

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, MAY 8, 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: Diane Trapasso, Administrative Assistant

ABSENT: Jean Bubon, Town Planner

Chairman called the regular meeting of the Planning Board to order at 7:00 PM.

Mr. Creamer read the agenda.

APPROVAL OF MINUTES

Motion: Made by Mr. Smith to approve the meeting minutes of April 24, 2007.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 – 1 (Chamberland) - 0

SANR – RICHARD & MARGARET PREDELLA & DENNIS MURPHY - # 160 & 162 LAKE ROAD

Mr. Predella of 160 Lake Road and Mr. Murphy of 162 Lake Road owners of the property spoke.

The purpose of this plan is to reconfigure the dividing line between #160 and #162 Lake Road. Parcels A and B are not to be considered building lots. Each parcel is to be conveyed as indicated and held in common with adjoining lands. This reconfiguration does make either lot more non-conforming relative to frontage. Area and width as required by the Town of Sturbridge zoning bylaws.

The Board endorsed the plan.

Mr. Creamer congratulated the following people who were awarded recognition from the Worcester Telegram & Gazette:

Ms. Eisenhower of Sturbridge Bread Company, “The Best Bread” Award

Mr. Rovezzi of Rovezzi's Restorante, "The Best Chef: Award
Ms. Morrison of JMJ Properties, "Best New Entrepreneur" Award

Mr. Creamer, on behalf of the entire board, presented a gift to Ms. Quigley for her service and dedication to the Town of Sturbridge as a member of the Planning Board for the last ten years. He stated that her commitment and devotion to her family, the Education System, the Town of Sturbridge and the Planning Department are sources of great pride and inspiration for those who know her. He further stated all in the Planning Department, on behalf of the residents of Sturbridge, wish to extend their gratitude for her continuing service.

REORGANIZATION OF THE BOARD

Mr. Creamer asked for nominations for Clerk/Vice Chair.

Motion: Made by Mr. Cunniff to nominate Ms. Morrison as Clerk.
Ms. Morrison accepted
2nd: Mr. Chamberland
Discussion: None
Vote: 7 – 0

Mr. Creamer turned the meeting over to Ms. Morrison for the rest of the voting of reorganization of the Board.

Motion: Made by Mr. Cunniff to nominate Mr. Creamer as Chair.
Mr. Creamer accepted.
2nd: Mr. Smith

Other nominations for Chair:

Motion: Made by Ms. Dumas to nominate Ms. Quigley as Chair
Ms. Quigley declined.
2nd: Mr. Cunniff
Discussion: Ms. Dumas stated that she could not vote for Mr. Creamer as Chair of the Planning Board. Ms. Dumas read a prepared statement articulating her reasons for being unable to vote for Mr. Creamer.
Vote: 6 – 1 (Dumas)

Motion: Made by Ms. Quigley to nominate Mr. Cunniff to the Betterment Committee
Mr. Cunniff accepted
2nd: Mr. Creamer
Discussion: None
Vote: 7 – 0

Motion: Made by Mr. Creamer to nominate Mr. Chamberland to the Community Preservation Committee
Mr. Chamberland accepted.
2nd: Mr. Cunniff
Discussion: None

Vote: 7 – 0

Motion: Made by Mr. Creamer to nominate Mr. Smith to CMRPC
Mr. Smith accepted

2nd: Mr. Chamberland

Discussion: None

Vote: 7 – 0

Motion: Made by Mr. Creamer to nominate the following to Zoning Study
Committee: 1. Ms. Quigley
2. Ms. Morrison
3. Mr. Cunniff

All accepted

2nd: Mr. Chamberland

Discussion: None

Vote: 7 – 0

Motion: Made by Mr. Creamer to nominate Ms. Quigley to the School Building
Committee.

Ms. Quigley accepted

2nd: Mr. Cunniff

Discussion: None

Vote: 7 – 0

Mr. Creamer resumed his position as Chair.

New Business

Change the starting time of the Planning Board meetings to 6:30 PM. The only concern some Board members had with new time was it giving longer time for meetings. Mr. Creamer stated that the new time of 6:30 PM would be a duration time of two hours and start to wind down at 8:30 PM and close at 9:00 PM.

Motion: Made by Ms. Morrison to change the starting time of the Planning Board
meetings to 6:30 PM

2nd: Mr. Chamberland

Discussion: None

Vote: 7 – 0

TOWN PLANNER UPDATE

Cancer Free America Foundation Clothing Bins at the Center at Hobb's Brook. Mr. Jay Katari stopped in the office to discuss this issue. He will be filing a Request for a Waiver of Site Plan Approval at the next Planning Board meeting. He will be working with Walmart to see if a more prominent location can be chosen to help eliminate the dumping of trash items in front of the bins.

JMJ Properties, Inc. Ms. Morrison gave an update on the project plus sent a letter for the Board to review and accept.

Correspondence from NOAH/JNJUHL and Associates information only.

The Order of Conditions for the D'Angelo site was issued today. Ms. Kippenberger met with the property owner this morning. The site should be cleaned up now that the Cease and Desist has been lifted.

Correspondence from Attorney Neal to the residents of Lauren Lane.

Ms. Bubon is requesting a project liaison for the Kahn Project for the property between Cedar Street and Arnold Roads. Ms. Bubon met with the property owner, project engineer and Ms. Kippenberger last week to discuss the status of the project. It does now appear that they will be able to make the connection between the two streets . The Conservation Commission is scheduled to meet on this application on Thursday, May 17, 2007 at 8:10 PM.

Next Meeting:

May 22, 2007 – 6:30 PM

Mr. Chamberland wanted to commend Steve's Collision on a job well done in his design and construction of the auto body project.

Mr. Chamberland would like to see a letter from the Planning Board be included in the applications of SANRs. The letter would strongly recommend that the applicant be present. Board members agreed. Ms. Morrison is going to draft a letter and present it at the next meeting.

Ms. Quigley who is a member of the School Building Committee, stated that the Burgess School would almost certainly not be getting state funds for the building of a new school. There will be a public meeting on May 23rd to gather community input on school needs.

Mr. Smith a member of CMRPC stated a meeting will be held on May 10th amending the 2007 Grand Trunk Trail.

There will be a joint meeting of the Planning Board and the Board of Selectmen on June 11th to discuss the Zoning Study Committee.

Mr. Creamer wanted to bring forth an issue with the Zoning Study Committee having four members of the Planning Board on this committee. Mr. Creamer has asked Ms. Dumas to resign her position on the Zoning Study Committee and ask that the Community Preservation Committee appoint a new member to the ZSC. The problem with four members of the Planning Board sitting on this committee is that there is a quorum of the Planning Board. A resident and two members of the ZSC brought this to Mr. Creamer's attention. Mr. Creamer stated that there is a potential for liability and predetermination of the voting process as a quorum of the Planning Board could vote on a zoning issue that at a later date would come before the full board, thereby disenfranchising the other three members. Mr. Creamer apologized for not recognizing this problem six months ago.

Ms. Dumas stated she would take this under advisement.

Mr. Wilson, Board of Selectmen, said he and Mr. Creamer had a discussion on the Zoning Study Committee.

Mr. Creamer feels that the members of the Planning Board appointed to ZSC were voted by the members of the Planning Board and should not step down.

Ms. Blanchard asked the following question to Ms. Dumas: was it brought to your attention or didn't you think there would be problem with four members of the Planning Board being on ZSC?

Ms. Dumas responded by saying: I don't believe so, I don't remember it ever being brought it to my attention.

Ms. Peabody suggested the ZSC be disbanded and start fresh.

Board members agreed that there is a potential problem with four members of the Planning Board on the ZSC and it needs to be resolved. Ms. Dumas needs to step down. There is no easy solution to this problem but it still needs to be addressed. The Planning Board as a statutorily constituted and sovereign body is bigger than any individual or individuals and that "principles should always take precedence over personalities", as stated by Mr. Creamer.

Ms. Dumas feels she has always done the right thing and has always acted for the good of the Town. Ms. Dumas stated again she will take all this under advisement.

Motion: Made by Mr. Cunniff to delay making a decision until June 5, 2007

2nd: Mr. Smith

Discussion: Mr. Creamer does not agree with the delay.

Vote: 6 –1(Creamer)

Motion: Made by Ms. Morrison to make a statement that only three members of the Planning Board shall sit on the Zoning Study Committee.

2nd: Mr. Smith

Discussion: None

Vote: 6 – 0 – 1 (Dumas)

On a motion made by Ms. Quigley and seconded by Ms. Morrison, and voted unanimously, the meeting adjourned at 9:10 PM.