



## Planning Board – Town of Spencer

### *Minutes*

Planning Board Meeting  
**May 16, 2023, at 7:00 pm**  
**REMOTE & IN-PERSON**

McCourt Social Hall, 157 Main Street Spencer, MA 01562  
Memorial Town Hall

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**Planning Board Members Present: Chair Robert Ceppi (in-person), Vice Chair Shirley Shiver (in-person), Charlie Bellemer (in-person), and Vaughn Slack (in-person)**  
**Planning Board Members Absent: None**  
**Staff Present in-person: Lauren Vivier, Town Planner/ Conservation Agent (in-person), Monica Santerre-Gervais, ODIS Senior Clerk (Remote)**  
**Staff Absent: None**

**1. The Chair opened the meeting at 7:00pm**

**2. Review and act on Deer Run, Phase 1 (sign mylars – road acceptance passed at the Annual Town Meeting on May 4, 2023)**

Planning Board members signed the mylars to accept Deer Run Phase 1 road as a public road.

**3. Continued Public Hearing: Major Site Plan Review/ Special Permit/Stormwater Permit – Applicant/Owners: Paul Haughey/ Spencer-East Brookfield Regional School District. Location: 302 Main Street, Spencer, MA; Assessor’s Map U05-5. The applicant is requesting a Major Site Plan Review, Special Permit, and Stormwater Permit, under sections 4.6, 6.1, 6.1.1, 6.3, 6.5.3, and 7.4 of The Spencer Zoning Bylaw and Stormwater Regulations for redevelopment, renovations, and improvements of David Prouty High School (DPHS). The property is located within the Suburban Residential (SR) zoning districts.**

Kevin McGarry, Project Manager for Fuss & O’Neil, was present in-person for the meeting and his team (Adam Dalessio a Project Manager for Collier, and Jack Deninger is a Civil Engineer with Fuss & O’Neill). Additionally, Dominic Rinaldi, BSC Group, was remote.

Ms. Vivier stated that third party review responses and waiver request were submitted today. Mr. Ceppi asked to go through each of the peer review comments and responses with a brief narrative.

Mr. McGarry reviewed the BSC Group peer review comments dated 5/15/2023.

1. Special Permit for exceeding the maximum parking requirements- the overall parking count and distribution is generally appropriate for the use and the site-specific conditions.

2. Designated loading areas- The driveway and surrounding area to the east of the building has been revised since the previous submission. A concrete pad for a custodial shed has been proposed to the north of the dumpster enclosure in the location that "appears to be parking east of the driveway". Two "No Parking" Signs have been added next to the custodial shed and dumpster enclosure. Striping has been added to the pavement between the custodial shed and dumpster enclosure. The dumpster enclosure has been angled for the ease of collection vehicles turning movements, The revised layout is depicted on sheet CS1.01 of the Permitting Plans.
3. MassDOT Access Permits- Discussions are ongoing with MassDOT and an Access Permit will be submitted and BSC had no further comments.
4. Screening around proposed tennis court- Evergreen trees have been added to the north and west edge of the proposed tennis courts adjacent to the property line. Revised Landscape Plans depicting the proposed changes are included in this response.
5. The photometric plan provided for site lighting shows no light trespass off the School property-BSC had no further comments.
6. Exceeding minimum numbers of signs- The project has been revised to combine the two ground mounted signs into one sign and BSC had no further comments.
7. Requirements for Site Plan Review submission-BSC had no further comments.
8. Stormwater management design- BSC had no further comments.
9. Stormwater runoff volumes- BSC agrees with the applicant that the lack of infiltrative capacity of the soils and the presence of bedrock on site makes matching or reducing existing runoff volumes a challenge.
10. Requirement from the Post-Development Stormwater Management Criteria of the Town of Spencer Stormwater Regulations (Article 7) that states that untreated stormwater cannot be discharged from the site- The water quality volume calculations show that the infiltration systems are sized to infiltrate the required water quality volume for the site, and TSS removal calculations have been provided and shows that each proposed treatment train has a TSS removal rate that is greater than 80%.
11. Applicant states that, as a conservative measure, none of the infiltration BMPs in the stormwater management system were modeled with exfiltration- BSC had no further comments.
12. Test Pit TP-3 to be re-tested- An Infiltration Basin was requested specifically in this area by the environmental sciences department for use as a teaching tool. In the revised Stormwater Management Report included in this response, the applicant has removed the Infiltration Basin from the hydrologic calculations.
13. Subsurface Infiltration System 200P would have 2.2-feet of separation to bedrock based on test pit TP-5- A Groundwater Mounding Analysis has been provided as Appendix K of the Stormwater Management Report for Subsurface Infiltration System 2P.
14. Infiltration Basin/ Emergency overflow- The basin is designed with a catch basin overflow to prevent the basin from overtopping. If it does overtop, runoff will flow overland toward the driveway to the northwest of the basin and into the storm sewer system and BSC had no further comments.

15. Stadium Field test pit TP-9 discrepancy- Additional geological information can be provided during construction and the Planning Board will add this to the conditions of the decision.
16. Pre-Development Watershed Map- BSC agrees with applicants' response and agrees that the subcatchments as shown on the watershed maps are representative of the drainage conditions on site.
17. Existing Conditions survey does not show the extent of the existing drainage pipe and how it connects to structures-additional record drawings confirm that the existing drainage structures located in the northwestern area of the site, which are shown on the Watershed Maps and in the HydroCAD calculations to drain to design point 200L (the existing drainage system to the west of the site), connect to the existing drainage system and are accurately represented on the plans.
18. Runoff from the Baseball Field- Design point 300L has been further broken up into design point 300L, 301L, and 302L, Updated hydrologic calculations were provided, and a french drain has been added around the perimeter of the proposed tennis courts and an additional yard drain has been proposed by the manhole near the western property line.
19. Unlabeled existing drainage structure-record drawings showed the structure; however, Fuss and O'Neil could not locate the structure, and the stormwater analysis was performed using a combination of the existing conditions survey and our field observation.
20. Courtyard Drainage- provided a secondary overflow pipe approximately 1.5' higher than the primary outlet if the primary pipe fails or becomes clogged and BSC had no issues.

During the review of the peer review comments there was much discussion regarding stormwater, runoff, and drainage. However, this project is for re-development and not a new build, therefore, the proposed stormwater management design is adequate.

The Chair opened the hearing up to the public:

Matt Defosse, 7 Paul's Drive, had concern with the Planning Board accepting the waivers regarding not meeting stormwater requirements and asked the board to have another look by peer review to protect the abutters. There was discussion regarding abutters and current water issues, however, the changes provided by the applicant will be positive and wont be more detrimental to the site.

Ms. Vivier discussed the draft Certificate of Decision and additional conditions needing to be added regarding the re-testing of test pit TP-9.

**MOTION: Ms. Shiver motioned to close the public hearing for Major Site Plan Review/  
Special Permit/Stormwater Permit for redevelopment, renovations, and improvements of  
David Prouty High School  
SECOND: Mr. Bellemer**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

**\* Went to agenda item 4 then continue discussion for item 3\***

**4. Continued Public Hearing: Major Site Plan Review/ Stormwater Permit – Applicant/Owners: Jaime Scarff/ Spencer Solar Farm LLC. Location: North Brookfield Road, Spencer,**

**MA; Assessor’s Map R39-14. The applicant is requesting a Major Site Plan Review and Stormwater Permit under sections 7.4, 7.4.5, and 4.8.9 of the Spencer Zoning Bylaw and Stormwater Regulations to develop a large-scale solar PV facility. The property is located within the Rural Residential (RR) zoning district.**

Ms. Vivier explained the applicant needs more time to respond to peer review comments and they submitted a continuance request until June 6, 2023.

The Chair opened the hearing up to the public and there were no questions or comments.

**MOTION: Ms. Shiver motioned to continue the public hearing for Major Site Plan Review/ Stormwater Permit for North Brookfield Road until June 6, 2023.**

**SECOND: Mr. Slack**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

**\*Returned to agenda item 3\***

The Planning Board members reviewed the conditions for the decision.

Mr. McGarry said on condition number six it mentions “subdivision” and asked for the language to be removed. Also, on condition number seven he asked for a four-year deadline instead of three and the Planning board members agreed.

Mr. Ceppi asked about surety, and it was determined there will be surety for this project.

**MOTION: Mr. Bellemer motioned to grant the waiver request regarding 6.E of the Spencer Stormwater for redevelopment, renovations, and improvements of David Prouty High School**

**SECOND: Mr. Slack**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

**MOTION: Mr. Bellemer motioned to approve the Special Permit for sections 6.1.1.H and 6.5.3.B for redevelopment, renovations, and improvements of David Prouty High School**

**SECOND: Mr. Slack**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

**MOTION: Ms. Shiver motioned to approve the stormwater permit for redevelopment, renovations, and improvements of David Prouty High School**

**SECOND: Mr. Bellemer**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

**MOTION: Mr. Bellemer motioned to approve the Major Site Plan Review with added conditions for redevelopment, renovations, and improvements of David Prouty High School**

**SECOND: Mr. Slack**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

#### **5. Discussion: Planning for future comprehensive review of Spencer Zoning Bylaw and Subdivision Regulations (grant funding, cost of operation, and timeline)**

Ms. Vivier discussed the possibility of applying for a grant that could help with the implementation of changes to the Town of Spencer's Zoning Bylaws, Stormwater Regulations, and Subdivision Regulations. Ms. Vivier stated the grant would be for \$50,000 and the estimated cost from CMRPC was \$68,000. The Planning Board members agreed this would be a beneficial grant to apply for.

#### **6. Discussion: Board Policies and Procedures**

Ms. Shiver suggested adding language regarding as-built requirements and possibly stormwater regulations. Mr. Bellemer said he reviewed the draft and saw some typos and agreed that the stormwater regulations and language need to be consistent.

#### **7. Planning Board Revolving Account – Advertising of DPHS project, FEMA Floodplain Bylaw, and proposed solar on No Brookfield Road**

**MOTION: Ms. Shiver motioned to approve the payment to the Spencer New Leader using the Planning Board Revolving Account funds.**

**SECOND: Mr. Slack**

**DISCUSSION: None**

**ROLL CALL VOTE: Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.**

## **8. Town Planner Report**

Ms. Vivier discussed the following:

- Master Plan survey is still open and looking to close that out after Town Meeting and the Master Plan Community Visionary night will be at the Fish & Game on 5/17/2023.
- Peer Review comments have been received for Ash Street Subdivision.
- On June 20, 2023, Robert Ceppi will not be at the meeting.
- There will be no Planning Board meeting on July 4, 2023.

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

No comments.

## **10. Citizen Input**

No comments.

## **11. Approval of Minutes 5/02/2023**

Mr. Slack said on the first page, in some of the bullet points there are periods and no periods, and it should be consistent.

**MOTION:** Ms. Shiver motioned to approve the minutes from 5/02/2023 with discussed revisions.

**SECOND:** Mr. Slack

**DISCUSSION:** None

**ROLL CALL VOTE:** Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.

## **12. Upcoming Events**

- **Master Plan: Community Visioning Night: May 17, 2023**

## **13. Adjournment**

**MOTION:** Mr. Bellemer motioned to adjourn the meeting at 9:21 pm.

**SECOND:** Ms. Shiver

**DISCUSSION:** None

**ROLL CALL VOTE:** Mr. Ceppi, Ms. Shiver, Mr. Slack and Mr. Bellemer all voted aye, (vote 4-0) motion carried.

**Submitted by Monica Santerre-Gervais, ODIS Senior Clerk**  
**Approved by the Planning Board on: 6/06/2023**

**List of Documents used on May 16, 2023**

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

- Final Agenda
- Memo from Town Planner
- Drafted minutes from 5/02/2023
- DPHS-updated stormwater memo and plans
- No. Brookfield Solar- continuance request

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

- Revised site Plan for DPHS, dated 5/16/2023.
- Revised planting plan for DPHS, dated 5/16/2023.
- Response to comments letter for DPHS, dated 5/16/2023.
- Waiver Request letter for DPHS, dated 5/16/2023.