



Planning Board – Town of Spencer

Minutes

Planning Board Meeting
Tuesday, January 19, 2016 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

Planning Board Members Present: Chair Robert Ceppi, Maria Reed, Shirley Shiver and Jonathan Viner

Planning Board Members Absent: None

Staff Present: Larry Smith, Town Planner, Monica Santerre-Gervais, ODIS Clerk

Staff Absent: None

Mr. Ceppi opens the meeting at 7:03pm.

Larry Smith suggested moving the discussions for the Driveways and Fence/Hedges after the Solar Public Hearings and then move the ANR approval after the discussions.

3/4. Continued Public Hearing- Site Plan Review: ZPT Paxton Road/ Woodchuck Lane
Brendan Gove, ZPT Energy, LLC, approached the Planning Board and asked for a one month extension. Currently, the project is under review with the Conservation Commission and Margaret Washburn plans on doing a walk thru of the sites on 1/20/16 to review the wetlands, confirm current placement of flags, and discuss Lenard Engineering's review. In addition, they are completing new plans that should take care of the access and frontage issues.

MOTION: Ms. Shiver motioned to continue the two public hearings to February 16th, 2016 with the meeting starting at 7:00 pm.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

6. Discussion – Proposed revisions to Driveway Zoning Bylaw (Section 6.2)

Steven Tyler, Director of Utilities/Facilities & Highway Department, was present for the meeting. There was an initial meeting between Mr. Tyler, Adam Gaudette, Highway Foreman, and Mr. Smith and all are in agreement. The proposed regulations left certain driveway requirements (i.e. those requiring a Special Permit/Site Plan Review or Variance) under Zoning and, as requested by the Board, have included most of the driveway requirements as a General Bylaw under the jurisdiction of the Highway Superintendent.

Mr. Viner asked about the curb cut limit per lot. Mr. Smith answered that it controls the number of turning movements and that in most circumstance one is enough. In addition, Mr. Tyler said you can get a special permit to have more than one. Mr. Smith mentioned that at a Zoning Board

of Appeals meeting there was a gentleman who had more curb-cuts and black top for a yard then grass and the town would like to avoid those types of situations. Mr. Viner mentioned some scenarios that would require more than one curb cut and Mr. Tyler said in certain circumstances he could allow it or the applicant would need to go before the Zoning Board of Appeals for a special permit.

Mr. Smith said if the Planning Board agrees to revisions then it would need to have a public hearing for next meeting and then it would go on the spring meeting.

MOTION: Ms. Shiver motioned to accept the drafted driveway revisions and to be put on our next meeting for a public hearing.

SECOND: Ms. Reed

DISCUSSION: This will be for both Zoning Bylaw and a Town Bylaw

VOTE: 4-0

7. Discussion – Proposed Fence and Hedges Zoning Bylaw (Section 6.6)

Mr. Tyler was present for this discussion. Currently, fences are allowed without a building permit if they are 6 feet and under.

Mr. Tyler mentioned that this came up due to an issue they are having with a fence on the corner of Wilson Street and Hastings Street has become a safety issue and there has been accidents. Mr. Ceppi mentioned the owners could be the LaCroix's and they might lower or move the fence if they ask. There was much discussion about fence heights and property lines.

MOTION: Ms. Shiver motioned to accept the revisions for Article 6 for Hedges and Fences for a public hearing for the next meeting on February 16th, 2016 and recommended to be on the next warrant.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

1. ANR's: Michael Aucoin/ 6 Woodland Lane

No one was present to discuss this ANR.

Mr. Viner mentioned he did surveying for the abutter Gloria Faulkner and if he can vote on this ANR and Mr. Smith said yes he can. Mr. Ceppi asked about the existing path that was shown on the plans. Mr. Smith said that he is unsure of what that path is for. Mr. Ceppi believes that is a pre-existing path for the Girl Scouts so they can get to the lake.

MOTION: Ms. Shiver motioned to accept and endorse the ANR as submitted

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

- **William Casey Estates, LLC / William Casey Road**

Philip Stoddard continued this ANR until the next meeting.

5. Public Hearing – Amend Section 4.3.20 (Tattoo parlors or body piercing studios (E-24) of the Zoning Bylaw to clarify when the Board of Health approval is required.

Mr. Ceppi opened the hearing at 7:28 pm.

Mr. Smith explained the revisions and how it would clarify when the Board of Health approval is required and would allow for the issuance of the Special Permit without the prior obtaining of the Board of Health Permit, but still requires the obtaining of both to operate. It is hoped that this change can be placed as an Article on the Annual Town Meeting Warrant.

Mr. Ceppi closed the public hearing at 7:29 pm

MOTION: Ms. Shiver motioned to accept and recommend the revisions to be reviewed by The Board of Selectmen in order to allow this on the warrant for the spring meeting.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

9. Planning Board Committee Appointments:

These boards were recently established by The Board of Selectmen.

- **Building & Property Reuse Advisory Committee**

Mr. Smith read the purpose:

The Town of Spencer Board of Selectmen herein establishes the Municipal Building & Property Reuse Advisory Committee which shall develop recommendations for the space optimization, reuse and renovations of Town owned buildings and property, which currently includes Sugden Block Building, Maple Street School, Lake Street School, Pleasant Street School, Cherry Street Fire Station, Main Street Fire Station, and Bixby Road Parcel. Buildings and property will be evaluated for use as municipal government offices, community centers, senior center and/or such other uses as may be appropriate, including lease or sale. The Committee shall work closely with the Capital Planning Improvements Committee to establish a budget/plan for all proposed renovations, additions, sales and/or lease/acquisitions. The Committee shall report quarterly to the Board of Selectmen with a final report and recommendations to the Board, Finance Committee, and Capital Planning Committee at least 60 days prior to the Annual Town Meeting.

It was agreed that Mr. Viner would be better for this committee because he serves as the Planning Board's representative on the Capital Planning Committee.

- **Economic Development Committee**

Mr. Smith read the purpose:

The purpose of the Economic Development Committee (herein after called the Committee) is to research and understand the inner workings of Spencer's local economy and explore opportunities to enhance existing businesses and foster growing industries within the community.

To achieve its mission, the Committee may undertake the following initiatives including, not be limited to:

- *Utilize findings of the 2003 Master Plan and the 2009 Town Center Revitalization Planning Project Report to guide development of the Committee's work plan and priorities.*
- *Review regional economic development plans such as the 2012 Greater Worcester Area Comprehensive Economic Development Strategy (CEDS) and the developing Central 13 Prioritization Project to understand the concerns and opportunities facing the economy in the surrounding communities.*
- *Understand the economic development tools available through federal, state or local resources that the Town of Spencer can make available to businesses seeking to locate in Spencer or to assist existing businesses with expansion or sustainability.*
- *Foster and sustain collaboration between the business community, Regional Chamber of Commerce, Exchange Club, Planning Board, Conservation Commission, Board of Health, Board of Selectmen and Zoning Board of Appeals to facilitate public-private partnerships.*
- *Partner with Town officials and other stakeholders to market the community as an attractive location to work and live.*
- *Collaborate with the Planning Board, Zoning Board of Appeals, Conservation Commission and Board of Selectmen on the review and development of bylaws and regulations related to business.*
- *Develop proposals to encourage investment in business properties that make the community more attractive to include special attention on productive reuse of vacant properties.*
- *Perform on-going assessments of the Town's economic resources and assets.*

The Committee will periodically identify their short, intermediate, and long term goals which will affect the projects named above.

The Planning Board members agreed Ms. Shiver should be on this committee.

- **Landfill Solar Development Advisory Committee**

Mr. Smith read the purpose:

The Town of Spencer Board of Selectmen, based on the mission to find new revenue services to account for the recent loss of State Aid and decline in Local Receipts, as well as to counter inevitable budget expense increases (education, health care, OPEB, etc.), herein establishes the Landfill Solar Development Advisory Committee (herein after called the "Committee") to help explore the proposed development of a solar energy facility on the Town's capped landfill and to review proposal and make recommendations to the Board of Selectmen based on what would be in the best interest of the Town.

The Planning Board members agreed Mr. Ceppi should be on this committee.

MOTION: Ms. Shiver motioned to appoint Mr. Viner to the Building & Property Reuse Committee, to appoint Ms. Shiver to the Economic Development Committee, and Mr. Ceppi to the Landfill Solar Development Advisory Committee.

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 4-0

10. Adoption of Minutes

- December 15, 2015-

MOTION: Ms. Shiver motioned to accept the minutes as submitted.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

11. Town Planner Report/ General Board Discussion:

- **Solar Bylaw-** Mr. Smith will be drafting a Solar Bylaw hopefully by next year. Mr. Ceppi asked if we already have one and Mr. Smith said no.
- **Treadwell Solar-** We received an application for phase 2 of Treadwell solar and a meeting was held with the Zoning Board of Appeals. There were many abutters opposing the second phase and discussed the impact of the first phase. In, addition the Zoning Board of Appeals had a special meeting on site to see the issues. Mr. Ceppi asked about zoning and Mr. Smith said there would be a bigger buffer. Ms. Shiver asked about the trees. Mr. Smith added the tax incentives were extended for five years. Mr. Viner asked about the law passes in regards to towns cannot unruly deny solar farms. Mr. Smith answered that they are considered a principle use, they must adhere to the towns bylaw, and the applicants need to have frontage.
- **SJA/Abbey Solar-** SJA/Abbey Solar is selling to NRG. The town will get a new bond and contact info.

8. Discussion – Proposed revisions to Zoning Bylaw Table of Uses

Mr. Smith discussed the purpose of the revisions to the Zoning Bylaw Table of Uses. Mr. Ceppi asked if the Zoning Board of Appeals have seen the changes yet and Mr. Smith said no. Mr. Smith said the way our bylaws are written is that it doesn't make sense to have two different processes for the same project and one member of the Zoning Board of Appeals feels there's a big difference between zoning and planning. Mr. Viner asked what is in red and Mr. Smith said that "camps" are under two sections so that is why it is red and it needs to be clear why. The gray is what the Zoning Board of Appeals currently approves and what Mr. Smith suggests be changed to the Planning Board. Mr. Viner asked if there are any cases where the Zoning Board of Appeals and the Planning Board both vote on and Mr. Smith said no. There was much

discussion on what each the boards are responsible for. Mr. Ceppi said he feels the changes need to be presented to the Zoning Board of appeals and see what they say.

MOTION: Ms. Shiver makes recommendation to take the changes to the Zoning Board of Appeals and the Board of Selectmen for review and get there feedback.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

Without further discussion the meeting was adjourned by Mr. Ceppi.

Submitted by: Monica Santerre-Gervais ODIS Clerk

Approved by the Planning Board on: 2/16/16

List of Documents used on January 19, 2016

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Larry Smith to Planning Board Dated 1/5/2016.
- ANR- Michael Aucoin/ 6 Woodland Lane & William Casey Estates, LLC / William Casey Road
- Proposed revisions to Driveway Zoning Bylaw (Section 6.2)
- Proposed Fence and Hedges Zoning Bylaw (Section 6.6)
- Minutes for December 15, 2015

Items submitted at the Meeting:

1. Letter of request to continue from ZPT Energy, LLC for Paxton Road Solar Farm and Woodchuck Lane Solar Farm.