



Planning Board – Town of Spencer
Minutes
Planning Board Meeting
Tuesday July 15, 2014 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

Planning Board Members Present: Chair James Whalen, Shirley Shiver, Mary Stolarczyk, Robert Ceppi, and Jonathan Viner

Planning Board Members Absent: None

Staff Present: Michelle Buck, Town Planner

Staff Absent: ODIS Clerk

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

1. General Discussion, Board Re-Organization:

MOTION: Ms. Shiver motioned to move to end of the meeting, Ms. Stolarczyk seconds.

VOTE: 4-0 (Bob Ceppi not present at beginning of meeting)

MOTION: Mr. Viner motioned to move agenda as amended, Ms. Shiver seconds.

VOTE: 4-0

2. ANR, 401 East Main Street / JAD Realty Trust (Todd Davis):

Mr. Ceppi arrives. This ANR Plan splits the lot that is currently the site of Spencer Veterinary Hospital into two lots: 1 lot for the existing structure, and a 2nd lot for the new Spencer Veterinary Hospital. Both lots conform to ANR requirements.

MOTION: Ms. Shriver moves to endorse the ANR Plan, Ms. Stolarczyk seconds.

VOTE: 5-0

3. Conceptual Site Plan for Modification of Sunset-Holmes Subdivision

The applicant requested that discussion be postponed until a future meeting date.

4. Special Permit, Applicant: John & Suzanne Krol, Owner: Laurel Point, LLC, Location: 35 Chickering Road. Project: Rear Lot Subdivision and Common Driveway.

Don O'Neil, the attorney for John and Suzanne Krohl & Laurel Pt. LLC, present. Attorney O'Neil explained that the driveway meets all design requirements: 10 feet in width, 3 foot shoulder, 624' long (maximum of 2,000'), less than maximum 3.5% grade, 1% grade for first 50 feet.

Ms. Buck noted that a revised plan was not submitted until earlier today (distributed to Board members at beginning of meeting), and other information wasn't submitted until late last week. She has not had sufficient opportunity to review the plan and related documents to check compliance with the bylaw or to draft suggested conditions of approval. She suggests that the hearing be continued to allow time to review the submitted materials. The applicant objects.

Steve Tyler said that he's okay with the project as long as the applicant submits a driveway permit application.

Ms. Shiver commented that the applicant should add clearer frontage for lot 2R-2, width of driveway, description of what driveway is being used for, and to show the setbacks in a table.

MOTION: Mr. Ceppi motioned to continue the hearing until 8/19/2014, Ms. Shiver seconds.

VOTE: 5-0

5. Major Site Plan Review, Applicant: SJA Solar LLC. Owner: Cistercian Abbey of Spencer, Inc. Location: 167 North Spencer Road. Project: Construct a Solar Facility.

Don Graves (Graves Engineering) and Steve Plonsker (Solterra) were present to discuss the project. Mr. Graves provided an overview of project changes. The size of farms 11, 10N and 10S were reduced to accommodate Abbey Brewery plans. Farms 6W and 5WW were removed from the Planning Board Application so they could move forward with the project. There are only minor changes to the remaining farms. However, they will be using a different panel manufacturer that allows for greatly reduced cut/fill and changes in grade. Because they are reducing the project size, the project doesn't trigger MEPA review.

Ms. Buck noted that even without a MEPA requirement, the applicant is required to have a complete development impact analysis (including an Environmental impact analysis) under the Town's Site Plan Review Requirements. The Town has been asking for this information for several months. The applicant agreed to update development impact analysis.

Mr. Whalen asked about a letter received from some of the monks at St. Joseph's Abbey, indicating division among the monks regarding this solar project. He asked if the reduced grade changes and tree cutting had changed things. An Abbey representative responded that a community vote was taken on the project, and the project had 55-60% approval.

Steve Tyler was present and felt that most of his concerns were addressed. Issues related to Fisheries & Wildlife as well as stormwater have been resolved. Regarding an Environmental Impact Assessment (EIA), he indicated that MEPA was jurisdictional because of the APR land, and is not anymore. Mr. Tyler discussed the wildlife Habitat and that the applicants must conduct a wildlife habitat assessment as part of the environmental assessment. To date, the applicant has refused. The assessment should include a description of wildlife habitat and proposed mitigation of impacts. It could easily have been done by now.

Additionally, there was much discussion in regards to the fencing and wildlife habitat and when the assessment should have been done and why it wasn't done. The assessment should include information about wildlife corridors. Mr. Graves indicated that it may have been done by EcoTec but not summarized yet. Margaret Washburn can evaluate when it's done. Mr. Whalen mentioned that we had one solar project that didn't go as planned, and we don't want to have a project that damages the environment. Ms. Shiver indicated that the Board wants to be prudent; to mitigate what we can related to stormwater and wildlife. She acknowledged that project changes are good as they minimize cut and fill.

MOTION: Mr. Ceppi motioned to continue the hearing until 8/19/2014; Ms. Shiver seconds.

VOTE: 5-0

6. ANR, 15 GH Wilson Road/ Bohan:

The applicant added wetlands to the plan as requested. There was much discussion about identifying owner of remaining land

MOTION: Ms. Shiver motioned to endorse as is, Ms. Stolarczyk seconds.

VOTE: 5-0

7. Town Planner Report / General Board Discussion

Planning Board Re-Organization:

MOTION: Ms. Shiver nominates James Whalen to Chair and Bob Ceppi for Vice-Chair, Ms. Stolarczyk seconds.

VOTE: 5-0

Central Massachusetts Regional Planning Commission (CMRPC) Appointments:

MOTION: Ms. Shiver made a motion to nominate Mr. Ceppi as the CMRPC delegate, Ms. Stolarczyk seconds.

VOTE: 5-0

MOTION: Ms. Shiver made a motion to nominate Mr. Whalen as the alternate delegate to CMRPC, Ms. Stolarczyk seconds.

VOTE: 5-0

Submitted by: Monica Santerre-Gervais ODIS Jr. Clerk

Approved by the Planning Board on: 10/21/2014

List of Documents used on July 15, 2014

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Michelle Buck to Planning Board Dated 7/9/2014
- Conceptual Sketch of proposed modifications of Sunset-Holmes subdivision, undated (stamped received 7/9/2014)
- Declaration of Common Driveway Covenants related to 35 & 39 Chickering Road special permit
- Email from Steve Plonsker to Michelle Buck, dated June 20, 2014, with summary of project changes to St. Joseph's Abbey solar project, with attached conceptual level plans showing the proposed changes

Emailed to Board:

- Email from Michelle Buck to Planning Board members dated 7/9/2014, with new submittals for Abbey solar (narrative, responses to comments from Town staff, and new plans)

Items submitted at the Meeting:

- Revised Chickering Road Special Permit plan, dated July 14, 2014