



Planning Board – Town of Spencer

*Minutes*

Planning Board Meeting  
**Tuesday, February 02, 2021 at 6:00 PM**  
McCourt Social Hall, 157 Main Street Spencer, MA 01562  
Memorial Town Hall- **Remote Meeting**

Planning Board Members Present: Chair Jonathan Viner (remote), Vice Chair Jeff Butensky (remote), Robert Ceppi (remote), and Maria Reed (remote) Paul Gleason (remote)

Planning Board Members Absent: None

Staff Present in-person: Todd Miller, Town Planner (in-person) and Monica Santerre-Gervais, ODIS Senior Clerk (remote)

Staff Absent: None

**1. Mr. Viner opened the meeting at 7:18 pm and read aloud Covid-19 statement.** *“This Meeting of the Planning Board is being conducted remotely consistent with Governor Baker’s Executive Order of March 12, 2020, pursuant to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus. In order to mitigate the transmission of the COVID-19 Virus, we have suspended public gatherings, and as such, the Governor’s Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible physical location. We are meeting remotely and broadcasting live on Spencer Cable Access to ensure public viewing access.”*

**2. Approval of Minutes: 11/19/2020**

Mr. Butensky mentioned there was a discrepancy in the motion and voting and the Planning Board members agreed to have them revised and tabled to the next meeting.

**MOTION: Mr. Butensky motion to table the minutes until 2/16/2021**

**SECOND: Mr. Ceppi**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Butensky, Ms. Reed, Mr. Ceppi, Mr. Gleason and Mr. Viner all voted aye, and the motion was carried (vote 5-0 motion carried)**

**3. ANR-**

- **Continued Lake Ave, Windbrook Drive & Sycamore Ave – John J Bowler, Kathleen B. O’Leary & Peter C. Bowler**

Brian MacEwan, Graz Engineering, was on the call to discuss the plan. Mr. Miller said there were no outstanding issues he saw with the plan. Mr. MacEwan said Lot 1 was on Lake Ave, Lot 2 is a portion of the back land, Lot 3 is the remaining portion of the back land, and lot 4 is on Windbrook Drive. Mr.

Ceppi asked if Lot 3 went to the Leicester line and Mr. MacEwan said yes. Mr. Ceppi asked about the frontage requirements and that was discussed. Mr. Viner asked about the Southerly point of Lot 1, labeled iron pipe found, and asked if they were incorporating the continuance way as part of the lot and Mr. MacEwan said that was correct. Mr. Viner asked if they would take another 10 feet and Mr. MacEwan said no but understood what Mr. Viner was asking. Mr. Viner asked where the existing travel way was, and Mr. MacEwan said up against the right-of way road and it is gravel, and this board approved the ANR in 2017.

**MOTION: Mr. Ceppi motioned to approve the ANR**

**SECOND: Mr. Butensky**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Butensky, Ms. Reed, Mr. Ceppi, Mr. Gleason, and Mr. Viner all voted aye, and the motion was carried (5-0)**

- **50 Donnelly Road – Greg Kimball**

The Planning Board members discussed the plan and Mr. Butensky stated he wasn't comfortable voting when the applicant is not present. Mr. Miller said that Lot 2 is for a family member to build a home and then the rest of the land will be maintained.

**MOTION: Mr. Ceppi motioned approve the ANR creating Lot 2**

**SECOND: Ms. Reed**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Butensky, Ms. Reed, Mr. Ceppi, Mr. Gleason, and Mr. Viner all voted aye, and the motion was carried (5-0)**

#### **4. Board Policies and Procedures**

Mr. Butensky wanted to discuss the structure of the board, responsibilities of members, emailed members ahead, and possible creation of a third role. Mr. Butensky read aloud the Planning Board Chair responsibilities and asked if they should add create/ finalize the agenda and Mr. Viner said ODIS Clerk creates the agenda, he reviews, and finalizes. The Planning Board agreed to insert the language to state the Chair will review, edit, and finalize meeting agendas. Mr. Butensky read aloud the Vice Chair responsibilities and felt this position need additional responsibilities and suggested maintaining internal Planning Board policies and procedures and site visits. Mr. Viner asked about adding keeping track of recommendations made during meetings (i.e., stormwater regulations, zoning bylaw changes, subdivision changes). Mr. Butensky suggested adding a third position such as a secretary that possibly follows the money in Planning Board revolving accounts, bonds/decommissioning, and a liaison that would have a relationship with the town Accountant. Mr. Viner agreed and said the position used to be called a clerk. Mr. Ceppi said it seems it would be extra work and may not have the time to do it with his ongoing workload. Mr. Butensky made a motion but then retracted the motion because they need to figure out what the Clerk would do. Mr. Viner said that the Clerk could be responsible to coordinate with the Town Planner regarding plan revisions. Mr. Butensky stated that would be the responsibility for the Town Planner or ODIS Clerk.

Mr. Viner asked if any as-builts are coming before the Planning Board and Mr. Miller said there have been some discussions but nothing current. Mr. Viner expressed coming up with a way to handle as-built plans. Also, Mr. Viner suggested the Planning Board be the only one to approve Certificate of Completions. Mr. Ceppi confirmed they would still be using a third-party reviewer and Mr. Viner said yes. Mr. Gleason agrees and asks if that goes along with building inspections too. Mr. Viner said the Certificate of Completion comes from the Planning Board and the Building Inspector uses a Certificate of Occupancy and Mr. Miller will do further research on the matter. Mr. Viner wants to see that the Town Planner cannot sign on behalf of the Planning Board without the Planning Boards approval and Mr. Miller agreed.

## **5. Discussion: Solar Facility Bylaws**

Mr. Miller explained he spoke to the Deputy Director at CMRPC and said they are busy until summer to start getting assistance and using hours. Mr. Miller hopes to get together with someone at CMRPC and have a wish list sorted out and have something more formalized. Mr. Butensky asked what the next steps for the board and Mr. Miller recommended reviewing edits, highlighting points of interest, and the Planning Board can adopt what is advised. Mr. Butensky asked if there is a draft and Mr. Miller said the Solar Bylaw Review Committee had their recommendations. Mr. Butensky asked where the board starts, and Mr. Miller said the research will be done and will be compared with surrounding towns. Mr. Butensky asked what is CMRPCs timeline and Mr. Miller said it would not be before June.

Matt Defosse, 7 Paul's Drive, stated there are 18-19 solar facilities in the Town and they take up a lot of the towns time and effort, there are many departments involved in the process, and suggested having a cap put on for the Town of Spencer. Mr. Miller said he would be willing to sit down and chat with Mr. Defosse. Mr. Viner asked about discussing main issues such as decommissioning bonds, how we want to accept bonds, battery storage, and types of use.

## **6. Discussion: 2021 Planning Board Meeting Dates & Timelines**

Mr. Viner asked if anyone had any concerns about the new dates and there were no issues.

## **7. Board Organization assignment of vacant committee positions**

Mr. Viner stated there are some open positions due to Shirley Shiver retiring from the Planning Board and filling those positions. Mr. Viner stated that Mr. Gleason did volunteer for the economic development committee and felt he would be a good fit.

**MOTION: Mr. Butensky motioned that Mr. Gleason fill the vacant position for the economic development committee.**

**SECOND: Mr. Ceppi**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Butensky, Ms. Reed, Mr. Ceppi, Mr. Gleason, and Mr. Viner all voted aye, and the motion was carried (5-0)**

Another vacant position is for the CIPC and Mr. Viner stated he was still interested in the position.

**MOTION: Mr. Ceppi motioned to nominate Mr. Viner to fill the vacant position for the CIPC.**

**SECOND: Mr. Butensky**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Butensky, Ms. Reed, Mr. Ceppi, Mr. Gleason, and Mr. Viner all voted aye, and the motion was carried (5-0)**

## **8. Town Planner Report**

Mr. Miller mentioned housing availability reduction, working with delegates from CMRPC, and utilization of hours.

## **9. General Board Discussion/ Board Liaison Reports**

Mr. Butensky discussed reviewing a draft for Open and Space and will discuss with the Planning Board at a later date.

## **10. New Business/Adjournment**

**MOTION: Mr. Ceppi motioned to adjourn the meeting at 9:05 pm**

**SECOND: Ms. Reed**

**VOTE: 5-0**

**Submitted by Monica Santerre-Gervais, ODIS Clerk**

**Approved by the Planning Board on: 2/16/2021**

### **List of Documents used on February 02, 2021.**

#### **Items sent to Planning Board prior to Meeting by email:**

- Agenda
- ANR Plan for Lake Ave, Windbrook Drive & Sycamore Ave – John J Bowler, Kathleen B. O’Leary & Peter C. Bowler
- ANR Plan for 50 Donnelly Road
- Minutes 11/19/2020

#### **Items submitted/ brought to the Meeting:**

None