



Zoning Board of Appeals – Town of Spencer

Minutes

Zoning Board of Appeals Meeting

September 13, 2022, at 7:00 pm

In-Person & Remote

McCourt Social Hall, 157 Main Street Spencer, MA 01562

Memorial Town Hall

Zoning Board Members Present: Chair Alan Collette (in-person), Steven Tyler (in-person), and Gina Beford (in-person)

Zoning Board Members Absent: None

Staff Present: Lauren Vivier (formerly Trifone), Town Planner/Conservation Agent (in-person), Dawn Foster, Minutes Clerk (remote)

Staff Absent: Monica Santerre-Gervais, ODIS Senior Clerk

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

2. Special Permit – Applicant/ Owner: Michael Letendre; Location: 51 South Spencer Road, Spencer Assessor’s Map R22-5-1. The applicant is looking for a Special Permit under section 4.8.1 (Accessory Apartments) of the Spencer Zoning Bylaw to have an In-Law Apartment. The property is in the Suburban Residential (SR) zoning district.

Arthur Williamson, responsible for site work was present to represent Michael Letendre.

Mr. Collette requested clarification on plans. Ms. Vivier noted that it includes an enclosed breezeway with a roof. Ms. Vivier noted that the total square footage of the apartment appears under 700 square feet. Mr. Collette requested that this figure be verified to include the exact number on the permit. Ms. Vivier instructed Mr. Williamson to provide the exact number of living space of the apartment and not to include the garage.

Ms. Vivier asked if this is Mr. Letendre's primary residence and Mr. Williamson affirmed it is. Ms. Vivier also asked if there is off street parking available. Mr. Williamson stated that a permit has already been pulled for a new garage and driveway for the addition.

Mr. Tyler requested a new plot plan to show driveway and parking as he is concerned that there may be some issues with the proximity of the driveway and garage to the neighbor's property.

Jason Dubois is designing the new septic system and will be an upgrade to four-bedroom capacity but needs water commission review due to the property location within an aquifer protection district (next to town well). Mr. Collette asked if there was an aquifer setback, Ms. Vivier said no, it was a wellhead. Mr. Tyler said that he thought that the plans might need Water Commission review

At the next meeting the applicant needs to provide the actual square footage, updated building plans, plot plan to show driveway(s), and copy of existing permit for the driveway(s).

There was discussion regarding the doors of the garage and issues with the angle of entry as it relates to the property line. Mr. Williamson will review and revise the location to the back of the property and the location of the building on the property on the plot plan.

MOTION: Mr. Tyler motioned for a continuance until October 11, 2022.

SECOND: Ms. Beford

DISCUSSION: None

ROLL CALL VOTE: G. Beford-Aye, S. Tyler-Aye, and A. Collette-Aye (Vote 3-0 motion carried)

3. Discussion: Leon Drive As-Built Review

Petitioner requested continuance until October 11, 2022, as he is unavailable for meeting. A brief review showed that what was built was not what the ZBA had originally approved. Petitioner only built L-shape property instead of approved U-shape. As built is correct and reflects current building.

5. Approval of Minutes dated 08/09/2022

Mr. Tyler requested a minor revision to the minutes per notes given to Ms. Vivier prior to this meeting.

MOTION: Mr. Tyler motioned to approve the minutes for 8/9/2022 with discussed revision

SECOND: Mr. Collette

DISCUSSION: None

ROLL CALL VOTE: G. Beford-Aye, S. Tyler-Aye, and A. Collette-Aye (Vote 3-0 motion carried)

6. Town Planner Report

Ms. Vivier provided the following updates:

- There will be a Board of Selectmen special meeting on Tuesday, September 20th at 6pm to update the solar bylaws. It will be addressing small scale solar that is considered an accessory to a residence and will be submitted to the Zoning Board of Appeals instead of the Planning Board.
- Connect restaurant's liquor license was approved.
- CVS site work continues, and they need to submit sprinkler plans to the building department.

- Wednesday, September 14, 2022, is the special meeting to vote on the high school improvements. East Brookfield is voting tonight (9/13/22), both towns need 50% affirmative vote.
- Next Wednesday, September 21, 2022, there will be a community forum on the Housing Production plan from 6-8pm.
- Working on definitions for dog breeding permitting, preparing for Spring meeting, and detached accessory apartments.
- Meeting on November 8th will be cancelled due to elections, new meeting to be tentatively scheduled Wednesday, November 9, 2022, if necessary.

7. New Business/Adjournment

MOTION: Ms. Beford motioned to adjourn the meeting at 8:00 pm

SECONDED: Mr. Tyler

DISCUSSION: None

ROLL CALL VOTE: G. Beford-Aye, S. Tyler-Aye, and A. Collette-Aye (Vote 3-0 motion carried)

Submitted by Dawn Foster, Minutes Clerk

Reviewed by Monica Santerre-Gervais, ODIS Senior Clerk

Approved by the Zoning Board of Appeals on: 10/19/2022

List of Documents used on

Items sent to Zoning Board Members prior to Meeting by email:

- Agenda
- Memo from Town Planner
- Drafted Meeting Minutes 8/9/2022
-

Items submitted/ brought to the Meeting:

- None