



Planning Board – Town of Spencer

Minutes

Planning Board Meeting

Tuesday, March 17, 2015 at 7:00 PM

McCourt Social Hall

Memorial Town Hall

Planning Board Members Present: Chair James Whalen, Shirley Shiver, Robert Ceppi, Maria Reed and Jonathan Viner

Planning Board Members Absent: None

Staff Present: Michelle Buck, Town Planner, Monica Santerre-Gervais ODIS Clerk

Staff Absent: None

Mr. Whalen opens the meeting at 7:00 pm.

1. ANR Plans – Spencer Farms, LLC c/o James W. Small corner of N. Spencer Rd & Wire Village Rd

Mike Martorella, with David Ross Associates, performed the survey for the Commonwealth of Massachusetts department of Agriculture and Resources. The plan is to create two lots and keep the 77+ acre third lot for agricultural use. The lots meet the required frontage and area. Mr. Ceppi asked about the frontage of Lot 2 (200 feet). Ms. Shiver asked about zoning (Rural Residential). Mr. Viner asked if the land was delineated and flagged for wetlands. Mr. Martorella said the land was delineated but not flagged.

MOTION: Ms. Shiver made a motion to accept the plan as submitted.

SECOND: Ms. Reed

DISCUSSION: Mr. Martorella said that he needed both Mylar's signed as a requirement of the Commonwealth.

VOTE: 5-0 in favor

2. Continued Public Hearing for Meadow Solar-

Mr. Whalen opened the hearing at 7:05 pm.

Mr. Whalen asked if there was anything received from the applicant to continue the meeting. The Board reviewed the emailed form from ECOS Energy requesting to extend deadlines a month, the signed form was dated 3/13/15. Ms. Buck mentioned the meeting date was wrong on the form. Mr. Ceppi mentioned they should change both dates to be correct. The dates on the form were changed to April 21st, 2015 and April 28th, 2015.

MOTION: Ms. Shiver made a motion to extend the hearing to April 21st, 2015 and extend the action date to April 28th, 2014

SECOND: Mr. Ceppi

DISCUSSION: Mr. Ceppi asked why only 7 days and not make it a month. Ms. Buck said it

just gives her time to write up the decision. Mr. Ceppi asked if they should make the extension for three months. Ms. Buck said she wasn't comfortable extending it that far without the applicant present and most likely this hearing will be continued again and they can ask the applicant at the next meeting.

VOTE: 5-0

3. Zoning Amendment Public Hearing,

Tattoo Parlors- Mr. Whalen opened the meeting at 7:11 pm.

Only Brydi Ricard was present for the hearing. Mr. Whalen mentioned it ran twice in the paper. Mr. Ceppi asked Ms. Ricard if she still planned on having her tattoo parlor on Chestnut Street; Ms. Ricard said yes. Mr. Ceppi asked if the new tattoo bylaw would cover Chestnut Street. Ms. Brydi said she was Town Center mixed zoning district. There more discussion on her location as well as discussion on where the tattoo parlors would be allowed.

Ms. Buck mentioned she still had not heard any response from the Board of Selectman and she suggested it would be better for the Planning Board members to continue the hearings for the Zoning Amendments. Ms. Buck will be attending the next Board of Selectman meeting on Monday March 23rd, 2015 and they may have comments or edits. The Planning Board members agreed to keep the hearing open.

MOTION: Ms. Shiver made a motion to continue the Tattoo Parlor Amendments to the next meeting on April 21st, 2015.

SECOND: Ms. Reed

DISCUSSION: Ms. Brydi asked if she should attend the Board of Selectman meeting and Ms. Buck said it couldn't hurt. There was discussion on how the warrant has items listed but without times and when the annual town meeting would be held.

VOTE: 5-0

Driveways- Mr. Whalen opened the meeting at 7:21 pm

Mr. Whalen confirmed that the adjustments to the Driveway amendments were a result of a meeting with Steven Tyler. Ms. Buck said yes she met with Mr. Tyler and the main concern was for the width requirements for residential and commercial and that all the changes were his recommendations. Ms. Buck did mention that the only thing they may want to add to section 6.2.1 is having an exception for corner lots (to allow a third driveway).

Mr. Whalen asked about section 6.2.9 having a 15% maximum versus 6.2.11 having 12% for a maximum for driveways. Ms. Buck said the lower grade was for common driveways. She also noted that she looked into the Subdivision Regulations language for driveways and a new driveway also cannot exceed 15%. Mr. Ceppi felt that both common driveways and regular driveways should have the same percentage. In addition, Mr. Ceppi also felt that there should be common language about having a flat grade before pulling out of a driveway. There was much discussion amongst the Planning Board Members about common driveways versus regular driveways and what standards should apply to each.

Mr. Whalen read aloud the section 6.2.3 (Driveways shall be arranged for the free flow of vehicles at all times; and the maneuvering spaces and aisles shall be so designed that all vehicles may exit from and enter onto a public street by being driven into a forward direction). Mr. Whalen said he read it as all cars should pull out forward and not back out. Ms. Buck said that was correct. Mr. Ceppi discussed that newer homes would have the turnaround and that older homes wouldn't have to abide by that language. Mr. Whalen said he doesn't see all new homes with the turnaround and has yet to see language in other town's bylaws mentioning this. There was much discussion about driveways and turnaround spaces. The consensus of the Board was that new driveways should have turnaround space, with perhaps exceptions made by special permit.

Mr. Ceppi brought up the new language in the driveway bylaws referring the applicants to the Highway Department and how he would like to see Highway Department's guidelines so he can get a better idea on how they word their regulations. Ms. Buck mentioned that maybe another sit down with Mr. Tyler may be in order for the Planning Boards comments and the Highway Department's guidelines. Mr. Whalen requested that they get comments in writing so they can be referred back to and also that Mr. Tyler attend the next meeting. Mr. Whalen referred back to the February 2015 minutes and thought the idea of the new amendments would refer everything back to the Highway Department. Ms. Buck indicated that her original recommendation was that plan submittal requirements refer to Highway Department requirements, but other items would remain in the Zoning Bylaw consistent with the 2009 proposal. Board members indicated that they would like nearly all driveway requirements to be addressed through Highway Department regulations, not the Zoning Bylaw. Ms. Shiver mentioned that there may be too many edits and the driveway amendment may not make the warrant in May. This may have to wait until the next warrant in the fall. Mr. Ceppi added that Mr. Tyler should have the power to have exceptions to certain circumstances and he could have the power to sign off on minor waivers. Ms. Buck wanted to keep in the bylaws that the applicant would not be able to receive a building permit without meeting the Highway Department's guidelines.

MOTION: Mr. Ceppi made a motion to continue the driveway amendments public hearing to the next meeting on April 21st, 2015.

SECOND: Ms. Shiver

DISCUSSION: None

VOTE: 5-0 in favor

5. Adoption of Minutes

- February 17, 2015
Mr. Whalen summarized the minutes.

MOTION: Ms. Shiver made a motion to approve the minutes as submitted

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 5-0 in favor

6. Town Planner Report/ General Board Discussion

-Mr. Ceppi brought up the bidding deadline for Sugden Block and how there was minimal interest from potential developers.

-Ms. Buck mentioned that the Property Assessment and Re-Use Project (PARP) Study revised draft was posted on the Town's website. The first draft needed major revisions that she hopes have been addressed in the revised draft. The study will be discussed at the Board of Selectmen's meeting on 3/23/2015.

MOTION: Mr. Ceppi made a motion to adjourn the meeting at 8:11 pm

SECOND: Ms. Shiver

DISCUSSION: None

VOTE: 5-0 in favor

Submitted by: Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: April 21, 2015

List of Documents used on March 17, 2015

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Michelle Buck to Planning Board Dated 3/11/2015
- ANR's-Spencer Farm, LLC, Wire Village Road
- Continued Public Hearing: Major Site Plan Review, Meadow Solar
- Zoning Bylaw Amendments for Tattoo Parlors (dated 2/10/2015) and Driveways (dated 3/1/2015)
- Minutes for February 17th, 2015

Items submitted at the Meeting:

- Email for continuance from ECOS Energy dated 3/13/15.