

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, FEBRUARY 4, 2003

Present: Mike Beaudry
Marge Cooney
Sandra Gibson-Quigley, Chair
Deb Hill
Milton Raphaelson
David Yaskulka

Absent: Bill Muir

Also present: Lawrence Adams, Town Planner

S. Gibson-Quigley called the meeting to order at 7:00 PM and read the agenda. The minutes for January 7, 2003, were reviewed.

Motion: to accept the minutes of January 7, 2003, as written, by M. Beaudry
2nd: D. Hill
Discussion: None
Vote: In favor – M. Beaudry, D. Hill, M. Raphaelson and D. Yaskulka
Abstain – D. Hill and D. Yaskulka

ANR's

The Trail – Paquette – Jalbert Engineering - The Board had referred these plans to the Department of Public Works. L. Adams expressed his appreciation to the proponents and the Department of Public Works for their improvements – Approved as presented

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Mashpaug Road – Celuzza – Jalbert Engineering – Approved as presented Reconfiguration

Lauren Lane – Lauren Trust – Jalbert Engineering – Approved as presented Reconfiguration

South Road – Curboy's Garage – Jalbert Engineering – Leonard Jalbert presented a revised plan for the ten lot subdivision – three lots located on Mashpaug Road and seven lots on South Road. DPW Director, Greg Morse had been asked to review the plans and found the following concerns: drainage on the seven lots located on South Road – a 30 foot slope easement was installed; piping needed for drainage from driveways for lots 9 and 10 – a profile, necessary for the curbcut onto Mashpaug Road, will have a 12 inch corrugated pipe directing the flow to the existing flow network onto Mashpaug Road; sight distance for lots 9 and 10 – an EDM distance check done at 3.68 feet above grade showed a sight distance of 350 feet. G. Morse was satisfied with the changes to the plan for drainage and the measurement for sight distance. The mylar did not reflect the above noted changes. – Approved as presented

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OF PARCELS CREATED

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M. Cooney invited the Board and the public to attend a Conservation Easement Discussion on ways to preserve land for future generations, to protect acres of open space and reduce real estate taxes. Attorney Robert A. Levite, UMass Extension, will be conducting the discussion on February 27, 2003 at 7:00 PM in the Town Hall. Also, at a

meeting held on February 3, 2003, the Community Preservation Act Committee agreed to present two articles for the warrant of the 2003 Annual Town Meeting. The first was a request for funds to purchase two parcels of land - 52 Stallion Hill Road and 51 and 55 Holland Road - for a total of 146 acres. Tyrone Jones, who presently is in the application process with the Zoning Board of Appeals for a Special Permit (Stallion Hill Village) under Chapter 40B, is interested in sale negotiations with the Town for the above property. The second request for funds was for restoration, research, cleaning, etc. of the Old Burial Ground and North Cemetery stones. The amount will be \$18,600, with some funding from the historical portion of the Community Preservation Act Funds. Penny Dumas, James Malloy, and the Assessors estimate the available funds to be in the amount of \$720,000. This amount reflects the anticipated matching funds from the State. There was also discussion regarding the Center School and its design and architectural studies, as well as that of the rehabbing and restructuring of the Town Hall. In January, the Committee sent a letter to J. Malloy asking if the land owned by Spaho Corp. on Farquhar Road was for sale. A petition supporting the purchase of this parcel of land has been received by the Committee. The next Community Preservation Act Committee meeting will be on Tuesday, February 18, 2003.

THE PRESERVE SUBDIVISION – Lot Releases, Conservation Easements and Road Name Revisions – Charlie MacGregor

Lot Releases – Charlie MacGregor was present to request the release of Phase One Lots 3-20 inclusive and Lots 22-31 inclusive. L. Adams commented that G. Morse was satisfied with releasing the lots. It was L. Adams' recommendation that no occupancy permits be issued until the turnaround was in place and functional and that the necessary infrastructure was there to service the homes. G. Morse concurred. D. Yaskulka asked the mechanism used to preserve the open space parcel. Carol Childress, of Opacum Land Trust, stated that the Trust would be holding the land and the State Department of Environment Management (DEM) would be holding the development rights. Opacum Land Trust was currently waiting for legal documents from the DEM in order to close on the land. C. Childress congratulated Robert Moss and Brendon Properties for their effort in preserving open space and noted that to her knowledge it was the largest contribution of land by a developer in this area of the country. L. Adams commended the Board's work with R. Moss on the subdivision whereby ensuring the Town approximately 280 acres of open space. M. Beaudry was concerned that the open space issue had not been resolved. L. Adams noted he had forwarded a covenant prepared by Town Counsel for Brendon Homes to Conservation Commission for their review. He felt this was not the Board's purview or expertise and noted he would keep the Board informed. He would also look into the issue regarding the detention basin at the end of Forest Lane as he felt the Town's interest should be reflected in any agreement in terms of access. S. Gibson-Quigley questioned whether or not the open space issue was relevant to the Phase One Lot Releases. The Board endorsed the release.

Conservation Easements – L. Adams would be asking the Conservation Commission to forward a memo to the Board when they take it up.

Road Name Revisions – L. Adams stated that the two circle names (Beech and Old Spruce) the Board had issues with had been renamed to Deer Run Circle and Scotch Pine Circle.

C. MacGregor offered to update the Board with a letter for its files once the easement was finalized.

PROPOSED SUBWAY SHOP – PISTOL POND EXTRA MART - John Hart

John Hart represented the proponents of Subway. J. Hart outlined the proposal as follows in his request to waive Site Plan Review:

- Class C store – not designed as a sit down store, but for high volumes that would come from a highway.
- A partnership which would be leasing the space from Xtra Mart
- Scope of the business – numbers justified the business – a survey of existing customers showed 54% were Subway customers on a regular basis; of total number of customers, 55% would buy a sandwich or salad

- the existing 174 square feet of floor space to be used would not require a change of use since sandwiches, pizzas, salads, etc. are presently sold in the floor space
- Number of employees for Subway – two in morning for food preparation, two employees at noon (11:30 AM to 1:30 PM) and at supertime (4:30 PM to 6:30 PM), at other times one employee
- Sitting will be shared sitting with Honey Dew Donuts
- Traffic – 2000 police report listed four mishaps
- No Drive-thru at this time – the proposed layout located in center of existing store

J. Hart felt the biggest concern would be with the circulation of the traffic. A traffic graph indicated that of the 26 parking spaces available there was approximately 50% usage during peak periods. M. Cooney asked the impact of traffic coming into or off of Route 20. J. Hart did not see a significant increase. S. Gibson-Quigley was concerned that during the winter parking spaces would be lost to snow. She noted the Design Review Committee would need to review the signage.

Motion: to waive Site Plan Review for the Sturbridge Route 20 Xtra Mart Subway, by M. Beaudry
2nd: D. Yaskulka
Discussion: None
Vote: All in favor

REQUEST FOR LOT RELEASE LAUREN LEDGE – Lots 7 and 9 – Attorney Edmond Neal

Atty. Neal requested the release of Lot 7 and 9. L. Adams recommended the Board release the two lots and the additional revised lot. He did ask the Board to allow G. Morse and himself to review the property, particularly the detention basin, before more lots were released. Atty. Neal agreed. The Board endorsed the release.

PLANNER'S UPDATE

Possible Zoning Amendments –

- Sturbridge Shopping Plaza – Joel Sklar, of Samuels & Associates, a Boston based real estate management and development firm, new owner of this property, presented conceptual plans for modernizing the Plaza. He spoke of purchasing a 4.15 acre split zoned parcel of land located adjacent to the plaza from William Swiacki. The front half of the parcel is zoned Commercial and the rear half is zoned Residential (2.2 acres). The rear portion would require rezoning. He asked that the Board support rezoning the rear half of the parcel to Commercial in exchange for rezoning a Commercial parcel (a 1.4 acre easement for an additional septic system) located behind the Plaza to Residential. Purchasing this parcel would allow for flexibility when leasing the Ames site due to the in between size of 52,000 square feet. He felt there would be potential interest in the future for Shaws to expand since the Sturbridge store was smaller (42,000 sq. ft.) than the prototypical stores (60,000 – 65,000 sq. ft.) L. Adams commented that this was two separate rezoning issues. S. Gibson-Quigley agreed. She felt a compelling reason as to why the property needed to be rezoned would be necessary for the Board to support such a request. She added the location and size of this particular parcel was an important issue with regard to its rezoning.

Lawrence J. Wagner, of Appledore Engineering Inc., was present to discuss the existing non-conformities of the site – coverage (82% impervious area); access into the Plaza; basic configuration of the existing buildings and internal landscaped islands. By rezoning the parcel, he felt the issue of impervious area would become more conforming. He explained two potential options for the Plaza's modernization. One was a concept increased the retail space by 20,000 square feet and would allow Shaw's space to become dimensionally correct, provide for a different access into the Plaza, allow for landscape islands, allow additional retail space, and make the parking field more functional. The second option, would also add approximately 20,000 square feet and would subdivide the supermarket space, increase the size of the old Ames location and add additional retail space and parking space. A third concept was mentioned, but showed the Plaza without modification or a zoning change.

L. Adams suggested that the Board look at the impact to abutters and whether or not the additional land could still act as a buffer. S. Gibson-Quigley noted the issue for the Board was rezoning the parcel to commercial use and not just what was being proposed by J. Sklar and L. Wagner. The public hearing process would allow for discussion by the Board and the public on the non-conforming use of this property. The Board would then give its recommendation as to whether or not it supported the rezoning. The timeframe was short since the article had to be included on the warrant for the 2003 Annual Town Meeting.

- Non-conforming Uses – Town Counsel had suggested revisions to this bylaw. The Zoning Board of Appeals relies on this bylaw to allow or permit decisions under non-conforming uses.
- Zoning for Long Term Care Facilities – An inquiry had been made by a proponent for a 200-bed nursing home for a site on Route 131, opposite Annie’s Country Kitchen. Though this was the preferred site, it is zoned Suburban Residential and the Zoning Bylaws allow for a nursing home under a Long Term Care Facility within a Rural Residential zone. A second possible site was property on Hall Road owned by William Swiacki. It was suggested that this use might be recommended for Suburban Residential instead of or in addition to Rural Residential. The Board agreed to hold a public hearing for discussion in order to meet the timeframe of the 2003 Annual Town Meeting.

Mark Farrell – Site Plan Review – Office Addition – The Zoning Board of Appeals had granted Mark Farrell a variance (to build a garage/office within the setback) and special permit (to construct a second floor for office space) for property at 10 Main Street. He would be removing an existing garage and constructing a more conforming two-car garage/office (approximately 750 sq. ft.) on the easterly portion of the property. Also located on the property was a rented single family house which would not be altered. He was requesting a waiver from Site Plan Review. M. Beaudry asked about water and sewer for the property. M. Farrell stated that the sewer line would be cut into the existing line to the house and the water was supplied from Southbridge. M. Cooney noted that parking was an issue. S. Gibson-Quigley agreed that the issues of concern were circulation and parking. M. Farrell had a plan designed by a landscape architect that segregated the parking for the house (2 spaces) from the garage/office (3 spaces). L. Adams asked if the parking would conform to the standards of the Board or to the variance. M. Farrell said it did not conform because the parking was within the setback. The Board agreed that because of the nature of M. Farrell’s business, it appeared the parking design was sufficient. L. Adams noted that the Board could invoke the confining lot allowance for side yard parking.

Motion: to allow a side yard variation for parking on a confining lot, by D. Hill
2nd: M. Beaudry
Discussion: None
Vote: All in favor

Motion: to waive Site Plan Review for Mark Farrell for a garage/office at 10 Main Street, by M. Cooney
2nd: M. Beaudry
Discussion: None
Vote: All in favor

AlSCO Industries – Site Plan Review for March 4th – This public hearing will address an addition of 40,000 square feet to AlSCO Industries which manufactures small plastic products for Johnson & Johnson (light industrial use with some warehousing.) L. Adams has requested a more extensive traffic study.

The Estates (North and South) Definitive Subdivision – The Board had been given a definitive plan with significant changes from the approved preliminary plan. S. Gibson-Quigley questioned if this was an evolution of the preliminary plan to a definitive plan and asked M. Raphaelson to give judgment on the matter. She referenced a Supreme Judicial Court decision which she interpreted to say that once there was a preliminary plan for a parcel of land that that locked it into the existing rules and regulations, at the time the plan was submitted, for eight years. The Board felt the preliminary plans had been submitted in time in order to avoid the new regulations. S. Gibson-

Quigley stated that the Board would go on with the definitive plan and would get it as close to the new regulations as possible. Tentative public hearing date was March 4, 2003.

B & B at 25 Library Lane South – Special Permit – Application had been given to the Board for a Bed and Breakfast at 25 Library Lane South. L. Adams encouraged the members to visit the site. The property already had two single family homes on it which he felt was a conformity issue the Board should consider. S. Gibson-Quigley asked the Board to read its regulations and determine what special permit could be given.

Draper Woods Mylar Reviews and Phasing Start Date – L. Adams asked G. Morse to review the mylars to be sure it included all the changes the Board had requested as part of its approval. L. Adams will look into what the Phasing Start Date is for the project. It was his opinion that the start date would be determined from the date the Board approved the project.

Whittemore Woods Lot Reconfigurations for Detention Basins – L. Adams had given the Board a memorandum, along with a lot layout, from Waterman Design. This layout showed the lot lines that had been shifted to resolve the issue of inadequate lot frontage created when additional land was set aside to Town for a detention basin. S. Gibson-Quigley asked it the Board questions. There were none.

Motion: to accept the revised lotting scheme for Whittemore Woods, by M. Raphaelson
2nd: M. Cooney
Discussion: None
Vote: In favor – M. Beaudry, D. Hill, M. Cooney and M. Raphaelson
Abstain – D. Yaskulka

QUINEBAUG – SHETUCKET DEVELOPMENT ALTERNATIVES WORKSHOP – David Yaskulka

D. Yaskulka commented that there was potential for educational workshops. One item of interest was cluster development (open space development) which he felt would benefit Sturbridge. He would like to have a workshop with Attorney Robert A. Leavitt, of UMass Extension, and coordinated it with the Board of Selectmen and other appropriate committees and community groups. Arnold Wilson, Chairman of the Board of Selectmen, would be very interested in a workshop on design alternatives. D. Yaskulka asked R. Leavitt to describe some of the work he had done with other communities. S. Gibson-Quigley felt the issue for the Board was smart growth and determining what housing possibilities were available to Sturbridge and how to facilitate them. L. Adams would like to see the Board learn more about these issues through workshops and the development of a library for references.

NEW BUSINESS

Future Meeting Dates – March 4th and March 18th, April 1st and 15th

Annual Town Meeting Date – April 28, 2003

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

Adjournment at 9:40 PM