



TOWN OF LEICESTER ZONING BOARD OF APPEALS

LEICESTER, MA 01524-1333

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www.leicesterma.org

The Zoning Board of Appeals of the Town of Leicester, Ma. will hold a public hearing on **Wednesday, March 8, 2017** at 8:00PM in Room 3, Bottom Floor, Town Hall, Washburn Square, Leicester, Ma. on the petition of the Town of Leicester by Kevin Mizikar, Town Administrator, 30 Washburn Square, Leicester, MA for a Special Permit to render approximately 75% of the lot impervious for the proposed expansion of the existing Town Library on property located at 1136 Main Street, Leicester, MA

All those wishing to express their opinion on this petition are urged to attend this meeting or express their views in writing to the Board of Appeals no later than March 8, 2017

PLEASE RUN IN THE WORCESTER TELEGRAM

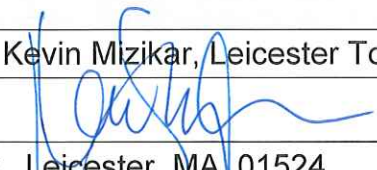
WEDNESDAY, FEBRUARY 22ND, 2017 AND WEDNESDAY, MARCH 1ST, 2017

David Kirwan, Chair
Leicester, ZBA

Leicester Zoning Board of Appeals

PERMIT TYPE: ☒ Special Permit ☐ Variance

Date: 2/14/2017

Owner Information					
Owner Name:		Town of Leicester			
Owner Signature:					
Address:		3 Washburn Street Leicester, MA 01524			
Phone:	(508) 892-7000	Fax:	(508) 892-7070	Email:	mizikark@leicesterma.org
Applicant Information					
Applicant Name:		Kevin Mizikar, Leicester Town Administrator			
Applicant Signature:					
Address:		3 Washburn Street Leicester, MA 01524			
Phone:	(508) 892-7000	Fax:	(508) 892-7070	Email:	mizikark@leicesterma.org
Project Information					
Project Address:		1146 Main Street		Zoning District:	B/RB
Assessors Map & Parcel #	Map 19B Lots 30 & 30A		Deed Reference (Book & Page):	Book 1460 Page 557	
Applicable Zoning Bylaw Section(s):		7.1.05			
Brief Description of Application:					
<p>The town would like to renovate and expand the existing library at its current location. The proposed work includes the complete renovation and full handicap accessibility for the historic library and the construction of a new 8,500 sf addition and a new 31-space parking area to the north of the existing structure. Beneath this area is proposed a new storm water detention system that will both reduce the total amount of discharge to below current levels while substantially increasing the water quality of the discharge by means of a catchment system with an oil/gas separator. The existing building and parking area currently exceed the 30% maximum coverage within the Water Resource Protection Overlay District (WRPOD), but the new building, new drive and parking area (if allowed to be bituminous paving) will cover approximately 78% of the total lot area. Therefore the project is seeking relief from the coverage requirements of the WRPOD.</p>					
State Briefly Reasons for Variance or Special Permit:					
<p>The proposed design will render approximately 75% of the lot impervious. This increase of the nonconformance with regards to Section 7.1.04 requires a Special Permit under Section 7.1.05 Use Regulations which states that... "any use that is made nonconforming by the adoption of this section may continue, provided, however, that any change, alteration reconstruction, expansion or enlargement of such use is subject to a special permit from the Board of Appeals. In considering special permit applications for the expansion of nonconforming uses under this section, the Board of Appeals shall not grant a special permit unless it finds that the proposed expansion will not be substantially more detrimental to groundwater supplies than the existing use."</p> <p>Lot size - 35,575 sf Impervious - 26,722 sf 75% Planted - 8,853 sf 25%</p>					

Attach additional pages as necessary to fully describe the application.

Site Plan Review/Special Permit Application

1) General description of the proposed project

The existing library is currently sited at 1136 Main Street and has been since it was built in 1895. But as the town has grown larger around it, the needs for the library have also grown, and have now exceeded the limits of the existing facility. The project will completely renovate the existing building – modernizing the mechanical, electrical and life safety systems and improving accessibility – while also adding an accessible entrance, elevator and emergency stair. The site will also be improved by the creation of a new two-way drive off of Route 9 and a new parking lot with 31 spaces including accessible ones.

The project has been designed to maintain and restore as much of the historic building as possible, keeping the historic windows and going to great lengths to preserve the beautiful interior finishes. The addition will connect to the existing building along the north wall and extend approximately 50 feet to the north. The exterior massing will mimic the old building with the roof pitch and eave heights matching, but the body of the building will be brick masonry with some stone accents instead.

The project is partly funded by the Massachusetts Board of Library Commissioners who have reviewed the project and whose financial support is based on the project meeting their standards for library construction. Those requirements include necessary space for collections, the need for suitable parking, accessibility and adequate space for projected library needs.

While the proposed project complies with all of the dimensional requirements stipulated in the zoning by-laws including setbacks and building coverage, the project will be seeking a variance/special permit to allow the project to exceed the impervious coverage limit. In order to mitigate the impact of that coverage the project has been designed with an engineered subsurface storm water detention system. As a result, upon completion discharge to the abutting properties will not only be reduced from its current volume, but the addition of catch basins and gas/ oil separators will improve the water quality of that discharge considerably.

2) Description of permits & approvals for other agencies

MBLC - Construction grant review & approval
MAAB - Variance for reuse of historic entry
Mass DOT - Approval for curb cut alteration on State Route 9
Leicester Conservation Commission - Order of Conditions
Town of Leicester - Building Permit

3) Proposed development schedule

The Leicester Public Library is planning on moving out of its current facility in mid- January 2017 and beginning construction in the spring of 2017.

- January 15, 2017 - Move out date
- May 15, 2017 - Construction Start Date
- September 1, 2018 - Construction Completion

Special Permit

b) Document finding of fact

The existing library has been located at 1136 Main Street since it first opened in 1895. The existing property currently exceeds the requirement to not render impervious more than 15% or 2,500 square feet of any lot, but not greater than 30% of any lot within the Water Resource Protection Overlay District (WRPOD) as required in Section 7.1.04(2)(a) of the Zoning Bylaw for Leicester, as amended through May 5, 2015, a condition that is quite common for properties (at least 26 lots just between the lights) located in the Central Business (CB) District all of which are also in the WRPOD.

The proposed design will render approximately 75% of the lot impervious. Currently the site is 31% impervious with no means of collection, treatment or attenuation of site stormwater. This increase of the nonconformance with regards to Section 7.1.04 requires a Special Permit under Section 7.1.05 Use Regulations which states that... “any use that is made nonconforming by the adoption of this section may continue, provided, however, that any change, alteration reconstruction, expansion or enlargement of such use is subject to a special permit from the Board of Appeals. In considering special permit applications for the expansion of nonconforming uses under this section, the Board of Appeals shall not grant a special permit unless it finds that the proposed expansion will not be substantially more detrimental to groundwater supplies than the existing use.”

Under the proposed project, a stormwater collection system will be installed under the new parking lot north of the proposed building addition. Stormwater runoff will be collected by deep sump catch basins, which will be conveyed by underground pipe to hydrodynamic stormwater quality structures similar to Stormceptor STC units and discharged to a subsurface detention bed consisting of solid 36” high density polyethylene (HDPE) pipe connected at either end with a manifold for even distribution throughout the system. The subsurface detention bed serves to attenuate the peak runoff rates from the increased impervious cover associated with the project. As indicated in the Stormwater Drainage Analysis prepared by Garcia, Galuska, DeSousa, Inc. dated January 20, 2017, peak runoff rates under the proposed conditions for the 2, 10, 25 and 100 year storm events were reduced below the existing condition. The runoff rates are control by an outlet control structure located at the north end of the subsurface detention bed with an internal weir plate. The outlet control structure is also equipped with a sluice gate to “allow for shutdown and containment where appropriate to isolate the system in the event of an emergency spill or other unexpected event” as required by the MassDEP Stormwater Handbook as required within a MassDEP Zone II recharge area.

The proposed deep sump catch basins and water quality structure have been calculated to remove approximately 81% of the Total Suspended Solids (TSS) from the collected runoff prior to discharging towards the resource area north of the site. The catch basins and water quality structure also provide for the separation and sequestration of oils/hydrocarbons to prevent discharges to the resource area.

While required per Section 7.1.04(2)(a) of the Zoning Bylaw, artificial recharge of runoff not feasible on the site. Multiple hardships on the site existing and are further discussed below:

Test pits were conducted in the area of the proposed detention facility to determine the seasonal high groundwater elevation. One pit, TP#101 was performed just to the north of the existing parking lot. That test pit was excavated to elevation 919.0. While no groundwater or indicators of previous high groundwater was observed, rubble fill and construction debris was observed to the bottom of excavation. A second test pit, TP#102 was completed at the bottom of the parking lot slope. Redoximorphic features, which are indicators of the seasonal high groundwater elevation, were observed at elevation 916.0. Standing water was observed at elevation 914.1. The ground elevation at the limit of the wetland resource area was surveyed at, or around elevation 912.1 and 912.8. The bottom of the proposed subsurface detention bed is at elevation 913.0, which puts the system within the seasonal high groundwater table. MassDEP requires a minimum of 2 feet of separation between the seasonal high groundwater table and the bottom of infiltration structures. The detention system is proposed with water-tight joints to prevent groundwater intrusion. Buoyancy has been reviewed and adequate soil over the detention system has been provided to mitigate uplift.

Soil maps from the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) were examined and delineated on the site. The majority of the site consists of Paxton and Scituate Fine Sandy Loam, which is a Hydrologic Soil Group (HSG) 'C' soil, which are poor draining soils. The MassDEP Stormwater Handbook indicates that infiltration to HSG 'C' and 'D' soil only needs to be done to the maximum extent practicable. The north end of the property is mapped as Canton Fine Sandy Loam, which is a Hydrologic Soil Group (HSG) 'A' soil, which is well drained. However, groundwater is an issue in the area of these soils.

An analysis of alternate infiltration locations was completed with a focus on the south, east and west portions of the site. Applying setbacks prescribed in the MassDEP Stormwater Handbook (10 feet to property lines, 20 feet from foundations), the south and east portions were eliminated from the potential infiltration areas. The west driveway was reviewed by found infeasible due to the proposed utilities in the area.

Further detail on the proposed stormwater collection system is documented in the Stormwater Drainage Analysis prepared by Garcia, Galuska, DeSousa, Inc. dated January 20, 2017.

The careful and considered reuse of a beloved building in the heart of Leicester's business district is certainly within the spirit and intent of the zoning bylaws. It is in keeping with the adjacent character of the neighborhood, and will insure that the library serves the town for at least another 100 years. For these reasons the applicant is seeking a Special Permit under section 7.1.05.

c) List hardships on land or property

- High groundwater table.
- Majority of the site consists of Hydrologic Soil Group (HSG) 'C' soil (poor drainage characteristics).
- Portions of the site where infiltration may be feasible do not meet dimensional setbacks as prescribed by the MassDEP Stormwater Handbook.

d) Document the reasons why the variance/special permit should be granted

The library has been at this location for over 100 years well before the adoption of the WRPOD and since it was built cars have become quite popular and its use has increased. The current drive and parking is inadequate and potentially dangerous. Providing adequate parking and safer vehicular flow is an important goal of the project. The continued successful use of the library is right in line with the intent of the zoning bylaws. The project is certainly in keeping with the commercial development in the CB where other municipal facilities like the town hall and fire station are also located.

Even though the proposed project will increase the percentage of impervious coverage on the lot, the handling of the storm water will be improved by both reducing the actual run-off rate from current levels and by improving the water quality of that runoff through the use of deep sump catch basins and water quality structures oil and gas separators in conformance with the DEP standards for storm water management. This has been successfully done on several lots nearby.