



Zoning Board of Appeals – Town of Spencer

Minutes

Zoning Board of Appeals Meeting
Tuesday, May 6, 2014 at 7:15 PM
McCourt Social Hall
Memorial Town Hall

Zoning Board Members Present: Dee Kresco, Allan Collette and Albert Drexler
Zoning Board Member Absent: Robert Emerson
Staff present: Michelle Buck, Town Planner, Brynn Johnson ODIS Jr. Clerk

Ms. Kresco opens the meeting at 7:30pm

1. Open Meeting

Call to Order

Open Meeting Law Compliance

Roll Call

2. Special Permit – Applicant/Owner: Carla Hellander. Location: Moosehill Farm 165 Donnelly Cross Road. The applicant is requesting a Special Permit for a dog kennel with some selective pet grooming and boarding of up to 10 dogs at a time. The property is located within the Rural Residential zoning district.

Mr. Drexler reads the application and brief description.

Carla Hellander explains she owns and manages of Moosehill Farm she would like to add a small kennel and do some pet grooming at the farm. She also breeds and shows Welsh Corgis and has an average of one litter per year.

Mr. Collette asks where the dogs will be housed. Ms. Hellandar says she currently has a dog room in her house. She also has a three-car garage which she would like to use at least one of the bays for grooming and boarding.

Mr. Collette asks what the two buildings in the back of the property are. She says the building on the right is a livestock barn for her sheep and goats. The other building is a large two-level barn with a three-car garage in front.

Mr. Collette asks if she has a dog run. Ms. Collette says yes next to the garage/barn she will have a run area. She only plans on boarding small dogs so mainly they will be housed inside and won't need much time outside in the run area. The dogs there for grooming will be housed

inside. Mr. Drexler notes for the purposes of zoning a dog is a dog it doesn't matter if the dogs are large or small.

Mr. Collette asks how close her neighbors are. She says behind her property is all owned by Mass Wildlife Management and across the street is Moosehill Reservoir. Her property is over three acres and the nearest neighboring home is about 20 acres away.

Mr. Drexler asks where cars will be parking when dropping off and picking up dogs. Ms. Hellander says there are six parking spaces near the garage.

Mr. Collette asks how big the fenced in dog run next to the barn will be. The new run will be about as long as the barn which is around 40 ft. She also has an inside kennel as well so if dogs start barking she will bring them in.

Ms. Kresco asks what the hours of operation will be. Ms. Hellander says for now she will plan on working Monday through Saturday from 8:00am-5:00pm.

Ms. Kresco asks if there are any comments from the public. There are none.

Mr. Drexler makes a motion to close the hearing. Mr. Collette seconds. Vote 3-0.

MOTION: Mr. Drexler makes a motion to approve the Special Permit for Carla Hellander for a dog kennel and pet grooming business at Moosehill Farm 165 Donnelly Cross Road.

Finding

1. That the proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.
2. That the proposed use will not create undue traffic congestion nor unduly impair pedestrian safety.
3. That the proposed use will/will not impair the integrity or character of the district or adjoining zones, nor will it be detrimental to the health, safety, or welfare of the neighborhood or the Town.

The Board also finds that the project provides adequate parking to serve the proposed use.

Conditions:

1. Hours of operation shall be limited to Monday through Saturday, 8AM – 5PM.
2. The proposed run will be 12 feet by 30 feet.

VOTE: 3-0 in favor

3. Special Permit- Applicant/Owner: Robert Ceppi. Location: 15 Marble Road. The applicant is requesting a Special Permit under section 4.8.4 B to park vehicles over one ton as well as a skid

steer and trailer at his residence. The property is located within the Rural Residential zoning district.

Mr. Ceppi explains he has a skid steer, trailer and two one ton trucks so he would like a special permit to allow parking of vehicles over one ton at his residence. The property is 28 acres. He runs a construction business at another location. The vehicles and equipment are used on construction sites and in-between jobs they are parked at this site. The skid steer is used during the winter to plow the driveway. The vehicles are parked to the side of the driveway and can only be seen when heading south on Marble Road. There is vacant land across the street and approximately 300 feet of woods to provide screening for the neighbor to the south. The view from the north is shielded by his house. The vehicles are clean and well maintained. The vehicles have been parked at this site for many years with no complaints that he knows of until now.

Mr. Drexler asks if there is any business being conducted at this address. Mr. Ceppi says no.

Mr. Drexler asks if he plans on adding more vehicles in the future. Mr. Ceppi says yes he may add one more.

Mr. Drexler asks if he store any fuel or diesel on site. Mr. Ceppi says no.

Ms. Kresco opens the hearing to the public.

Don Rice of 26 Marble Road expresses concerns about the possibility of a diesel spill from one of these trucks. There are wetlands nearby that could be affected. Mr. Ceppi says his vehicles are all registered and inspected regularly.

Norm Bassett 35 Marble Road says the trucks and equipment parked in Mr. Ceppi yard could be hurting the property values of the homes on this street. Mr. Bassett shows the Board color photos he took of Mr. Ceppi property. He took these photos from Marble Road. They show that the vehicles are visible from Marble Road to anyone driving by. The vehicles don't fit in with the character of the neighborhood. Mr. Bassett also notes the vehicles all have Connecticut license plates. If Mr. Ceppi has a business in Connecticut the vehicles should be kept there. Mr. Bassett also notes that Mr. Ceppi owns commercial property here in Town so he should park the trucks there.

Mr. Ceppi says his commercial property is near a bar and isn't comfortable with parking vehicles there. As for the out-of-state plates a lot of people work out of state and have company cars so this should not be an issue.

Mike Channell 20 Marble Road he is Mr. Ceppi's neighbor and also works for him. He moved to Marble Road because he likes the rural character of the road. He doesn't feel like the parked vehicles interfere with that. He states he doesn't like to drive down Marble Road because the condition of the road is awful especially in front of Mr. Ceppi house. The trucks are parked there when not being used at construction sites and he is the one that goes over and starts them. Mr.

Ceppi has 28 acres and the trucks are all well maintained so he doesn't see an issue with them being parked there.

Mr. Drexler asks why the vehicles have to be parked where they are. He has such a big lot so why can't he screen them better maybe cut out an area in the woods. Mr. Ceppi says its wet back there.

Mr. Drexler would like to view the site before making a decision. Ms. Kresco and Mr. Collette agree. The Board members will visit the site on their own before the next meeting. Mr. Ceppi cannot come to the June meeting so he would like the Board to continue the hearing until July.

Motion: Mr. Drexler makes a motion to continue the hearing to July 8, 2014 pending a site review.

Vote: 3-0 in favor.

4. Special Permit- Applicant: Spencer Veterinary Hospital/Todd Davis. Owner: JAD Realty Trust. Location: 401 East Main Street, Spencer Assessor's Map R35/3. The applicant is requesting a Special Permits under 4.2.E.14 for the construction of a new Veterinary Hospital and 6.1.D to exceed the required number of parking spaces.

Mr. Drexler reads the application and brief of project.

Project Manager Wayne Belec of Waterman Design explains the applicant is seeking a Special Permit to allow a new veterinary hospital to be built behind the existing hospital. The plan is to make the hospital look like a large barn. The barn will fit in well with the area. They met with the Town a few months ago for a tech review. They have also applied for permits with Conservation, Planning Board and Mass Highway. During the planning of this project they were made aware of an abutter with issues with water running off of the current veterinary hospital parking lot. They have worked with this abutter to address all of his concerns.

Mr. Belec explains they will have to subdivide the current lot into two lots with an ANR plan. They lot to the east will house the new 6,990 sq ft hospital. The existing clinic will be leased or sold it will no longer be used as an animal clinic.

Mr. Belec talks in detail of the topography of the lot. The facility has been designed to meet state and local stormwater requirements. They were careful not to send any more water onto the abutters land. They utilized a natural ridge line on the site to help control the stormwater. This ridge line is in an ideal location they were able to line up the roof of the building with the ridge line. Mr. Belec details the stormwater systems that will be in place.

The applicants need two special permits for this project: one for the use, and one for the parking. The new upper parking lot requires a max of 22 parking spaces they are requesting 29. The 29 spaces will meet all requirements for parking space size. Ten of the parking space will be one foot larger than the normal nine feet; this is to allow people with a pet carrier easier access. They

need this amount of space because of during peak times they have many people dropping off and picking up pets; also they have 13 employees. Mr. Belec spoke to the Fire Chief. The driveway and parking lot meets the measurements for fire equipment.

Mr. Collette asks once they complete and move into the new facility what changes will be made to the old building. Mr. Davis says they won't change anything just a few parking spaces will be taken away to make room for the new driveway. There won't be any changes to the exterior of the building.

Mr. Drexler asks if they will be using any X-ray chemicals on site. Mr. Davis says no they moved to a digital X-ray system in 2007.

Mr. Belec notes they are looking into installing solar arrays on the roof of the new building.

Ms. Kresco opens the hearing to the public.

Edward Cassie 379 Main Street is the abutter that had concerns of stormwater runoff. He says Mr. Belec visited him at home and spent much time with him explaining the new stormwater plan. Mr. Cassie says the new plan will be an improvement from what he has now. He feels confident the new system will help not hurt his situation.

Mr. Drexler makes a motion to close this hearing. Mr. Collette seconds the motion. Vote 3-0

MOTION: Mr. Collette makes a motion to approve the special permits to Spencer Veterinary Hospital.

Findings:

1. That the proposed use is in harmony with the general purpose and intent of the Zoning Bylaw.
2. That the proposed use will not create undue traffic congestion nor unduly impair pedestrian safety.
3. That the proposed use will/will not impair the integrity or character of the district or adjoining zones, nor will it be detrimental to the health, safety, or welfare of the neighborhood or the Town

The Board also finds that the project provides adequate parking to serve the proposed use.

Conditions:

1. This approval is contingent upon approval by other Boards and is based on the plan submitted at the Board meetings of May 6, 2014 revised through May 2, 2014 not on earlier plans.

Mr. Drexler seconds the motion.

VOTE: 3-0 in favor

5. Approval of Minutes- from April 8, 2014. The Board would like to hold the approval of minutes until the next meeting.

6. Adjournment: with no further discussion the meeting is adjourned at 9:14pm.

Submitted By: Brynn Johnson, ODIS Junior Clerk

Approved by the Zoning Board of Appeals on 7/8/2014

List of Documents used on May 6, 2014:

Items mailed to ZBA members prior to meeting:

- Agenda
- Memo from Michelle Buck, Town Planner dated 5/1/2014
- Minutes from 4/8/2014
- Special Permit Application and Plans for Spencer Veterinary Hospital
- Special Permit Application for Moose Hill Kennel
- Special Permit Application for 15 Marble Road
- Draft Certificate of Decision on Special Permit for Spencer Veterinary Hospital
- Draft Certificate of Decision on Special Permit for 15 Marble Road
- Draft Certificate of Decision on Special Permit for Moose Hill Kennel
- Draft ANR plan for Spencer Veterinary Hospital

Items submitted to ZBA members at the meeting:

- Color photos of 15 Marble Road property showing parked vehicles.