



Planning Board – Town of Spencer

Minutes

Planning Board Meeting
Tuesday, June 16, 2015 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

Planning Board Members Present: Chair James Whalen, Shirley Shiver, Robert Ceppi (in late), 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 7:01pm.

1. Treadwell Solar, Request for Extension

James Whalen recused himself from the meeting and made Shirley Shiver acting chair.

Hemanth Shanker, from JRC Toronto, Canada, was present for the meeting the deadline for the project is July 16, 2015 and Treadwell Solar is requesting a one year extension.

Mr. Shanker explained that the civil engineering isn't ready. The Department of Energy and National Resources extended the project for one year until January 1, 2016 which slowed the project down. Margaret Washburn has been out at the site. They are continuing the civil work, pulling building permits, not planning on any changes except possibly different panels due to lower cost but the size of the panels would remain the same. Mr. Shanker said the site should be fully operational by the end of December 2015. Ms. Shiver asked if this was a federal program and Mr. Shanker said it was a state program. Mr. Viner asked about the sites progression. Mr. Shanker replied that they are working on the civil work, the sediment pond was finished, the East Brookfield portion the trees are cut down, and they are about 70% complete with the site work. Mr. Viner asked about National Grid and Mr. Shanker said they are just closing up agreements.

MOTION: Ms. Shiver made a motion to extend the deadline to complete the project by one year which would be July 16, 2016.

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 3-0

2. Sunset-Holmes Project Update

Michelle Buck handed out two memos from Quinn Engineering dated 6/11/15 & 6/15/2015 in regards to project updates and a request to release lot 1 to be built on and sold.

Kevin Quinn, Quinn Engineering, was present to represent James Laney. Mr. Quinn explained that all of phase one work was completed such as the two basins were cleaned of all sediment

and repaired, street signs/ stop signs installed; catch basins and manholes cleaned out, retaining wall repair on the North side of Holmes Street, and reestablished the slope per Steven Tyler's recommendation in the Fall. The one item not completed was the fences around the two basins as Mr. Laney was hoping the Planning Board could accept some reconsideration on the fences. Mr. Quinn said they met with Mr. Tyler and Eben Butler on site on May 5th, 2015 and discussed the road and binder. Mr. Laney will remove the cracked asphalt and any gravel will be replaced and compacted. They met in May to show that the road could hold up after the harsh winter months. Mr. Whalen asked Ms. Buck if she had any correspondence from Mr. Tyler in regards to the site visit and Ms. Buck said she hasn't received anything.

Also, Mr. Quinn made a request to release lot one of the subdivision. He explained he understood that meant that the surety would need to be reopened. The last time surety was too high, therefore, Mr. Quinn handed out a new memo dated 6/16/15 in regards to the surety estimate they felt was reasonable. The surety estimate was lowered due to the work completed to date. In addition, Mr. Quinn added they were still requesting to amend the phasing plan where Phase 1 would be Holmes Street and Phase 2 would be Sunset Lane, not looking for an immediate approval, but is hopeful the Planning Board could review. Robert Ceppi would like a site review before any voting and would like Mr. Tyler to review Mr. Quinn's new estimate.

Shirley Shiver asked how many feet there was in Phase 1 and Mr. Quinn answered 900 feet. Mr. Ceppi asked how the Planning Board assures Phase 2 gets finished and Mr. Quinn said the town has a covenant on the lots to ensure the work gets done. Mr. Ceppi asked how many lots there were on Phase 2. Mr. Laney said the majority of the homes are in Phase 2 only four homes on Holmes Street. Ms. Buck asked about additional work and phasing would need to be at the next meeting in July. Mr. Laney said he would continue to pick at the punch list with fixing manholes, getting pricing for asphalt, and he is hoping to pave Holmes Street by early September. Mr. Quinn explained that the request for the release of lot 1 is so Mr. Laney can keep some financial balance on this project; he is struggling, and would like to complete further the work.

Mr. Whalen explained his position and agreeing with Mr. Ceppi that the estimate for surety be reevaluated and that the Planning Board members should take a ride to view the road. Mr. Whalen is feeling good about the project and the updates. Mr. Laney said he would be happy to meet the member's and walk the site with them. Ms. Shiver explained that the Planning Board has been in this situation before about releasing lots and then the work doesn't get done; the numbers would have to work out because the Town of Spencer cannot absorb the full cost. Ms. Buck explained it would be better for the applicant to get more punch list items completed before the next meeting in July and Mr. Laney said he would and would send an update for everything he does. Ms. Buck also discussed her leaving and that Larry Smith from Pioneer Valley Planning Commission would be filling in until they find someone permanent for her position.

Mr. Viner asked who Eben Butler was. Mr. Laney said he has been working at the Highway Department for over 20 years and is a Supervisor. Mr. Viner drove the site and explained what he observed in regards to the work that has been completed and the work that needs to be done. Mr. Quinn is not finished marking with paint the areas that need to be addressed on the road. Mr. Quinn also explained that once Mr. Laney was done marking the areas he will invite Mr. Tyler

back to check the markings and adhere to his recommendations. Mr. Viner said that the lot release should be contingent on fencing around basins. Mr. Laney said that he is hoping about the Planning Board can reconsider the fence because he feels that fences are high maintenance and become an eyesore after 10 years. Ms. Buck asked if Mr. Tyler had an opinion about the fence and Mr. Laney said he didn't ask him and he could ask him. Mr. Whalen said they can revisit that item at another meeting. Ms. Shiver asked if the basins need to be maintained by the homeowners and Mr. Laney said yes. Ms. Shiver asked about an updated punch list. Ms. Buck said that the memo from Quinn Engineering dated 6/10/15 was what was completed and the memo dated 6/16/15 is what is to be completed work. Ms. Shiver would like the site visit and she hopes it works out and he asked Mr. Laney if he would be the contractor and he said yes. Ms. Shiver asked if the subdivision is single family homes and Mr. Laney responded yes they are 1,500 sqft single family homes.

Ms. Shiver asked about peer review. Ms. Buck said Lenard Engineering and Steve Tyler will do the peer review.

This discussion will continue to the next meeting dated July 21st, 2015.

3. Continued Public Hearing, Major Site Plan Review, Meadow Solar

Continued Public Hearing reopened at 7:34 pm.

ECOS Energy requested a continuance; email correspondence explains they are being delayed due to the EMI study to cross the Tennessee Valley Gas Line.

The Planning Board had some concerns based on how long the public hearing has been open and the applicant not submitting new information or plans. There was much discussion about the applicant resubmitting a new application when they have everything in order.

MOTION: Ms. Shiver made a motion to deny the extension request and to have the applicant resubmit an application when the project is ready.

SECOND: None

DISCUSSION: Ms. Buck said she felt uncomfortable denying the extension without the applicant or representative being present. Also, there was much discussion about the Tennessee Gas Line.

MOTION: Ms. Shiver made a motion to continue the public hearing to July 21, 2015 and extend the deadline to file a decision August 15th, 2015, however, applicant needs to be present at the next Planning Board meeting on July 21, 2015 meeting.

SECOND: Ceppi

Jonathon Viner Abstained from voting.

VOTE: 3-0

4. Adoption of Minutes

- **May 19, 2015**

MOTION: Ms. Shiver motioned to approve the minutes as submitted.

SECOND: Mr. Ceppi

DISCUSSION: None

VOTE: 5-0 in favor.

5. Town Planner Report/ General Board Discussion

CMRPC- Ms. Buck commented that she sent the pedestrian/bicycle suggested routes to CMRPC and Steve Tyler. CMRPC did a count last year of several areas downtown. This year, there will be counts on Meadow Road. Mr. Viner asked how they could find the counts from last year. Ms. Buck said she could email them. Ms. Shiver asked if this would provide sidewalk funding and Ms. Buck said not directly.

Registry of Deeds- Ms. Buck handed out the Registry of Deeds form and discussed the authority for signing plans. Mr. Whalen was recently reappointed to be on The Planning Board. The following will be written to authorize plans, "said Town Planner or majority of the board to authorize plans." The Planning Board members all agreed that the fill in planner Larry Smith should be appointed to sign.

Zoning Changes- Ms. Buck said there are three Zoning Bylaws that should be addressed.

- 1) Kennels- request from Laura Torti in the Clerk's Office.
- 2) Childcare facilities –recently noticed that Spencer's Zoning Bylaw does not conform to state law and need to update references and uses pages.
- 3) Solar Farm Bylaw- Need more specific requirements in our Spencer Bylaws about Solar Farm projects.

PARP- Study is wrapping up

Wilson Farm- Wilson Farm received a technical assistance grant from CMRPC for this summer.

Economic Development Study- Possibly to be done, Ms. Shiver mentioned the downtown economical study done 7 years ago by the Cecil Group.

Project Status Update- Ms. Buck handed out a revised status update with residential projects dated 6/16/15. Laureldale contractor may be looking to unload property. No money in the review account and nothing done with the project in six years.

MOTION: James Whalen closed the meeting at 8:12pm

VOTE: 5-0 in favor.

Submitted by: Monica Santerre-Gervais ODIS Clerk
Approved by the Planning Board on: 7/21/2015

List of Documents used on June 16th, 2015

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Michelle Buck to Planning Board Dated 6/10/15
- Letter from JRC US Holdings, LLC in regards to Treadwell Drive Solar Project dated 6/5/2015
- Signed Agreement to Extend Time for Decision from ECOS Energy and email with updates dated 6/9/2015
- Driveway Bylaw email communications between Michelle Buck and Steven Tyler
- Minutes for May 19, 2015

Items submitted at the Meeting:

1. Memo from Quinn Engineering dated 6/11/15 in regards to project updates for Sunset-Holmes Subdivision.
2. Memo from Quinn Engineering dated 6/15/2015 in regards to the request to release lot 1 from the covenant for Sunset-Holmes Subdivision.
3. Memo from Quinn Engineering dated 6/16/2015 in regards to a new surety estimate for Sunset-Holmes Subdivision.
4. Michelle Buck handed out a revised status update of open projects dated 6/16/15.