

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, NOVEMBER 14, 2006

On a roll call made by Ms. Morrison, Clerk the following members were present:

Present: Tom Creamer, Chair
Russell Chamberland
James Cunniff
Penny Dumas
Jennifer Morrison, Clerk
Sandra Gibson-Quigley
Bruce Smith

Also Present: Jean Bubon, Town Planner
Diane Trapasso, Administrative Assistant

The regular meeting of the Planning Board was called to order at 7:00 p.m. by Chairman, Tom Creamer.

Mr. Creamer read the Agenda.

Approval of Minutes

Motion: Made by Ms. Morrison to approve the minutes of October 24, 2006.
2nd: Mr. Chamberland
Discussion: None
Vote: 6 – 0 – 1 Abstain

Ms. Morrison read the letter of congratulations to the new Chief of Police. The board signed the letter and it will mailed to the department.

TOWN PLANNER UPDATE

The Sanctuary and the Highlands – The Conservation Commission issued an enforcement order to the developer of these properties for failure to comply with conditions. Since that time, the developer has final paved the Sanctuary and final paved portions of the Highlands so that the drainage system will properly function. Final inspections will be made by appropriate staff as-builts are submitted.

Load Controls – 53 Technology Park Road – The Conservation Commission recently inspected this property in conjunction with an Order of Conditions issued and found that the stormwater management system was not functioning properly. The owner hired Bertin Engineering to re-design the drainage system and the Commission is reviewing the proposed changes at its November 16, 2006 meeting at 8:10 PM. These changes will not require a Site Plan approval Hearing.

Rehabilitative Resources, Inc. – Attorney Neal has submitted the revised plans depicting the existing dumpster location in accordance with the approval granted by the Board.

Open Space Plan – The final approved Open Space Plan has been provided to the Board. Carol Goodwin of the Open Space Committee also dropped off a copy of the Work Items specified in the plan for the Planning Board to be working towards.

Proposed Zoning Amendment – Jim Malloy has submitted proposed zoning amendments to the sign section of the bylaw for the Board’s discussion. Ms. Bubon asked the Board to review this and will discuss at our next regularly scheduled meeting.

Proposed Zoning Amendment – Sturbridge Sheet Metal Works, Inc. and Arland Tool have submitted a petition for a zoning amendment to the Board of Selectmen. A Public Hearing may be scheduled for December 5, 2006 on this request.

Proposed Zoning Amendment Map Amendment – George and Pauline Suprenant have submitted a petition for a zoning map amendment to the Board Selectmen. A Public Hearing may be scheduled for December 5, 2006 on this request.

Correspondence from CMRPC regarding the Massachusetts Strategic Highway Safety Plan.

KEVIN RABBITT – REQUEST FOR RELEASE OF FUNDS – WHITTEMORE WOODS LENDER’S AGREEMENT AND EXTENSION OF TIME FOR THE LENDER’S AGREEMENT

Mr.Rabbitt is requesting a release of funds from the Whittemore Woods Lender’s Agreement in the amount of \$2,300.00. In addition, Mr. Rabbitt is requesting an extension of the completion date shown on the Lender’s Agreement to mirror the extension granted for the completion of the subdivision at the last Planning Board Meeting. The date set by the Board at that meeting was May 19, 2008. The request has been reviewed and approved by Mr. Morse, DPW Director.

Motion: Made by Mr. Chamberland to release the funds of \$2,300.00 and the Extension of Time to complete improvements secured by Lender’s Agreement with a completion date of May 19, 2008

Second: Ms. Morrison

Discussion: None

Vote: 7– 0

PUBLIC HEARING ON THE APPLICATION OF ALFRED DAVIS FOR A SCENIC ROADS SPECIAL PERMIT FOR THE REMOVAL OF ONE SUGAR MAPLE TREE

Ms. Morrison read the legal notice.

The applicant is requesting a Scenic Roads Special Permit for the removal of one hazard tree at 259 Holland Road.

Mr. Davis, the applicant and Mr. McSherry, attorney for the applicant spoke for this request. Mr. Davis wants to remove a large sugar maple at his own expense and repair an oak tree that is existing by taking out the stone around the base. I will be planting three new trees along the road.

Mr. T. Chamberland, Tree Warden, addressed his concerns with this request. The immediate issue was the excavation of an underground electric line from the newly installed pole to the house. This construction occurred within the critical root zone of the 34" Sugar Maple Tree. There has also been placed a significant amount of fill on the ROW of Holland Road, blurring a highway bound to an approximate depth of 4'. With the obscurity of this Bound Mr T. Chamberland is unable to determine if the 8" oak tree is on Town property or not. The filling around this tree, if it is a Town tree, also constitutes construction under the scenic road bylaw and work within the critical root zone.

Mr. T. Chamberland recommends the Planning Board allow Mr. Davis to remove the 34" Sugar Maple Tree with conditions.

Mr. Davis stated he would address all the Tree Warden's concerns and would like to start as soon as possible upon approval.

Mr. Creamer had an issue with Condition #4. He felt that the Board should not interfere with another Board.

Motion: Made by Ms. Dumas to grant the Scenic Roads Special Permit for the removal of one sugar maple tree with eight conditions and one recommendation.

2nd: Ms. Morrison

Discussion: None

Vote: 7 - 0

PUBLIC HEARING ON THE APPLICATION OF SPAHO CORPORATION FOR APPROVAL OF A FIVE LOT SUBDIVISION

The applicant is requesting approval of a five lot definitive subdivision plan. The property is located at 12 Farquhar Road and 221 Main Street.

Ms. Morrison read the legal notice.

Mr. Ferguson and Mr. Loin of Bertin Engineering spoke on behalf of the project. The property is located on the westerly side Farquhar Road and is undeveloped. The property contains approximately 24.88 acres and the applicant proposes to construct a 500' roadway with a cul-de-sac. Five lots for single family homes are proposed. The development would be served by private wells and septic systems.

The property is characterized by both flat and sloped areas and is somewhat constrained by wetland areas. We have filed a Notice of Intent with the Conservation Commission. Parcel C has the detention basin and would remain open space with the Town owning it.

Ms. Gibson-Quigley stated that the lot labeled Lot 2A and shown on Farquhar Road should be taken off the plan.

Bertin Engineering stated that the back land would be give to the Town. Ms. Gibson-Quigley stated that it was to Bertin Engineering to do the research and bring information back to the Board as to whether or not the Town wants the land, whether it be through speaking with Con Com or the Selectmen.

The Board had concerns about drainage, lighting and one fire hydrant being enough for the whole subdivision.

Ms. Bubon stated that revised plan were submitted on November 13th, that she and other department heads would review the new plans.

Motion: Made by Mr. Cunniff to continue the Public Hearing to November 28, 2006
at 7:15 PM
2nd: Mr. Chamberland
Discussion: None
Vote: 7 – 0

Mr. Creamer requested a recess at 8:50 PM. At 9:00 PM the Board resumed.

**PLANNING BOARD – DISCUSSION OF PROPOSED ZONING
AMENDMENTS SUBMITTED BY ZONING STUDY COMMITTEE**

Mr. Cunniff, Chair of the Zoning Study Committee, stated that this committee did discuss rezoning the Route 20 parcel early on in their process. The committee realized this could not be done effectively because all the zoning bylaws needed to be updated, clarified, re-worded, etc.

Mr. Creamer stated that this not a public hearing on the proposed zoning amendments but only work sessions.

The Board thought the zoning amendment # 1 (Replacement of Destroyed Buildings) was too vague and wanted more definition wording. Zoning amendment # 2 (Definition for Fence) needs to be re written. Zoning amendment # 3 (Definition for Frontage) was accepted as proposed. Zoning amendment # 4 (Definition for Lots): the Board took out the wording “ rights of ways where the general public has the right of access by automotive vehicles”. In the last sentence insert a comma after the word “wetlands” and before the word “ and ”. In the last sentence the word “will” is removed and replace with “shall”.

Motion: Made by Ms. Dumas to petition Zoning amendment to the Board of
Selectmen.
2nd: Ms. Morrison
Discussion: None
Vote: 7 - 0

TOWN PLANNER UPDATE

Ms. Morrison excused herself from the Board at 10:30 PM.

Ms. Bubon stated that a letter from Ms. Morrison, partner of JMJ Properties, Inc. was provided to update the Board as to the status of the project at 79 Main Street. The project is substantially complete and in compliance with the plans submitted with the exception of four minor items and with the exception of the relocation of the guy wire for the utility pole. Ms. Morrison is requesting that the Board consider the project substantially complete and is requesting that the Board allow items to be completed by May 2007 with as-builts being submitted to show the change to the site plan that resulted from the inability to relocate the pole as originally intended.

Ms. Morrison returned to the Board at 10:35 PM.

PENNY DUMAS – REQUEST THAT THE PLANNING BOARD SEND A LETTER OF SUPPORT FOR THE APPLICATION SUBMITTED TO THE DIVISION OF CONSERVATION RESOURCES FOR THE HERITAGE LANDSCAPE INVENTORY GRANT

The Board approved the letter and Ms Morrison, Clerk of the Planning Board will sign the letter and send it the Division of Conservation Resources.

BRUCE SMITH – CMRPC REPRESENTATIVE UPDATE

Mr. Smith handed to the Board the following:

MAPC Legislative Update – September 2006

Planning for the Future of Massachusetts

Six Key Recommendations to our Next Governor to Achieve Sustainable Growth in the Commonwealth

The Massachusetts Opportunity Relocation and Expansion (More) Jobs Program

The Agenda for the Quarterly Commission Meeting

On a motion made by Ms. Morrison and seconded by Ms. Dumas, and voted unanimously, the meeting adjourned at 10:45 PM.

