

DRAFT 03-17-02

STURBRIDGE PLANNING BOARD

MINUTES OF
TUESDAY, MARCH 5, 2002

Present: Mike Beaudry
Marge Cooney
Tom Creeden
Sandra Gibson-Quigley, Chair
Deb Hill
Bill Muir
Milton Raphaelson

Also present: Lawrence Adams, Town Planner

The meeting was called to order by S. Gibson-Quigley at 7:00 PM and the agenda was read.

ANR'S

Swiacki – Fairview Park Road (2 lots) – Para Engineering – Approved as presented

PLANNER'S UPDATE

Upcoming issues for the Board are:

March 19th – The Highlands Subdivision Definitive Plan Public Hearing, Arnold Road
The Preserve Subdivision – if necessary
Site Plan Review Application, Public Hearing – Oxhead Tavern – handicapped access ramp
April 2nd - Discussion with Conservation Commission on Open Space
Site Plan Review for Bob's Ice Cream, Public Hearing – change from seasonal to year round

Also, M. Cooney:

April 1st - Community Preservation Act Committee – question and answer presentation at the Board of Selectmen's meeting to inform the public about the Committee. All are welcome.

THE SANCTUARY SUBDIVISION, Arnold Road - PUBLIC HEARING

Robert Moss, Developer and Thompson-Liston Engineering, Inc.

S. Gibson-Quigley opened the public hearing at 7:15PM. M. Cooney read the legal notice. Robert Moss presented the plans, along with James Tetreault and Ken Strom, Thompson – Liston Engineering, Inc.

The site is approximately 65 acres on the easterly side of Arnold Road, proposing 40 single family house lots (20,000-sq. ft. min.) tying into an existing sewer line on Arnold Road and serviced by town water. Due to the grade of the property at the back lots, there has been a proposal for a sewerage pumping station. The sewer permit was granted with the agreement that the developer share the cost (50%-50%), with the Town, of relining the existing clay sewer line 3,000 feet to Route 20. A significant portion (58%) of the property would be retained as open space and would be open to the public. It was mentioned that the Highlands, a 31-lot project scheduled to come before the Board on March 19th, would have entrances that lined up with The Sanctuary.

R. Moss had received the review letter from the Town Planner and would be working with the DPW, Town Planner and other appropriate town bodies to amend the plans providing the Board with a list of issues to address for the decision making process.

S. Gibson-Quigley questioned the ownership of the open space (land that would not be built upon and not necessarily open to the public) – the options were: 1) a private land trust, 2) the Town to take ownership with a conservation easement or 3) a homeowner's association within the project. At this time no decision had been made. M. Cooney wanted all open space on any proposed projects to be held in perpetuity.

Questions from the Board:

T. Creeden – questioned lot frontage, lot size and R factor; the maximum slopes of the road; sidewalks and utilities. R. Moss stated all lots had 125 feet of frontage including cul-de-sac lots. The plans would reflect total frontage for each lot. The length cul-de-sac was 500 feet, measured off the back. The maximum slope of the road at one section, approximately 600 feet long, was 8%. Slopes at the entrances were 1% and 4%. Utilities were all located underground and there would be sidewalks on one side of the road throughout the project.

M. Beaudry – questioned the distance of the buildings from the wetland buffers; the amount of usable property on lots 26, 27 & 28 (easterly side of Hemlock Dr.) due to a severe drop-off; the price range of the homes; the visibility at the intersection of Arnold Rd. and Briarwood Dr. and how to alleviate the traffic going from a C rating to at times an F rating (road rating A = best, F = poorest). R. Moss stated there were 20-25 lots within the 200-foot wetland buffer, the closest lot measuring within 40 feet of the buffer. S. Gibson-Quigley pointed out that each lot within this buffer would require a permit from the Conservation Commission. Future homeowners would also have to get a permit from the Commission each time the buffer was disturbed. There was a possibility this could be a “no touch” zone, prohibiting even the use of pesticides and fertilizers. R. Moss noted there were lots with small back yards, which was common to New England land. The price range would be between \$325,000 and \$375,000. R. Moss felt that the sight distance requirements could be met at the above-mentioned intersection for the speed limit given the road. He had spoken with the DPW about peeling back the hills in order to provide an adequate sight distance. M. Beaudry was concerned with the knoll of the road, not the view from the side of the road. R. Moss felt there was sufficient distance (225 feet) to see an oncoming car, M. Beaudry disagreed. In order to alleviate the traffic rating change, R. Moss suggested the option of widening the road for turning purposes.

M. Raphaelson – questioned whether or not there was an access other than the one referred to by M. Beaudry and the width of the roads. R. Moss explained there would be two 24 foot paved roads onto Arnold Rd. within 50 foot right of ways.

B. Muir – had no questions for R. Moss at the time. He was concerned that R. Moss had not yet met with the Conservation Commission and there were houses that would be built within the wetland easements. He would like to have comments in writing from the Commission on the wetland issues.

M. Cooney – wanted to know how a buyer would be made aware of the restrictions on the property; where children would play given a four bedroom home with only a few feet depth to the property; potential Zoning Board issues if homeowners attempted to add on to their homes and the open space issue. R. Moss said the deed would have a reference to an order of conditions and notification that the property was within a wetland buffer zone. Each lot would have enough depth for at least a swing set, deck, etc. Due to the size of the proposed homes, R. Moss did not feel there would be an issue regarding additions into setbacks.

D. Hill – requested a traffic analysis for the traffic impact on Cedar St. because she felt that not all cars would be using the Arnold Rd./Route 20 intersection. R. Moss said an elaborate traffic study had been submitted with the plans. He would be willing to work with the DPW on suggested improvements. S. Gibson-Quigley agreed it would be necessary to have traffic data for Cedar St./Route 20 intersection.

S. Gibson-Quigley asked to hear from those speaking for or against The Sanctuary Subdivision.

- Theophile Beaudry, 124 Arnold Rd. – asked to see a traffic study done for Arnold Rd. in July (the study submitted had been done in November). He felt there was a 50% increase due to The Highlands Brewery and the lakes property in the area.
- Pat Jeffries, 25 Cooper Rd. – concerned with building in the 100-foot buffer and the impact of the truck traffic on Cooper Rd.
- Pamela Burns, 64 Arnold Rd. – concerned with the visibility of the road and speed of traffic as address by M. Beaudry; asked that the process of sealing the sewer line with the PVC lining be explained so she could understand how it would not seal off those currently connected to the line and would any of the work being done within the subdivision change the direction of the stream.
- Roy Pelton, 78 Arnold Rd. – was also concerned with the traffic and the lighting impact from cars entering and exiting by his home. He asked R. Moss if he would consider planting shrubbery. He also asked the distance of the road going behind his property. It was stated that the distance was 75 feet from his pin. R. Pelton did not agree. S. Gibson-Quigley requested R. Moss check the distance with R. Pelton.
- Emile Fortier, 72 Arnold Rd. – concerned with the buffer zones and open space bordering his property and the 15-foot distance between his property and the road. R. Moss said they could check this distance along with R. Pelton's.
- Rich McCarthy, 8 Stoneybrook Dr. – questioned the impact that tree cutting would have on the flow of the stream. R. Moss said the detention basins would handle the runoff.
- Ronald Cooney, 66 Arnold Rd. – was concerned with distances between his property and the subdivision
- D. Hill, 45 Cricket Dr. – concerned with what might happen to the properties if the dam broke. Due to the size, R. Moss did not feel this would be a problem.

T. Creeden asked if there was a street light plan. There was not a plan, but R. Moss said they would submit a plan to the DPW.

S. Gibson-Quigley felt it necessary to continue the public hearing to address issues regarding conservation (wetlands), traffic, slopes and the memo from the Town Planner.

Motion: to continue the public hearing to April 23rd, 7:15 PM, by M. Cooney

2nd: D. Hill

Discussion: B. Muir asked to set an earlier date. T. Creeden wanted to be assured that constructive approval would not be an issue. L. Adams said there was sufficient time because no Preliminary Plan had been submitted. R. Moss was in agreement to the date.

Vote: All in favor

THE PRESERVE SUBDIVISION, New Boston Road - PUBLIC HEARING CONTINUATION

Robert Moss, Developer and Thompson-Liston Engineering, Inc.

S. Gibson-Quigley asked to hear from those speaking for or against The Preserve Subdivision.

- Sue Sichel, 1 Adams Rd. – concerned with the water runoff that would be heading toward the lake and that there would not be a detention pond because a vortex was mentioned. It was explained that the state recognizes both the use of a vortech unit (a filtration unit) and a detention basin to reduce the percentage of pollutants in street runoff. The vortech units will be used where the subdivision roads meet New Boston Rd. to address the issue of water quality. There would not be enough room at these locations for a detention basin. A precast concrete structure underground would be used to accomplish the same effect.

- Phyllis Esslinger, 11 Adams Rd. – concerned with the dissolved toxins, namely fertilizer. It was stated that all requirements set by the State and the Conservation Commission would be met for storm water runoff. The runoff containing fertilizer, pesticides, etc. would head away from the lake.
- Bob Ouellette, 52 New Boston Rd. – wanted to know who would be maintaining the vortech units and questioned the quality and color of water after it went through the unit. He was also concerned about the digging that would take place at the east boundary of his property, the three roads entering New Boston Rd., cracking foundations and the consequences of upsetting the ledge. Greg Morse, DPW Director, addressed the maintenance concerns mentioned by B. Ouellette.

S. Gibson-Quigley questioned the percentages and directions of the water runoff. It was stated that 90%-92% of the runoff would go east (away from the lake). Though the project was on a three-year schedule, the entrance roads would be paved within 8-10 weeks. S. Gibson-Quigley added that the general increase in traffic would have an affect on the amount of sediment and toxins on New Boston Rd.

There was a pause in the public hearing continuation at 8:45 PM for:

CONVERGENT-PRIMA; SPECIAL PERMIT/SITE PLAN REVIEW PUBD PROJECT, ROUTE 15 - PUBLIC HEARING

Ron Smeltzer, Director of Purchasing

The public hearing was not opened as Ron Smeltzer asked the Board to rescind his request for construction on the Kelly Road project due to time restraints. He thanked the Town of Sturbridge for their offer to Convergent-Prima.

B. Muir asked if there were presently any plans for the building. R. Smeltzer said there were not, that the building was for sale. The company was moving because they needed more space and had been remiss in not relocating in a parallel time frame. The cost of the property with renovations was prohibitive.

The Board continued with the public hearing for The Preserve with B. Muir questioning if there was presently a drainage problem on New Boston Rd. Greg Morse, DPW Director, commented that he felt there presently was a problem and that he did not want to add to it. He asked in his memo that the Board grant an extension of their review until April 3rd.

- Bob Ouellette, 52 New Boston Rd. continued – concerned where the drainage from his property would go once the new road was put in and the storm drain removed. S. Gibson-Quigley told B. Ouellette that the Town's Subdivision Bylaws addressed this issue.
- Brian McCleary, 72 New Boston Rd. – requested that any improvements for safety and headlights be part of the Definitive Plan.

S. Gibson-Quigley asked L. Adams to address any issues he had. He said they were listed in his memo dated March 5, 2002. He would like to resolve these issues and come back to the Board on March 19th. A memo from the Tree Warden was referenced. In it he stated he did not recommend that the Board accept the plan as presented since there were issues with the trees. The Town and the Tree Warden have control over trees in the public right of way.

T. Creeden asked for an update on the open space. R. Moss said it was still their intention to donate the land to the Opacum Land Trust. The conservation easements needed to be broken from the landowner to ensure its long term as open space. Legal documents must be prepared and should be to the Board for them to review before

their next meeting. It was agreed that both the Board and the Conservation Commission should review the documents.

R. Moss was preparing a formal request for the Board to waive the 50-foot right of way to 40 feet, keeping the same pavement and sidewalk width, for the first 250 feet of the middle entrance. He could then create buffers with stonewalls and landscaping for the abutters to protect their privacy. The second item referred to phasing. He would like to break the project into three phases for three years – 1st with 33 lots, 2nd with 19 lots and the 3rd with 20 lots.

Motion: to close the public hearing, by M. Beaudry
2nd: M. Cooney
Discussion: None
Vote: In favor – M. Beaudry, B. Muir, D. Hill, M. Cooney and M. Raphealson
Abstain – T. Creeden

DRAPER WOODS SUBDIVISION, Brookfield Road – DEFINITIVE PLAN **William Swiacki, Developer**

S. Gibson-Quigley asked if there were any comments or issues for the Definitive Plan as presented. L. Adams noted there had been a change on #8 of the Approval of Definitive Subdivision Plan dated 02-26-02. Neither the Board, G. Morse or T. Chamberland expressed any new concerns. W. Swiacki thanked the Board for their hard work.

Motion: to approve the Draper Woods Definitive Subdivision Plan including the change in #8, by M. Cooney
2nd: M. Beaudry
Discussion: None
Vote: In Favor – M. Beaudry, D. Hill, M. Cooney and M. Raphaelson
Opposed – T. Creeden
Abstain – B. Muir

B. Muir asked why there was a need for Site Plan Review for Bob's Ice Cream location since there has been a business there for many years. He did not see where extending through the winter season would concern parking. L. Adams commented that the Building Inspector thought site plan review might be required to address modifications to the bathrooms, handicap access, etc. L. Adams suggested the applicant either appeal the original decision of the Building Inspector with the Zoning Board or file a Site Plan Review.

Motion: to adjourn, by T. Creeden
2nd: D. Hill
Vote: All in favor
Adjournment at 9:27 PM