

**ZONING BOARD OF APPEALS
MEETING MINUTES
December 2, 2020**

[Note: This meeting was held remotely using GoToMeeting]

Members Present: Jim Reinke, Chair; Jim Buckley, Vice Chair; Vaughn Hathaway; Kurt Parliment

Members Absent: N/A

Alternate Members Present: Richard Johnston

Staff Present: Michelle Buck, Town Planner, Tiffany Peters, Department Assistant

Meeting Time: 6:00PM

Agenda:

1. **Public Hearing, Special Permit**
25 Pleasant Street, two-family dwelling in Water Resources Protection Overlay District, Applicant: Stephen W. Hart
2. **Approval of Minutes:**
 - October 28, 2020
3. **Correspondence/General Board Discussion:**
 - Applications for ZBA Membership
 - Miscellaneous Updates
4. **Adjourn**

Mr. Reinke called meeting called to order at 6:06PM

Voting Members: Jim Reinke, Chair, Jim Buckley, Vice Chair, Vaughn Hathaway, Kurt Parliament, Richard Johnston

25 Pleasant Street, Special Permit

Mr. Reinke opens the Public Hearing. Mr. Hathaway states that this hearing is for two Special Permits which are for a two-family dwelling and to exceed the impervious area limit under the Water Resources Protection Overlay District at 25 Pleasant Street.

Mr. Stephen Hart, the applicant and project developer, is present. He states that the property owner is Oxford Deleading, Inc. and that the President of that company Ron Rheault agrees with the proposed activity. They are proposing to add a driveway so that there is a zero-lot line structure and two separate deeded properties. He states that there is no common ownership or master deed proposed. The property will be divided into two separate deeded parcels. Ms. Buck asks for clarification regarding splitting the parcels as she states the parcel cannot be divided. Mr. Hart states that the division of ownership would strictly be in the deed but that the parcel itself would not be divided.

Mr. Hart states there may be an easement for electrical service. He states that CULTEC Stormwater Management System has not been firmly designed yet because he is waiting for his submittal response from Quinn Engineering. The response from Quinn Engineering was

received today and Ms. Buck states that Quinn Engineering determined that the applicant's submittal adequately met the requirements of the bylaw.

After discussion, the Board decides to proceed with the two Special Permits for this applicant with a single vote and decision.

Mr. Hathaway asks for further explanation from the applicant regarding the handling of the extra impervious soil. Mr. Hart states that there are two asphalt driveways proposed which would have gravel drip edges. He states the entirety of the structure will have gutters and down spouts which will connect to the foundation perimeter drain and discharge into the proposed CULTEC system which is a recharge design and is located at the rear of the property.

Mr. Johnston arrives at this time (6:20PM).

Mr. Hart states that CULTEC has a calculating system that uses the amount of rainfall from a 2, 5, 10- or 100-year storm and determine what type of system is needed. The calculation for this project was based on the calculation of a 2-year storm but that the CULTEC system can be engineered to meet any requirement set forth. Mr. Buckley states that he reviewed Quinn Engineering's response to the stormwater submittal and that it makes a point of saying that what needs to be addressed is the amount that is generated over the specified impervious area and that he does not have any issues with this.

The Board members agree that this application meets the criteria for the Special Permit. An abutter who is present, Catherine McCarty, of 48 Pleasant Street asks about the architectural design of the building and the size of the yard. The Board and the applicant address her concerns. Mr. Hart states there will be separate front yards for each owner and ample backyard space. Mr. Hart also states that façade of the property will blend into the neighborhood as it is designed to look like a colonial style building.

Motion: Mr. Hathaway moved to grant two special permits for having a two-family dwelling at 25 Pleasant street as well for increasing the amount of impervious area with the condition that it meets the requirements of Quinn Engineering

Second: Mr. Parliment

Discussion: None

Roll Call Vote: All in favor (5-0-0)

Motion: Mr. Johnston moved to close the hearing

Second: Mr. Parliment

Discussion: None

Roll Call Vote: All in favor (5-0-0)

Approval of Minutes:

October 28, 2020

Motion: Mr. Parliment moved to accept the minutes for October 28, 2020

Second: Mr. Johnston

Discussion: None

Roll Call Vote: All in favor (5-0-0)

Correspondence/General Board Discussion:

Applications for ZBA Membership

Ashlyn Coyle

Ms. Coyle reads a letter to the Board and has additional discussion with them explaining her qualifications and interest in being a member of the ZBA. She has lived in Leicester for two years and previously served as a City Council member while living in Texas. Ms. Coyle was appointed to the Capital Planning Committee on November 16th. Ms. Coyle would like to be a regular member of the Board.

Motion: Mr. Hathaway moved to recommend to the Select Board that they accept Ashlyn Coyle for a position on the Zoning Board of Appeals

Second: Mr. Parliment

Discussion: None

Roll Call Vote: All in favor (5-0-0)

Paul Bennett

Applicant did not attend the meeting. The Board agrees that they would prefer that the applicant attend a meeting before they decide to make a recommendation to the Select Board for appointment.

Open Space & Recreation Plan Committee

Ms. Buck states that we received funding at Town Meeting for the Open Space Plan. A member of the ZBA is needed to participate on the Open Space & Recreation Plan Committee. Mr. Reinke and Mr. Parliament both volunteer to be on the committee.

Next Meeting Date: January 6, 2021

Motion to Adjourn: Mr. Johnston moved to adjourn

Second: Mr. Parliament

Discussion: None

Roll Call Vote: All in favor (5-0-0)

Meeting Adjourned at 6:57PM

Respectfully submitted,
Tiffany Peters, Department Assistant

Documents included in meeting packet or otherwise sent to ZBA in advance of the meeting:

- Agenda
- Public Hearing Notice for 25 Pleasant Street
- Special Permit Application for 25 Pleasant Street
- Letter to the Building Inspector from Stephen Hart dated 10/12/2020
- Letter from the Leicester Water Supply District regarding 25 Pleasant Street
- Site Plans for 25 Pleasant Street prepared by B&R Survey, Inc
- Plan of Property as recorded at the Registry of Deeds (plan book 142, plan 72)

- Proposed Duplex Construction Plans for 25 Pleasant Street
- Email from Stephen Hart to the Town Planner regarding the Water Resources Protection Overlay zoning district dated 10/20/2020
- Letter to the Town Planner from Stephen Hart dated 11/2/2020
- Proposed Schematic Storm Water Management Plan dated 11/2/2020
- Letter from Quinn Engineering, Inc. dated 11/18/2020 with review of the Storm Water Management Plan
- Letter to the Department Assistant from Stephen Hart dated 11/23/2020 with responses to Quinn Engineering's review
- Meeting minutes for 10/28/2020
- Citizen Volunteer Form for Paul Bennett dated 11/11/2020
- Citizen Volunteer Form for Kathryn Ashlyn Loges (Coyle) dated 11/09/2020
- Email from Kristen Forsberg to the Town Planner regarding ZBA member application dated 11/17/2020
- Memo to the Board from the Town Planner dated 12/2/2020
- Required Findings for ZBA Special Permits Form
- Water Resources Overlap Special Permit criteria
- Letter to the Board from the Building Inspector dated 12/2/2020

Documents submitted at meeting: None