

Leicester Planning Board Meeting Minutes
October 22, 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: October 22, 2013

MEETING TIME: 6:00 pm

AGENDA:

- 6:00PM Executive Session:
(MGL.Ch.30 Section 21.3 – to discuss strategy with respect to litigation)
- 7:00 PM Town Planner Report:
A. Medical Marijuana Facility Update
B. Budget
C. Miscellaneous Project Updates
- 7:15PM Public Hearing:
Proposed Zoning Map Amendment, 100 Clark Street (HB-2 to SA)
- 7:30PM Approval of Minutes:
10/2/2013

Mr. Grimshaw called the meeting to order at 6:00PM

Executive Session

MOTION: Mr. Wright moved to go into Executive Session under Mass General Law Chapter 30A, Section 21(a)3, to discuss strategy with respect to collective bargaining or litigation

SECONDED: Ms. Nist – Discussion: None

POLL VOTE: Mr. Grimshaw-Aye; Ms. Friedman-Aye; Ms. Nist-Aye; Mr. Wright-Aye; Mr. Menard-Aye.

MOTION: Mr. Wright moved to adjourn from Executive Session

SECONDED: Ms. Nist – Discussion: None

POLL VOTE: Mr. Grimshaw – Aye; Ms. Friedman – Aye; Ms. Nist – Aye; Mr. Wright – Aye; Mr. Menard – Aye.

Mr. Grimshaw called the meeting to order at 7PM

Town Planner Report

A. Medical Marijuana Facility Update

There was a staff meeting held with a representative of the proposed facility, the Building Inspector, the Fire Chief and Ms. Buck. Everyone there felt there were no major issues because the previous business in that building (a corrugated cardboard business) already had an extensive fire system installed.

The parking issue was still unclear. Though it does appear that there will be enough room, the applicants will need to document that. Ms. Buck told the applicant that they should draw out the parking area and figure out if the site has the required number of spaces. If a waiver is needed, he should contact the Planning Office.

Ms. Friedman asked if, at this meeting, it sounded like this business will happen. Ms. Buck said yes and they were looking at more than one site in the area, so there possibly could be two growing sites happening.

B. Budget

The Town Administrator has been meeting with individual department heads to discuss budgets. There have been several non-salaried staff hours reduced in several offices. So far, the Planning budget is okay.

In terms of the budget for the Open Space Plan, the Conservation Commission discussed it at their meeting last week and had a few questions, so they continued it to their November meeting. Ms. Buck noted that she needed to get back to the Conway School by the end of October. She said one option, if Conservation doesn't go along with this, is taking extra funds from the Planning Board's Budget in Office Supplies, Training, Printing and Membership budget lines and that should cover the shortfall, but hopefully Conservation will agree to contribute.

Ms. Friedman suggested still scheduling the Conway School, because they need to know by the end of this month. She felt that the worst-case scenario would be, at the end of fiscal year, going to the Advisory Board asking for the extra money needed. Ms. Buck said she would still like to get Conservation to contribute. Ms. Friedman agreed because Conservation should contribute.

Ms. Buck said Conservation apparently asked if there were any grant funding to prepare the plan, but Ms. Buck is unaware of grants for this purpose. Conservation also asked about potential grants that require a complete Open Space Plan for eligibility. Completion of the plan does make the Town eligible for grants [LAND and PARK grants], but Leicester has been unable to apply in recent years because of significant matching requirements. Our last Open Space plan made the Town eligible for grant funding for Hillcrest.

Ms. Buck noted that she will be attending the next Conservation Commission meeting and make her case because this will benefit Conservation's Open Space issue and she felt it was not unreasonable to ask them to contribute.

Mr. Wright asked if she would approach the Selectmen's Office if Conservation didn't go along with this. Ms. Buck said since the last meeting, the Town Administrator has been completely tied up with budget and Town Meeting issues.

Ms. Friedman said even if Conservation doesn't contribute, to schedule the Conway School.

C. Miscellaneous

1. *Davis Self Storage*

Randy Davis, who got a special permit for storage units around 9 years ago, wants to add additional storage units. He was not very happy to hear that he had to come back before the Planning Board for the additional units.

Around 5 to 6 years ago, the Planning Board authorized Mr. Davis to put a small industrial building inside the gated area without the Board's review, because it wasn't a special-permitted use and it fell below the site plan review threshold. However, rental storage units require a special permit and there is no way around the permit process. Ms. Buck noted that some of the

more detailed requirements could be waived, because he had already gone through a Site Plan Review process (such as a new drainage report).

2. *Boutilier Estates*

A Preliminary Plan for Boutilier Estates may be submitted soon.

3. *Cedar Meadow Estates/Stone Ridge Drive*

There have been a number of inquiries regarding lots on Stone Ridge Drive that are for sale. This development is a 20 year old subdivision called Cedar Meadow Estates, which was rescinded by the Board back in 1999. Ms. Buck noted that the lots that are for sale were not buildable, unless someone submits a new subdivision plan and builds the road.

4. *Community Development Block Grant*

Concerning the CBDG strategy, the representative from the Pioneer Valley Planning Commission wants to be on the Board's next agenda, November 5th. The State is changing their requirements for the Community Development strategy, so that a hearing is no longer required in Leicester.

5. *Carey Hill Estates*

Mr. Wright asked if any information was received regarding the road acceptance at Carey Hill Estates. Ms. Buck said the As-Built Plans were received yesterday and she received additional documents today from Attorney Kiritsy, who is representing the developer. This item will be added to the next meeting agenda to finally close out this project.

Approval of Minutes

10/2/2013

MOTION: Ms. Friedman moved to approve the minutes of 10/2/2013 with noted corrections.

SECONDED: Ms. Nist – Discussion: Mr. Grimshaw noted two typo corrections, both on page 3.

VOTE: 4–In Favor / 1–Abstention (Mr. Menard)

Public Hearing

Proposed Zoning Map Amendment, 100 Clark Street (HB-2 to SA)

Mr. Grimshaw read the notice into the record then opened the hearing for discussion.

Ms. Buck said this request is pretty straightforward; it's a request from the property owner. A hearing was attempted last month, but there was an error in the posting, so the hearing was re-scheduled to tonight. This is a request to rezone one property that is split between two districts and making it all in one district.

Mr. Menard noted a typographical error in the Planning Board Report; in the second line of the article, it reads 100 *Clerk* Street instead of *Clark* Street.

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

Mr. Kevin Hesselton said the only follow-up was for him to provide a letter, after the initial hearing, to the Board requesting the change.

Ms. Sandy Wilson said that property will be taken out of the HB-2 district, correct? Mr. Grimshaw said yes. Ms. Wilson asked what does that do if someone wants to buy Reynolds Garage in 5 years and put in a commercial business. Then they find there wouldn't be enough

room for the setbacks abutting into a residential area. She asked if there were houses between this property and Reynolds. Ms. Friedman said yes, one.

Ms. Wilson said then someone would have to buy both properties to not be affected by the change. Ms. Friedman agreed.

Ms. Buck said she received an inquiry from the Selectmen's Office asking if this change would affect the proposed development at 143 Clark Street where the Medical Marijuana Facility is being proposed. After she reviewed the area, the proposed change was not close enough to 143 Clark to affect that parcel. That parcel would still be abutting a commercial district, although the back part of 143 Clark is already in a residential district and the setbacks would apply, except they are coming in under the agricultural exemption.

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

MOTION: Ms. Friedman moved that the Planning Board recommend approval of Article 9 at the Special Town Meeting.

SECONDED: Mr. Wright – Discussion: None

VOTE: All in Favor

Ms. Buck explained the process that at Town Meeting a 2/3rd vote is needed to pass and that the Amendment also needs approval through the Attorney General's Office in order for the change to become law.

MOTION: Mr. Wright moved to adjourn meeting

SECONDED: Ms. Nist –Discussion: None

VOTE: All in Favor

Meeting adjourned at 7:30PM

Respectfully submitted:

Barbara Knox

Barbara Knox

Approved by the Planning Board on December 3, 2013

Documents included in mailing packet:

- Agenda
- Memo to the Board from Ms. Buck dated 10/16/2013
- Town Planner Report, 1st Quarter FY2014
- Planning Board Town Meeting Report regarding Zoning Article 9
- PB minutes of October 2, 2013

Documents submitted at meeting:

- None