



Planning Board – Town of Spencer

*Minutes*

Planning Board Meeting  
**Tuesday, October 18, 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: Paul Dell'Aquila, Town Planner, Monica Santerre-Gervais, ODIS Clerk, and Larry Smith, previous Town Planner

Staff Absent: None

Mr. Ceppi opens the meeting at 7:02 pm.

**1. Public Hearing Continuation – Site Plan Review (Charlie's Diner addition)**

**Applicant: Christopher Gagne. Owner: Steven Turner. Location: 5 Meadow Road, Spencer Assessor's Map U11/12-1. The applicant is requesting a Site Plan Review under section 7.4 of the Zoning Bylaw in order to expand their parking area and construct another building. The property is located within the Commercial zoning district.**

Christopher Gagne, 7 Elizabeth Street, Dudley, MA, and Steven Turner, 5 Meadow Road, were present for the meeting. Mr. Gagne explained that while Mr. Turner was under review with the Conservation Committee for permitting the National Heritage did further review on the land of the project and deemed the land a Wood Turtle Habitat. Therefore, after the review it was a six month process with the Conservation Commission to revise plans in order to protect the Wood Turtle Habitat. Mr. Gagne mentioned that they have both approvals from the Conservation Commission and the Zoning Board of Appeals. Mr. Gagne reviewed the request of Mr. Turner to add additional parking to his facility and to construct a retail building on the south side of the site. Further explanation of the original limits they requested versus the new site plan and lost ten parking spaces they originally requested. Mr. Gagne went through the recent peer review sheet and answered each question below is a summary of LEI's comments:

*1. LEI reviewed the Hydrology and Stormwater Management Report as part of a peer review for the Spencer Conservation Commission LEI finds the report and calculations acceptable as submitted.*

No comment needed.

*2. Six foot high shrubs are proposed along the front lot and should be revised. The amendment to Article 6 of the Spencer Zoning Bylaw requires that all shrubs within the front lot line and the minimum setback line shall not exceed 4 feet in height at any time. Additionally, there appear to be shrubs within the 30 foot clear site triangle for each parking lot entrance and should be removed as required.*

Mr. Gagne explained that originally they were planning on planting 6ft arborvitaes; however, they will only be having grass now.

*3. Since the site is located in the Aquifer Protection Overlay District and tributary to the public water supply, LEI suggests that a sliding gate valve be installed on the outlet side of DMH-7 prior to the infiltration system in order to contain spills.*

Mr. Gagne explained that the valve will be installed at the last manhole.

*4. If hazardous materials are to be used or stored on the premises including the proposed storage/retail building if the applicant should provide a complete list of chemicals, pesticides, herbicides, fertilizers, fuels and other potentially hazardous materials as required for sites located within the Aquifer protection Overlay District per the Spencer Zoning Bylaw.*

Mr. Gagne said there is no hazardous material and that both buildings would be heated by gas. Mr. Ceppi asked if they have fryerlators and grease traps and Mr. Gagne answered yes to both.

*5. Granite curb is proposed along the edge of pavement and within the Meadow Road layout which may be prohibitive to potential roadway improvements including sidewalks, pedestrian curb ramps and other design elements along the frontage of this parcel. LEI recommends that the applicant review the Town of Spencer Complete Streets Policy and consult with the Town of Spencer Utilities and Facilities Department as part of this site plan application.*

Mr. Gagne mentioned that at one of the tech review meetings it was mentioned that there is going to be a complete street initiative. Steven Tyler, Highway Superintendent, commented that the TIP program included Meadow Road in there complete street initiative. In addition, Mr. Tyler said they have no requirements for the curb cut/ sidewalk because it may cost more money in the long run to tear it out. Ms. Shiver asked if Mr. Tyler would need to see that on the plan and Mr. Tyler said it can be noted somewhere on the new plans. There were additional comments regarding the peer review and that it was just received before the meeting. Ms. Shiver requested bigger plans be submitted. Mr. Viner asked what the concern was in regards to the width of the curb cut. Mr. Gagne said it was because of the turning radius for the Fire Department and they revised the plans to benefit the Fire Department. Ms. Shiver asked about snow storage and trash receptacles. Mr. Gagne pointed out on the plan where the snow storage would be and the trash receptacle.

Mr. Ceppi opened the meeting to the public:  
No comments from the public.

Mr. Smith mentioned that the lot fell in the Aquifer District that the stormwater have a butterfly valve. Mr. Gagne added a shut off gate valve and it will be like a water gate with a crank on it to shut it down. Mr. Smith asked if someone on the site will be trained how to shut it down. Mr. Gagne said that the Conservation Committee required them to post a maintenance schedule at the door with an emergency contact number. Mr. Turner asked when vegetable oil become hazardous waste and Mr. Gagne said the issue is when it gets into groundwater. Mr. Tyler asked about drainage and Mr. Gagne discussed drainage and outfalls. There was much discussion in regards to the oil water separator. Mr. Viner asked if the drainage will be accommodating the

new parking spaces and Mr. Gagne replied that when they originally designed the system they knew they would grow and it will work for the new parking spaces. Mr. Dell'Aquila asked about LID treatments and Mr. Gagne said there are no rain guards. Mr. Dell'Aquila inquired about proposed plantings and Mr. Gagne said they were removed from the plan. Ms. Shiver asked Mr. Turner if he needs to maintain the turtle fence and Mr. Turner said he does by maintaining the brush. Mr. Tyler and Mr. Gagne discussed the curb and road edge, openings, and turning radiuses. Mr. Smith recommended another tech review with the Fire Chief. Mr. Tyler asked about lighting and Mr. Turner replied they will end up using LED lighting.

**MOTION: Mr. Ceppi made a motion to continue this hearing until the next meeting on 11/15/2016**

**SECOND: Ms. Shiver**

**DISCUSSION: None**

**VOTE: 4-0**

## **2. Public Hearing-Special Permit (Shared driveway)**

Applicants/Owners: George & Jane Ostiguy and Marjorie Frigon, Location: 327 Main Street, Spencer Assessor's Map U16-55-1. The applicant is requesting a Special Permit under Section 6.2 of the Spencer Zoning Bylaw to receive a common driveway permit. The property is located within the Village Residential zoning district.

James Lovett, 472 East Main Street, East Brookfield, MA, was present for the meeting to represent George & Jane Ostiguy and Marjorie Frigon. Mr. Lovett explained that when the applicants bought the property they had the right of way to the easement on the next property over. The applicants are requesting the common driveway so they don't need to get two curb cuts because the right of way is already paved and established. Mr. & Mrs. Ostiguy do not own the property but they do have a legal deed. Mr. Lovett explained they filed a waiver request, to wave the provisions of the common driveway bylaw because this is pre-existing.

Ms. Shiver asked if this property across from Bayberry Bowling Alley on Main Street and Mr. Lovett said yes. Mr. Lovett said Mr. and Mrs. Ostiguy bought a lot in order to have frontage on Paxton Road. Mr. Smith explained that the lots were subdivided and the Planning Board approved the ANR, instead of having an additional curb cut on Main Street the applicant is requesting the shared driveway off of Woodchuck Lane. Ms. Shiver asked whose deed is Woodchuck Lane on and Mr. Smith answered it's on Prouty's deed. Mr. Smith further explained that because the applicant doesn't comply with the current bylaws and needed to submit waiver. The waiver request was submitted 10/18/2016 and Mr. Smith explained that the waivers were incomplete. There was much discussion in regards to the waivers and what was needed to make the application complete. Ms. Shiver asked if the easement was 20 feet wide and Mr. Lovett said yes. Mr. Viner was concerned on how a building permit to build a house could be approved if the driveway permit situation had not been approved yet. Mr. Tyler said he signed off on the permit application knowing they were working on the common driveway permit. The Planning Board members agreed to continue the meeting until November so the applicant can revise the waiver sheet.

Marjorie Frigon, 84 Cherry Street, asked if there would be another fee they would need to pay because the meeting is being continued and the Planning Board members answered no additional fee.

**MOTION: Ms. Shiver motioned to continue the public meeting until 11/15/2016**

**SECOND: Mr. Viner**

**DISCUSSION: None**

**VOTE: 4-0**

### **3. Public Hearing, Major Site Plan Review (Self-storage facility)**

Applicant/ Owner: Mark Andrews, Location: Meadow Road, Spencer Assessor's Map U11/12. The applicant is requesting a Major Site Plan Review under Section 7.4. of the Spencer Zoning Bylaw to construct two self-storage buildings. The property is located within the commercial zoning district.

Mr. Ceppi opened the public hearing at 7:58pm.

A letter to request a continuance was submitted.

Mr. Smith explained that this project will need to get a Special Permit because it is in the Aquifer District/ drinking water district. The issue arising is that there is limited monitoring for self-storage buildings and if anything seeped into the ground it would go into the towns drinking water. Mr. Tyler explained that perchlorates in dynamite and fireworks and are extremely harmful and wouldn't want to take the chance with the towns drinking water becoming contaminated.

**MOTION: Ms. Shiver motioned to continue the public hearing until 11/15/2016**

**SECOND: Mr. Viner**

**DISCUSSION: None**

**VOTE: 4-0**

### **4. Adoption of Minutes**

- **September 20, 2016**

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

**SECOND: Mr. Viner**

**DISCUSSION: None**

**VOTE: 4-0**

### **6. Town Planner Report/ General Board Discussion**

New Town Planner, Paul Dell' Aquila introduced himself.

Mr. Smith said that he would return to explain the bylaw changes at the Town Meeting on 11/17/2016.

**MOTION: Ms. Shiver motioned to close the meeting 8:07 pm**

**SECOND: Mr. Viner**

**DISCUSSION: None**

**VOTE: 4-0**

**Submitted by: Monica Santerre-Gervais ODIS Clerk**

**Approved by the Planning Board on: 11/15/2016**

**List of Documents used on October 16, 2016**

Items sent to Planning Board prior to Meeting

Mailed paper copies:

- Agenda
- Memo from Paul Dell' Aquila to Planning Board Dated 10/11/2016.
- Updated plans for Charlie's Diner dated Revised 10/6/2016
- Application, deed, and plans for Special Permit for a shared driveway 327 Main Street.
- Application, narrative, and site plans for Major Site Plan Review for Mark Andrews/ Self- Storage Facility on Meadow Road
- Minutes for September 20, 2016

Items submitted at the Meeting:

1. Letter for continuance for Major Site Plan Review for Mark Andrews/ Self- Storage Facility on Meadow Road