



Planning Board – Town of Spencer

Minutes

Planning Board Meeting
Tuesday, April 21, 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 (Late)

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 7:05 pm.

1. Discussion Regarding Project Changes, Abbey Solar–

Michelle Buck had a discussion with Donald Graves from Graves Engineering prior to the meeting for the proposed changes. Mr. Graves wanted to be present at the Planning Board meeting. Ms. Buck felt that the changes listed on his letter dated 4/13/15 were too general and is hoping for more information. Mr. Graves said they don't have specific changes at this time and that they were present to discuss procedures and submittals. The only item they feel might be done is the reduction of 20% or higher grades to reduce the grading.

James Whalen asked if the applicant was still planning on enlarging the project. Mr. Graves said no and that they would come back to the Planning Board if they do decide to do that. Mr. Whalen asked if it is in their observation or the contractor's decision to enlarge. Steve Plonsker, Chicago, IL, said that after speaking with contractors it's not increasing the farm but reducing the regrading of the topography. Mr. Plonsker spoke about the panels and the reduction of earthwork would benefit everyone.

Mr. Whalen asked if they would be modifying the Storm Water Pollution Prevention Plan (SWPPP), in which Mr. Plonsker said they would not eliminate the SWPPP. Mr. Whalen confirmed that the applicant does not plan on amending the original decision. Mr. Graves said they were not planning on amending the original decision. Ms. Shiver asked who the storm water manager was and the Mr. Graves mentioned they did not have one yet.

Ms. Buck addressed the applicants and informed them that any significant changes need to come through the Planning Board for approval. However, everything needs to come through to Ms. Buck first to be reviewed. Any minor changes could possibly be approved without coming to a meeting. Typically, applicants will submit a description of the proposed changes. If changes are minor, Ms. Buck will write a simple memo to the file indicating that she has approved the changes as minor construction changes. The SWPPP would be submitted to the Planning Office,

then forwarded to Steven Tyler. Mr. Plonsker said that they haven't done anything except talk about possible changes.

Mr. Whalen said he would only find the environmental changes a concern. Mr. Graves said they weren't going to make any changes that would be of any concern. Everything will be addressed in the SWPPP. Ms. Shiver asked what the process for the SWPPP would be and Mr. Graves said that the contractor they choose would help develop the SWPPP and then submitted to Ms. Buck. Mr. Plonsker mentioned that they would only submit an initial SWPPP and any changes would be sent to Ms. Buck. Ms. Buck felt that a cover letter with a simple description and plan showing the changes is needed, so that the changes could be easily identified without reviewing an entire SWPPP with each change.

Mr. Viner asked if a new set of plans would be submitted with the SWPPP. Mr. Plonsker said yes and any adjustments would reflect everything. There was much more discussion about the SWPPP contents. Ms. Buck read in their final decision that the applicant must submit the SWPPP to the Planning Board for peer review by an independent review consultant agent picked by the Town and paid for by the applicant.

There was no motion needed for this discussion

2. Meadow Solar Continued Public Hearing-

Applicant representing ECOS Renewable submitted a signed agreement to extend the time for decision to May 19, 2015 with an extension deadline of June 30th, 2015.

Ms. Buck said their surveying has been delayed and she wouldn't be surprised if the applicant requested another continuance in May. Ms. Buck mentioned that Planning Board member, Maria Reed, cannot vote on Meadow Solar because she was not on the Board when the hearing was opened.

MOTION: Ms. Shiver motioned to continue the Meadow Solar Public Hearing to May 19, 2015 with an extension deadline of June 30th, 2015

SECOND: Mr. Ceppi

DISCUSSION: None

VOTE: 4-0

3. Zoning Amendments-

• Tattoo Parlors-

Mr. Whalen opened the continued bylaw amendment at 7:32PM.

Ms. Buck mentioned she missed the Board of Selectmen' meeting when this was discussed but they haven't submitted any comments. Mr. Ceppi said he went to the Board of Selectmen hearing and the applicant, Brydi Ricard, was present and spoke to the Board of Selectmen and they didn't have any issues with the amendment.

MOTION: Ms. Shiver made a motion not to approve the Tattoo Parlor bylaw amendment or

send it to the Board of Selectmen.

Second: None

Mr. Whalen noted without a second Ms. Shiver's motion is dismissed

MOTION: Mr. Ceppi made a motion to approve the bylaw amendments for Tattoo Parlors as written and send to the Board of Selectmen.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-1 (Ms. Shiver opposed)

MOTION: Ms. Shiver made a motion to close the Tattoo Parlor bylaw public hearing at 7:35PM

SECOND: Mr. Ceppi

DISCUSSION: None

VOTE: 5-0

• **Driveway Bylaw Amendments-**

Ms. Buck said the biggest change in the driveway bylaws is she removed more of the standards as requested by the Planning Board. The only real standards are section 6.2.4 through 6.2.7 number of driveways, free flow of vehicles, grade limit, as well standards for common driveways. Also, Ms. Buck mentioned that she feel they should pass this amendment over until the fall. The Board will need to resubmit the amendment for the next Town Meeting because it needs to be voted on within six months of the public hearing. Ms. Shiver asked if they could keep the hearing open. Ms. Buck will need to check on if they can meet the legal requirements by keeping the hearing open. They may need to advertise a new public hearing.

MOTION: Ms. Shiver made a motion to continue the driveway bylaw amendment to the next meeting on May 19, 2015 and to recommend that it be passed over on the warrant for Town Meeting.

SECOND: Mr. Ceppi

DISCUSSION: None

VOTE: 5-0

4. Adoption of Minutes

• **March 17, 2015**

MOTION: Ms. Shiver motioned to approve the minutes for March 17, 2015 as submitted.

SECOND: Mr. Ceppi

DISCUSSION: None

VOTE: 5-0 in favor

5. Town Planner Report/ General Board Discussion

Ms. Buck mentioned she only has two more Planning board meetings she will be attending. Ms. Buck handed out a Planning Board status updates letter dated 4/21/2015. There was discussion about open projects, site plans, and special permits that are under construction or

starting construction in 2015. She will submit subdivision updates at a later date.

There was discussion about the Bixby Trail Estates and how the project could have been approved regardless of the Board's approval due to them qualifying under 40B.

Mr. Viner asked about Sunset Holmes updates and Ms. Buck said they are not due until before the June 2015 meeting.

Mr. Whalen mentioned that he saw that on the Town Warrant they will be trying to restore the Planning Board's stipends.

Mr. Ceppi brought up Sugden Block and how he was the only one who bid on the building and how the town loses money every winter.

MOTION: Mr. Ceppi made a motion to adjourn the meeting at 7:54

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 5-0 in favor

Submitted by: Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: **5/19/2015**

List of Documents used on April 21, 2015

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Michelle Buck to Planning Board Dated 4/15/2015
- Discussion Abbey Solar: Letter from Graves Engineering date 4/13/15
- Continued Public Hearing: Meadow Solar, Agreement to extend time for decision signed and dated 4/14/15
- Zoning Amendments , draft of Tattoo Parlor amendment revision date 2/10/15; Driveway amendments drafts dated 3/11/15 & 4/14/15
- Minutes March 17, 2015

Items submitted at the Meeting:

- Planning Board Project Status Update, Site Plan & Special Permit Approvals dated 4/21/15, handed out by Michelle Buck