



Zoning Board of Appeals – Town of Spencer

Minutes of Tuesday, April 11th, 2017 at 7:15pm

Zoning Board of Appeals Meeting
McCourt Social Hall/Memorial Town Hall
157 Main Street, Spencer, MA 01562

Zoning Board Members Present: Allan Collette, Mary Stolarczyk, and Alan Stolarczyk

Zoning Board Member Absent: None

Staff present: Monica Santerre-Gervais, Clerk & Paul Dell'Aquila, Town Planner

1. Open Meeting – Mr. Collette was acting chair and opened the meeting at 7:15 pm. The applicant or owner was not present for the meeting and the members agreed to do minutes and town planner report in order to give them more time.

2. Approval of Minutes:

- **January 10, 2017**

MOTION: Ms. Stolarczyk motioned to accept the minutes for January 10 as submitted

SECOND: Mr. Stolarczyk

DISCUSSION: None

VOTE: 3-0

3. Town Planner Report:

Mr. Dell'Aquila handed out a memo to the Zoning Board of Appeals (ZBA) members dated 4/11/2017. In the memo it discussed gravel pits and earth removal bylaws and zoning, as well, as temporary mobile homes. Mr. Dell'Aquila explained that in the state language an emergency temporary trailer is allowed by right for one year and we would need to revise our process in Spencer. In surrounding towns the applicant would go through the Board of Health for septic sign off and then the applicant would need approval from the Building Inspector. The Zoning Board of Appeals members agreed that this would be a better solution to what was currently in place.

Additionally, Mr. Dell'Aquila did research into the gravel pits in surrounding towns and it doesn't seem like there is a standard on which board approves the gravels pits and how our General Bylaws and Zoning Bylaws wording may conflict with one another. Mr. Collette doesn't think that the ZBA should continue the gravels pits and the applicant should go through the Board of Selectmen.

There was much discussion in recommending bylaw changes for both gravel pits and temporary trailers to the Planning Board to go to Town Meeting.

4. Special Permit- Temporary Trailer, 76 Thompson Pond Road

Mr. Stolarczyk read aloud the description: **Applicant/Owner: Aline Riedle. Location: 76 Thompson Pond Road, Spencer Assessor's Map R36/4. The applicant is requesting a Special Permit under Sections 4.5 (Temporary Uses) of the Spencer Zoning Bylaw applying for a temporary mobile home on the property in order to repair the single family home that was damaged by a fire. The property is located within the rural residential zoning district.**

Mr. Collette opened the Special Meeting at 7:35pm. No one was present to represent the applicant or owner.

Mr. Stolarczyk said he drove by the site and there was construction being done on the damaged home.

Mr. Dell'Aquila showed the members a picture of the trailer from his own drive by.

MOTION: Ms. Stolarczyk motioned to close the meeting

SECOND: Mr. Stolarczyk

DISCUSSION: None

VOTE: 3-0

MOTION: Ms. Stolarczyk motioned to approve the Special Permit for the temporary trailer located at 76 Thompson Pond Road for one year.

SECOND: Mr. Stolarczyk

DISCUSSION: Mr. Collette added under section 4.5.3 of the Spencer Zoning Bylaw that the petitioner shall meet all the required permits issued by the town in regards to the addition of the building.

VOTE: 3-0

With no further discussion the meeting is adjourned at 7:39 pm

Submitted By: Monica Santerre-Gervais, ODIS Clerk

Approved by the Zoning Board of Appeals on 6/13/2017

List of Documents used on January 10, 2017:

ZBA mailing

Items mailed/mailed to ZBA members prior to meeting:

- Agenda
- Memo to the ZBA dated 3/28/17, submitted by Paul Dell'Aquila
- Minutes from January 10, 2017
- Special Permit application for Aline Riedle, temporary trailer, 76 Thompson Pond Road

Items submitted to ZBA members at the meeting:

- Memo from Paul Dell'Aquila dated 4/11/2017 in regards to gravel pit and temporary trailers