

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, October 5, 2004

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

Also present: Lawrence Adams, Town Planner

S. Gibson-Quigley called the meeting to order at 6:30 PM and read the agenda. She turned the meeting over to D. Yaskulka who led a general discussion on Open Space Policies and Strategies.

OPEN SPACE POLICIES AND STRATEGIES – A GENERAL DISCUSSION

D. Yaskulka noted that with the assistance of L. Adams the Board had hosted a series of Open Space Workshops which addressed Smart Growth. D. Yaskulka had met with T. Kenney and T. Creamer to design a proposal that the Board could implement in order to move Sturbridge in the direction discussed in these workshops. He presented the following recommendations –

- Develop a memorandum for developers which would outline the type of development and planning that the Board believed best served Sturbridge. He referenced a document circulated to the Board titled 100 Policies for Implementation which offered 10 points for consideration.
- What incentive can the Board initiate to get developers to act on these 10 points? (e.g. a fast track procedure)
- Create an official subcommittee to move closer to the Smart Growth principles by using model developments within the state/country as examples for developments in Sturbridge.
- Make recommendations for bylaw changes that would decelerate and improve development in ways that would benefit the Sturbridge.

S. Gibson-Quigley felt that a number of points in the 100 Policies for Implementation were addressed by the Master Plan, Design Review, Housing Authority, Open Space Committee, Community Preservation Committee and the Board's Rules and Regulations. She saw changes in zoning bylaws (cluster development) a possibility, but was concerned with a fast track process. In her opinion, the Board needed to be better at working with the media, disseminating ideas, cultivating relationships with people and bringing developers into the envisioning process.

T. Creamer felt all Boards should become proactive with the issues of growth, other Boards should be included if developers fast tracked a project and that the Planning Board had an obligation to tax payers to provide the best in planning, development and preservation. He agreed with S. Gibson-Quigley that if residents come to understand Smart Growth, they would see it was in their best interest.

M. Raphaelson felt there should be more coordination with the Conservation Commission. J. Cunniff questioned if these issues could be achieved by changing the bylaws and requiring that subdivisions would have to propose a certain percentage of moderate income housing as well as expensive housing. L. Adams noted this could be done under inclusionary zoning bylaws. S. Gibson-Quigley recalled making similar recommendations to the residents for controlling the growth within the Town and that people had seen it as a threat their livelihoods and their land they wished to use for the heirs. She noted that zoning bylaw changes required a two-thirds vote at town meeting.

T. Creamer suggested including those individuals in discussions aimed at any changes. The Board discussed the effect these changes might have for a developer financially, but agreed that it was not its responsibility to ensure the developer a large profit.

S. Gibson-Quigley asked for comments from L. Adams who offered the following –

- There were constraints due to administrative capacities and state and local regulations which dictated areas of authority.
- He would be working with the Open Space Committee to review the Open Space Plan.
- The Dialogue for the Future Committee would be looking at these issues through a community survey.
- He had been looking to take up the issue of open space subdivision design.
- Felt Smart Growth was, in part, an urban program which focused on providing state funds to cities and to outlying communities that have public transportation, brownfields that need redevelopment and want higher density.
- The Town needs housing affordability and that was where partnership with developers was needed.

S. Gibson-Quigley suggested submitting Smart Growth information to the newspaper for publication and that the Board meet again to further discuss some of its efforts and area community efforts that had been successful.

ANR’S – There were none.

The minutes of September 28, 2004 were reviewed.

Motion: to accept the minutes of September 28, 2004, as presented, by D. Yaskulka

2nd: M. Raphaelson

Discussion: None

Vote: In favor – T. Creamer, M. Raphaelson, J. Cunniff and D. Yaskulka
Abstain – T. Kenney

The motion was amended to reflect that T. Kenney was absent from the September 28th meeting and that he voted accordingly.

WHITTEMORE WOODS – PUBLIC HEARING – REQUEST FOR TIME EXTENSION

Mr. William Swiacki

S. Gibson-Quigley opened the public hearing at 7:15 PM and T. Kenney read the legal notice. He then recused himself from the Board. William Swiacki made a brief presentation to the Board stating that he had spoken with abutters to the Whittemore Woods project to explain that the request was strictly for a one year extension which was provided for under the regulations. S. Gibson-Quigley read the letter dated September/October 2004, to the Board and signed by abutters which gave their support and understanding of Swiacki & Company’s request for the one year extension of the deadline for completion of public improvements in the Whittemore Woods Subdivision and what the extension would entail.

S. Gibson-Quigley accepted questions and comments from the Board –

- Was surety being held for the project – L. Adams stated there was a sufficient amount held to cover the public improvements;
- How many homes had been built – W. Swiacki stated there were no homes on the Turner Lane cul-de-sac and gave a brief explanation of the project’s history;
- Were abutters present to verify signatures on the letter submitted to the Board – some were in attendance
- What would happen if the Board denied the request – L. Adams stated the applicant would have to again seek approval

- Was there a “down” side to granting the extension – L. Adams did not see harm or exposure to the Town if it was extended, since granting the extension was consistent with previous actions of the Board and with the regulations, the project was still covered under the covenant
- Since only a part of the subdivision could be built, when could the lots be released – L. Adams said Town Counsel stated that the intent of subdivision control was to provide services to lots that require them. Therefore, if Turner Lane was completed and the homes were fully serviced by water, roadway and sewer, then the intent had been satisfied. S. Gibson-Quigley wanted to be clear that the Board had approved an entire subdivision and it would be asked to release lots on a partial subdivision.
- The Board had not held up the start date of the project, it had been the choice of W. Swiacki.
- If the Woods Road portion was not approved, was W. Swiacki committed to completing the infrastructure on Turner Lane given that nothing could happen on Woods Road – W. Swiacki responded absolutely.

S. Gibson-Quigley asked if there was anyone wishing to speak for or against the extension.

- Thom Kenney, Fairview Park Road – in favor of the extension; felt it would not harm the Town; was pleased with W. Swiacki’s actions to repair the drainage problems created in the area and asked that the Board grant the extension as it was in the best interest of the residents.
- Elaine Cook - supported the one year extension (could not hear)
- Mrs. Lloyd - supported the one year extension (could not hear)
- Dr. Malik Awan, Whittemore Road – concerned about the traffic problems on Whittemore Road and would like the Town to address them. S. Gibson-Quigley understood his concerns and recalled that the traffic engineer report submitted by the applicant for review at public hearings found there would be no traffic impacts from the Whittemore Woods Subdivision. She noted the Board had disagreed with this finding.

Motion: to close the public hearing, by M. Raphaelson
2nd: D. Yaskulka
Discussion: None
Vote: All in Favor

Motion: to grant the extension to Whittemore Woods Subdivision to November 19, 2005, by M. Raphaelson
2nd: T. Creamer
Discussion: None
Vote: All in Favor

The Board expressed its appreciation to W. Swiacki for addressing the drainage issues on Fairview Park Road.

T. Kenney stepped onto the Board.

SPRING HILL ESTATES – BOND RELEASE REQUEST - Mr. Kent Pecoy

L. Adams thought work on the detention basin would have begun. However, before K. Pecoy began work on the detention basin, he requested that the Board concur that the construction of this detention basin would satisfy all the requirements necessary for the subdivision and the release of the bond in the amount of approximately \$37,000.00. L. Adams felt this issue might have been prompted as a result of discussion at the Board’s last meeting relative to a school bus turn around on Old Towne Way. It was K. Pecoy’s opinion that this would be outside the scope of the approvals of the subdivision and he was not interested in using the bond to pay for the construction of a turn around. S. Gibson-Quigley asked if there was a list of conditions for the bond or a punch list that the Board could reference. He had reviewed the previous Town Planner’s decision prepared in 1999 for

approval of the subdivision and had not found such a list. He felt K. Pecoy had satisfied a basic list of requirements, but will continue to research.

NEW BUSINESS

Hobbs Brook – Curb Consolidation Plan Review – L. Adams stated the existing and proposed plans had been forwarded the Board. The Board discussed the curb cuts, the consolidations and stop sign placements. T. Kenney suggested consolidating the curb cuts and eliminating some of the stop signs. S. Gibson-Quigley commented that the developer revised the plans to reflect the recommendations of the Board. T. Kenney asked if the Board should revisit the site in the spring since the new Board members had differing opinions. Charles Blanchard suggested that the Board consult CME for their recommendations. S. Gibson-Quigley agreed that was a good idea.

Goal Setting – L. Adams thought the following could be reviewed – the waiver process, increasing parking requirements for restaurants, reduced parking for other uses, drainage calculations, review of GIS, conservation open space, site visits (two per year visiting multiple sites – November 6);

Allen Homestead – The Board discussed that the extension for this subdivision should require a public hearing. The proponents would be in attendance on October 19th. At that time the Board would seek clarification on this project.

Follow up Discussion of Zoning Amendments – October 19th meeting. L. Adams would begin to draft model bylaws related to the topics discussed for the Board to review.

Web Subscriptions – The Board suggested that meeting minutes be an added folder to the Sturbridge Web Site link. L. Adams cautioned the Board regarding email discussions between fellow members. He would look into the State’s Open Meeting Law guidelines on this issue.

Motion: to adjourn, by J. Cunniff

2nd: M. Raphaelson

Discussion: None

Vote: All in Favor

Adjournment at 8:50 PM