



Planning Board – Town of Spencer

Minutes

Planning Board Meeting

Tuesday, June 07, 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 7:01 pm.

2. Approval of Minutes: 5/17/2022

Mr. Slack mentioned a typo on the first page under approval of minutes “Mr. Vaughn” should be “Mr. Slack.”

MOTION: Ms. Shiver motioned to approve the minutes with discussed edit.

SECOND: Mr. Bellemer

DISCUSSION: None

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

3. ANR- North Spencer Road, Edwin & Christine Mullins, Create Lots

Ms. Trifone mentioned she was familiar with the lots because of the Conservation Commission. Mr. Bellemer stated that the land had some confusion on the plans prior to Ms. Trifone becoming the Conservation Agent. Mr. Bellemer asked if this ANR needed to be peer reviewed. Ms. Shiver answered the ANR would not need to be peer reviewed, and it complies with the frontage and acreage needed for ANR requirements. Mr. Slack asked about floodplain information and Mr. Ceppi said it was on the notes.

MOTION: Ms. Shiver motioned to endorse the plan as submitted.

SECOND: Mr. Bellemer

DISCUSSION: None

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

4. Continued Definitive Subdivision Plan - Applicant: Spencer Solar LLC; Owner: Ash Spencer Realty LLC, Location: Ash Street; Spencer Assessor's Map R27-01. The applicant is requesting a definitive subdivision approval under Article 2.3 (Definitive Subdivision Plans) of the Spencer Subdivision Regulations. The property is located within the Rural Residential zoning district. This is a readvertisement of the public hearing on this application, which was originally commenced on November 19, 2019.

Mr. Ceppi mentioned the applicant submitted a request to continue until 7/19/2022. Elio Qorri, Bertin Engineering, was remotely present for the meeting if the Planning Board had any questions.

MOTION: Ms. Shiver motioned to continue the Ash Street Subdivision application until July 19, 2022.

SECOND: Mr. Bellemer

DISCUSSION: None

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

5. Definitive Subdivision Plan: Applicant/Owner: Spencer Solar II LLC c/o Melink Solar Development, Location: Charlton Road (Bacon Hill Road); Spencer Assessor's Map R08-10. The applicant is requesting a definitive subdivision approval under Article 2.3 (Definitive Subdivision Plans) of the Spencer Subdivision Regulations. The property is located within the Rural Residential zoning district. This is a readvertisement of the public hearing on this application, which was originally commenced on November 17, 2020.

Mr. Ceppi mentioned the applicant submitted a request to continue until 7/19/2022. Elio Qorri, Bertin Engineering, was remotely present for the meeting if the Planning Board had any questions.

MOTION: Ms. Shiver motioned to continue the Charlton/ Bacon Subdivision application until July 19, 2022.

SECOND: Mr. Slack

DISCUSSION: None

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

6. Discussion: Board Policies and Procedures

Ms. Shiver mentioned she took a Master Plan workshop and said the Town of Spencer needs to discuss amending the Master Plan and creating a committee.

Mr. Bellemer raised concerns about residents and small ground mounted solar on their land. Ms. Trifone discussed that she has been working on amending the solar bylaw to define large-scale and small-scale ground mounted solar but currently the applicants would need to submit waivers. Ms. Shiver stated the ground mount solar process for residential is burdensome and costly.

Additionally, Ms. Trifone has been reviewing surrounding towns solar bylaws and would like to put a cap of large solar farms to twenty-three. Jeffrey Bridges, Town Administrator, discussed the Attorney General could approve the cap but applicants can still challenge in court. Ms. Shiver mentioned a recent case with the Town of New Braintree where the Planning Board denied the application twice, but the court overruled to approve the application. Mr. Ceppi mentioned they need to regulate the lithium batteries because they cannot ban them.

7. Review & Act: Revolving Account

Mr. Ceppi mentioned needing a motion for payment of the Stonebridge Press invoice in the amount of \$88.20 for the advertisement for Spooky Realty.

MOTION: Ms. Shiver motioned to approve the payment to Stonebridge Press for \$88.20 using the Planning Board Revolving account

SECOND: Mr. Bellemer

DISCUSSION: None

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

8. Town Planner Report, Interim Planner, Lauren Trifone

- Ms. Trifone passed around the revised mylar for 53 E. Charlton Road for signatures.
- Ms. Trifone is working on Solar Bylaw amendments.
- Ms. Trifone is working on a tree removal policy.
- Ms. Trifone applied for a grant that would cover the \$130,000 Master Plan revision/update cost.
- Town Meeting June 23, 2022, and there will be a table for the housing surveys.

9. General Board Discussion & Board Liaison Reports

None

10. Citizen Input

Matt Defosse, 7 Paul's Drive, mentioned it's a good idea to revise the Master Plan but feels that it had not been followed in the past, the new Master Plan needs to be reviewed by all the boards and followed. Additionally, Mr. Defosse agreed that the Commercial and Residential solar fees should be different, private solar needs a separate definition, however, residents should still adhere to visual mitigation and battery storage rules. Mr. Defosse asked Ms. Shiver to send her the court information regarding New Braintree.

11. New Business/Adjournment

Mr. Bridges mentioned before the Town Meeting there will be a special meeting for the Wastewater Treatment Plant Upgrades for additional funds.

MOTION: Ms. Shiver motioned to adjourn at 7:37pm

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: 6/21/2022

List of Documents used on June 07, 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 5/17/2022
- ANR Application and Plans- North Spencer Road, Edwin & Christine Mullins
- 133 Ash Street-Continuance request dated 6/7/2022.
- Charlton/Bacon- Continuance request dated 6/7/2022.
- Stonebridge Press Invoice- Revolving Fund approval for \$88.20

Items submitted/ brought to the Meeting:

- Revised ANR mylar for 53 E. Charlton Road