

TOWN OF LEICESTER

ZONING BOARD of APPEALS
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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: December 28, 2022

Time: 6:00PM

Location: Leicester Town Hall, Meeting Room 3

Commissioners Present: Jim Buckley, James Reinke, Kurt Parliment, Richard Johnston, Vaughn Hathaway (remote)

Others Present: Alaa Abusalah, Town Planer/ Director of Inspectional Services

Order of Business

1. Public Hearing, Variance (continued), 11 Glen Ellen Lane (22-14)

Variance to construct a garage within the required side setback, Applicant: Matthew and Erin Waterman

2. Public Hearing, Variance (continued), 981 Main Street (22-11)

Variance for insufficient lot area, front and rear setbacks. Applicant Town of Leicester

3. Public Hearing, Variance (continued) 2 Flint Way (22-15)

Variance for insufficient lot area, side, and rear setbacks. Applicant: Town of Leicester

4. Public Hearing, Special Permit (continued), 651 Main Street (SP2022-07)

Special permit for work within the Water Resources Protection Overlay District (WRPOD).
Applicant: 651 Main Street, LLC

5. Public Hearing, Special Permit (continued), 42 Tobin Road (SP2022-08)

Special Permit for limited frontage. Applicant: Dandison Roberts

6. General Discussion/Miscellaneous

7. Adjourn

Mr. Buckley calls the meeting to order

1. Public Hearing, Variance, 11 Glen Ellen Lane (22-14)

Motion: Mr. Reinke, motion to deny without prejudice due to lack of communication and lack of completed application.

Second: Mr. Johnston

Discussion: None

Vote: Roll Call (5-0-0)

Motion: Mr. Reinke, motion to close the hearing

Second: Mr. Johnston

Discussion: None

Vote: Roll Call (5-0-0)

2. Public Hearing, Special Permit (continued), 42 Tobin Road (SP2022-08)

Applicant requested a continuance to January 25, 2023

Motion: Mr., Reinke, motion to continue the public hearing, special permit for 42 Tobin Road (SP2022-08) to 1/25/23 at 6:05PM

Second: Mr. Parliment

Discussion: None

Vote: Roll Call (5-0-0)

3. Public Hearing, Special Permit (continued), 651 Main Street (SP2022-07)

The project has been scaled back and may no longer need a special permit. Mr. Quinn from Quinn Engineering is doing a technical review now. They are scheduled to be in front of the Planning Board on January 4, 2023.

Motion: Mr. Reinke, motion to continue the public hearing for 651 Main Street (SP2022-07) to 1/25/23 at 6:10PM

Second: Mr. Parliment

Discussion: None

Vote: Roll Call (5-0-0)

4. Public Hearing, Variance (continued), 981 Main Street (22-11)

David Genereaux, Leicester Town Administrator addressed both items 4 and 5 as one.

The town is requesting that the property that 981 Main Street and 2 Flint Way occupy be split into two separate properties. The reasoning behind this is 981 Main St. needs significant renovations and the town would like to sell it to someone who could possibly restore the building. 2 Flint way most likely will be kept as town property, it has been used in the past by the town as a shelter and could be used in the future by the town. The Town feels that the property is more marketable as separate properties, not only in value but marketability.

If the lot is not split the 981 Main property would be of less than zero value to the town because the building would fall into disrepair and eventually have to be torn down. If the 981 Main Street property is sold and restored, it could stay a part of the Town Common area with the other historic homes.

Mr. Reinke states that the property was nonconforming when Becker College was using the property. Splitting the lot would make it more conforming.

An easement would have to be created for Flint Way for access to the properties on Flint way by the town and or anyone who might purchase the property.

Motion: Mr. Parliment to approve the Variance at 981 Main St.

Second: Mr. Johnston

Discussion: Mr. Reinke would like to add to the motion that an easement be created.

Vote: Roll call (5-0-0)

Motion: Mr. Reinke to close the hearing

Second: Mr. Johnston

Discussion: None

Vote: Roll call (5-0-0)

5. Public Hearing, Variance (continued) 2 Flint Way (22-15)

Mr. Reinke suggests possibly tabling this case so more research and planning can be done, where there is not a rush to make a decision.

Mr. Genereaux agrees that may be a good idea. It is going to take a lot to make Flint Way a legal road/street.

Motion: Mr. Johnston makes a motion to withdraw the application without prejudice

Second: Mr. Reinke

Discussion: None

Vote: Roll Call (5-0-0)

Motion To Adjourn

Motion: Mr. Johnston

Second: Mr. Reinke

Discussion: None

Vote: Roll Call (5-0-0)

Meeting Minutes Respectfully Submitted by:

Donna K. Main, DIS Assistant

Date Approved: April 26, 2023