



Planning Board – Town of Spencer

Minutes

Planning Board Meeting

Tuesday, May 17, 2022, at 7:00 PM

McCourt Social Hall, 157 Main Street Spencer, MA 01562

Memorial Town Hall- **Remote and in person Meeting**

Planning Board Members Present: Chair Robert Ceppi (in-person), Shirley Shiver (in-person), Vaughn Slack, (in-person), and Charlie Bellemer (in-person)

Planning Board Members Absent: None

Staff Present: Lauren Trifone, Interim Town Planner (in-person) and Monica Santerre-Gervais, ODIS Senior Clerk (remote)

Staff Absent: None

1. Chair, Mr. Ceppi, opened the meeting at 7:03 pm.

2. Approval of Minutes: 5/3/2022

Mr. Bellemer had comments on page 2 of the drafted minutes regarding the full name of Mr. Egan, Mr. Egan passing before logging permits, and “issues” should say “issue.” Mr. Slack found a typo on page 4 the word “age” should be “ago.”

MOTION: Ms. Shiver motioned to approve the minutes for 5/3/2022 with the discussed edits.

SECOND: Mr. Bellemer

DISCUSSION: None

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

3. ANR's- 53 E. Charlton/1 Marble Road-Andrew Sweet/ Boundary Line Adjustment

Andrew Sweet and Andrew Chasse, 53 E. Charlton Road, were present for the meeting. Ms. Trifone mentioned she left a message for Mr. Sweet because the locus map is incorrect. Mr. Ceppi stated besides the locus map, the boundary lines are clear and has appropriate frontage and acreage for both properties. Ms. Shiver mentioned the notes on the map were acceptable too. Mr. Ceppi stated they can vote to approve the plan contingent upon a new plan and mylar being submitted to the ODIS Department with the corrected locus map.

MOTION: Ms. Shiver motioned to approve the ANR for 53 East Charlton Road, contingent upon a new plan and mylar being submitted with the corrected locus map.

SECOND: Mr. Bellemer

DISCUSSION: None

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

4. Site Plan Review & Special Permit– Applicant/Owner: Spooky Realty Trust, Steven Turner, Location: Meadow Road, Spencer Assessor’s Map U11-12, 12-1, 12-2, 12-3, 12-4. The applicant is looking for a Major Site Plan Review under section 7.4.2 (Site Plan Review is required for this use even when there is no new construction or expansion of structures or parking areas) & Special Permit under Section 3.4.1.G (Aquifer Protection Overlay District) and Section 3.4.2.H (Floodplain Overlay District) to. The property is located within the Commercial zoning district.

Ms. Trifone mentioned the peer review proposal was signed and ready to go and the stormwater will be peer reviewed. Mr. Ceppi asked if the old applications for Charlie’s Diner have been approved and Ms. Trifone said no.

Carl Hultgren, Quinn Engineering, was present to represent Spooky Realty Trust, Steven Turner. Mr. Hultgren reviewed the old applications and mentioned some work has been completed or in the process of completion. Mr. Hultgren stated the owner proposes to construct a new 2,900 sqft restaurant building with drive through, additional parking, stormwater system, utilities, proposes a 2,000 sqft expansion of the future retail/storage building that is located within the area under construction. Additionally, the drive thru lane is 150 feet long and can accommodate at least 7 vehicles. Mr. Hultgren stated the site is flat and they are proposing a retaining wall through the Conservation Commission. Mr. Hultgren briefly discussed the oil water separator, infiltration system, and recharge. The lighting and landscaping on site will match Charlies Diner.

Mr. Ceppi asked if the land is all one lot and Mr. Hultgren responded it is five lots, however, he believed if the lots are in common ownership for seven years, then the interiors lines are removed to make one lot. Mr. Ceppi stated the applicant could not build on lot lines. Ms. Shiver stated there might be a difference between common ownership for Zoning and Building. Mr. Hultgren stated for building they could create the lot lines and record them. Ms. Trifone said it is important to have the lines justified and Mr. Ceppi mentioned only one primary use per lot. Ms. Trifone reviewed applicable bylaws 5.3.8 Double Counting land area: When multiple uses and/or buildings occupy a single lot, no area of the lot may be counted towards the dimensional requirements for more than one use/building; and 6.1.1.G Where multiple uses exist on a single lot or within a single building, the parking requirement shall be computed for each use separately and added together. (For example, a motel with a restaurant would be required to provide parking for both the motel units and for seating capacity of the restaurant.)

Ms. Shiver mentioned the grant for the roadwork on Meadow Road and there being a five-year moratorium on breaking open the road. Mr. Hultgren said they are coordinating everything now and hopeful to tie into the utilities during the road construction. There was much discussion regarding the previously approved Certificate of Decisions that never received a Certificate of Completion and the timeline/timeframes of those projects.

The Chair opened the hearing up to the public:
No comments or question.

MOTION: Ms. Shiver motioned to continue the Site Plan Review & Special Permit for Meadow Road until June 21, 2022

SECOND: Mr. Bellemer

DISCUSSION: If peer review is not completed the applicant will most likely continue.

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

5. Town Planner Report, Interim Planner, Lauren Trifone

- Town Meeting in May had to rescheduled because they did not meet quorum, new Town Meeting date is June 23, 2022, and Ms. Trifone expressed the need for everyone to come and vote.
- Housing Production Committee Meeting met before the Planning Board meeting, they are doing another push for the surveys, and Gina Beford is sharing the survey on social media.
- Currently, working on Solar amendments for the Fall Town Meeting including a small- and large-scale solar designations, cap on large scale solar farms, and battery storage regulations.

6. Discussion: Board Policies and Procedures

Ms. Shiver mentioned she is on the Housing Production Committee and the deadline for the surveys is July 31, 2022.

7. Citizen Input

N/A

8. New Business/Adjournment

Ms. Trifone briefly mentioned upcoming applications for the next two meetings.

MOTION: Ms. Shiver motioned to adjourn at 7:56 pm

SECOND: Mr. Bellemer

DISCUSSION: None

ROLL CALL VOTE: Mr. Butensky, Mr. Ceppi, Mr. Gleason, and Ms. Shiver all voted aye, and the motion was carried (vote 4-0 motion carried)

Submitted by Monica Santerre-Gervais, ODIS Clerk

Approved by the Planning Board on: 6/07/2022

List of Documents used on May 17, 2022.

Items sent by email to the Planning Board and printed out for use at the meeting:

- Agenda
- Memo from Interim Town Planner for meeting
- Drafted minutes from 5/3/2022

- ANR plan and application for 53 E. Charlton Road
- Meadow Road/Charlies Diner-SPR & SP application and plans, narrative, and stormwater report

Items submitted/ brought to the Meeting:

- Ms. Trifone brought previous decisions for Charlies Diner/5 Meadow Road.