

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, November 19, 2002

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

Absent: Deb Hill

Also present: Lawrence Adams, Town Planner

S. Gibson-Quigley called the meeting to order at 7:05 PM. She announced that the Planning Board had a vacancy and suggested that any interested resident contact the Town Administrator. She then read the agenda. The minutes for November 6, 2002 were reviewed.

Motion: to accept the minutes of November 6, 2002, as presented, by M. Cooney
2nd: B. Muir
Discussion: None
Vote: All in favor

ANR'S

NUMBER OF PARCELS CREATED 0

Paquette – The Trail – 4 lots–Jalbert Engineering L. Adams referred the Board to DPW Director, Greg Morse's, memorandum of November 12th. G. Morse stated that there was an intermittent stream on the property and that the drainage easement should be carried to that point. Also, that Trail Road appeared to be within the existing right-of-way requiring slope rights. Lastly, the drainage easement does not align with existing drainage on Trail Road, necessitating a new drainage swale. L. Adams recommended that in light of these concerns and also because the Subdivision Regulation requires the identification of wetlands and because there was no representative or Mylar present, the board should vote to not approve the plan.

Motion: to disapprove the plan, by M. Cooney
2nd: M. Beaudry
Discussion: None
Vote: All in favor

Marin Realty – McGilpin Road – 2 lots –Messier Associates L. Adams recommended that the plan be endorsed, as it met subdivision requirements. He noted that the note on the plan to not further subdivide the two parcels was only a notation and had no legal effect. Daniel Flynn, contractor for the project commented that the notation was in keeping with agreements with the Town and the Massachusetts Department of Fish and Wildlife. After some discussion, the Board agreed to table the endorsement until the December 3rd meeting and asked to see any agreements between the developer and Board of Selectmen concerning this issue at that time.

Marin Realty – McGilpin Road – 3 lots –Messier Associates L. Adams informed the Board that this plan had been withdrawn.

RELEASE OF LOTS – BROOK HILL

L. Adams referred the Board to a memorandum from DPW Director, G. Morse, about the failure of the new binder course and a recommendation that the lot release request not be granted. L. Adams said that he concurred with this recommendation. William Swiacki addressed the Board and asked that he be permitted to take corrective action and to request a lot release at the December 3rd meeting. The Board indicated he could make such a request. W. Swiacki asked if there were any other issues that would need to be addressed before the lot release. L. Adams said that the Decision also required the presentation of signed easements for the public infrastructure. The Board agreed to not release the lots at this time and to take up the matter if it were presented at its next meeting.

RELEASE OF LOTS – LAUREN LEDGE – LOT 3

L. Adams presented the Board with a request from Attorney Neal for release of Lot 3 at Lauren Ledge. He noted that Atty. Neal was not present and that if the Board preferred, the release could be taken up at the December 3rd meeting, at which time Atty. Neal had additional lots that he requested to be released. The Board agreed to endorse the release for Lot 3 at this time.

Motion: to endorse the release, by M. Beaudry
2nd: B. Muir
Discussion: None
Vote: All in favor

PLANNER'S UPDATE

CMRPC Traffic Counts – L. Adams noted that the Board has been given copies of this year's traffic counts at various locations in the town; showing the time of day and the days on which the counts were taken; the two direction traffic and the averages for that period. He commented that he would try to provide counts from previous years for comparison.

Collette Road Improvements – L. Adams presented a memorandum from the Tree Warden, which provided some history of the project. L. Adams said at this time he would pursue a resolution to the interest about extending the road widening to Camp Road, but that he would have to convince the developers to support the additional work that was clearly not included in the subdivision approval.

Special Permits – Review and Adoption of Rules and Regulations – L. Adams asked the Board to continue to review these regulations for adoption at its next meeting. B. Muir said he had a few concerns that he would take up with the Town Planner.

Scenic Roads – Recommendation to Board of Selectmen – L. Adams asked the Board to review the listing of town roads and to make recommendations to the Board of Selectmen. S. Gibson-Quigley reviewed the bylaw with the Board and noted that the designation went beyond stone walls and trees and should identify those roads that had scenic quality, or typified Sturbridge's character.

Zoning Bylaws for ATM – L. Adams said that he was not aware of any interests in revising the Zoning Bylaws except for some fine tuning through Town Counsel on the non-conforming provisions adopted at last year's Annual Town Meeting.

"Dialogue on the Future" Meeting – L. Adams noted that this introductory session was very well attended and received, and he encourage the Board to participate. In the future each session would have a particular focus.

Dunkin Donuts - 469 Main Street, Fiskdale Drive-up Window – The Board was briefed on the interests of Dunkin Donuts, Fiskdale, to open a drive-thru window. M. Cooney read the minutes of the meetings of March 11, 1997, July 21, 1998 and August 11, 1998, stating that a drive-thru window was not permitted. S. Gibson-Quigley said it was clear that the drive-thru window was expressly not approved in the site plan approval. Selectman Charles Blanchard said that we should recognize that fast food establishments are prohibited in the commercial-tourist district. B. Muir commented that the hours for Dunkin Donuts on Route 131 were proposed to be extended to midnight. L. Adams said that he expects that the Building Inspector would refer the matter to the Board under Site Plan Review provisions, requiring a new site plan review if the project had previously been approved under this process. L. Adams explained that this part of the bylaw prohibited development to “work around” the site plan review process.

Opacum Land Trust and The Preserve Open Space - L. Adams directed the Board’s attention to a land disposition agreement relating to the Preserve and Opacum land trust.

ZBA Workshop on Non-Conforming Lots, Structures and Uses – L. Adams commented that this was a very informative workshop that was intended to address the issue of the reconstruction of lakefront properties on undersized lots. He suggested that the Planning Board might wish to have a workshop in the winter, perhaps on open space and subdivision design; that the Quinebaug-Shetucket association would sponsor such a workshop.

The Boardwalk – L. Adams said that he had been asked after the agenda was posted to clarify the status of the Boardwalk Curb Cut. He presented the Board with a permit from Mass Highway, and said that he had spoken with Greg Morse about flooding on Route 20. G. Morse said that the flooding was a Mass Highway issue, and that he had no jurisdiction. He would work with the engineers to assure that no additional drainage entered Route 20, in part through the addition of a “roll” in the curb that would channelize the flow away from Rt. 20. After a brief discussion and in light of the procedures for Dunkin Donuts, the Board reached a consensus that the project should come to the Board under a formal Site Plan Review.

THE HIGHLANDS SUBDIVISION DEFINITIVE PLAN – PUBLIC HEARING CONTINUATION – Robert Moss; Thompson-Liston Associates

S. Gibson-Quigley opened this continuance of the public hearing for The Highlands. Robert Moss briefed the Board on the plan revisions that had been submitted the previous week and on his meeting with the Selectmen on November 18th. He said that the Selectmen had approved the water tie-in and the water booster pump, to be located at the Senior Center. The pump would be underground, as shown on the detail plans, and an emergency generator would be above ground. He stated that the Selectmen also agreed to work with the Planning Board to decide about the desirability of a turning lane at the Arnold Road and the Route 20 intersection. R. Moss also said he would be submitting a landscape plan for the entrance boulevard. L. Adams asked R. Moss to clarify the note “To be retained by Owner” on Parcel B. R. Moss said that in this instance the “owner” was the residents of the existing home at 89 Arnold Road and not the developer.

S. Gibson-Quigley asked R. Moss to review each item on the DPW Director’s memorandum of November 19, 2002.

Item #1 - Footing Drains - This would be done per DPW recommendations

Item #2 - Abandoned Well - The well will be filled with flowable materials and a detail added to the plans

Item #3 - Stormwater Easements - This is already done.

Item #4 - Cross Section for revised drainage - A new cross section on Mountain View Road will be submitted.

Item #5 - Revised Water Station - This will be submitted as requested.

Item #6 - Sanitary Line Upgrade - This notation will be included as it is on The Sanctuary plans.

Item #7 - Directional Sign Notations - These will be added to the plans. R. Moss added that the Selectmen indicated they would reach a decision about street widening at Rt. 20 before construction begins on March 1, 2003. R. Muir said he thought the residents of Arnold Road should be asked their opinions on street widening, that some might not want a turning lane. S. Gibson-Quigley said that in some situations the turning lane would be very helpful and that she was hearing general support for the turning lane, and would be happy to hear from the public.

S. Gibson Quigley asked if there were persons present who wished to speak for or against the Subdivision.

- Emile Fortier, 72 Arnold Road - asked how many accidents there had been at Hobbs Brook and how many at Arnold Road. B. Muir said that Fiske Hill had a much higher volume of traffic.
- Another abutter (not identified) - said that he would prefer not have the intersection widened, that it would create additional blind spots as traffic exited in both directions. C. Blanchard said we should do as we did on Hall Road, speak with the abutters and study the traffic flows. Mary Blanchard also commented on the necessity to examine the sight distances at these intersections. R. Moss added that the pump station was approximately four by six feet. Selectman Arnold Wilson said that the Selectmen had required that the generator be properly landscaped.

Motion: to close public hearing, by M. Cooney
2nd: M. Beaudry
Discussion: None
Vote: All in favor

S. Gibson-Quigley directed R. Moss to update all the plans so that the Board could be prepared to take action at its meeting December 3rd. L. Adams said that if the plans were completed in a timely manner he would have a Decision with any conditions ready for the meeting. L. Adams said that the DPW Director would also need to receive the plans in a timely fashion for his review and approval.

SCENIC ROADS DISCUSSION

The Board informally discussed the designation of scenic roads. C. Blanchard recommended that the Board view various roads with Bob Brier. M. Cooney supported this idea, saying that it was very helpful for the Community Preservation Committee. M. Blanchard also noted that there was a Ben Franklin marker on Gifford Road.

WHITTEMORE WOODS SUBDIVISION DEFINITIVE PLAN – PUBLIC HEARING CONTINUATION – Waterman Design; Swiacki & Co., LP

Representatives for this project included William Swiacki, Wayne Belec from Waterman Design and Attorney Mark Donahue.

S. Gibson-Quigley itemized some of the issues unresolved from the last public hearing session: open space ownership, safety at Whittemore Road, detention basin access and phasing.

W. Belec reviewed some of the changes to the plans that were reflected in his letter of October 31, 2002. He noted the double barrel entrance at Whittemore Road and the vertical curbing; the lot reconfigurations; the disposition of various open space parcels. He stated that the road names would be changed to Turner Lane and Woods Road. The maintenance plan for the detention basin would require cleaning when twenty percent of capacity was lost, not the fifty percent as had been previously proposed.

M. Beaudry asked why there was heavy equipment on the property at this time. W. Swiacki said that the equipment was being used for soils evaluation and sub surface exploration.

M. Cooney asked how many lots were within the one hundred foot conservation wetlands boundary. W. Belec said that about fifteen to seventeen were within this boundary. W. Swiacki stated that the project had been filed with the Conservation Commission and that it would look at infrastructure and individual lots; that the project had taken longer to file than expected.

B. Muir asked if the project planned on phasing. If so, what road would be done first. He said that he would insist that Roadway A (Woods Road) be completed in one phase, with no temporary turn-around's.

Tom Chamberland, Tree Warden, commented on the project. He said that he did not like having the street trees planted in an easement; that the ownership and maintenance issues would be unclear and a headache for him. He also asked how we might then handle addition plantings by the home owners. L. Adams noted that a design alternative would be to have the electrical utilities under the roadway, encased in concrete, but that DPW might not support this. W. Belec said that Mass Electric did not like this. T. Chamberland said that our subdivision regulations should be driven by the community and not by Mass Electric.

The Board recommended to W. Belec that the easement be labeled "Street Tree Easement" to help clarify the intent. M. Cooney said that it was common practice in some of the Long Island communities to have home owners do simple maintenance on the public shade trees. However, the Town would be responsible for any removal or replacement of diseased or damaged Town owned trees. M. Beaudry asked T. Chamberland if he could live with this. T. Chamberland said that he could not live with being responsible for the trees in this circumstance.

Motion: to close public hearing, by M. Beaudry
2nd: M. Cooney
Discussion: None
Vote: All in favor

T. Chamberland said that there might be some question as to street tree removals at the intersecting roads.

Attorney Donahue asked about the requirement that the project be completed in two years. The applicant has asked that it be completed in two phases of two years each. The Board concurred that the project approval would require a two year completion date, noting that the regulations allowed for a one-year extension. Attorney Donahue asked about the requirement in the draft condition to reconfigure Lot 29. L. Adams said that this would be necessary to put the functional capacity of the detention basin within the town owned parcel. Attorney Donahue said that the developer did not want to lose a building lot, given that he was contributing a significant amount to traffic mitigation. On L. Adams's recommendation, the Board agreed to strike the last sentence requiring an absorption of the land in Lot 29 by the abutting lots and instead agreed to review a reconfiguration of lot lines under an ANR submittal.

Motion: to approve the Definitive Subdivision Plan for Whittemore Woods with the conditions as outlined in the final draft with amendments, by M. Raphaelson
2nd: M. Cooney
Discussion: M. Beaudry stated emphatically that he was still very concerned about the traffic impacts and safety.
Vote: In favor – B. Muir, S. Gibson-Quigley, M. Cooney and M. Raphaelson
Opposed – M. Beaudry

S. Gibson-Quigley said that the Board would take up the endorsement of the decision at its December 3rd meeting after it had reviewed the revised plans.

Motion: to adjourn, by M. Beaudry
2nd: M. Cooney
Discussion: None
Vote: All in favor

Adjournment at 9:28 PM

