



LAND PLANNING, INC.

Civil Engineers • Land Surveyors • Environmental Consultants

May 10, 2019

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

Attention: Vaughn Hathaway, Chairman
Subject: Submission of application for Variance
Reference: 1762 Main Street, Leicester, MA, proposed parking lot

RECEIVED
2019 MAY 16 AM 10:14
TOWN PLANNING, INC.
LEICESTER, MASS.

Dear Vaughn and Board Members:

We hereby apply for a Variance for a proposed parking lot as shown on the attached Plot Plan and Site Plan. This lot is zoned HB-1. Zoning for this lot requires a fifty-foot front yard setback for all structures. Parking lots are not structures. However, Section 5.5.02.1 A 2. of the Leicester Zoning By-laws States that "all parking shall be located to the rear of the required front setback". We are seeking relief from this section of the by-laws, to allow the proposed parking lot to be twenty feet from the front property line.

Please find enclosed a copy of a memorandum from the Leicester Town Planner, Michelle Buck. In her memorandum she states that "parking is prohibited in the 50-foot front setback".

This lot currently has an old home on it. Our client proposes to demolish the old home. The existing home is only 8.4 feet from the front lot line. The lot has wetlands on the back half of the lot. The lot abuts Main Street to the west, and Route 9 to the south. The lot slopes downward gently from Main Street, and then drops steeply to the wetlands. The Leicester Conservation and the Department of Environmental Protection will not allow any wetlands to be filled for a new parking lot. Also, building a parking lot on the steep portion of this lot is not feasible.

Please see the enclosed Plot Plan and Site Plan which show the proposed parking lot and the proposed landscaping. This proposed parking lot is far away from any residential abutting homes. There is a self-storage facility directly across Route 9 from the proposed parking lot, and the Town of Leicester owns the vacant parcel across Main Street to the west. To the east of the proposed parking lot, there is an existing residential home, but there are more than 200 feet of woods and brush separating the home to the east from this new lot. There is also a home across the street from 1764 Main Street, to the north west of the proposed parking lot. That home is about one hundred- and sixty-feet from this proposed parking lot. The proposed landscaping for this parking lot will mostly screen that home from this proposed parking lot.

We believe that the construction of this parking lot and its proposed landscaping, will greatly improve the appearance of this property. It will result in the removal of the existing old home, and the planting of many attractive landscape plants.

Following are some "Finding of Facts". We hope they help you with your decision.

214 Worcester Street
North Grafton, MA 01536
Tel: 508-839-9526
Fax: 508-839-9528

167 Hartford Avenue
Bellingham, MA 02019
Tel: 508-966-4130
Fax: 508-966-5054

1115 Main Street
Hanson, MA 02341
Tel: 781-294-4144
Fax: 781-293-4111

- 1 The proposed parking lot cannot be built further back on this lot because of the wetlands and steep slope to the east of the proposed parking lot. Also, the proposed storm water management facilities need to be built between the parking lot and the wetlands.
- 2 The hardship for this variance request is caused by the wetlands and topography of the land. The attached site plan shows the wetlands and the steep slope approaching the wetlands.
- 3 The proposed commercial parking lot is a use which is consistent with the HB-1, commercial zoning.
- 4 The best use of this property would be the proposed parking lot. The proposed parking lot will be used by the customers of the Cultivate facility next door at 1764 Main Street.
- 5 This parking lot's proposed landscaping will screen it from the neighbors and from the travelers on the abutting roads.
- 6 This lot meets or exceeds all other dimensional requirements for said zoning district.
- 7 This lot, and the subsequent development of the proposed parking, will not change the character of the landscape of the neighborhood, as the proposed landscaping will screen the parking lot from view by the abutters and by the travelers of the abutting streets.
- 8 There will be no anticipated additional noise or light pollution nor significant increase in vehicle or pedestrian traffic that would adversely affect the neighborhood. The traffic past 1164 Main Street on Main Street will be greatly reduced, because Cultivate customers will be able to park in this new parking lot rather than having to drive to the remote parking lot located much further down Main Street.
- 9 We believe that the construction of this parking lot and its proposed landscaping, will greatly improve the appearance of this property. It will result in the removal of the existing unsightly old home, and the planting of many attractive landscape plants.
- 10 The demolition of the old home will increase the value of the abutting properties.

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

Sincerely,

A handwritten signature in black ink that reads "Norman G. Hill, P.E." in a cursive script.

Norman G. Hill, P.E.

Leicester Zoning Board of Appeals

PERMIT TYPE: ☐ Special Permit ☒ Variance

Date: 5-10-19

Owner Information			
Owner Name:	Topnotch Realty Corporation		
Owner Signature:	<i>[Signature]</i>		
Address:	200 Pine Street, Leicester, MA 01524		
Phone:	617-698-3719	Fax:	
Email:	lallyrob@gmail.com		
Applicant Information			
Applicant Name:	Sam Barber		
Applicant Signature:	<i>[Signature]</i>		
Address:			
Phone:	617-698-3719	Fax:	
Email:	lallyrob@gmail.com		
Project Information			
Project Address:	1762 Main Street, Leicester, MA	Zoning District:	HB-1
Assessors Map & Parcel #	17 B 10	Deed Reference (Book & Page):	Bk 32332 Pg 120
Applicable Zoning Bylaw Section(s):	5.5.02.1 A 2.		
Brief Description of Application:			
<p>Owner wants to build a new parking lot 20 feet from the front property line, at its closest point. Please see the attached Certified Plot Plan and Site Plan. This property is zoned HB-1, which requires a 50 foot setback for all structures. The parking lot is not a structure. But section 5.5.02.1 A 2 states: "All parking shall be located to the rear of the required front setback"</p>			
State Briefly Reasons for Variance or Special Permit:			
<p>The locus property has wetlands on the back of the property, which cause the parking lot to be built as proposed. The Leicester Conservation Commission, and the Department of Environmental Protection will rightfully not allow any wetlands to be filled. Please note that the proposed Site Plan complies with all other Leicester Zoning Bylaws. Also, please note that the site plan also shows a 20 foot wide landscape buffer along the front lot line.</p>			

Attach additional pages as necessary to fully describe the application.