

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JANUARY 9, 2007

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 PM by Chairman, Tom Creamer.

Mr. Creamer read the agenda.

Approval of Minutes

Motion: Made by Mr. Cunniff to approve the amended minutes of December 12, 2006
2nd: Mr. Smith
Discussion: None
Vote: 7 – 0

SANR PLAN – MICHAEL AND RICHARD LAFLECHE – LEADMINE LANE

The plan submitted showed the division of a tract of land into Lots 2, 3, 4, 5 & 6. Lots 2, 3 and 4 have sufficient area and frontage along a Private Way. Lots 5 and 6 are designated as non-buildable lots. It is proposed that Lot 5 be conveyed to an abutter and that Lot 6 conveyed to the Town of Sturbridge.

The Clerk endorsed the plan on behalf of the Board.

TOWN PLANNER UPDATE

Amarjeet Gill – Request for an extension of completion date until January 31, 2007.

Motion: Made by Mr. Chamberland to grant an extension of completion to February 28, 2007 and with plantings completed in the Spring.
2nd: Ms. Gibson-Quigley
Discussion: None

Vote: 7 – 0

Gary Muratore – D’Angelo’s – Request for an extension of completion date until June 30, 2007

Motion: Made by Mr. Chamberland to grant an extension of completion to June 30, 2007.

2nd: Mr. Cunniff

Discussion: None

Vote: 7 – 0

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

Mr. Ferguson of Bertin Engineering submitted a written letter requesting a time extension until March 21, 2007. It is hoped that this time period will be sufficient to allow the applicant to resolve the outstanding issue of the Open Space parcel. Mr. Ferguson stated the Opacum Land Trust has some reservations with the parcel. Nipmick Quabog Preservation Trust is showing some interest in the parcel.

Ms. Dumas asked if the Town showed an interest would the applicant be open.

Mr. Ferguson stated that Spaho is willing to work with the Town if they show an interest in the parcel.

Motion: Made by Mr. Smith to grant the extension to March 21, 2007 and continue the Public Hearing to February 13, 2007.

2nd: Ms. Morrison

Discussion: None

Vote: 7 – 0

PUBLIC HEARING ON A PETITION OF HOHC, INC. AND THE HEBERT/STURBRIDGE REALTY TRUST TO CONSIDER AMENDING THE ZONING DISTRICT DESIGNATION FOR THREE PARCELS OF LAND AT 9 RIVER ROAD, 1 RIVER ROAD AND 6 RIVER ROAD FROM SPECIAL USE DISRICT TO HISTORICAL COMMERCIAL DISTRICT

Ms. Morrison read the legal notice.

Mr. Rodman, Attorney from Seder & Chandler spoke on behalf of the applicant. He stated that the change in zoning would expand the number of uses for the property and be more productive economically.

Some Board members have several issues with this request, one of which is that rezoning may create more commercial areas and increase traffic.

Mr. Creamer and Mr. Cunniff stated that the parcels should be changed and the Town needs to see commercial growth. With this change to Historical Commercial, the Town would have more control over what Sturbridge should look like with regard to new commercial or retail businesses.

Ms. Goodwin and Mr. Zavistoski stated that the Town does not need more commercial parcels.

Ms. Peabody stated that traffic should not be an issue with this change because traffic is a already problem everywhere in Town, and, traffic can always be used as a reason not to make a change – it is a “red-herring”.

Ms. Gibson-Quigley had concerns about spot zoning.

Motion: Made by Ms. Morrison to close the Public Hearing.
2nd: Mr. Cunniff
Discussion: None
Vote: 7 – 0

Motion: Made by Ms. Morrison to support this bylaw change to the Board of Selectmen.
2nd: Mr. Cunniff
Discussion: None
Vote: 2 - 5

PUBLIC HEARING ON A PETITION OF THE PLANNING BOARD TO CONSIDER AMENDING THE ZONING BYLAW OF THE TOWN OF STURBRIDGE.

Ms. Morrison read the first paragraph of the legal notice and summarized the remainder.

The Planning Board has been in the process of reviewing the proposed zoning bylaw revisions prepared by the Zoning Study Committee. Mr. Creamer announced that although all the proposed amendments are contained in one legal notice the Board will vote on each proposal separately and they will appear as individual articles on the Town Meeting Warrant.

Accessory Dwelling Units – proposed as a new section and updates to sections affected (Chapters 5, 6 & 14)

An accessory dwelling unit shall mean a separate housekeeping unit, complete with its own sleeping, cooking and sanitary facilities, that is contained within the structure of a single-family dwelling or attached accessory as specified in this section, but functions as a separate unit.

Ms. Childress, an appraiser, questioned the difference between accessory dwelling and in-law apartment. She stated that an accessory dwelling would be taxed as a two-family dwelling whereas an in-law apartment would not.

Mr. Creamer stated right now the Town has no policy on in-law apartments.
Ms. Bubon, Town Planner, stated that in-law apartments are not two family dwellings. Additionally, accessory dwelling would increase the housing stock without eating up additional land.

Ms. Peabody stated that the owner has to live in the dwelling. Additionally, this type of dwelling will require a Special permit granted by Zoning Board of Appeals and will require renewal every two years.

Mr. Emrich has an in-law apartment and thought the Town already has a policy in place.

Ms. O'Connell question if an in-law apartment was considered a separate apartment?

Ms. Tasse, atown assessor, questioned if an accessory dwelling needs two means of ingress/egress. She stated it would be assessed by square footage.

Ms. Bubon stated that all building codes would apply when permits were issued.

Ms. Cooney, through Mr. Cunniff, wanted some wording changed in this bylaw.

Motion: Made by Ms. Morrison to support this bylaw as amended.
2nd: Mr. Smith
Discussion: None
Vote: 6 – 0 – 1 (Ms. Dumas abstained – not comfortable with one section and not comfortable with the bylaw).

Motion: Made by Mr. Cunniff to support Chapters 5, 6 and 14
2nd: Mr. Chamberland
Discussion: None
Vote: 7 - 0

Revisions to Chapter Twenty-Two – Signs

The provisions of this Chapter Twenty-Two are adopted for the regulation and restriction of billboard, signs and other advertising devices within the Town of Sturbridge on public ways or on private property within public view of public way, public park, reservation or public property and property to which the public has access, in order to protect and enhance the visual environment of the Town of Sturbridge and safety, convenience and welfare of its residents. Amendments are proposed for the following Sections: Section 22.21 – Multiple Tenant Properties, and Section 22.23 Signs Not Requiring Permits. Additionally, a new Section 22.23 Contractor Signs is proposed.

Motion: Made by Mr. Cunniff to support this bylaw as amended.

2nd: Ms. Morrison
Discussion: None
Vote: 7 – 0

Chapter Nine – General Industrial District and Chapter Ten – Industrial Park District- Propose to delete Automobile Service Station and Automobile Salesroom or Lot.

The Board had a lot of discussion and concerns about this bylaw: should automobile salesroom or lot be eliminated.. Some Board members want automobile salesroom or lot in Commercial zoning. Others prefer to leave it in Industrial.

Mr. Brunelle of Steve’s Collision wanted to thank the Board for being aware of his business.

Mr. Creamer asked the Board to consider modifying the proposed amendment to allow automobile salesroom or lot to remain with a cap on the numbers of vehicles.

Mr. Chamberland in favor with a cap of 50 vehicles.

Ms. Dumas in favor with a cap of 35 vehicles, at first, but after listening to the amount of vehicles would like more information about putting a cap on how many.

Mr. Cunniff not in favor.

Ms. Morrison in favor with a cap of 35 vehicles and automobile service station out.

Mr. Smith in favor with a cap of 35 vehicles and automobile service station out.

Ms. Gibson-Quigley in favor with a cap but doesn’t know right amount; automobile service station to remain.

Mr. Creamer in favor with a cap but doesn’t know the right amount.

The Board wanted more information on the appropriate number of vehicles to have in an automobile saleroom or lot.

Motion: Made by Ms. Morrison to continue the Public Hearing to January 17, @ 7:00PM

2nd: Mr. Cunniff

Discussion: None

Vote: 7- 0

Next Meeting dates are February 13, 27 and March 13, 27 and April 10 and 24th.

On a motion made by Ms. Morrison and seconded by Mr. Cunniff, and voted unanimously, the meeting adjourned at 10:35 PM.