

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, November 4, 2003

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

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 October 21, 2003, were reviewed.

Motion: to accept the minutes of October 21, 2003, as presented, by M. Beaudry
2nd: M. Cooney
Discussion: None
Vote: In favor – M. Beaudry, D. Hill, M. Cooney and M. Raphaelson
Abstain – T. Keeney and D. Yaskulka

ANR's

J. Zahr – Cedar Street – Jalbert Engineering – the lot line was moved to bring an existing swimming pool into compliance with regard to the side setback line – Approved as presented Reconfiguration

Hebert Candy – River Road – Land Planning Inc. – L. Adams noted a fireplace was located in the side setback creating a nonconformity which could be avoided by moving the lot line. He recommended the Board request a line change to respect the side yard requirement around the fireplace or that the fireplace be removed. The Board agreed the ANR, as presented, would create a nonconforming lot and took no action.

OF PARCELS CREATED 0

PLANNING BOARD DISCUSSIONS – 2004 GOALS

L. Adams mentioned the following concerns for Board discussion – Site Plan Review instructions and waiver; engineering stamps; Special Permit Rules and Regulations; networking the permitting process; Open Space and recommendations for zoning enforcement.

- Request for Waiver of Site Plan Review – L. Adams gave the Board a copy of a form specifically designed to address a Request for Site Plan Review Waiver. After discussion members agreed the proponent should initiate the process by presenting the waiver request to the Board at a regularly scheduled meeting. Departmental reviews may be required by the Board for additional input. L. Adams felt a fee should be charged for this process.

- Engineering Stamps – The Board felt projects submitted without an engineering stamp should not be accepted. Projects should be presented by the engineer of record or by an expert who can demonstrate that the work was done under the engineer's direct supervision.
- Site Plan Review Application Guidelines – The Board would like to have Section 25.02, Applicability, of the Zoning Bylaws added to the Site Plan Review Guidelines. L. Adams will consult with Town Counsel to verify when a submittal is deemed official. It should be necessary that the Conservation Commission review be part of a complete Site Plan Review application. J. Malloy was looking into developing a sequential process for subdivisions, site plans and special permits.
- Subdivision Rules and Regulations – The Board questioned how it should provide for enforcement of open space in approved subdivisions. L. Adams said the Town would be digitizing the Assessor's parcel maps which would enable documents to be linked to a specific parcel. D. Yaskulka offered to assist in developing mechanisms for enforcement of open space.
- Zoning Violations – The Board would like to develop a process for alerting the appropriate departments when a complaint arises regarding a violation. It felt that issuing fines for zoning violations might reduce zoning infractions.
- Definitive Plans – The Board felt these plans should be reviewed as submitted and modifications for alternative designs should not be permitted. The draft copy of Site Plan Review Application Guidelines, Item #9, stated this. Board members thought that issues arose when it tried to be accommodating and needed to determine what constituted a significant modification and what did not. It also felt there was a benefit in having open negotiations with the developer in order to approve a successful subdivision. L. Adams offered the suggestion that negotiations could be conducted during the Preliminary Plan process before large financial engineering investments had been made by the developer. The Board felt this could be successful only if the developer reflected the changes on the Definitive Plan submittal.

L. Adams hoped that technology would help departments share information which would help address some of these issues. He noted that the four scheduled Open Space Workshops with Quinebaug-Shetucket and The Green Valley Institute would help provide suggestions for these concerns (designs, livable communities, open space enforcement.)

PLANNER'S UPDATE

Copper Stallion – J. Malloy met with department heads at the request of the proponents. Though it was determined there may be an opportunity to request a waiver, L. Adams told those in attendance that the appropriate process would be to present such a request to the Planning Board. S. Gibson-Quigley asked L. Adams to ask the proponents if they wanted the Board to consider the application for waiver as an agenda item. Otherwise, the Board would expect to see a Site Plan Review application.

Pioneer Oil – L. Adams had spoken with David Brunell. D. Brunell will be asking the Board of Selectmen for a fuel oil storage permit. L. Adams felt that all permits should be in hand when the proponents came to the Board for Site Plan Review.

Draper Woods – L. Adams had been informed that the request for approval for a model home had been withdrawn.

Whittemore Woods – L. Adams met with Greg Morse, DPW Director; the Conservation Commission and the developer's counselors and engineers, at a publicly posted meeting. He felt the meeting had not been too successful and that the Conservation Commission was not any closer to approving the plan, but might be closer to disapproving it. He asked the Board if the developer should submit a subdivision plan in the spirit of Brook Hill under the new regulations, after the Commission's decision. S. Gibson-Quigley noted that she would be meeting with the Commission's Chair to discuss some of the issues on this project.

Bed and Breakfast Decision, 25 Library Lane – L. Adams stated that the Decision was not going to be appealed.

The Estates South – L. Adams suggested approaching William Swiacki and his agents to ask them if they would consider withdrawing the appeal for The Estates South disapproval and come back to the Board under the new Subdivision Rules and Regulations with a better design. M. Beaudry commented that in the past the Board had not considered hearing from a developer if it was in litigation with them. It was S. Gibson-Quigley's opinion that though it might be the same developer, each submittal was a stand alone project. M. Cooney stated it was difficult to be objective in cases where the Board was involved in litigation with a developer.

S. Gibson-Quigley noted the Board's next meeting would be November 18, 2003 – scheduled were Site Plan Reviews for Bed Rock Place and The Sturbridge Tea Shop.

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

Adjournment at 8:30 PM