

**STURBRIDGE PLANNING BOARD**  
**MINUTES OF**  
**TUESDAY, June 18, 2002**

**Present:** Sandra Gibson-Quigley, Chair  
Mike Beaudry  
Marge Cooney  
Deb Hill  
Bill Muir

**Also present:** Lawrence Adams, Town Planner

**Absent:** Milton Raphaelson  
Robert Wheaton

S. Gibson-Quigley called the meeting to order at 7:00 PM and read the agenda. The minutes of May 21, 2002 were reviewed.

**Motion:** to accept the minutes of May 21, 2002 as corrected, by M. Cooney  
**2<sup>nd</sup>:** D. Hill  
**Discussion:** None  
**Vote:** All in favor

The minutes of June 4, 2002 were tabled until the July 9<sup>th</sup> meeting because only three members were present who were eligible to vote this set of minutes.

**ANR'S** Pontbriand – Breakneck Road – Para Engineering – Approved as presented  
This plan revised a recently submitted plan; adjusting the common lines between three lots.

**RRI OFFICE COMPLEX SITE PLAN REVIEW – PUBLIC HEARING CONTINUATION**

S. Gibson-Quigley reopened the public hearing at 7:15 PM and reviewed issues that needed to be discussed from the May 21<sup>st</sup> public hearing – 1) demonstration that RRI was an educational institution; 2) information on the planting plan from Chenot Assoc.; and 3) traffic and safety issues. L. Adams stated that he had received materials from Attorney Chase verifying that RRI operated with an educational purpose. Tom Chamberland, Tree Warden, had reviewed and approved the landscape plan. S. Gibson-Quigley asked if there were abutters present that wished to speak for or against the plans.

- Leslie Mallon, an abutter, 173 Charlton Road – concerned with the size of the building, the amount of traffic, parking, left hand turns onto Route 20 which would create a safety hazard.

Joseph Aimua was present to review the traffic study submitted to the Board. B. Muir asked if the inbound traffic reported was per day or per hour – the data had been figured per hour. S. Gibson-Quigley wanted to know if the traffic report was based on generic figures from the Institute of Traffic Engineers or actual counts for the existing building. The Board was told the figures did not pertain to RRI in particular. She also asked if more employees or people would be entering the complex for training. Attorney Neal, representing RRI, said there would not. She did not feel the traffic report accurately represented the situation for RRI on Route 20. B. Muir questioned the content of the report because it was based on a six-lane highway. The impact on the traffic

was his concern. He also noted that the report was based on counts done in 1998, and therefore did not include the addition traffic generated from the Hobbs Brook shopping area. He had done a traffic count himself on May 27th showing traffic between the hours of 4:45 PM and 5:15 (RRI's business hours are 8:00 AM to 5:00 PM). A copy of this analysis was given to the Board. He found the traffic analysis submitted for the office site was incorrect by 40% less cars. The Board felt there was definitely a concern for traffic safety especially without a turning lane. Also mentioned was the potential to sell the property and the building's size. The Board also felt that while the proposed use was for Administrative Offices, the use also included significant training classes and a transportation hub.

**Motion:** to close the public hearing, by B. Muir  
**2<sup>nd</sup>:** D. Hill  
**Discussion:** None  
**Vote:** All in favor

**Motion:** to disapprove the project, by D. Hill  
**2<sup>nd</sup>:** M. Cooney  
**Discussion:** S. Gibson-Quigley felt the project was too large and the traffic impact to the area would make a bad situation on Route 20 worse. She hoped that RRI could find some way to solve the traffic dilemma. M. Cooney agreed with S. Gibson-Quigley. The Board asked L. Adams to initiate a Route 20 traffic study as soon as possible, that would lend some insight to the remedies needed in making this area safer.

**Vote:** In favor – B. Muir, D. Hill, S. Gibson-Quigley and M. Cooney  
Abstain – M. Beaudry

## **SUBDIVISION CONTROL RULES AND REGULATIONS – PUBLIC HEARING CONTINUATION**

S. Gibson-Quigley reopened the public hearing at 8:00 PM. She noted that no information had been taken in at the June 4<sup>th</sup> meeting. Therefore all members present were eligible to vote. It was noted that the proposed Subdivision Control Rules and Regulations were not zoning bylaws. They would help the Board enforce subdivision control laws governed by the State. S. Gibson-Quigley asked if there was anyone present who wished to be heard.

- William Swiacki, property owner and developer – commented on the detail and hard work by L. Adams in revising this document. He urged the Board to refine the Rules and Regulations if they voted to adopt them. He felt there were conflicts with what was permitted under state law, and that there were a number of troubling provisions. W. Swiacki submitted a letter with recommendations from Waterman Design to the Board for their review and consideration. He made reference to Section D – Grade (lines 940-986) specifically (5) – Right of Way Grade. He disagreed with the one-foot above or below existing grades because he felt it was excessive. M. Cooney commented that in Section D (2) she felt strongly in favor of an 8% maximum slope. Also referenced by W. Swiacki was Section H – Curbing (lines 1160-1161) – cost of cape cod berms vs. granite curbing. He felt the use of granite curbing created too great an expense for a developer. M. Cooney pointed out that granite curbing did not need replacing to the degree that is necessary with cape cod berms. W. Swiacki felt this cost factor could have an increase effect on the market price of new homes within subdivisions requiring such berms. It was his opinion that any subdivision that came before the Board would need to seek waivers from the requirements due to the high demand they put upon the developer.

S. Gibson-Quigley appreciated W. Swiacki's comments regarding the Rules and Regulations. M. Cooney noted she would like to have the number of homes on a cul-de-sac limited to ten instead of the twelve based on the 500-foot length limit for cul-de-sacs.

**Motion:** to close the public hearing, by M. Cooney  
**2<sup>nd</sup>:** B. Muir  
**Discussion:** None  
**Vote:** All in favor

S. Gibson-Quigley asked for discussion from the Board. B. Muir felt that granite curbing was too costly. S. Gibson-Quigley agreed there was a conflict regarding that section. She asked L. Adams if Section H – Curbing needed to be clarified further. It was L. Adams opinion that the choice of curbing should be determined on a case by case basis. He suggested to that the Board not debate the details at this time, but adopt the overall process which emphasizes the responsibilities of a developer to give the Board enough information to make a good decision. The proposed regulations are designed to accomplish this process. Once adopted the regulations could be fine-tuned to benefit the Town on a long-term basis. B. Muir asked what it would take to change areas of concern to the Board in the regulations once they adopted them. L. Adams noted that the Board could always waive regulations as they chose. A change to the regulations once they are adopted would require proper postings and a public hearing. M. Beaudry and M. Cooney felt the new regulations would encourage the developer to put more effort into their definitive plans. Greg Morse had reviewed and approved the details of the regulations. L. Adams mentioned the memorandum from G. Morse regarding his concerns on changes to the regulations and hoped the Board would adopt that as well. A major change L. Adams wanted to add was to measure a dead-end street to its end and not the middle. He felt this would eliminate the possibility of converting a turnaround into a loop road, whereby, the loop road would increase the linear footage of the cul-de-sac. The definition of dead-end street (line 49) would be changed to omit the word "only" and then read "The total length of the road shall be measured to the end of the turnaround area." Any grammar and punctuation corrections could be taken up at a later time.

S. Gibson-Quigley reviewed the changes and additions the Board would be adopting along with the Subdivision Rules and Regulations – L. Adams' memorandum addressing Greg Morse's concerns and changes which G. Morse has approved, dated June 11, 2002; the detail sheets; the definition for dead end street (line 49) should omit the word "only" and the remainder read "The total length of the road shall be measured to the end of the turnaround area."; to change the twelve (line 975) dwelling units to ten dwelling units on a dead-end street and change the slopes in excess of ten percent (line 206) to eight percent.

**Motion:** to adopt the Rules and Regulations Governing the Subdivision of Land with the following changes and additions: to change (line 49) the definition for dead end street to omit the word "only" and the remainder read "The total length of the road shall be measured to the end of the turnaround area."; to change the twelve (line 975) dwelling units to ten dwelling units on a dead-end street; to change the slopes in excess of ten percent (line 206) to eight percent; to add L. Adams' memorandum addressing G. Morse's concerns and changes, dated June 11, 2002 and to add the detailed sheets, by D. Hill  
**2<sup>nd</sup>:** M. Cooney  
**Discussion:** None  
**Vote:** All in favor

## **BROOK HILL ENDORSEMENT REQUEST**

The request for endorsement on the Brook Hill Subdivision was made by W. Swiacki to the Board because Mass Electric requires an endorsed plan before they will do any design work. The former Subdivision

Regulations require the Board to have a performance guarantee to ensure construction of ways and the installation of municipal services. W. Swiacki tried to explain to the Board the reason why they should set aside the performance guarantee for ways that would become public roads to the Town. L. Adams stressed that a covenant, which is a requirement for the subdivision, had not yet been provided to the Board. W. Swiacki noted that because the family trust owns the land for the proposed subdivision and they are not the developer, Mass Electric requires a plan signed by the Board in order to begin their design work. W. Swiacki was suggesting the Board sign a paper copy of the subdivision and not the mylars. The Board did not feel comfortable endorsing the plan before the covenant was recorded. L. Adams felt Town Council should be involved if the Board was going to approve a revised form of covenant. The permit from DEP, also a requirement for endorsement on a subdivision, had not yet been provided to the Board. L. Adams advised the Board to be careful not to set a precedent of endorsing a plan knowing that the condition on the plan was not adhered to. W. Swiacki asked if the Board would sign the plan if a covenant was set, but they did not have the permit from the DEP. There were not four members present willing to endorse the plan.

## **WHITTEMORE WOODS PRELIMINARY SUBDIVISION APPROVAL**

Two plans were proposed for the Whittemore Woods Subdivision. One design contained cul-de-sacs (Layout B) and the second a through roadway (Layout A) from Fairview Road to Whittemore Road. S. Gibson-Quigley noted that the DPW Director did not, in any way, like the cul-de-sacs proposed in the first plan. M. Beaudry concurred with the DPW Director. D. Hill liked the cul-de-sacs and felt that the Town should support the DPW with more maintenance personnel. M. Beaudry did not feel this was an issue of work, it was a safety issue. M. Cooney had in the past supported longer dead-end streets, but now understands the safety issues involved. She feels each project need to be looked at on its own merits. Another issue the Board had with these plans was the intersection created on Whittemore Road. M. Beaudry could not be convinced that the intersection mentioned would be a safe area.

L. Adams made note of G. Morse's comment in a memorandum dated June 18, 2002, about preferring a 26-foot pavement width, he does not support any waivers for roadways crossing wetlands and he is not convinced that low pressure sewer is a necessity for the project. The Board would like a draft Decision with Conditions for Layout A. L. Adams agreed he could have that to the Board for their next meeting.

## **PLANNER'S UPDATE**

Park Place Project – will meet with the Zoning Board of Appeals (ZBA) on June 26, 2002. The Planning Board is required under the Zoning Bylaws Section 6.02, to file a report on the project to the ZBA. L. Adams will write a memo suggesting to the Board what they should be including in their report.

Sturbridge Isle – Site Plan revision to reduce the parking lot. L. Adams requested a cover memorandum from Mike Loin stating the reason for the reduction and listing the changes. The Board requested full size plans from M. Loin.

Stallion Hill – the Selectmen disapproved the LIP participation at their June 10<sup>th</sup> meeting. L. Adams and Ginger Peabody, ZBA Chairman, would be meeting with Tyrone Jones, the project's developer, on Friday, June 22<sup>nd</sup> to discuss his project.

Bramble House – a proposed Chinese Restaurant had issues with drainage on the abutting property and with beavers.

Rate of Development Committee – L. Adams was still looking to find interested parties.

The Estates Preliminary Plan – copies were given to the Board. This project would come under the old Subdivision Regulations.

Boardwalk – L. Adams received an As Built Plan on the Boardwalk which showed the underground propane tank in the residential zone. This was not what the Board had originally approved and it could be a zoning

violation. Mike Loin was present for an explanation. The Board wanted to know who made the decision to move the location of the tank without proper authorization. L. Adams would try to find that out for the Board. Whistling Swan – M. Loin asked about parking for the Whistling Swan within the residential zone of the Boardwalk facility. L. Adams felt this was not an issue for the Board. An appeal should be made to the Board of Selectmen. S. Gibson-Quigley asked L. Adams to direct M. Loin. L. Adams feels the issue should start with the Board of Selectmen. M. Loin would need to start with a conceptual proposal for a zoning change. The Preserve – L. Adams asked the Board if they were willing to endorse the plan. It had been reviewed and had changes, lot 21 has been eliminated, the covenant was filed June 18<sup>th</sup> and was referenced on the plan. Since all other conditions were met, the Board agreed to sign the plan following adjournment.

**Motion:** to adjourn, by M. Beaudry  
**2<sup>nd</sup>:** M. Cooney  
**Discussion:** None  
**Vote:** All in favor

**Adjournment at 10:10 PM**