

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, July 13, 2004

Present Sandra Gibson-Quigley, Chair
Thomas Creamer
James Cunniff
Debra Hill
Milton Raphaelson
David Yaskulka

Absent: Thomas Kenney

Also present: Lawrence Adams, Town Planner

S. Gibson-Quigley called the meeting to order at 7:00 PM and welcomed new members, Thomas Creamer and James Cunniff. She suggested that the Board reorganize the positions of chairman, clerk, representatives for Central Massachusetts Regional Planning Commission, Community Preservation Act Committee and the Betterment Committee at its September meeting. The minutes of June 8, 2004 were reviewed.

Motion: to accept the minutes of June 8, 2004, as presented, by M. Raphaelson
2nd: D. Hill

Discussion: None

Vote: In favor – D. Hill, S. Gibson-Quigley, M. Raphaelson and D. Yaskulka
Abstain – T. Creamer and J. Cunniff

ANR's

Loconto – Paradise Lane – Allen Engineering – reconfiguration – Mark Allen explained that this ANR was to accommodate the requirements of Title V which maintains that 10,000 square feet of land area be allowed per bedroom of a house. Approved 0

OF PARCELS CREATED 0

WHITTEMORE WOODS – DISCUSSION AND VOTE AFTER PUBLIC HEARING: Request for time extension for infrastructure improvements completion

S. Gibson-Quigley explained that Whittemore Woods was a subdivision that had been approved by the Board in November 2002. It had a two year window for completion. When the developer brought the design before the Conservation Commission the Commission had issues with the wetlands crossings. The design had a cul-de-sac which was approved and through road which the Commission was not going to approve. At that time the developer withdrew the plans from the Commission. Since that two year period was about to expire, the developer was requesting that the Board issue an extension for the completion of infrastructure improvements. It was the intention of the developer to build the cul-de-sac portion of the subdivision if the extension was not be granted. S. Gibson-Quigley questioned whether or not this could be done since this was not a phased project. Counsel felt that it could. She stated that the Board needed to determine if it should approve a one year extension request. T. Creamer and J. Cunniff as new members were not eligible to vote.

The Board discussed the possibilities of the developer rectifying drainage issues previously identified by neighborhood residents if the extension were granted. S. Gibson-Quigley felt that the extra time would not provide the residents with assurances that these problems would be solved.

L. Adams clarified that the Conservation Commission had approved the Turner Circle cul-de-sac, but the developer asked the Commission to not take up the consideration of Woods Road and withdrew consideration of this road. D. Hill felt this delay was different than others the Board had seen. In the past, other developers had started their projects before asking for an extension, this one had not and a portion of this project had been turned down by the Commission and others had not. She continued that it had been the choice of the developer not to bring the plans to the Commission before he came to the Planning Board. She felt the entire plan needed to be redesigned and was not in favor of the extension. M. Raphaelson did not see a reason for not giving the extension.

Motion: to extend the Whittemore Woods Subdivision for one year, by M. Raphaelson
2nd: D. Yaskulka

Discussion: D. Yaskulka seconded this motion in the hopes that this would give Mr. Swiacki time to evaluate the project in such a way that it could have the least possible negative impacts on the existing neighbors and remediating some of the problems that presently exist. M. Raphaelson shared D. Yaskulka's opinion.

Vote: In favor – M. Raphaelson and D. Yaskulka
Against – D. Hill and S. Gibson-Quigley

The motion did not pass, failing to achieve the four votes necessary (a majority of the full board.)

PLANNER'S UPDATE

The Estates at Sturbridge Farms – L. Adams noted that Spaho Corporation has agreed to a repost for a new public hearing for the Board's August 17th meeting.

Meeting Dates – The Board agreed to meet on September 14th and September 28th.

Windgate at Sturbridge – The Zoning Board of Appeals (ZBA) has received application for a 69 unit affordable elderly housing project on eight acres located behind Autumn Ridge (Main Street.) The ZBA would be looking to the Board for its comments. L. Adams had a copy of the plans/traffic report for members to review. The public could view the plans at the Town Clerk's office. L. Adams noted that CME Engineering would be reviewing the plans on behalf of the Director of Public Works, Greg Morse, since he was an immediate abutter to the project. D. Yaskulka suggested the possibility of mixed use within the project to reduce the traffic impact.

Chinese Restaurant – L. Adams stated that a full building permit had been issued, along with the foundation permit and plans had been approved for the structure. The Building Inspector was looking into why the project was not progressing and would have the site secured due to the open foundation.

Route 131 – Fiske Hill Condominium Project – L. Adams noted that the approximately 100 units under a multi dwelling project were still in the conceptual design stage and would not be before the Board until October.

Affordable Housing Subcommittee – L. Adams had the first meeting of this ten member subcommittee to the Dialog for the Future process which would look at affordable housing and housing affordability.

Route 20 Committee – L. Adams had not met with the Committee this month, but would meet on August 11th at 3:30 PM. He had spoken with the engineer who had completed the surveying of existing conditions, a warrant study and recent traffic counts. The August meeting would concentrate on design alternatives – medians/jug handle turnarounds.

Attorney General Approval of Bylaws – L. Adams had received a copy of a letter from the AG to the Town Clerk approving votes at the Annual Town Meeting. The AG took issue with the language interpretation relative to deadlines for the submittal of warrant articles to zoning, etc. He cautioned the Town on taking away rights that were vested in the part of the community or individuals and that the Town should work within the parameters of the new bylaws, but it must recognize the inherent rights of citizens under the state law.

Digital Mapping – The parcel error numbers had been reduced to a list of less than 30 items. Within the next few weeks the parcels and data will be accessible internally, and later on the Town's website.

Nextel Cell Tower – L. Adams mentioned that the cell tower approved for 126 Clark Road had been appealed. The Town and James Malloy had been working with the Court of Appeals to resolve the problem. Under the Telecommunications Act, the courts had the authority to relocate the tower outside of the overlay district. A view

test at 130 feet would be conducted soon for an alternate location much closer to the Massachusetts Turnpike and hopefully have no visual impacts.

L. Adams asked the Board to give thought to the short and long term goals it would like to accomplish for the year. S. Gibson-Quigley would like to review parking issue specifically in Fiskdale and restaurants.

S. Gibson-Quigley commented that the Building Inspector's reports had been helpful. She also noted that the driveway to Bedrock Place looked narrower than the measurement she remembered on the plans. L. Adams offered to contact the contractor to determine if the driveway was as approved.

Motion: to adjourn, by D. Hill

2nd: M. Raphaelson

Discussion: None

Vote: All in favor

Adjournment at 8:00 PM