



Planning Board – Town of Spencer

Minutes

Planning Board Special Meeting

Thursday, June 18, 2020 at 7:00 PM

McCourt Social Hall, 157 Main Street Spencer, MA 01562

Memorial Town Hall- **Remote Meeting**

Planning Board Members Present: Chair Jonathan Viner, Vice Chair Jeff Butensky, Robert Ceppi, Shirley Shiver, and Maria Reed

Planning Board Members Absent: None

Staff Present: Paul Dell'Aquila, Town Planner

Staff Absent: Monica Santerre-Gervais, ODIS Senior Clerk

There were some technical difficulties starting the meeting on time

1. Mr. Viner opened the meeting at 7:35 pm

Mr. Viner stated that he wanted to add a line item to the agenda before the board liaison report and would like to name it discussion and progress update for 20/32 McCormick Road.

MOTION: Ms. Shiver motioned to accept the change to the agenda

SECOND: Mr. Ceppi

ROLL CALL VOTE: Butensky-yes, Shiver-yes, Reed-yes, Ceppi-yes, Viner-yes (Vote 5-0)

Discussion: Mr. Dell'Aquila clarified it will be the new line item 5.

2. Adoption of Minutes: Regular meeting of March 04, 2020; Special Meeting (Zoning Changes) April 02, 2020, and Regular meeting April 21, 2020

- **March 04, 2020-** Ms. Reed mentioned there were clerical items that needed to be addressed such as changing Mr. Shiver to Ms. Shiver, changing the comment having to do with Mr. Defosse to say cement blocks instead of cement clocks.
- **April 02, 2020-** Ms. Reed stated there was again some clerical errors and to change Mr. Shiver to Ms. Shiver. Also, on page 2 instead of non applications it should say no applications.
- **April 21, 2020-** No edits

MOTION: Ms. Shiver motioned to approve the minutes with discussed changes and proofreading edits

SECOND: Mr. Ceppi

DISCUSSION: None

ROLL CALL VOTE: Butensky-yes, Shiver-yes, Reed-yes, Ceppi-yes, Viner-yes (Vote 5-0)

3. Discussion & Action on use of 4 additional LPA hours for CMRPC mapping project

Mr. Dell'Aquila discussed that the hours will be used for mid-state trail, update designations, and they need more time proofing, and need additional 4 more hours and we have those hours that need to be used by June 30th, 2020. Mr. Viner asked about the form needed and Mr. Dell'Aquila said he had the form and will have it ready for signature. Ms. Shiver clarified that it would help the GIS Mapping for the Town of Spencer.

MOTION: Mr. Butensky motioned to authorize the chair to sign and use the 4 LPA hours to CMRPC mapping project

SECOND: Ms. Reed

DISCUSSION: None

ROLL CALL VOTE: Butensky-yes, Shiver-yes, Reed-yes, Ceppi-yes, Viner-yes (Vote 5-0)

4. Discussion & Action on use of Planning Board Revolving Fund for Master Plan (50% match -\$37,500)

Mr. Dell'Aquila mentioned that at a previous meeting they started to discuss this matter. FinCom approved there 50% match. If approved than over the summer CMRPC would work on updating the Master Plan. Mr. Viner did not believe it was approved yet. Mr. Viner felt the accounting practices have been poorly done and criminal and the matter needs more deliberation. Mr. Ceppi and Mr. Butensky felt it would be better to discuss in person. Ms. Shiver stated she was alarmed that the Chair stated that the provided accounting ledger is criminal. Mr. Dell'Aquila said the warrant is being finalized on Monday and if the Planning Board does not act on this than the item will be taken off the Town Meeting warrant and no Master Plan update this year. Mr. Viner said he is not comfortable acting on the item. Ms. Shiver said a possible forensic audit could be done and use the Planning Board revolving funds.

MOTION: Ms. Shiver motioned to table the item until the Planning Board can meet in person

SECOND: Mr. Ceppi

DISCUSSION: Mr. Dell'Aquila provided all the documents but will need to discuss with the Town Administrator and Town Counsel. Mr. Viner offered to go in front of the Board of Selectmen to weigh in and Ms. Shiver suggested to wait.

ROLL CALL VOTE: Butensky-yes, Shiver-yes, Reed-yes, Ceppi-yes, Viner-yes (Vote 5-0)

5. Discussion & Progress update for 20 & 32 McCormick Solar Projects

Mr. Viner discussed that no changes in the approvals have been approved and asked Mr. Dell'Aquila about any additional updates. Mr. Dell'Aquila said that all documents were emailed and the third-party reports doing inspections has not listed any deviations from the plans. Mr. Dell'Aquila mentioned that the chair has visited the site and has his own thoughts on the progress. Also, Mr. Dell'Aquila said there will be construction staff meeting next Wednesday and items that the Planning Board feels are issues he will bring up during the construction meeting. Mr. Viner stated during his visits the erosion control methods for perimeter erosion

control were supposed to be hay bales and silt fence and onsite they used straw wattles, there were no erosion control blankets used, earthwork in fair condition, access road should have been completed in phase 2 and they are on phase 7, sub-base material put down but no crushed stone per the plan, and at least 3 HDP culverts were installed under access drive in the wetlands. Mr. Viner felt the changes are substantial enough to request a hearing in front of the Planning Board. Mr. Dell'Aquila asked about what phasing plans he was reviewing and if Mr. Viner stated he had a phasing plan and Mr. Dell'Aquila asked if the phasing plan was through the Conservation Commission. Mr. Dell'Aquila stated it is clear the Conservation Commission is the Stormwater Authority and asked Mr. Viner if he was questioning that. Mr. Viner said he is not questioning it, but he didn't know if the phasing plan was supposed to go with the site plan approval and special permit. Mr. Dell'Aquila said the Conservation Agent, George Russell, has volunteered to come before the Planning Board to discuss these matters. Mr. Dell'Aquila will bring up any points brought up at the construction meeting next week. Mr. Viner said that in the Graves Engineering report from May 12, 2020 the pictures show HDP culverts and no note that those on the plans. Ms. Shiver mentioned the construction changes would be reflected on the as-builts. Ms. Shiver said it is up to the peer reviewer and Mr. Viner felt it is up to the Planning Board and the peer reviewer should note it but has not. Mr. Ceppi stated he did not believe the peer reviewer was doing their job thoroughly. Much discussion on if the applicant made changes that were substantial enough for additional review. Mr. Dell'Aquila mentioned he wish he knew about the concerns before the meeting so he could provide more information but suggested having Graves Engineering and Conservation Commission work out the matter since it is closely tied to Stormwater. Mr. Viner noted the National Grid utility poles are to be installed on private property and needs easements and he feels this is an issue because it was not on the site plan. There was discussion regarding the pole hearing in front of the Board of Selectmen. Ms. Shiver feels the wiring should be underground and poles should be more of the Planning Boards review. Mr. Viner said all the work National Grid is doing is being funded by the solar companies and developers. Mr. Dell'Aquila stated he could follow-up and report back to the board. Ms. Shiver mentioned that if anyone goes to the site than it would be courtesy to let other Planning Board members know, to receive proper transportation, and someone professional to discuss on site.

6. Board Liaison Reports

- Meetings on hold due to Covid-19

7. Town Planner Report

- Notified applicants that meeting will start to commence again in July 2020
- RFQ for unified peer review services and they received 10 applicants and they are being reviewed
- Block grant funds-food services and small businesses

8. General Board Discussion -

- **Possible Special Virtual Public Hearing before July 21, 2020 meeting-**
- **Planning Board Site Inspections-** if visiting a site Ms. Shiver suggested letting other members know that they are going and Mr. Dell'Aquila offered to be a reference to the Planning Board. Mr. Viner would like to add language for the applicant to provide proper PPE for site visits and Ms. Shiver added transportation.

- **Coordination with other Spencer Boards/Authorities regarding modification to approved site plans and special permits-** Mr. Viner discussed more communication between board and authorities when changes are made to the plans. Possible joint meeting to Conservation Commission to discuss.

9. New Business/Adjournment

MOTION: Mr. Ceppi motioned to adjourn the meeting at 9:20 pm

SECOND: Mr. Butensky

DISCUSSION: None

ROLL CALL VOTE: Butensky-yes, Shiver-yes, Reed-yes, Ceppi-yes, Viner-yes (Vote 5-0)

Submitted by Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: 8/18/2020

List of Documents used on June 18, 2020

Items sent to Planning Board prior to Meeting by email:

- Agenda
- Minutes for 3/04/2020, 4/20/2020, Special Meeting, and 4/21/2020
- Memo regarding Planning Board revolving fund

Items submitted at the Meeting:

- None