

## **TOWN OF LEICESTER**

ZONING BOARD of APPEALS  
3 Washburn Square  
Leicester, MA. 01524  
(508) 892-7007  
www.leicesterma.org



## **ZBA Commissioners**

Jim Buckley, Chair  
James Reinke, Vice-Chair  
Kurt Parliment, Clerk  
Vaughn Hathaway, Member  
Richard Johnston, Alternate

# **Zoning Board of Appeals Meeting Minutes**

**Date:** March 29, 2023

**Time:** 6:00 PM

**Location:** Select Board Meeting Room

**Commissioners Present:** Jim Buckley, Jim Reinke, Vaughn Hathaway, Richard Johnston, Kurt Parliment

**Others Present:** Donna Main, Department of Inspectional Services Assistant

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## **Order of Business:**

### **1. Public Hearing, Special Permit(continued)**

651 Main Street (22-07), Special Permit for work withing the Water Resources Protection Overlay District (WPROD) Applicant: 651 Main Street, LLC

### **2. General Discussion/Miscellaneous**

### **3. Adjourn**

Mr. Buckley opens meeting at 6:15PM

### **1. Public Hearing, Special Permit (22-07) 651 Main Street**

Mr. Parliment Recused himself

David King Re-Max

Mr. King stated that he does not understand why this issue is still continuing and why he needed to appear at another meeting. He states that they have complied with every request by all of the boards. They have reduced the impervious area to 14.6% which is below the 15% allowable area. He referred to the Leicester Town by-law, 7.1.04.02

“Special Permit Uses The following uses are permitted in the Water Resource Protection District with the issuance of a Special Permit. The Special Permit Granting Authority for uses under this section shall be the Board of Appeals. a. the rendering impervious of more than 15% or 2500 square feet of any lot, but not greater than 30% of any lot; for uses with impervious areas greater than that specified by the By-Law, appropriate measures must be taken to insure that the increase in storm-water runoff (over that amount generated by a lot with the specified impervious area) must be artificially recharged into the ground water. This may be done through such methods as dry wells, infiltration trenches, retention basins, etc. Runoff from these areas shall include facilities

for trap- ping oil, gas and other contaminants before recharge into the ground. These facilities shall be maintained by the owner on an annual basis”

He stated that the way this by-law is written it is left to a lot of interpretation, particularly “the rendering impervious of more than 15% or 2500 square feet of any lot, but not greater than 30% of any lot”

He would like clarification on this because it seems impossible to determine what the right thing is to do. He would like to have this settled so that further actions by the investors does not need to be taken.

**Mr. Hathaway:** Suggested that we should get clarification from Town Council about the wording of the by-law

**Motion:** Mr. Hathaway seek council to clarify the by law and/or

**Second:** Mr. Reinke

**Discussion:**

**Vote: (4-0-1)**

Mr. Reinke asked if they could have their engineer delineate impervious road are and impervious building area before next meeting

**Motion:** Mr. Hathaway to continue to 4/26 6PM

**Second:** Mr. Reinke

**Discussion:** None

**Vote: (4-0-1)**

Mr. Reinke discusses meeting with the Town Administrators that he attended on March 29, 2023, regarding the Interim Town Planner.

**Motion:** Mr. Parliment made a motion to, as a commission to support the hiring of Planners in a Pinch as discussed with the Town Administrators

**Second:** Mr. Reinke

**Discussion:** None

**Vote: (5-0-0)**

**Motion:** Mr. Parliment made a motion to adjourn at 7PM

**Second:** Mr. Reinke

**Discussion:** None

**Vote: (5-0-0)**

**Meeting Minutes Respectfully Submitted by:**

**Donna K. Main, DIS Assistant**

Date Approved: April 26, 2023