



Planning Board – Town of Spencer

Minutes

Planning Board Meeting
Tuesday, September 20, 2016 at 7:00 PM
McCourt Social Hall
Memorial Town Hall

Planning Board Members Present: Chair Robert Ceppi (late), 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. Viner, acting, chair, opened the meeting at 7:02pm.

1. ANR

- E. Charlton Rd. - Hinarnie LLC-

Leonard Jalbert, Jalbert Engineering, explained the plan is to create three lots and the plan shows 200 feet of frontage. The plan was previously signed by the Planning Board. Mr. Smith handed out the aerial Google map for the property.

MOTION: Ms. Shiver motioned to accept the plan as drafted

SECOND: Mr. Viner

DISCUSSION: Mr. Ceppi was not present to vote

VOTE: 3-0

- Paxton Road- Dennis Allen-

Dennis Allen, 140 Paxton Road, was present for the meeting and explained that he was creating new lots and selling off the parcels and that when they sell the parcels they will have privacy.

Mr. Viner asked if this lot has been under common ownership and Mr. Allen said yes for 30 years. Mr. Smith handed out the aerial Google map for the property.

MOTION: Ms. Shiver motioned to accept the plan as drafted

SECOND: Mr. Viner

DISCUSSION: Mr. Ceppi was not present to vote

VOTE: 3-0

2. Sunset/Holmes Subdivision – Brendon Gove ZPT – Access Easement Certificate of Agreement

Mr. Smith explained that Brendan Gove, ZPT Energy, and James Laney were requesting an Access Easement Certificate of Agreement in order to sell a new home built. When Sunset & Holmes subdivision was built the developer obtained an access easement from the abutters

on the old section of Sunset Lane for permission to install the required utilities and road upgrades. The town did not require this Easement nor were they a party to it. The easement implies that the developer was under the understanding that this original section of Sunset Lane was not a town accepted street, although that not be consistent with town records. Recently, Mr. Smith received a request from Mr. Gove to certify that all the utilities were put in properly. Mr. Smith spoke with Steven Tyler, Highway Superintendent, and Adam Gaudette, Town Administrator, in regards to the access agreement and it was determined that it had nothing to do with the town and does not need a release. In addition, the Assessor card shows that in 1959 the town accepted the road as a town way, however, in 2005 when the Subdivision Plans were approved for some reason it was determined as a private way. Mr. Tyler spoke that the homeowners signed the document acknowledging it was a private way and explained that there is a series of steps in order for a road to be accepted as the town ways. There was much discussion in regards to the road and whether the road is private or public.

Mr. Ceppi asked what they need to do and Mr. Smith explained there was no document they need to sign. Mr. Smith explained Mr. Gove tracked down the company, Graz Engineering, who was hired by the town for inspections and he submitted the certification that the utilities were approved. Mr. Smith said there is no action required.

- 3. Public Hearing Continuation– Site Plan Review – Charlie’s Diner - 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.

Public hearing opened at 7:18 pm.

Mr. Smith explained there was a letter for continuance until the next meeting. There was discussion in regards to when the plans were originally submitted.

MOTION: Ms. Shiver motioned to continue the hearing until 10/18/16 and continue the decision until 11/15/16

SECOND: Mr. Viner

DISCUSSION: none

VOTE: 4-0

- 4. Public Hearing – Major Site Plan Review – Applicant: Robert Egan, Owner: LFB-USA, Inc Robert Fletcher, Location: 300 Charlton Road, Spencer Assessor’s Map R02/4.** The applicant is requesting a Major Site Plan Review under Section 7.4. of the Spencer Zoning Bylaw to construct a 3,000 square foot building for the purposes of expanded field office space and related appurtenances. The property is located within the rural residential zoning district.

Brian Milisli, LFB-USA 300 Charlton Road, and Robert Egan, R.P. Marsiello was present for the meeting to discuss the major site plan review with waivers. Mr. Milisli discussed their

intentions to construct a 3,000 sqft building. There was discussion in regards to tying in the septic to the current tank. The driveway will be gravel. LFB raises goats for agricultural and pharmaceutical uses. The building would be used as a field office, a place for workers to change, have lunch, and do office work. Mr. Milisli will not hire more employees so there won't be any added traffic concerns.

Mr. Ceppi asked about a plan that shows where all the buildings are and where the proposed building would be going and Mr. Milisli said no. Mr. Egan there are barely any abutters, all LFB property, and no residents. Ms. Shiver asked about a peer review. Mr. Smith explained there was a peer review with LEI. The Planning Board and applicant went over applicant's waivers and Mr. Smith said there is no problem with the waivers and any impact from construction would be short term. Ms. Shiver asked if LEI had feedback they could review. Mr. Smith explained they were present for the tech review and LEI submitted their concerns and the applicant created the plans after the tech review.

Mr. Ceppi opened the hearing to the public:

Pat Farmer, 7 Grant Street, asked where the business was and asked about the livestock. Mr. Egan said he does not know about the livestock. Mr. Farmer asked if the building was being used for testing and Mr. Egan answered that it would be used as office/break room/locker room. Kurt Nordquist, 8 Gale Drive, asked if they would be using the same driveway. Mr. Egan responded that there would be no change to the driveway, the entry driveway is paved and the other roads to the buildings would be gravel.

MOTION: Ms. Shiver motioned to close the hearing at 7:35 pm

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

MOTION: Ms. Shiver motioned to approve the Major Site Plan review with the following conditions

Conditions:

General

1. The site plan that was submitted and subsequently revised through 8/29/16 is herein incorporated as part of this decision. Any significant change requires re-submittal to the Board. The Town Planner shall determine if changes warrant the Board's review.
2. Unauthorized deviations from the approved plan may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
3. The Planning Board retains its jurisdiction and the right to, on its own motion, modify, amend, rescind or revoke its approval of this Site Plan Approval after holding a Public Hearing in accordance with Chapter 40A, Section 9, when it believes that there is material noncompliance with the terms of this Site Plan Approval.

4. Members or agents of the Planning Board shall have the right to enter the site at reasonable times, upon prior notice, to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.
5. Litter and debris in the parking lots, landscaped and buffer areas shall be removed regularly to maintain a neat and orderly appearance.
6. Sufficient travel lanes for reasonable emergency access shall remain accessible and clear of snow year round.
7. This approval shall lapse and become null and void if the construction permitted by this Site Plan Approval has not commenced within two (2) years of the date of its approval. The Planning Board may grant extensions for good cause, upon written request by the applicant provided:
 - a. said request is submitted prior to the expiration of this Approval, and
 - b. said approval requires the affirmative vote of a majority of the full Board taken at a Public Meeting (Public Hearing is required).
8. At least 30 days prior to the sale and or transfer of ownership of the property and/or project, the current owner of the property and/or project (or his/her/their successor or assigns) shall notify the Planning Board, in writing, as to the identification and contact information of the prospective purchaser.

Pre-Construction

9. Construction activity shall not commence until all required approvals and permits are obtained.
10. Prior to any construction the Applicant or its representatives are required to schedule a preconstruction conference with the Office of Development and Inspectional Services to present all required permits and approvals, recording information, provide contractor and emergency contact information, and schedule required inspections.
11. The Applicant shall notify the Spencer Office of Development & Inspectional Services, in writing, of its intent to commence construction at least 48 hours prior to the beginning of construction.

Construction:

12. From the commencement of construction, all work shall continue in an uninterrupted and timely fashion until the project is completed. Failure to so comply may be reason for the Planning Board to rescind approval of this Site Plan Approval.
13. A sign shall be placed on the building identifying it as "Building #36" sufficient for identification by emergency and public safety services.
14. No construction activity which may cause noise, vibrations, glare, dust, debris, or other detrimental impact to abutting property owners shall be permitted earlier than 7:00 am Monday through Friday or earlier than 8:00 am Saturday, or later than 5:00 pm on any day, or anytime on Sunday or holidays as celebrated by the Town.

15. The site shall be kept reasonably clear of construction debris and trash, and said debris and trash shall be removed periodically from the site. Debris or trash which becomes a nuisance to abutters or which blows onto the adjacent roadway shall be removed immediately upon notification by the Town or its representative.
16. During Construction adequate and effective measure shall be undertaken to prevent trucks and construction vehicles from dragging soil, mud onto the public way. Sediment tracked onto public roads from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.
17. During construction, adequate provisions shall be made on-site for the parking, storing, stacking of construction and contractor vehicles and materials, as well as delivery vehicles/trucks, including off-hours, sufficient to prevent said vehicles from parking, storing, stacking on the public way.

Project Completion

18. A Certificate of Occupancy for this building shall not be issued until all site improvements as approved by the Planning Board are completed. This project shall not be considered complete until:
 - a. all of the site improvements, as approved by the Planning Board, are completed,
 - b. an "as built" plan has been provided to the Planning Board
 - c. the project engineer has submitted a written statement, with his/her seal/stamp affixed, certifying that all work has been done in accordance with the approved plans and conditions of this Site Plan Approval, and that all systems are functioning as designed
19. If the Applicant wishes to obtain an certificate of final completion/occupancy permit for a phase or the entire project prior to installation of required landscaping or other stabilization and site work not otherwise covered by the Stormwater Bond, the Applicant is required to provide monetary surety, in the form of a check or cash, which upon receipt will be deposited into an interest bearing account at a local bank, for the purposes of securing the landscaping or other stabilization site work as shown on the approved site plan. The amount of the surety to be provided should be accompanied by a detailed estimate (number of plants, species, cost per plant, labor, etc.) for the proposed landscaping and/or stabilization work and should be provided at the cost that it would be to the Town, if the applicant were to fail to install the landscaping as designed.

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

5. **Minor Site Plan Review** – Applicant: Jessica Bettencourt, Owner: Hark Properties, LLC, Location: 117 West Main Street (Klems), Spencer Assessor’s Map R29/10. The applicant is requesting a Minor Site Plan Review under Section 7.4. Of the Spencer Zoning Bylaw to construct a new main entry to the retail building. The property is located within the commercial zoning district.

John Connolly, Andrews Survey and Engineering, and Jessica Bettencourt were present on behalf of Hark LLC (aka Klems.) Mr. Connolly explained that the property is located on the south side of West Main Street and the minor site plan is to construct an enclosed mud entry area at the existing entrance, which would be a 25x60 expansion. There would be no new impervious surfaces, there will be an addition to the roof, and there will be additional parking on the east side. Mr. Smith asked if the additional parking spaces will be paved and Mr. Connolly said not right away. There will not be any new service utilities and no additional services. Mr. Ceppi asked if the canopy would be taken down and Mr. Connolly said yes. Mr. Ceppi asked about the sign. Ms. Bettencourt said the sign is currently there, it will be replaced, but will essentially remain the same.

Mr. Viner asked Mr. Smith what the survey requirements for minor site plan review and Mr. Smith said not much. Mr. Smith explained it does not require drainage. Ms. Shiver asked what triggered the minor site plan and Mr. Smith said just the square footage and because it's new commercial construction. Mr. Viner asked what the riverfront limits arrived at and Mr. Connolly said approximate. In addition, Mr. Connolly said they are contracting to get the riverfront flagged and an RDA or NOI will be filed with the Conservation Commission in the future. The buffer zone is 200 feet.

Mr. Ceppi opened the meeting up to the public.

Kurt Nordquist, 8 Gale Road, expressed that Klems was a good neighbor and it would be good for the town for there business.

MOTION: Ms. Shiver motioned to close the public hearing at 7:49 pm

SECOND: Mr. Viner

DISCUSSION: Mr. Ceppi mentioned there was a December date on the bottom of conditions

VOTE: 4-0

MOTION: Ms. Shiver motioned to approve the minor site plan for Klems with the following conditions:

Conditions:

General

20. The site plan that was submitted entitled KLEM'S TRACTOR MINOR SITE PLAN prepared by Andres Survey & Engineering, Inc. and dated August 5, 2016 is herein incorporated as part of this decision and all work shall be done in accordance with said plan.
21. Any significant change requires re-submittal to the Board. The Town Planner shall determine if changes warrant the Board's review.
22. Unauthorized deviations from the approved plan may result in the Planning Board seeking the issuance of a Cease and Desist Order until the deviation is addressed. Violation of any condition contained herein or failure to comply with the approved plan shall subject the Applicant to a zoning enforcement action in accordance with the remedies set forth in M.G.L. c. 40A.
23. Members or agents of the Planning Board shall have the right to enter the site at reasonable times, upon prior notice, to gather all information, measurements, photographs or other materials needed to ensure compliance with this approval. Members or agents of the

Planning Board entering onto the site for these purposes shall comply with all safety rules, regulations and directives of the Applicant and the Applicant's contractors.

24. The Planning Board retains its jurisdiction and the right to, on its own motion, modify, amend, rescind or revoke its approval of this Site Plan Approval after holding a Public Hearing in accordance with Chapter 40A, Section 9, when it believes that there is material noncompliance with the terms of this Site Plan Approval.
25. Litter and debris in the parking lots, landscaped and buffer areas shall be removed regularly to maintain a neat and orderly appearance.
26. Sufficient travel lanes for reasonable emergency access shall remain accessible and clear of snow year round.
27. This approval shall lapse and become null and void if the construction permitted by this Site Plan Approval has not commenced within two (2) years of the date of its approval. The Planning Board may grant extensions for good cause, upon written request by the applicant provided:
 - c. said request is submitted prior to the expiration of this Approval, and
 - d. said approval requires the affirmative vote of a majority of the full Board taken at a Public Meeting (Public Hearing is required).
28. At least 30 days prior to the sale and or transfer of ownership of the property and/or project, the current owner of the property and/or project (or his/her/their successor or assigns) shall notify the Planning Board, in writing, as to the identification and contact information of the prospective purchaser.

Pre-Construction

29. Construction activity shall not commence until all required approvals and permits are obtained.
30. The Applicant shall notify the Spencer Office of Development & Inspectional Services, in writing, of its intent to commence construction at least 48 hours prior to the beginning of construction.

Construction:

31. From the commencement of construction, all work shall continue in an uninterrupted and timely fashion until the project is completed. Failure to so comply may be reason for the Planning Board to rescind approval of this Site Plan Approval.
32. No construction activity which may cause noise, vibrations, glare, dust, debris, or other detrimental impact to abutting property owners shall be permitted earlier than 7:00 am Monday through Friday or earlier than 8:00 am Saturday, or later than 5:00 pm on any day, or anytime on Sunday or holidays as celebrated by the Town.
33. The site shall be kept reasonably clear of construction debris and trash, and said debris and trash shall be removed periodically from the site. Debris or trash which becomes a nuisance to abutters or which blows onto the adjacent roadway shall be removed immediately upon notification by the Town or its representative.
34. During Construction adequate and effective measure shall be undertaken to prevent trucks and construction vehicles from dragging soil, mud onto the public way. Sediment

tracked onto public roads from construction activities shall be swept at the conclusion of each construction day, until all work areas have been properly stabilized.

35. During construction, adequate provisions shall be made on-site for the parking, storing, stacking of construction and contractor vehicles and materials, as well as delivery vehicles/trucks, including off-hours, sufficient to prevent said vehicles from parking, storing, stacking on the public way.

Project Completion/Occupancy

36. A Certificate of Occupancy for this building shall not be issued until all site improvements as approved by the Planning Board are completed. This project shall not be considered complete until:

- d. all of the site improvements, as approved by the Planning Board, are completed,
- e. an "as built" plan has been provided to the Planning Board
- f. the project engineer has submitted a written statement, with his/her seal/stamp affixed, certifying that all work has been done in accordance with the approved plans and conditions of this Site Plan Approval, and that all systems are functioning as designed

37. If the Applicant wishes to obtain an certificate of final completion/occupancy permit for a phase or the entire project prior to installation of required landscaping or other stabilization and site work not otherwise covered by the Stormwater Bond, the Applicant is required to provide monetary surety, in the form of a check or cash, which upon receipt will be deposited into an interest bearing account at a local bank, for the purposes of securing the landscaping or other stabilization site work as shown on the approved site plan. The amount of the surety to be provided should be accompanied by a detailed estimate (number of plants, species, cost per plant, labor, etc.) for the proposed landscaping and/or stabilization work and should be provided at the cost that it would be to the Town, if the applicant were to fail to install the landscaping as designed.

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 4-0

- 6. Public Hearing – Zoning Bylaw Revision - Fence Bylaw** - Adopt new regulations governing the placement of fences, walls, shrubbery, hedges or similar structures within required yard setback areas by adding a new Section 6.6 - Fences and Hedges to the Spencer Zoning Bylaws

Mr. Ceppi opened this public hearing at 7:53 pm.

Mr. Smith summarized the process that was started with the highway department in regards to public safety with the fences. The fence bylaw went to Town Meeting previously and failed. Mr. Smith met with the Selectmen Gary Woodbury and he expressed his concerns and changes were made to accommodate his comments. The primary concern was the 4ft height regulation and would like it to be 5ft. The other concern was section E. for corner lots; the change was made that instead of a 30 ft setback for clear site triangle the site line be 15 ft. Mr. Ceppi

explained if its pre-existing it would be grandfathered and these guidelines would be for new construction going forward.

Mr. Viner said that the 5ft height for the front should be 6ft because when you buy a standard fence its 6ft, if the regulation is 5 ft then the fence would need to be cut down to size. Mr. Viner expressed that he did not agree with section A. Mr. Smith suggested adding hedges to section A. to be consistent with the rest of the bylaw. Much discussion in regards to property lines in the front of home on sidewalk. Sections A and B should be switched. Mr. Ceppi explained that variances could be made and it's as general as possible. Ms. Shiver asked where the 36" came from on section A and Mr. Smith answered Mr. Tyler. It was agreed that section C-1 should be changed to 6ft. Mr. Viner asked if this is by right and it was discussed that you do not need a building permit for a fence that is 6ft and under.

Mr. Ceppi opened the meeting to the public:

Kurt Nordquist, 8 Gale Road, said this came to the last Town Meeting and his issue was having to get a plot plan in order to prove where his lot line is and he would not want to pay \$1,000.00 to get a plot plan done. Mr. Smith answered that the bylaw did not require the need for a plot plan and Mr. Ceppi explained that the bylaw was poorly presented at the Town Meeting. Mr. Nordquist said he brought up in the town meeting the cost of plot plans. Pat Farmer, 7 Grant Street, said that if you're switching the order of items A. and B. that the article was changed and it needs to be re-advertised. Mr. Farmer further went on to express that this was already denied at Town Meeting and shouldn't be brought up again. Mr. Smith explained that in switching the order of items A. and B. that you are not changing the wording and it does not need to be re-advertised. Mr. Smith read aloud section A. *"No person shall erect or cause to be erected any fence, wall, hedge or any similar structure adjoining any street or public ground in the Town without first having ascertained the bounds of the same by application to the Highway Department. In cases where information/evidence is unavailable or insufficient to ascertain said bounds, the Highway Superintendent may require the applicant, at the applicant's expense, to confirm said bounds by a Professional Land Surveyor."* Mr. Smith answered Mr. Nordquist and said that if Mr. Tyler from the highway department can't figure out the line boundaries the homeowner may need to show evidence of the boundary line. Mr. Smith said that a plot plan would be expensive but it's not necessary and if a surveyor was hired to only located the front lot line it would cost less. Mr. Nordquist said the other issue is the corner of Highland Street and Grove Street should have been brought up at the Town Meeting and it wasn't. Mr. Nordquist mentioned the Town of Spencer has a fence viewer and the fence viewer didn't go to that intersection to say if it was good or bad. Mr. Smith answered that if a fence is 6ft and under then you are not required by the building department to get a building permit. Mr. Nordquist said you can't punish the whole town for one bad intersection. Mr. Ceppi said they aren't punishing anyone but they are concerned with safety.

There was much discussion in regards to the dangerous intersection and who should be responsible for the intersection. Mr. Nordquist brought up that he owns 40 acres and he has fences on his property to keep cattle/animals in and this would affect him. Mr. Smith answered that the bylaw is for the front lot line only to keep people from placing their fences on town property in the public right-of-way. Mr. Nordquist said the fence bylaw should only be in Town Center where there are sidewalks.

Mr. Ceppi explained that this is the public hearing for the bylaw, what is typed up is not law, and the reason for the public meeting is to receive feedback from the town. Mr. Farmer expressed that Mr. Smith should not be at the meeting because he is advocating for the town, he doesn't even live in the town, and there shouldn't be a bylaw and there is a court system for issues with fences. It was pointed out that Mr. Smith is sub-contracted for the town as the acting Town Planner and he is not advocating the fence and hedges bylaw, and it was a recommendation from the Highway and Police Departments for safety concerns. Mr. Farmer became irate and strongly was against the bylaw. Ms. Shiver thanked Mr. Farmer for his comments and Mr. Ceppi said the discussion is getting out of hand and it's evident that the process for adopting a bylaw is being misunderstood. Mr. Farmer still expressed that this should not be advocated by the Planning Board and Mr. Tyler should apply for grants and slow down the speed limits. Mr. Nordquist asked if the 30 ft buffer for driveways could be explained. Mr. Ceppi said its 15 ft; Mr. Smith explained the clear site triangle was 30 ft. Ms. Shiver tried to explain the process. There was much discussion in regards to the process, the public issues, town versus homeowner, and property lines.

MOTION: Mr. Viner motioned to close the public hearing

SECOND: Ms. Shiver

DISCUSSION: Maybe put through the requirement of a building permit for fences to suffice all the issues

VOTE: 4-0

- 7. Public Hearing – Zoning Bylaw Revision - Zoning Permits -** Adopt new regulations of adding a Zoning Permit Requirement which will require that before anyone files for a Special Permit or Variance that they first have to go through the Building Inspector/Zoning Enforcement Officer, by adding Section 7.8 to the Spencer Zoning Bylaws

Mr. Ceppi opened the meeting at 8:35 pm.

Mr. Smith read aloud the zoning permit, read aloud the description of what a structure is, and recommended instead of it being listed as section 7-8 it should go first and be the first section 7-1 and renumber the rest. Ms. Shiver feels the zoning permit is a good idea. Mr. Nordquist commented that if you want to change your house you still need to go to the Zoning Board of Appeals. Mr. Ceppi explained the zoning permit process. Ms. Shiver recommended changing the title to Zoning Determination Required.

Robert Laprade, 35 McCormick Road, asked about zoning complaints and the process in which they should be answered. There was some discussion to try and answer Mr. Laprade's questions but it was determined that he needed to go visit the ODIS office at the Town Hall or visit the Town Administrator, Adam Gaudette.

MOTION: Mr. Viner motioned to close the public hearing

SECOND: Ms. Shiver

DISCUSSION: None

VOTE: 4-0

MOTION: Ms. Shiver motioned to move ahead and recommends sending to the Board of Selectmen for review and to be on the warrant for the next Town Meeting

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

8. Public Hearing – Solar Bylaw - The intent of these revisions is to adopt regulations governing the siting of solar photovoltaic generating installations.

- Amend Article 2 Definitions by revising the definition for “Utility, Major”.
- Amend Article 4.2 Use Table, Principal Uses to permit Solar Photovoltaic Generating Installations in specific districts by-right and by Special Permit and Site Plan Review
- Adding a new Article 4.8.8 Solar Photovoltaic Generating Installations which provides the requirements for the approval and operation of such facilities

Mr. Ceppi opened the public hearing at 9:18 pm.

Mr. Smith explained that the public hearing needed to be re-advertised according to the AG’s office and discussed changes that were made since the last meeting.

Mr. Ceppi opened the meeting up to the public but there were no comments.

MOTION: Ms. Shiver motioned to close the public hearing

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

MOTION: Ms. Shiver motioned to move ahead and recommends sending to the Board of Selectmen for review and to be on the warrant for the next Town Meeting

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

9. Public Hearing - Combined Permitting - The intent of these revisions is to consolidate multiple zoning permits into a single application and permitting process before a single Board. This will include revisions to the following Articles:

- 3.4 Overlay District - 3.4.1 Aquifer Protection District (B.) and 3.4.2 Floodplain District (H.)
- 4.1 Use Designations (B. Special Permit Uses: "SPP" requires Planning Board approval and “SPZ” requires Zoning Board of Appeals approval.)
- 4.2 Use Table, Principal Uses by revising which uses require a Special Permit from the Planning Board and from the Zoning Board of Appeals
- 4.3.25 Construction trades (G-5) (Amended 11-1-07, Art. 6)
- 4.4 Accessory Uses and 4.4.1 (B.)(H.)
- 4.5 Temporary Uses. (4.5.2 and 4.5.3)

- 5.2 Interpretation notes for area (5.2.6 Detached Accessory Structures)
- 5.3 Specific provisions for area requirements:
- 6.1 Off Street Parking & Loading Requirements (6.1.1.H.1.)
- 6.5 Signage (6.5.5. B. Administration)
- 7.2 Special Permits (7.2.1 Special Permit Granting Authority)
- 7.4 Site Plan Review (7.4.3 Procedure, E. F. H.)

Mr. Ceppi opened the public hearing at 9:20 pm.

Mr. Smith explained that this public hearing needed to be re-advertised according to the AG's office and there were no changes since the last meeting.

Mr. Ceppi opened the meeting to the public but there were no comments.

MOTION: Ms. Shiver motioned to close the public hearing

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

MOTION: Ms. Shiver motioned to move ahead and recommends sending to the Board of Selectmen for review and to be on the warrant for the next Town Meeting

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

11. Adoption of Minutes

- August 16, 2016

MOTION: Mr. Viner motioned to approve the minutes as written

SECOND: Ms. Reed

DISCUSSION: None

VOTE: 3-0, (Ms. Shiver did not read the minutes and did not vote)

12. Town Planner Report/ General Board Discussion

Mr. Smith mentioned that a new planner was hired and this would be his last meeting.

Also, it was discussed to hold off on the Fence and Hedges Bylaw because there should be more review.

MOTION: Ms. Shiver motioned to close the meeting 9:36 pm

SECOND: Mr. Viner

DISCUSSION: None

VOTE: 4-0

Submitted by: Monica Santerre-Gervais ODIS Clerk
Approved by the Planning Board on: 10/18/2016

List of Documents used on September 20, 2016

Items sent to Planning Board prior to Meeting

Emailed/Mailed paper copies:

- Agenda
- Memo from Larry Smith dated 9/13/16
- ANR application and plans for E. Charlton Road-Hinarnie LLC and Paxton Road-Dennis Allen.
- Application and plans for major site plan review for LFB-USA, 300 Charlton Road.
- Application and plans for minor site plan review for Klems 117 West Main Street.
- Proposed zoning bylaw amendments for fence bylaw, zoning permits, solar bylaw, and combined permitting
- Minutes for August 16, 2016

Items submitted at the Meeting:

1. Request for continuance letter for Charlie's Diner dated 9/13/16
2. Sunset/Holmes Subdivision-Access Easement Certificate of Agreement
3. Draft findings and conditions for certificate of decision for LFB-USA
4. Draft findings and conditions for certificate of decision for Klems
5. Revised draft for zoning amendments for the fence bylaw
6. Mr. Smith handed out aerial Google maps for the ANR's E. Charlton Road and Paxton Road
7. Updated agenda