

April 29, 2019

Leicester Zoning Board of Appeals
Leicester Town Hall
3 Washburn Square
Leicester, MA 01524

Attention: Vaughn Hathaway, Chairman
Subject: Submission of revised plan and supporting information
Reference: 86 Willow Hill Road (parcel A), Map 24A Parcel A49, Special permit application

Dear Vaughn and Board Members:

Please see the enclosed revised Site Plan, dated 4-29-19. We have revised this Site Plan to move the proposed house for this lot further to the right, and we have added a drainage swale to divert much of the water that now causes wet conditions for the homeowner at the existing home at 92 Willow Hill Road. This proposed drainage swale will also help to reduce the water bothering the homeowners at 80 Willow Hill Road. This will greatly benefit the homeowners of 80 and 92 Willow Hill Road, and it will further ensure that no water from the proposed house site will bother the abutters on Monterey Street or Willow Hill Road. This newly proposed drainage ditch will direct all the runoff to the existing large drainage ditch located on the east end of this property.

Please note that the revised Site plan also shows a proposed fifty-foot-wide, "No Disturb Zone". This deed restriction is to provide for a no disturb buffer zone between the proposed house and the abutters. This will ensure that a minimum of fifty feet of the existing woodland and bushes, that exist in this area, will remain undisturbed. This will serve as a buffer zone between the new home and the existing neighbors. We agree to print this site plan on mylar and record it at the Worcester County Registry of Deeds. This plan describes the metes and bounds of this no disturb zone. We also agree to place language in the deed for this property stating that this no disturb area is to remain in a natural state forever. Note that our site plan shows an area inside the no disturb zone for the proposed house and lawn site of more than 40,000 square feet.

Please note that we could not relocate the proposed driveway because the Reduced Frontage Lot regulation requires that the proposed driveway "access must be across the front of the lot." We also agree to print this Site Plan on mylar and record it at the registry of deeds. Please note that this site plan shows the bearings and distances of the proposed no touch zone.

Regarding the letter prepared by your Town Council, Amanda Zuretti, she points out that you can legally approve or deny this application. She recommends that you review the facts of the case and decide if the proposed construction of the proposed house will have an "adverse effect on the neighborhood".

Following are some "Findings of Fact". We hope they help you with your decision.

1. The best use of this property would be a single-family house. The property is surrounded mostly by single-family houses and it is zoned R1 for single family houses.
2. This lot is 2.39 acres of land, which is more than twice as large as abutting lots and more than twice as large as required in an R1 zoning district, which requires just 40,000 square feet of lot area.
3. This lot meets or exceeds all other dimensional requirements for said R-1 zoning district. This lot and the subsequent development of a single-family home on it, will not change the character of the landscape of the neighborhood as this use will be consistent with the existing rural residential area.
4. There will be no anticipated additional noise or light pollution nor significant increase in vehicle or pedestrian traffic that would adversely affect the neighborhood.
5. The proposed "No Disturb zone" will provide a fifty-foot-wide buffer of undisturbed natural foliage, and it will preserve this area forever.
6. The proposed lot meets all the requirements stated in the Reduced Frontage Lot by-law. It has fifty (50) feet of frontage, is fifty(50) feet wide for its access, has the driveway proposed across its access, and the proposed driveway, which is proposed to be 360 feet long, is less than the 500 feet allowed, as cited in the "Reduced Frontage Lot" by-law.
7. The abutters on Monterey Street live on lots that are physically higher than the subject lot, and do not, and will not receive any runoff from the subject lot. Please refer to the topographical plan I submitted to you at the last meeting. Also, refer to the Oliver GIS plan attached to this letter.
8. The proposed drainage swale will greatly help to reduce the amount of water that now runs downhill to the homes at 80 and 92 Willow Hill Road. It will also divert all runoff from the proposed house site to the existing large drainage ditch on the east side of the subject lot. This drainage ditch flows harmlessly under Willow Hill Road and to Kettle Brook and does not enter the existing pond located behind the homes at 83 and 93 Willow Hill Road. Please also see the attached Oliver GIS map which shows the wetland behind the homes of 83 and 93 Willow Hill Road.
9. Clearly a single-family home, as proposed, will be the best use of this property. It is consistent with the surrounding residential character of the neighborhood.

10. Please note that all Worcester County Planning Boards require that the phrase "not a buildable lot" be placed on all proposed undersized parcels on proposed ANR plans. The Planning Board reviews each ANR plan to determine if each proposed lot has enough frontage and area as required by zoning. If that phrase is not typed on the undersized proposed parcel on the ANR plan, the Planning Board will not sign the plan. This phrase was correctly added to the proposed ANR plan for this property. It was never indicated to the Planning Board that this lot was never to be built upon. In fact, I had met with the Leicester Town Planner, Michelle Buck, when I submitted the ANR plan to her and asked her about the "Reduced Frontage Lot" provision in the Leicester Zoning By-law. We discussed the provisions of that bylaw the day that I submitted the ANR plan. There was never any intent to deceive the Town Planner or the Planning Board, and there was never any intent to indicate that this lot would never be built on. Also, we often leave parcels with fifty feet of frontage, for future subdivisions. We always type the phrase "not a buildable lot" on those parcels with only fifty feet of frontage. Sometimes those parcels contain more than twenty acres of land. Later, we submit the Definitive Subdivision Plans, and later, after the subdivision is approved, the new road and houses are built, all on the land that was previously noted as "not a buildable lot".
11. We also agree to print this Site Plan on mylar and record it at the registry of deeds. Please note that this Site Plan shows the bearings and distances of the proposed no disturb zone.
12. The driveway, as proposed, meets the by-law requirement to be located on its own lot, and it is far from the existing wetlands, which will protect the wetlands.
13. We are currently providing fifty (50) feet of existing natural woodland for screening to the neighbors and are willing to provide additional screening if requested.

Please contact us if you have any questions or desire any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Norman G. Hill, P.E.", written in a cursive style.

Norman G. Hill, P.E.

