

Planning Board – Town of Spencer

Minutes

Planning Board Meeting

Tuesday December 18, 2012 at 7:00 PM

McCourt Social Hall

Memorial Town Hall



Planning Board Members Present: Chair James Whalen, Shirley Shiver, Ralph DiChiara, Mary Stolarczyk, Robert Ceppi and Associate Member Jonathan Viner.

Planning Board Members Absent: None (note: Robert Ceppi was 15 Minutes late)

Staff Present: Michelle Buck, Town Planner and Brynn Johnson, ODIS Clerk

Mr. Whalen opens the meeting at 7:00pm.

1. ANR- Applicant/Owner: Clifford Leinonen. Location: 11 R. Jones Road.

The purpose of this plan is to take a 120 s.f. parcel (parcel A) out of lot 1 and combine it with parcel D. Parcel A is not a buildable lot.

Mr. Whalen asks if there are any questions. There are none. The Board agrees this is a straight forward well labeled plan.

Motion: Ms. Shiver makes a motion to approve this ANR Plan. Ms Stolarczyk seconds the motion.

Vote: 4-0 in favor (Mr. Ceppi was not present)

2. ANR – Applicant: B & R Survey Inc/Bob Smith. Owners: David Dudley & Richard Lenihan. Location: boundary line adjustment between 48 & 50 Chickering Road.

Attorney Howard Potash is present to represent the applicants.

An updated plan is given to the Board. This updated plan has all the ANR plan requirements on it.

Ms. Buck explains there was a dispute on deeds on where the boundary line is. This plan puts on paper what the applicants have agreed on for the boundary line.

Mr. Potash says the applicants have agreed that this is the boundary. They have split the cost of having the survey done and for a new fence. This will settle the dispute.

Mr. Viner brings up concern that the survey doesn't show tie-distance. The Board discusses this and decides for the purposes of this Board the plan fine as is.

Mr. Whalen asks if there are any other questions. There are none.

Motion: Mr. Shiver makes a motion to approve this ANR plan. Ms. Stolarczyk seconds the motion.

Vote: 4-0 in favor (Mr. Ceppi was not present)

3. 7:20 Continued Public Hearing – Major Site Plan Review: Applicant: Diversified Automotive, Inc. Owner: Seven Mile River Nominee Trust. Location: Podunk Highway (Rt. 49).

Mr. Feeney gives the Board an update since they last met; they got approval from the ZBA for a Special Permit for the use of this site. The other issue with zoning was a determination from the Zoning Enforcement officer on whether or not this site abuts a residential zone. It was determined that it does not border a residential zone because the zones are separated by Rt. 49 which is a 400 ft wide right-of-way. Also all comments from Graves Engineering have been addressed. As requested by the water dept. the water-line was been added to the plan. They are still waiting for approval from the Conservation Commission. The Conservation Commission says they are waiting for final site plan approval for the Planning Board before their final Order of Conditions.

The Board asks Mr. Feeney to clarify on the plan where the existing paved (not previously approved) parking lot is. The Board questions if it's too close to the residential zone. It is determined that parking and paving are allowed in the 30 ft setback but structures are not allowed.

Mr. Ceppi asks why the fuel storage tank is within the 30 ft setback. Mr. Feeney says this is something that was overlooked. They can relocate it if they need to.

The Board agrees the tank will need to be moved out of the setback. Mr. Feeney says they will move the tank, he will submit a revised plan. They will also get all the needed State and Local permits needed for the tank.

There is a discussion about the how the underground holding tank works. Mr. Feeney explains this industrial holding tank. The tank is similar to a septic tank. It will collect any fuel or oil runoff from the fueling area. It gives a warning when it needs to be pumped. Stormwater will be collected and treated prior to discharge.

Mr. Whalen asks if there are any other questions.

Mr. Feeney asks the Board if they can approve this plan with a condition to move the fuel storage tank. Mr. Buck says since this was an overlooked detail, it would be reasonable for the Board to approve the plan with a condition regarding the relocation of the storage tank.

Condition number 16 is added to the decision.

16. The fuel storage tank shall be relocated so that it is located outside the required thirty (30) foot front setback and to the satisfaction of the Fire Department. The Applicant shall submit a revised plan to the Planning Board showing the location of the relocated fuel storage tank.

There are no other questions, no abutters are present. Public Hearing is closed.

MOTION: Ms. Shiver makes a motion to approve the decision with the addition of condition number 16. The applicants also must submit a revised plan showing the location of the fuel storage tank to be reviewed by the Board. Mr. DiChiara seconds the motion.

VOTE: 5-0 in favor

Submitted by: Brynn Johnson, Jr. Clerk

Approved by the Planning Board on: _____02/19/2013_____

List of Documents used on November 13, 2012

Items sent to Planning Board prior to Meeting:

- Agenda
- ANR Application and Plan for 48/50 Chickering Road
- Memo from Michelle Buck to Attorney Howard Potash & Surveyor Bob Smith dated 12-6-2012
- ANR Application and plan for 11 R Jones Road
- Comments from Graves Engineering regarding Diversified Auto dated 12-11-2012
- Response to Graves Engineering comments from Beals & Thomas dated 12/07/2012

Items submitted at Meeting

- Updated ANR plan for 48/50 Chickering Road