

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, 25 OCTOBER 2005

PRESENT: Thomas Creamer
Jennifer Morrison
Sandra Gibson-Quigley, Chair
James Cunniff
Russell Chamberland
Bruce Sutter
James Malloy, Acting Town Planner

ABSENT: Thomas Kenney

S. Gibson-Quigley called the meeting to order at 7:03 P.M. The new Administrative Assistant to the Town Planner, Linda Coates, was introduced. The anticipated arrival of the new Town Planner, Jean Bubon, was discussed. The Board thanked Jim Malloy for his hard work and dedication as Acting Town Planner. Bruce Smith was welcomed as a new member to the Planning Board. The minutes from Tuesday, 13 September 2005 and Tuesday, 27 September 2005 as prepared by T. Kenney were discussed. It was noted that R. Chamberland's name was spelled incorrectly in both sets of minutes.

Motion: To accept the draft minutes of 13 September 2005, as presented, by R. Chamberland

2nd: J. Cunniff

Discussion: None

Vote: In favor – T. Creamer, S. Gibson-Quigley, J. Cunniff, B. Chamberland
Abstain – J. Morrison, B. Smith

Motion: To accept the draft minutes of 27 September 2005, as presented, by J. Morrison

2nd: R. Chamberland

Discussion: None

Vote: In favor – J. Morrison, S. Gibson-Quigley, J. Cunniff, B. Chamberland
Abstain – T. Creamer, B. Smith

ANR's

There were none.

TURNER LANE - REQUEST FOR RELEASE OF LOT RELEASE ON TURNER LANE

The board discussed the lot release while waiting for Mr. Swiacki to arrive. There was some confusion as to whether the actual lot itself (lot 7) was being released, a dollar amount (\$28,000 out of \$70,000), or both. S. Gibson-Quigley and J. Malloy agreed that

the lot release was being changed to a lender's agreement. S. Gibson-Quigley explained that the lot needed to be released, so that he [W. Swiacki] could take a mortgage on it. The lender would keep \$42,000 as the bond agreement with the board. The board would need to vote on the release of Lot 7 first and then to accept the lender's agreement.

(7:18 P.M. W. Swiacki arrived)

S. Gibson Quigley suggested Mr. Swiacki review with the board what he was looking for so that everything would be in order. Mr. Swiacki stated that the release is of lot 7. The lender's agreement is a substitute security for Turner Lane. From a title point of view, the covenant covers all of the remaining requirements for Turner Lane. The board is releasing lot 7 as well as the storm water management parcel, and the roadway itself. Swiacki continued that Hometown Bank put a single mortgage in place for \$70,000 and by this agreement assigned/ reserved \$42,000 of that. They [the bank] can't release it without the board's approval. Board members and J. Malloy stated that this was what Greg Morse had agreed to. W. Swiacki, S. Gibson-Quigley and J. Malloy agreed that the paperwork had been executed by Hometown Bank and the remainder being held was a performance security for the work listed on the lender's agreement. J. Morrison notarized the applicable forms for both the lot release and lender's agreement once the board members had signed them.

Motion: To release parcel SWM-7 & Turner Lane as identified in the definitive subdivision plan for Whittemore Woods in Sturbridge, Massachusetts, by T. Creamer.

2nd: J. Morrison

Discussion: J. Cunniff questioned if there were any wetland issues. S. Gibson-Quigley stated no.

Vote: Unanimous

Motion: To accept the Lender's Agreement Mortgage held by Hometown Bank on lot 7 for \$70,000, of which Hometown Bank is keeping \$42,000 as performance security to be released when improvements listed on pg. 2 of form K are completed, by T.

Creamer

2nd: J. Cunniff

Discussion: None

Vote: Unanimous

S. Gibson-Quigley and board members briefly discussed Mr. Swiacki's impending request for another 1 year extension on Turner Lane at the upcoming 8 November Planning Board meeting. S. Gibson-Quigley stated there are significant wetland issues. It was thought that the minutes from the 5 October 2004 meeting and the previous year's extension request would be helpful to refer to in preparation for the next meeting. L. Coates and W. Swiacki will provide the necessary copies to all the board members.

W. Swiacki stated that Draper Woods was progressing great. Phase one is just about finished and phase two is well on its way.

Mr. Swiacki updated the board on Brook Hill, a 10-lot subdivision on Brookfield Road near Tantasqua High School. He stated that all required improvements are now complete, including those made by the tree warden. He has replaced 50% of the curbing as required by the DPW, and the As Built plans are complete. He provided copies of the formal request letter, which included the certificate of completion and the release of the performance security for the lender's agreement.

LAUREL WOODS SUBDIVISION – CONTINUATION OF PUBLIC HEARING

S. Gibson-Quigley read the letter handed to her by Mr. Cormier of Escape Estates (Laurel Woods) in which he requests a continuation of the hearing. The engineering changes are not ready which would not allow CME or Greg enough time to respond. All the changes would be ready tomorrow (26 October) for approval. S. Gibson-Quigley stated that this would be fine with her as Mr. Kenney is not present. She would rather put it off until he was, so that there would be five voting members present. T. Creamer questioned if they would have all the information and reports needed to be prepared to continue the public hearing. S. Gibson-Quigley requested that Mr. Malloy review the issues and make sure they had what they needed.

Motion: To continue the Laurel Woods subdivision public hearing to 8 November at 8:45, by T. Creamer.

2nd: J. Cunniff

Discussion: None

Vote: Unanimous

NEW BUSINESS/OLD BUSINESS

- Maple Hill Realty (127 & 135 Main Street): S. Gibson-Quigley referred to the site plan and the site plan application, and mentioned that Mr. Malloy had worked very hard to clear up several issues. As an aside - J. Malloy stated that from now on all technical issues should be addressed up front before the board receives any site plans. The appropriate department heads would send memos to the board stating that everything had been addressed before they could be scheduled on the meeting calendar. This way the board would only have to deal with their own issues.
- 8 November meeting agenda: S. Gibson Quigley - There may/may not be a tree hearing as there are some problems. Maple Hill, Whittemore Woods extension request, and Laurel Woods Subdivision hearing continuation will be on the agenda.
- J. Malloy: Referred to an e-mail from John Eichman at Kopelman and Paige addressing G. Morse's concerns regarding the way lot release performance guarantees on definitive subdivision plans are handled. Sometimes subdivisions are completed and the lots are released without all the public infrastructure work being done, or problems arise a year after everything has been released. The town

or the homeowner ends up being responsible for the repairs. J. Malloy and G. Morse have redrafted the subdivision rules and regulations so they refer to the state regulations. A public hearing would have to be held to make any changes. This would ensure that everything is done and done right. A performance guarantee would be in place to fix any later problems, which should help both the town and its residents.

- Empire Village: The parking lot arrows are still not correct. The building inspector did not receive the correct set of plans that would have avoided the confusion. It was determined that the engineer should submit any changes to the building inspector, as well as a new [clean] set of plans with the final changes on them.
- A special town meeting is scheduled for Tuesday, 6 December in which the OSV rezoning will be brought up.
- Planning Board has meetings scheduled for 8 Nov. and 13 Dec.
- The Preserve (Boston Road) – R. Cunniff stated that residents are questioning when streetlights and trees are going to be put in. The completion date for this was in September. L. Coates will pull the minutes from the 21 June meeting so that it may be investigated/resolved.

Motion: To adjourn, by R. Cunniff
2nd: J. Morrison
Discussion: None
Vote: Unanimous

Adjourned: 8:10 P.M.

Next scheduled meeting – 8 November 2005