

Planning Board – Town of Spencer

Minutes



Regular Planning Board Meeting
Tuesday, February 17, 2009 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

The meeting was called to order at 7:00 p.m.

Planning Board Members Present: Vice Chair Paul Tee, Shirley Shiver and Paul Sauvageau.

Planning Board Members Absent: Chairman Fabio Carrera and Robert Ceppi.

Staff present: Adam Gaudette, Town Planner and Bea Meechan, Senior Clerk, ODIS

New Business:

A. Major Site Plan Review, Country Spirits Corp., 10 West Main Street, Spencer, MA. Mr. Tee opened the public hearing at 7:05 pm. Allan Letendre, the applicant, is proposing the construction of a 5,600 square foot commercial building for Country Spirits Corp.

Mr. Tee asked the applicant to present his plan.

Jason Dubois, the engineer from Bertin Engineering, represented the applicant. He demonstrated the plan to the Board and gave a brief summary as follows:

- The site will have two main routes of access, one via West Main Street (Rte 9 West) and the other is via the Old Spencer Road.
- 31 parking spaces and a loading area for deliveries which is located in the back. The delivery trucks will only access from Old Spencer Road.
- There is a 125-foot National Grid easement, a 50-foot wide Spencer Gas easement and a 10-foot wide private sewer easement, within the site.
- The sewer line will be tied to an existing manhole and connected to Old Spencer Road.

There is an existing sewer line currently servicing the abutter, Ms. Nancy Muir, in the property. Mr. Dubois has met and discussed with Mark Robidoux (Sewer Department) on connecting the sewer line to the existing line. The Sewer Department has provided comments that need to be addressed. Mr. Robidoux has suggested that both the applicant and the

abutter make an agreement for maintaining the sewer line from the existing manhole to the main sewer line (to Old Spencer Road).

At this time the Board asked if the applicant has any response to the comments from the Town's Peer Engineer, Cullinan Engineering, and Spencer Sewer Department.

Mr. Dubois addressed the following:

First: Cullinan Engineering commented on the detention basin and other drainage components. He will discuss these with Cullinan and prepare a response.

Second: The Sewer Department has recommended the relocation of the detention basin (located near Old Spencer Road) to the other side of the drive. The reason is that it is too close to the existing sewer line. In addition, Cullinan Engineering, recommended relocation of the 4-foot chain fence as it is directly on top of the existing sewer line. Mr. Dubois said that he will try to relocate them (the detention basin and the chain fence) as recommended.

After reviewing the plan, the Board and Mr. Gaudette asked the applicant to address the following concerns:

There is an existing house on the westerly side of the proposed building. The Board asked if the applicant will consider installing a retaining wall, fence, or vegetation along the property line.

Mr. Dubois stated that there is a slope of 1.5:1 along the property line and it is difficult to plant trees. They are using Geo Matting, and can try to plant some shrubbery as well.

Bixby Estates has an approval from the Board to construct a 42- unit condo project on Bixby Street. What is the distance from Bixby Street to the proposed project? The proposed plan doesn't specify the distance.

Mr. Dubois said he will provide the distance in the revised plan.

Is there office space on the second floor, and if there is, does the applicant plan for additional parking spaces to accommodate that?

Mr. Letendre indicated that it will be a storage/office space use on the second floor of the building and it is approximately 150-200 square feet in size. The use is in association with the retail business on the first floor.

Mr. Gaudette requested the updated floor plan information be included in the revised plan.

The Board asked about the ownership and the condition of the 6-inch existing sewer line. The new sewer line will be tied to this existing sewer line, connecting out to Old Spencer Road.

Mr. Dubois said that no one seems to know who has the ownership of that sewer line. Even, the Sewer Department has no knowledge of it. There is no Town easement. Based on observation, the sewer line is in good condition.

Mr. Gaudette questioned the existing garage of the easterly abutter. The garage appears to be located on the applicant's property. He asked if there is a deed easement.

Mr. Letendre responded that there is no deed easement. To his knowledge, the abutter (on the easterly side) had permission from a previous owner.

The Board expressed concern on the traffic, especially when the construction of the 42 housing units is completed on the Bixby Road and is near the proposed site. The Board thought a traffic study **on the sight distance is essential**. Making a left turn out from the proposed site on to Route 9/West Main Street can be problematic. The proposed site is located on the hill; it is difficult to see the traffic/vehicles coming up the hill.

Mr. Dubois replied that the sight distance is 300 feet when making a left turn, and 500 feet when making a right turn, exiting out from the proposed site.

Mr. Gaudette advised Mr. Dubois to use guidelines from the ASSHTO (or other), and provide narrative documenting the design drive is within compliance. In addition, to illustrate (by drawing the line) the sight distances on the plan and provide the distance from the driveway entrance to the stop sign located at Bixby Road. All this information should be included in the revised plan.

Note: The Board specified that "stopping" sight distance and "intersection" sight distance should be analyzed.

Ms. Shiver suggested Mr. Dubois contact Central Massachusetts Regional Planning Commission (CMRPC) for information on roadway data. She said the CMRPC has just finished compiling the study of the roadway associated with the traveling speed. The data could be very helpful since it includes the study on Route 9.

The Board asked if the applicant has the estimated number of customers. This will help the Board to determine the volume of the traffic the proposed site could generate.

Mr. Letendre said that based on his current business (in the Big-Y Plaza), the number of customers calculated about 2,500 per week. He explained that basically his business at the proposed site is a stand-alone-establishment. The volume of the traffic will not be as high as his current establishment in the Big-Y Plaza (which has multiple retail businesses).

Mr. Tee asked if the applicant has a plan for the sign, and if not, he should prepare the proposed sign and submit it to the Board. Signage review for a new proposed site is part of a site plan review, when special permit relief is required.

Mr. Gaudette stated that the signage regulation is available at the Office of Development & Inspection Office and at the Spencer Town's website.

The Board asked for a clarification on the recycle storage area, and its purpose.

Mr. Letendre stated there is a redemption center for can, plastic and glasses bottles. It has its own entrance and exit, and is located next to the main building. Once the redemptions containers are filled, the crushed materials (plastic, can and glass bottles) are transferred to the outside recycle storage specified on the plan. Next they will be picked up by the refuse company, or he might drop them off at a recycle site.

Mr. Gaudette suggested that from the aesthetic point of view, this area (recycle storage) should be screened. The applicant should include screening detail in the revised plan as has been provided for the dumpster.

The plan has shown landscaping along the Route 9/West Main Street. Ms. Shiver asked the applicant to do landscaping along the access area on the Old Spencer Road as well. In addition, the Board has requested the applicant to submit the surety amount for the landscaping.

Mr. Gaudette explained that when the Planning Board approves the site plan, there will be certain conditions to the approval. The submittal of the surety amount is one of the conditions. The surety check will be deposited into a Town escrow account. Once the landscaping is completed, the Town will issue the funds back to the applicant with any accrued interest.

There are abutters on both westerly and easterly sides of the proposed site. Mr. Gaudette said that since there is a proposed landscaping (for screening) along the property line on the easterly side, he thought the screening is necessary along the property line on the westerly side, too.

In response, Mr. Letendre said that there is a tree line, naturally formed as a buffer, along the property line on the westerly side. He indicated that one of the trees is very big, and it could cover half of the proposed building.

Mr. Gaudette said that it is difficult to identify the vegetation from the plan. He advised providing the detail of any existing vegetation, and/or submittal of existing vegetation pictures, in the area discussed.

With no further questions or comments from the Board, Mr. Tee then opened the hearing to the public.

Jeffrey Derosier of 12 West Main Street is the abutter on the westerly side of the proposed site. He addressed his concerns as follows:

- Privacy concern; he requested to have a fence along the property line. He has farm equipment in the yard, and does not want people/customers trespassing through his property – they might get hurt.

Mr. Dubois said at this time there is no plan in place yet for fencing. He stated they will consider fencing on the revised plan.

- Driveway-Safety concern; his driveway is located on the crest of the hill. Currently, it is difficult to exit out from his driveway on both directions (making left and right turn). The proposed site could contribute to more traffic, thus there is more of a safety concern to him.

Mr. Gaudette advised the applicant to *measure the sight distance*. Using the *standard sight distance* guidelines and provide a narrative, just as suggested in the earlier discussion. Provide the findings to the Board, and a site visit from the Board may also be necessary.

In summary, the applicant is required to submit a revised plan that includes all comments and suggestions from the Board and Mr. Gaudette at tonight's hearing, as well as town staff and Cullinan.

Ms. Shiver made a motion to continue the public hearing to March 3, 2009. Mr. Sauvageau seconded the motion and the vote was 3-0 in favor.

Approval of Minutes: For February 3, 2009

Ms. Shiver made a motion to accept the minutes for February 3, 2009. Mr. Sauvageau seconded the motion and the vote was 3-0 in favor.

Old Business: None

Other Business: None

Mr. Sauvageau made a motion to adjourn the meeting at 8:00 pm. Ms. Shiver seconded the motion and the vote was 3-0 in favor.

Submitted by:

Approved:

Bea Meechan
Senior Clerk, ODIS

Paul Tee
Planning Board Vice Chairman