**Planning Board Minutes**

DATE: June 9, 2016

Convened: 7:02 pm

Members Present: Dave Killian, Pam Marquis, and Jenna Elmore

**NEW BUSINESS**: None

**OLD BUSINESS**: Zach Cutting on behalf of Andrew Worden-Bob Sullivan is here as an abutter. Zach is here to go over his proposal that he sent us. Bob is asking if the Planning Board has spoken to Conservation to see if they would relent just for a while to get equipment in, Conservation was adamant that the property owner could not use equipment beyond the fence. Bob is asking if the owner moved those 2 rows of panels, and use that land for trees. Bob is not concerned which company is responsible, he is giving a solution, it does not matter to him who owns it, just that the companies work together to fix the problem. Zach is here to propose that the property owner will pay to reforest the over cut trees. Pam mentioned that lawyer to lawyer between the sellers and the buyers, need to work it out because something should have been done in the Purchase and Sale Agreement to see who is responsible for what and possibly the monies go in escrow, and that maybe those parties need to go back and hash it out and create a contract. Bob as BOA, is concerned about the form of list with the equipment there and the R&D project, for tax purposes. The issue is that it is higher than the two fields. The Planning Board is looking for a revised plan with all the actual roads, buildings, planting, etc. Zach’s company is working on the site per Conservation Issues. Pam is looking for a progress print from the companies. Pam mentioned that TGC would be responsible for the trees once they were planted, to sign something that would say so. Bob mentioned that only a few weeks ago that other members of Conservation, finally came out to the abutters. DEP has tied the Conservation, to using equipment. Jenna said forward this plan to Conservation, to see if Conservation will allow the use of equipment for larger trees. Zach says the cost maybe the only issue trying to pitch it to the owner. He will get the Planning Board Clerk a new plan, with no trees, to forward to Conservation, to see if we can get them to allow equipment, to supervise the plantings to help the view of the abutters, Pam is willing to go to Conservation meeting as well. Pam also stated any changes to the property, needs to come before the board.

***OTHER ANRs/SITE PLAN REVIEWS***:

**Brian McNally**-Map 17, Block A, Lot 8. Pam is concerned that the Register of Deed may reject it due to part of the property being in Wales. Nothing is being divided into Wales. The acreage and frontage looks good. Pam moves to endorse the plan as presented, Jenna seconds, all in favor and none opposed.

**Public Hearing 7:30pm**: Opening the meeting at 7:51pm. Infinite Granite, 310 Sturbridge Road-Went over the Board Health’s concerns: The building is just a shop/warehouse, it will not be connected to the current building. There will be no bathroom. Dave asked the board if there are any comments or concerns. None were given. No comments from the public. Dave made a motion to accept the plan as presented, Jenna second, all in favor none opposed. The board members signed off on the town document. Send the building inspector a letter stating that the project, reference plan number FO#19219 dated: 10/15/15. The board members are signing the plans, site and building, for the building inspector. Dave makes a motion to close the hearing at 8:03pm, Jenna seconds, all in favor and none opposed.

**Public Hearing 8:00pm**: Continued from last month; Field 41 Sturbridge Road; Opening meeting at 8:03pm. Pam and Jenna are reviewing the plan, discussing the hours of operation, lighting, noise (all concerns of the abutters), and curb cut. Jenna asked if there is a plan for lighting, which it is addressed on the plan. Dave spoke to the Chief of Police, based on the plan he thought it was going to just be a brewery and not a serving establishment. Dave reviewed the concerns of the abutters, with Jenna. Pam read the lighting plan out loud. John Field spoke about how they have moved the building as far away from abutters as possible. Dave asked if there are other abutters here that have not seen plans, and the abutters at 37 Sturbridge Road, Mr. Ceppi’s property. The second floor would be on level with the new building, which is a concern. Pam is explaining that the Mass DOT is the ones who will approve the driveway, because they own the road way on Route 20. Dave stated that questions and concerns should be addressed to the board. Abutters expressed concerns about the driveway safety, Pam stated that board can only comment on site. An Abutter, said that there is nothing in the bylaws with regards to this type of establishment. He is trying to see where it fits in. He does not see how this will fit in the neighborhood. The Field’s stated that they would like a sign at the end of the driveway. Dave mentioned if that is their intention, then a new plan would need to be submitted with regards to a sign. An abutter asked if there will be entertainment during the day or night. Adam Field said they would like that, and are considering. Dave asked if the owners have hours of operation in mind. Adam said initially is Friday, Saturday, and Sunday. Until 8pm. Abutters asked if there will be police present for unruly patrons. Adam asked if he needs to go to other boards with regards hours of operations. An abutter said that the owners have a business plan, but have not really thought about it fully meaning crowd control. Hours of operation is not many, so will he have other hours for the brewery part. If the owners decide to change their hours of operation, will they need to come back to the board, and Pam mentioned that yes any changes to the property, they will need to come back to the Planning Board. Abutter stated that it will change Mr. Ceppi’s rental property and how it will affect that. Mr. Ceppi asked if there will be a peer review with regards to water, run off, will a set of their final plans go to peer review. Mr. Ceppi would like to ask the board, what percentage of beer will be sold on premise and what percentage distributed elsewhere, band’s music entertainment maybe there, he is asking that the planning board put an Order of Conditions with regards hours of operation, music, entertainment, etc. This board on has concerns about the site, not conservation. Under the Zoning Bylaws, in the business district, this is not an allowed use. Pam let the abutter know, we are not a board of use, that is up to the Zoning Officer, if it is an allowable use or if it is not, that is not up to the Planning Board. Abutter mentioned the parking lot grading being high. Fire department issue, but the fire department has not received the building plans, they have received the site plans but not building. Mr. Ceppi mentioned about the grading on the driveway. Pam mentioned the DOT does the curb cut. John Field, said the reason for the change in the current driveway, was DOT requirement.

Adam addressed the % of beer: he will sell as much as he can on the premise, and the rest off site. Initial production would be less, about 150 gallons a week, out of that it has yet to be seen what can be sold on premise and what will distributed, Adam does not have a business plan per se, however, he has calculations. Dave said if you make 1000 gallons, different uses selling on site verses distributing, that determines what amount will be sold on the premise how much will be consumed on premise. Jenna mentioned the size of building there is 1000 sq. ft. of space available for the customers. Maybe 23 seats. There are storage closets, bar/serving area, bathrooms etc. Fire department will handle the issues of maximum capacity and sprinklers in the building. Mr. Ceppi asked if the person who created the site plan has actually been to the site. Abutter stated that under Section 3.8.2 and discussed the use, the planning board can’t enforce the zoning issue. Mr. Ceppi, stated that head lights showing into the property windows, and activity at night, and what is detriment to the values of the surrounding properties. Minimize the abutters view of manufacturing, dumpster pickups, delivery drop offs, etc., should be in order of conditions. Dave asked if there were any other comments or concerns from the abutters. John Field mentioned that it is a business site and you should be able to put a business on it. We may need to continue the hearing to get go out and solicit questions and comments from other boards. Privacy fencing can be put in the conditions with where and how much, blockage of lighting for the abutters, signage needs to be addressed in a new plan. Dave stated that a Peer Review maybe be required for fencing as to where and how much. Mr. Ceppi stated that the driveway is also a concern with headlights coming in. Mr. Kean said that fencing maybe put around the entire property. A porch was mentioned but we do not have any plans with a porch. So the owners would need to come back if they want a porch. Dave is not comfortable, he asks if the petitioner is agreeable to the continuing the hearing, with a $50 fee. The board may look at peer review for fencing. Dave stated that we would get a cost estimate for the consultation, at the owners cost, unless the owners want to make the changes themselves. Adam asked what we need them to do prior to the next meeting, such as signage, but the board said if they want to address the lighting/fencing themselves that would be fine too. Dave said we will continue to July 6, 2016 at 7:30pm. Continuing the meeting at 9:10 pm.

**Public Hearing 8:30pm**: Continued from last month Caron Project-Opening hearing at 9:14pm. Dave is addressing the email that was submitted with regards to using the Andrew Worden plans. Dave asked with regards for $3,000 for peer review. The clerk, handed out the email from the building inspector, which came from the attorney regarding the solar opinions. Dave suggested that Brian Caron goes to the Selectmen, to address the issues of his attorney’s opinion/building inspector. Dave suggested that we continue this hearing until a later date when Brian Caron irons out all. Brian asked for a waiver, issued by the Planning Board, but the Board cannot issue waivers. Mr. Caron was discussing variance, setbacks, and ZBA is the board that does variances. To see if the ZBA has the power to issue the variance, and the process begins with the Zoning Officer/Nelson Burlingame with a denial. The board does not have the power to move from business to residential. Continuing the hearing until July 6, 2016 at 8:30pm. Collected $50 for the continuance.

Judy Sessler is here to say if the board is aware of that Infinite Granite appears to be selling cars in the back. The Zoning Officer is the enforcing board. Just pointing out the use of the land. She is also here to congratulate Pam on the election.

**OTHER**:

* Review minutes
* Payroll signed April, May and June for the Clerk and the last quarter for the board
* Mail

Pam makes a motion to adjourn, Jenna seconds all in favor:

Adjourned 9:35pm