% a year growth and that is what they used in their traffic study.

The state standard is to show a 5 year projection of traffic, using the 1% growth that generates the mobile traffic and they add that to the existing volumes and what the traffic would be without this project. Then they have to show the traffic that will be generated by this site.

Mr. Müller continued. Two things were done here; they looked at ITE, the Institute of Transportation Engineers Trip Generation Manual, to estimate the volume of traffic to be generated by development of this site.

The other thing they did was what ITE didn't have, they took data they had from similar sites and compared it and used the higher number for the retail and the bank. Studies show retail centers at 35%; banks at 50% and gas stations over 60%.

Once they completed that traffic generation they distributed on the driveways and roadways, they analyzed the intersection in the existing conditions with the project and existing conditions without the project.

They are proposing similar to what the left turn angle is to Wal-Mart and put a left turn into the site. That will require a little bit of land from the site frontage to accommodate the width to get that left turn lane. All of this will be approved through the Mass Highway review process and they will submit those documents. All the traffic study information will be submitted to the State to review as well.

The left turn will allow anyone turning into the site to pull off from the main thru traffic and allow them to take a turn in.

The entire Traffic Impact and Access Study will be sent to the Mass Highway for review and in addition, it will go through the MEPA process as well.

At that intersection and the layout of the signals, right where the driveway will be, will rotate in modification with the signal.

Ms. Nist asked when exiting Wal-Mart, right now you can take either a left hand turn or right hand turn, what if someone wants to go straight across, which lane will be designated to go straight across?

Mr. Müller said typically, there is an exclusive left and a thru right, but they will look at this closer and see what will work better. It looks like it would be a shared left turn and the right would be a right on red.

Ms. Friedman asked if the right on red would remain since there will be traffic coming across.

Mr. Müller said that would be looked at closer as well.

Ms. Friedman said that in the public hearing notice, it listed a pharmacy as one of the possible uses for the building.

Mr. Allen said a pharmacy will not be one of the tenants. Ms. Friedman said the reason she asked was most pharmacies now are looking for a drive-thru, so if there was going to be one, it would be a double drive-thru special permit request.

Ms. Buck said she had gotten this application confused with another possible proposal and apologized for the error.

Ms. Buck then confirmed the uses for this proposal: a convenient store, car wash, fast food, gas station, retail, and bank.

Mr. Allen noted receiving copies of the comments the Planning Office received from the various Departments, specifically the one received from Chief Wilson of the Fire Department. He spoke with the Chief yesterday and has set up a meeting with him next week to go over the access around the buildings. Their purpose tonight was get all the public input and then come back to the next meeting with a whole new revised set of drawings.

Ms. Buck noted the Fire Department comments were not included in the Board's meeting packet because they were received too late. She said the comment basically said that the access requirements need to meet Fire Department standards.

Mr. Grimshaw asked for any further comments or questions from the Board; hearing none, opened discussion to the audience.

Ms. Lisa Wall, 1621 Main Street, said the left turn lane being discussed, is that only going to be permitted at the Wal-Mart entrance or all entrances. Mr. Allen said there will be designated marked lanes at the intersection lights to go left.

Ms. Wall said she was referring to the traffic along Route 9 that would be turning into the gas station vs. traffic speed. Mr. Allen said that was one of the comments made from Quinn Engineering that needs to be addressed.

Ms. Marian Jackman, 1573 Main Street, said she has a concern regarding traffic pulling in and out of the gas station and having an ambulance coming by. The siren does sound when approaching the intersection and also at the other gas station down the road, but she still has a concern with the traffic speed and trying to exit the property. Mr. Allen said he will make a note of this and look into what could help.

Mr. Harry Brooks asked if the businesses were going to have enough water up there. Mr. Allen said they had contacted Leicester Water and Sewer Department and they will be hooking into that.

Mr. Wright asked in regards to fire protection, if a flow test had been performed. Mr. Allen said no it has not in that area. When he meets with the Fire Chief, he was hoping they would have that information. Mr. Wright recommended they do a flow test, if one has not already been done.

Ms. Friedman noted one of the comments from Kevin Quinn was regarding a loading dock and asked if loading docks were proposed? Mr. Allen said no, this will not be the type of building where a loading dock would be required, such as a warehouse. There will be grade level entrances through the doorways.

Ms. Friedman asked where the delivery trucks would park during loading and unloading in order not to block access to the store. Mr. Allen pointed out each location delivery trucks would load

and unload for each business. He noted that with any facility of this type, there will be traffic delays during deliveries, but it would be temporary in nature and most likely, deliveries would be done during off times.

Ms. Nist asked if the turning radius was sufficient for the large delivery trucks. Mr. Allen said yes.

Ms. Buck said there were numerous comments from Kevin Quinn and the applicant indicated they would be going through all the comments and revising the plan. Mr. Allen agreed.

Ms. Buck asked if he needed any further input from the Board on any of those comments, while he was here. Mr. Allen said no, nothing jumped out at him. Although, he does have one grading question; there is a 5% grade for driveways that the Town has here in Leicester and right now, their plan shows a 6% grade. Is that something the Board typically sees as a waiver request or is that something the Board does not waive on?

Ms. Buck said that is not something that the Planning Board can waive.

Ms. Friedman said that would be a request made to the Zoning Board of Appeals.

Mr. Allen asked if there was any history with that type of waiver request. Ms. Friedman said not that she can remember. Mr. Allen felt they may try to stay within the 5%.

Ms. Friedman said one of the other things Kevin Quinn mentioned was regarding earth removal or imported. Mr. Allen said this will be a completely filled site, which is why they asked for the grade changes. There will be no materials taken off-site.

Ms. Friedman asked about the volume of earth to be imported. Mr. Allen said he was unable to give the exact number right now, but it is going to be in the thousands of yards.

Ms. Nist asked about snow removal. Mr. Allen said there is plenty of room on the site. This is close to a 4 acre site and all of the perimeter area will be used for storage, but the islands will not be used for snow storage.

Ms. Nist asked if the snow storage will be in the wetlands. Mr. Allen said no, the wetlands are off site. There are no wetlands on site and where the buffer is to those wetlands, will be the drainage basin. The wetlands are off site in this location.

Mr. Wright asked if there will be snow storage along Route 9 in the buffer zone. Mr. Allen said yes, there is a large landscaping island per regulations.

Mr. Wright asked how deep it was. Mr. Allen estimated it at about 20 feet.

Mr. Wright said if we happen to have a snowy winter and there's snow piled there, the sight line may be affected, especially when doing a right hand turn. Ms. Friedman agreed.

Mr. Allen said part of the users responsibility would be there, in addition to Mass Highway's along Route 9 doing their plowing. The gas station's operators, who they have done work with in the past, once it hits a certain amount where they are losing customers or having trouble with site distances, they have contractors who will come and haul it off site.

Mr. Wright asked how many parking spaces were proposed. Mr. Allen said 71, with 3 handicapped. Mr. Wright noted only one has to be van assessable. Mr. Allen agreed but all three will be van sized.

Ms. Nist said the buffer waiver is requesting to push it back to 20 feet, is that on both sides? Mr. Allen said yes.

Ms. Nist said in place of vegetation, there will be a fence. Mr. Allen said they are going to add vegetation, in the form of evergreen trees, plus fencing on the left side. The 20 foot starts at the first 75 to 100 feet at the intersection and that is where the waiver request will be.

Ms. Friedman asked if the buffer beyond that point will be at 50 feet; Mr. Allen said yes.

Ms. Buck noted that the bylaw allows the Board to reduce the buffer from 50 to 20 where the site constraints do not allow for the full-required buffer and an opaque fence and/or other comparable method is provided to adequately buffer the abutting residential use.

Ms. Buck asked if Mr. Allen had spoken to that abutter specifically about the buffer. Mr. Allen said yes and not only with the landscaping, but also with the curb radii in front of the abutting property. As part of Mass Highways review, heading curb radii that goes in front of an abutter's property needs further review and he has been in talks with the Wall's. The abutting property is also zoned HB-1 and the owners know about the buffer requirements. If that property happens to turn over to a commercial style use, the need for that fencing and buffer may or may not be necessary in the future.

Ms. Friedman said should the Wall's decide they want to sell their property to a commercial developer, how will that developer be able to utilize the light there? Mr. Allen said sticking with the landscaping is kind of ironic because if they want to develop their property, they will have to give them the 50 foot screening buffer.

Ms. Buck disagreed and said the 50 foot buffer is because it's currently a residential use. If it's no longer a residential use, the buffer goes away.

Mr. Allen said if the Wall's decided to develop their property, they will have to go through the same process with Mass Highway. Whether or not Mass Highway would give them another curb cut along Route 9 further away from the intersection or whether they would be required to do some sort of a cross easement onto their property in order for them to utilize that intersection and the cross easement would be the more desirable. When he met with Mass Highway that was discussed and if that should come up, the cross easement would be something to talk about.

Ms. Friedman said if the land behind that site should be sold, is it possible everyone could utilize that light? Mr. Allen said yes.

Ms. Friedman asked if the intersection was being designed so that the land behind that site, at some future point, could potentially use that light. Mr. Allen said yes. At this location, there is a 25 acre piece that surrounds their site and if it were ever to come up, they made sure that the intersection and the driveway was made wide enough to be naturally extended in that direction.

Ms. Buck asked Mr. Allen if they were open to sharing that access driveway with the property to the left. Mr. Allen said yes.

Mr. Michael Knox asked what the method was they will be using to meet the Stormwater Management Act.

Mr. Allen said it will be a fully contained flushing system with 4 foot deep sump catch basins that will flow into a sediment removal system and then discharged into the ground. All of the

stormwater documentation will be sent to the Conservation Commission to make sure all is in order.

Ms. Wall asked if the gas station was going to be 24 hours. Mr. Allen said no, the hours of operation would be the same as the convenient store, for example, 5AM to 12AM and will not be a 24-hour operation.

Ms. Friedman asked if that would be the same hours with the fast food establishment. Mr. Allen said yes.

Ms. Friedman asked the hours of the car wash. Mr. Allen said the car wash will operate only when the gas station is opened.

Ms. Nist asked the hours of the retail store. Mr. Allen said the retail store will follow the guidelines the Town has for operating a business in Town and will not be a 24-hour operation.

Ms. Buck noted the applicant had indicated they were planning on submitting a revised plan. Mr. Allen agreed and said they wanted to get everyone's comments and concerns at this hearing tonight, then go back, write a response to all of Kevin Quinn's comments. Come back to the next meeting and submit a whole new set of revised plans, in addition to the architectural plans and all the materials.

Ms. Friedman asked if the Architectural plans will be for all of the structures on the site. Mr. Allen said yes. Ms. Friedman asked if the car wash would be as well. Mr. Allen said they are having some problems getting into that car wash, because it is more of a mobile unit. It is a free style structure that is not a permanent building. It comes pre-packaged and delivered on site and he wasn't sure what the standards are.

Ms. Friedman said if that is what the plan is on what will be going up there; it would be helpful to have some type of visual on what is anticipated. She then asked if there was going to be a canopy. Mr. Allen said yes. Ms. Friedman said there will be basically 4 structures there.

Mr. Allen agreed.

Mr. Grimshaw asked for any further discussion; hearing none, asked for a motion to continue.

MOTION: Ms. Nist moved to continue the Public Hearing on 1603 & 1605 Main Street Site Plan & Special Permit Application, to Tuesday, August 13th, 2013 at 7:30PM.

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

Town Planner Report

Priorities for FY 2014

Ms. Buck gave a brief review from the last meeting. It was discussed undertaking and doing some changes to the subdivision regulations. She asked if the Board had some other things that they would like to focus some time on.

Ms. Nist noted on page 2 in the Master Plan Recommendations, under Economic Development #E01; "Review Town policies and regulations and develop an economic development strategy for Leicester." Isn't that already being done? Ms. Friedman said the Responsible Lead Entity was not the Planning Board, it was the Economic Development Committee.

Ms. Buck said if it would help, she can offer to work with and assist and encourage other Board and Departments to work on their priorities.

Ms. Friedman asked if the EDC has done anything regarding their responsibility in the last 3 years. There are several things listed in the Master Plan that would come under their responsibility. Mr. Grimshaw said within the last 3-4 months, they have had a lot of the meetings cancelled because of time constraints and scheduling issues. Those specifically that are EDC responsibilities and looking at E01, this has been discussed and being looked into. E06, “Work in partnership with owners of industrially-zoned land to encourage development”, this has been discussed to some degree and they are trying to create some kind of brochure.

Ms. Friedman noted that would also tie into E07; “Develop a Computerized Database of Available Commercial Properties”. That could be put on disk people could easily access. Mr. Grimshaw agreed and said there has been some deliberate work being done in that direction. E08; Grant Funding, E09; Promote preservation of historic buildings; this has not been looked at, and E10; Hire a consultant, this also has not been discussed.

Ms. Friedman said after reviewing the recommendations and the responsible lead entities, you can see some of the things the Board of Selectmen have potentially done and because there’s been a lot of movement with the Economic Development Committee, she didn’t know if the EDC had looked into their recommendations. Mr. Grimshaw said they have been trying to showcase the need for economic development.

Mr. Wright said as he went through the list and after some of the most recent events with some property owners and ANRs, looking at T08; “Amend the Subdivision Regulations to strengthen requirements for developer upgrades to existing public ways”. It is checked off as a high priority to amend the subdivision regulations for existing public ways. This may be something that should be addressed this fiscal year.

Ms. Nist noted T13; “Implement several policies for proposed subdivision roadways to ensure improved development”, maybe this could be made into a combined effort with T08. Mr. Wright agreed.

Ms. Buck said she was anticipating a number of changes to the subdivision regulations and all the recommendations sprinkled throughout the Master Plan, would be all be included and done at once. Ms. Friedman agreed and said all of the subdivision recommendations would be pulled out together and there would be just one hearing to cover everything at once, for example; street lights, roadways, etc.

Mr. Michael Knox asked to be recognized. Mr. Grimshaw agreed.

Mr. Knox said in August the Stormwater Management Committee will be meeting and one of the topics of discussion is going to be on public ways. There are two scenarios related to public ways. One is that the Town needs to get a handle on how many streets have been accepted as public ways. This will be the main topic of concern with the Stormwater committee, given that the Stormwater permit is expected to be available before the end of 2013. This will be a Federal Regulation and is out of the Town’s control and there will costs associated with it. Second, he asked if there has been any discussion regarding reducing the requirement for the width of roads from 28 feet.

Mr. Wright said 28 feet is the state standard.

Mr. Knox asked if there's been any consideration with this Board reducing the road width to 26 feet. Ms. Buck said the Board hasn't discussed it recently, but a lot of communities, regarding subdivision roads, are reducing the width.

Mr. Knox said he wanted to bring that to the Board's attention for consideration and discussion. The last topic for discussion was regarding Town Government sitting down, as a group, being all Town Boards, Committees and Commissions, and start talking about who will be the enforcer of the Stormwater Regulations. He wanted to bring this concern to the Board's attention for their consideration when updating these regulations.

Ms. Buck noted her focus will be on updating the Subdivision Regulations and asked if there were anything else.

Mr. Wright said after listening to Mr. Knox in regards to the Stormwater, on page 8, L16; "Reduce pavement width and sidewalk requirements to reduce impervious surface and reduce Town maintenance costs". Ms. Friedman said that would be included with the Subdivision Regulations.

Mr. Wright said the one other thing on page 8, L09, "Develop consolidated site development standards for all commercial districts".

Ms. Buck said there are site development standards, currently, for HB-1, HB-2, B and CB and those are the sections of the bylaws that address landscaping, parking, access etc. The BR-1 and BI-A Districts do not have any similar standards.

Mr. Wright noted the abutter's concern with the Main Street project and landscaping.

Ms. Friedman asked about possibly making a list and prioritizing. Ms. Buck noted that before she became part-time, she used to do these detailed lists for each fiscal year, but was advised by the Board not to do that because she was part-time. She didn't see a problem with having the Subdivision Regulations as a priority one and the site development standards as priority two. Mr. Grimshaw and Ms. Friedman agreed and felt that was extremely fair.

Ms. Friedman noted that the Planning Board and Town Planner have completed many of the Master Plan Recommendations in the last few years.

Miscellaneous Project Updates

Parker Street

At the last meeting, Ms. Buck noted that there was hearing pending. The Scholds' attorney had requested that this issue be moved to go before foreclosure court and the Town wanted it in Land Court. This will be heard in Land Court and the hearing date is pending. Ms. Buck noted she spoke with Mr. Reed today and he wasn't sure of the hearing date, but it hasn't happened yet.

Boutilier estates

Ms. Buck didn't have the complete details yet, but it appears Mr. LaFlash may be coming to the Board to terminate the project, dead-end the road and maybe rip up some of what had been done. She was unclear to what will actually be proposed because she has heard more than one version of events being proposed. An attorney for Mr. Casello, told her he heard Mr. LaFlash was going to be tearing out the road and move the model home, but then Mr. LaFlash's engineer told her that there might be different changes. There hasn't been any work done up there in over a year,

although Mr. LaFlash did finally get the Army Corp of Engineer's approval about two weeks ago.

Potential new application

Ms. Buck met with a representative and the Board will be receiving a new application for a large development on property located on Route 9 right next to St. Joseph's Church. It's a large piece of property that wraps around a parcel with a house and that would be included in the development. The representative was talking 80,000sf retail and pharmacy and also possibly a phase 2 condominium project in the rear.

Inquiries

Ms. Buck informed the Board that she received an inquiry regarding someone wanting to construct a parking lot only in a commercial district. This has never come up before, but when this came up with the CVS, you can't have a commercial parking lot in a residential district to serve a commercial use. This would be in a commercial district, BR-1, that allows a range of light industrial and commercial uses.

Mr. Wright noted this being an impervious surface and the concern with Stormwater. Ms. Buck said this would be a satellite parking lot for one of the colleges in Worcester. She spoke with the Zoning Enforcement Officer, who didn't know and he suggested running it by the Planning Board.

Mr. Grimshaw asked if someone applied. Ms. Buck said no, it was just a question, because it was not listed in the bylaws as a use.

Ms. Nist asked how something like that would fit into the new parking regulations, also the difficulty from any vehicle just parking there. She felt it would be hard to regulate. Mr. Wright agreed.

Ms. Friedman said it would be interesting to see how the Board would be able to insure that it will just be parking for the college and not tractor-trailer trucks, etc.

Ms. Buck said it would require Site Plan Review because anything over 10 parking spaces would go before the Board.

After some discussion, all agreed more review was needed.

Quarterly Report

Ms. Buck distributed her quarterly report.

Vacation Request

MOTION: Ms. Nist moved to approve Ms. Buck's request for the week of August 5th to the 9th.

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

Mill Street Mill

Ms. Buck received an inquiry regarding an interest on reuse of the old brick Mill located on Mill Street in Rochdale. There is an informal meeting set up with the interested developer in mid-July.

Mr. Grimshaw asked for any further comments or concerns; hearing none, asked for a motion to adjourn.

MOTION: Mr. Wright moved to adjourn

SECONDED: Ms. Nist – Discussion: None

VOTE: All in Favor

Meeting adjourned at 9:15PM

Respectfully submitted,

Barbara Knox

Barbara Knox

Documents included in mailing packet:

- Agenda of 7/9/2013
- Memo to the Board from Ms. Buck dated July 3, 2013
- Revised draft Parking Regulations dated 4/25/2013, revised through 7-1-2013
- Letter from Mark Allen from Allen Engineering to Planning Board dated 5-23-2013 (Project Narrative)
- Letter from Mark Allen from Allen Engineering to Planning Board dated 5-23-2013 (Special Permit & Waiver Request Letter)
- Comments on 1603-1605 Main Site Plan Review/Special Permit application:
 - Kevin Quinn letter dated 6/18/2013
 - Boards/Department comments: Highway Department 6/4/2013, Police Department 5/31/2013, Historical Commission 6/5/2013, and Zoning Enforcement Officer 6-4-2013
- Site Layout and Parking Plan for 1603 & 1605 Main Street (Sheet 3 of 10), prepared by Allen Engineering, LLC and dated 5/23/2013
- Minutes of 5/15/2013
- Minutes of 6/4/2013
- Master Plan Recommendations dated 7/2013
- Open Space Plan Action Plan dated 7/2013

Documents submitted at meeting:

- Quarterly Report (April 1, 2013 – June 30, 2013)

Approved at the August 13th meeting.