

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, May 24, 2005

Present Sandra Gibson-Quigley, Chair
Russell Chamberland, arrived at 8:15 PM
Thomas Creamer
James Cunniff
Thomas Kenney, arrived 7:10 PM
Jennifer Morrison
David Yaskulka

Also present: Lawrence Adams, Town Planner

S. Gibson-Quigley called the meeting to order at 7:00 PM and read the agenda. She welcomed new board member Russell Chamberland and noted he would be late due to a previous commitment. The draft minutes of May 9, 2005 were reviewed.

Motion: to accept the draft minutes of May 9, 2005, as presented, by J. Morrison
2nd: J. Cunniff
Discussion: None
Vote: In favor – T. Creamer, J. Morrison, S. Gibson-Quigley and J. Cunniff
Abstain – D. Yaskulka

S. Gibson-Quigley noted that the Board of Selectmen (BOS) would like designees from the Board for a Zoning Study Committee (3) and a School Building Committee (1). T. Creamer, J. Morrison and J. Cunniff expressed an interest in serving on the Zoning Study Committee and D. Yaskulka commented that T. Kenney would have interest in serving on the School Building Committee, as did S. Gibson-Quigley. Since two members were not present, the Board agreed to make the appointments at its June 7th meeting.

ANR'S

Hill, Bryan – 224 Brookfield Road – Land Planning, Inc. – 1 lot – L. Adams recommended the Board allow additional time to review the calculations for the regularity factor and frontage measurements. He added that a preliminary subdivision plan, involving this ANR plan, had been submitted by Land Planning, Inc. and been rejected due to deficiencies in the submittal – The Board tabled this ANR to June 7, 2005.

LaVallee – 254A Holland Road – Jalbert Engineering, Inc. – reconfiguration – Approved

LeMay, Michael – Walker Road – Para Land Survey – 2 lots – In a memorandum dated, 05-24-05, L. Adams stated that Walker Road was a private way (he had no indication that Walker Road was public though it was shown as such on the ANR plan) graded and plowed to minimum emergency standards by the Department of Public Works (DPW). Due to the issue of public/private status of this roadway, L. Adams agreed to discuss it further with Richard Para. Comments had been submitted from neighbors stating reasons why they felt more homes should not be built on Walker Road. L. Adams recommended the Board table the ANR to allow members an opportunity to inspect the roadway and determine its suitability, grading and construction for the proposed use of the land as noted in Subdivision Control. In order that the Board remain consistent with past endorsements of ANR plans, J. Morrison would like to know if other ANR's had been granted on Walker Road since Subdivision Control went into effect. D. Yaskulka added that a roadway's carrying capacity was not determined by the Board. T. Kenney asked if there were guidelines which the Board could use to determine Walker Road's condition. L. Adams felt guidelines were arbitrary

aside from the regulations within Subdivision Control. S. Gibson-Quigley stated that the Board had approved ANR's on private ways. – The Board tabled this ANR to June 7, 2005.

Choinski, Stanley – Westwood Drive – Murray Engineering – 3 lots – It was noted that lot 3 of the plan could have buildability issues due to an intermittent stream - Approved

OF PARCELS CREATED

3

LOT RELEASES

DRAPER WOODS – Release lot 1 and hold lot 6 instead

Kevin Rabbitt was present to make the request and stated that the original document held lots 5 and 6. A switch from lot 6 to lot 1 occurred due to an interested buyer. Lot 6 did not sell and now there is an interested buyer for lot 1.

Motion: to switch the holding of lots 1 and 5 to lots 5 and 6 for Draper Woods, by T. Creamer

2nd: J. Cunniff

Discussion: None

Vote: All in Favor

Four members executed Form J and J. Morrison notarized the document.

THE HIGHLANDS – Release of 1-3, 6-16, 19-24; hold lots 17, 18, 25 and 26

Tom Moss was present to make the request. Greg Morse, DPW Director had agreed to this lot release. This request released lots 1-3 on Arnold Road and lots 6-16 and lots 19-24 within The Highlands Subdivision. Lots 17, 18, 25 and 26, having a value of \$82,000 each would be held as surety. L. Adams supported the request, but could not locate the surety agreement as there was no internet access and asked if such a surety had been filed for The Highlands. Tom Moss stated it had not, but would complete Form I and return it to L. Adams.

Motion: to release the 20 lots, as requested, with the condition that Form I be completed and submitted to L. Adams, by T. Kenney

2nd: J. Morrison

Discussion: None

Vote: All in Favor

STEVE'S COLLISION CENTER – SITE PLAN REVIEW – PUBLIC HEARING

S. Gibson-Quigley opened the public hearing and T. Kenney read the legal notice. Leonard Jalbert, of Jalbert Engineering, Inc., presented the site plan review for the property at 210 Charlton Road. He commented on the following –

- The initial layout was done in 1985 for an auto body repair shop now owned by Stephen Brunelle and operated for auto sales and repair.
- A flood easement for Westville Dam (Army Corp of Engineers) runs on the north west of the property.
- The property is located in the Industrial Park District.
- The proposed addition will be a two story structure with three bays in the rear and an office facility in the front.
- There were 64 original permitted parking spaces – the front spaces encroached into the 60 foot setback.
- Building height shown at 28 feet.
- False dormers and weather vanes are proposed for the existing building.
- Due to the slope, the rear elevation show two stories and the front elevation shows one story.
- The existing building with the proposed addition will have a total of 12 bays – six in the front and six in the rear.

- Conservation Commission approved an Order of Conditions on February 7, 2005 for the project covering issues relative to grading, drainage, detention basins and buffer zones.
- Utilities - town water and sewer; electrical overhead; no oil or propane tanks will be on site.
- Sprinkler system and hydrant – Fire Chief requested that a hydrant be added to the site. S. Brunelle agreed to the request and would have a hydrant added to the plan adjacent to the All Star Premium property line.
- Snow storage; landscaping; lighting; proposed lot coverage for the site at 20.3%; signage would not change.

The Board had questions and concerns on the following issues –

- Parking/circulation- S. Gibson-Quigley questioned the reference to the 64 parking spaces – L. Adams suggested that the number was a license from the BOS for motor vehicles (not actual parking spaces) and it could be a theoretical limit. S. Gibson-Quigley asked that a fair calculation be done to provide adequate parking spaces for the use of the allowed businesses. The Board questioned how the eighteen parking spaces shown on the plan supported the 64 cars allowed under the BOS auto sales permit – L. Adams would have clarification at the Board’s next meeting.

S. Gibson-Quigley acknowledged Russell Chamberland’s arrival and welcomed him to the Board.

J. Cunniff referenced the parking within the setback and asked if that was acceptable – L. Adams understood that commercial/industrial parking was not allowed in setback areas. S. Gibson-Quigley asked that it be established how the eighteen parking spaces within the front setback had been approved since L. Jalbert had stated they were “grandfathered”. J. Cunniff asked if these spaces would still be “grandfathered” with the addition as proposed. T. Kenney noted the lack of handicapped parking.

- Car wash – T. Kenney asked for clarification that the car wash would be for internal use only and not for retail use – L. Jalbert said it was for internal use.
- Rip rap – T. Kenney asked if the rip rap in the rear was for diffusion or retention – L. Jalbert stated it was for diffusion to stop erosion, no retention.
- Design/use issues – D. Yaskulka asked if there were any relevant issues the Board should consider due to the Route 20 Study review – L. Adams noted a turnaround was designed in front of the site.
- Lighting – T. Kenney asked if the proposed lighting would be sufficient.
- Greg Morse memo, dated 05-23-05 – Item #2 Oil water separators - will be H-20; Item #4 Berm – L. Jalbert will review the berm with G. Morse.

S. Gibson-Quigley asked for comments from L. Adams – He supported the Fire Chief’s request for the hydrant to the right of the entrance; shared G. Morse’s concerns of parking, snow storage and circulation. There was no one wishing to speak from the public. She summarized issues that needed to be addressed – 1) identify minimally the number of parking spaces necessary; 2) determine if parking should be allowed within the front setback; and 3) revise the plan to show the fire hydrant.

Motion: to continue the public hearing for Steve’s Collision to June 7, 2005 at 7:15 PM, by T. Creamer
2nd: D. Yaskulka

Discussion: L. Adams suggested the Board rely on Jalbert Engineering, Inc. to find suitable design standards from the industry for the parking. L. Jalbert agreed to this and was asked to perform a calculation by component as well as a general calculation.

Vote: All in Favor

THE ESTATES AT STURBRIDGE FARMS – Review and Recommendations

S. Gibson-Quigley noted this was a revised plan for the special permit multiple dwelling project before the Zoning Board of Appeals (ZBA) and that the Board was required to submit a report with its recommendations on the project. Attorney Robert George was present for the proponent and introduced Calisto Bertin, of Bertin Engineering, Inc. who outlined the changes to the plans of 02-17-05 as follows:

- number of units reduced from 21 to 20
- buildings had been in clusters of 2, 3, and 4; the new design shows clusters of 4
- a redesign of the footprint moving one cluster from the east side of the driveway to the west side which reduced the number of retaining walls and the grade of the slopes
- sewer pump removed from the turnaround and located between building #2 and #3
- widened the roadway/driveway and added a sidewalk from Main Street to the buildings
- an eighteen foot retaining wall would be needed for the wetlands crossing
- the emergency access drive width had increased from six feet to ten feet (Conservation Commission would be reviewing this change)
- more detail had been added to the landscaping around the buildings

S. Gibson-Quigley reviewed the Board’s previous concerns. She noted that it would want plans with more detail for the retaining walls, lighting and landscaping. The Board discussed snow storage, open space size and designation; and parking for the trail heads.

The Board was concerned that the eight parking spaces within the project designated for public parking may not be "public friendly". It was suggested that a sign designate the spaces as public. T. Kenney reminded the Board that it had had discussion in the past relative to this same issue and the neighbors had been against the parking. For this reason he was opposed to the location of the public spaces in the private subdivision area. He felt the parking should be located off Farquahar Road for neighborhood safety reasons. S. Gibson-Quigley pointed out that the past situation involved an existing community and in this situation buyers would be aware of the public parking. From his knowledge, D. Yaskulka felt that a trail head within the project was not a safety issue. He also invited the Board to always consider the multiple values of open space, including water quality, scenery, wildlife, cost of services and tax abatements in addition to access.

S. Gibson-Quigley summarized the recommendations the Board would submit to the ZBA –

- 1) The Board approved of the plan and understood a variance for the driveway off Route 131 was needed.
- 2) Access to the open space must be discussed relative to the public use and neighborhood safety – D. Yaskulka felt that access should not be a “bottom line” with respect to open space.
- 3) Cross sections, drainage, traffic circulation and lighting details would be part of site plan review.

SPRING HILL ESTATES – Bond Release Request

Kent Pecoy was not present. L. Adams noted this subdivision had been approved in 1997; the issues with two detention basins in the subdivision had been addressed to the satisfaction of Greg Morse and the Conservation Agent; Richard Para, Para Land Survey stated that the monuments for the road have been put in place; L. Adams recommended releasing the bond which on 12-20-04 had a value of \$37,677.11 plus interest. He noted that there was an issue of a school bus turnaround which would need to be addressed at a later time. Since it was not noted on the plan, it was not relevant at this time.

Motion: to release the Pecoy performance bond in the amount of \$37,671.00, more or less, for completion of proposed infrastructure, by T. Kenney

2nd: T. Creamer

Discussion: None

Vote: All in Favor

SITE PLAN REVIEW WAIVER REQUEST – Country Creamery and Homestyle Deli

L. Adams had presented the Board with plans from the original layout by Jalbert Engineering, Inc. dated 1989 and noted that the business was presently operating "as is". He felt a formal site plan review was needed due to – 1) two dumpsters, not one; 2) parking spaces should be better engineered; inside seating; 3) because the business would be

servicing many pedestrians and children he felt the Board should be cautious with the site plan. S. Gibson-Quigley felt review for the site was needed for parking and circulation. J. Morrison commented that due to the evolution of the space or “scope creep” with its various tenants she agreed with S. Gibson-Quigley.

- Motion:** to deny the request for a waiver of Site Plan Review for Country Creamery and Homestyle Deli and require Site Plan Review for the expansion, by T. Kenney
2nd: J. Morrison
Discussion: None
Vote: All in Favor

PLANNER’S UPDATE

Allen Homestead – Attorney Mountzoures letter, dated 05-23-05 stated that Noel Homes has purchased three additional lots. They would be putting in the berms, then sidewalks, followed by the binder coat. The boulders on lot 26 would be removed. Attorney Mountzoures has been asked to attend the Board’s June 7th meeting. S. Gibson-Quigley noted that the two month extension deadline was June 12, 2005. L. Adams added that one lot was still in court from DEP’s superceding Order of Conditions.

Woodborough Farm Preliminary Subdivision; 4 lots – L. Adams rejected the submittal for deficiencies and felt that the subdivision should be brought to the BOS for approval of sewer tie in.

OSV Rezoing – S. Gibson-Quigley would like to set June or July for a public hearing and noted that the Selectmen suggested the Board consider Historic Commercial. She recommended that Commercial Tourist was more appropriate in terms of continuity because it was contiguous and that rezoning to Historic Commercial for the thirteen acres could be spot zoning. T. Kenney questioned why the Board needed another public hearing since the Board had made its decision based on a public hearing. A typographical error on the Town’s Warrant caused the situation. L. Adams agreed that a public hearing would not be necessary. J. Cunniff remembered that Arnold Wilson had proposed the Historic Commercial option. L. Adams would check with the Attorney General’s office and Town Counsel as to the best way to proceed. T. Kenney felt the BOS and James Malloy should be notified that the Board intended on bringing this matter to the next scheduled special town meeting.

Stoneleigh Woods (Blue and Gold) – L. Adams stated that the Board would be reviewing the plans at its June 7th meeting to prepare a report for the ZBA. He asked the Board to pay particular attention to the cul-de-sac that created the public way and the frontage for what was three house lots. His concern was that the cul-de-sac had been reconfigured and was gone which took away the legal frontage.

RRI sub lease Request for Waiver SPR with Attorney Neal – Attorney Neal was present to explain the intent of Mr. Thomas and his moving company. He noted that the waiver had been filed with the Town Clerk before the submission had been rejected by L. Adams. L. Adams rejected the submittal as the Board had been clear in its decision that any increase in the intensity of use to this site would required a formal site plan review. Attorney Neal asked the Board to consider accepting the waiver request. S. Gibson-Quigley asked if RRI had submitted the requested parking layout for the 154 spaces. L. Adams stated they had not, nor had they clarified the easement on the abutting property. J. Morrison would like the maximums for people and cars for RRI. T. Creamer felt the Board should be consistent with statements it made to a proponent, in this case, RRI.

- Motion:** to deny the waiver request for site plan review made by A Class Moving Company, by T. Kenney
2nd: T. Creamer
Discussion: D. Yaskulka recused himself from this vote since he was considering a business relationship with Mr. Thomas. Attorney Neal understood the Board was looking for a parking plan, an engineered schedule from RRI stating when cars come in, when cars go out, these are the programs that come in, etc. with relation to RRI and any future businesses.
Vote: In favor – T. Kenney, T. Creamer, J. Morrison, S. Gibson-Quigley, R. Chamberland and J. Cunniff
Recused – D. Yaskulka

Empire Village Request for Interior Work Only with representative – L. Adams noted that representatives of Empire Village were present to request permission to continue with interior work on the building. The Building Inspector

would be checking on the site on a regular schedule. The Board would be getting a new site plan review showing – 1) the building was shifted back; 2) the chiller had been moved; 3) the propane tank, now two tanks were installed in the wetlands area and were relocated; 4) a deck was proposed on the back of the building. The Board supported allowing the interior work to continue on the building.

Motion: to allow Empire Village to continue with interior work only on the restaurant, by T. Kenney
2nd: D. Yaskulka
Discussion: None
Vote: All in Favor

T. Creamer brought up a discussion of staffing and the quantity of work before the departments. L. Adams commented that due to 1) the department was accumulating more projects that needed review; 2) developers had been expressing interest in numerous large parcels for developments; and 3) the rezoning initiative that was beginning, more staff would be needed. S. Gibson-Quigley felt it was time that the Board begin advocating for the department. She asked members to give this matter consideration and bring suggestions for the best approach to its next meeting

Motion: to adjourn, by T. Kenney
2nd: J. Cunniff
Discussion: None
Vote: All in Favor

Adjournment at 9:55 PM