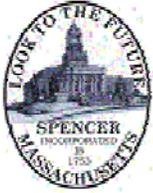


Planning Board – Town of Spencer

Minutes



Planning Board Meeting
Tuesday September 16, 2014 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

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

Planning Board Members Absent: Shirley Shiver

Staff Present: Michelle Buck, Town Planner, Monica Santerre-Gervais, ODIS Clerk

Staff Absent: None

Mr. Whalen opens the meeting at 7:04pm.

1. ANR Wilson Street/ Monette

Ms. Buck explains Parcel C is being carved off of the 130 acre parcel plot. Parcel 3 is adding to Lot 3, which, is already oversized and has more than the required frontage.

Mr. Ceppi made comments about the Abbey Solar farm being 300 ft away from the property.

Mr. Thomas Fancy was present in the discussion.

MOTION: Mr. Ceppi makes a motion to endorse the plan as submitted, Ms. Stolarczyk seconds.

VOTE: 4-0 in favor

Ms. Buck endorses the plan.

2. ANR Meadow Road/ Andrews & Stoddard

Ms. Buck explains this ANR is splitting one large parcel into two. There was much discussion between the Planning Board members on where this parcel is located. Ms. Buck explains the changes that needed to be made were the zoning boundaries in the back of the lot.

Mr. Ceppi noted that there are definitely wetlands and that is where they have some of the wells for the Town of Spencer's water.

Mr. Viner feels this lot is going to be made into a parking lot and that the lot has already been leveled off for it.

MOTION: Mr. Viner makes a motion to approve. Mr. Ceppi seconds.

VOTE: 4-0 in favor

Ms. Buck endorses the plan.

3. Associate Planning Board Member (Phil Olivo) Discussion-

Mr. Whalen continued this discussion to the October 2014 meeting due to the absence of Phil Olivo.

4. Request for Zoning Bylaw Amendment, re: Tattoo Parlors (Brydi Little Ricard present)

Applicant: Ms. Ricard, currently residing at 52 Chestnut Street, discussed her intent to open a Tattoo Parlor on Chestnut Street. She reviewed the Zoning Bylaws and found that currently Tattoo Parlors are only allowed in Commercial zoned areas. Ms. Brydi is requesting a review of this law to include a special permit for Town Center Mixed Use (TC) district. Currently, 52 Chestnut Street has two other businesses and has room for a third business. Ms. Ricard's mother owns the property.

Ms. Buck addressed the Zoning Bylaw restrictions in Section 4.3.20:

4.3.20 Tattoo parlors or body piercing studios (E-24) are permitted provided:

- A. The parcel upon which they are located is at least 400 feet from any residential zoning district or town boundary and at least 1,000 feet from any school, childcare facility, public playground, public park or recreational facility, library, church or other religious use.
- B. There shall be no display of any materials which meet the definition of sexual conduct or sexual excitement in MGL Ch 272 Sec 31 in any location, interior or exterior, that are visible to the public from any public areas outside of the business.
- C. Under no circumstances shall a tattoo parlor or body piercing studio be permitted as a home business, customary home occupation, or home-based contractor.

Additionally, Ms. Buck referenced the maps that that were given to the board members [maps showing where tattoo parlors are allowed under the current Zoning Bylaw] and noted that changing this law would require more than just changing the Zone requirements from an SP to Y. The amendment would have to address the setback issue. As shown on the maps there are only two small areas that allow Tattoo Parlors. There are a few options to amend the zoning bylaws. Sponsorship can be by the Planning Board, Board of Selectmen, the Zoning Board of Appeals, Central Mass Regional Planning Commission, the Property Owner, or a petition of ten

registered voters. If the Planning Board is opposed to amending the bylaw then the applicant can try to get a sponsorship from another Board.

Ms. Ricard asked the Board if the law had been amended since Massachusetts legalized tattoo shops. To which, Ms. Buck responded that the town revised the Zoning Bylaws in 2006 and added the regulations we have now for Tattoo Parlors. Prior to 2006, tattoo parlors were prohibited.

Mr. Whalen spoke to Ms. Ricard briefly about a similar amendment they tried to sponsor for the medical marijuana legalization in which the Board of Selectmen modified.

The next steps for Ms. Ricard are to have a public informational meeting at either the October or November 2014 Planning Board Meeting (depends on other pending hearings). Based on the comments at the meeting the Planning Board will consider drafting the bylaw amendment to be presented at a formal public hearing in February, and then could be voted on at the Annual Town Meeting in the spring.

Ms. Ricard is to be notified by a phone call and email regarding upcoming meeting dates and times.

Mr. Whalen asks if there are any further comments. There are none.

NO MOTION

5. **Approval of Minutes-** May 20, 2014

Motion: Mr. Viner makes a motion to approve the minutes from May 20, 2014. Ms. Stolarczyk seconds.

Vote: 4-0 in favor

6. **Town Planner Report**

- Ms. Buck addressed the board about receiving their agenda packets via email instead of paper drafts. Majority of the board preferred getting their site plans in a hard copy due to the larger print size.
- Notified the Board of the September 24th, 2014 meeting in regards to the Sugden Block RFP with Selectmen.
- Notified the Board of another solar farm application for Spencer Meadow. The initial meeting will be held in October; the application needs work and most likely will be continued.
- There will be two requests for subdivision extensions at the October meeting.

With no further discussion the meeting is adjourned at 7:50PM.

Submitted by: Monica Santerre-Gervais, ODIS Clerk

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

List of Documents used on September 16, 2014

Items sent to Planning Board prior to Meeting:

- Agenda
- Memo from Michelle Buck to Planning Board Dated 09/10/14
- Wilson Street/ Monette ANR and application
- Meadow Road/ Andrews & Stoddard ANR and application
- Letter to request Zoning Bylaw Amendment-Tattoo Parlor dated 9/23/14
- Minutes from 5/20/14

Items submitted at the Meeting: **None**