

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, OCTOBER 21, 2008

On a roll call made by Mr. Smith, the following members were present:

Present:

Russell Chamberland
Tom Creamer
Jim Cunniff
Jennifer Morrison, Chair
Bruce Smith

Also Present: Jean Bubon, Town Planner

Absent

Penny Dumas
Sandra Gibson-Quigley

Ms. Morrison called the regular meeting of the Planning Board to order at 6:30 PM.

APPROVAL OF MINUTES

Motion: Made by Mr. Cunniff to accept the amended minutes of October 7, 2008.

2nd: Mr. Chamberland

Discussion: None

Vote: 4-0-1 with Mr. Creamer abstaining

REVIEW OF PROPOSED TEMPORARY SIGN BYLAW WITH THE EDC

At this time the Board met with Mr. Cimini and Mr. Dalbert of the Economic Development Committee (EDC) to review a proposed revision to the existing Temporary Sign Bylaw. Ms. Bubon stated that as requested by the Planning Board the EDC had forwarded a list of suggestions for inclusion in the Temporary Sign Bylaw. She had also met with Mr. Cimini and Mr. Dalbert to discuss issues related to Temporary Signs and on October 14th, she and Mr. Dalbert met with the Design Review Committee (DRC) to obtain its input on the issue of the aesthetics of Temporary Signs. Based upon that input she prepared the draft bylaw that was now before the Board.

Mr. Cimini advised the Board that the EDC held a meeting that included special invited guests that included Planners, Building Inspectors and Business Owners to discuss the Temporary Sign Bylaw. At that meeting the group arrived at the frequency and duration proposed in the draft (nine permit periods of 7 days each) after a review of the various activities and events that cause certain business peaks and lows for the various businesses in

the community. There were 18 peak periods identified that included various holidays, Brimfield Flea Market periods, and the Pan Mass Challenge. Most business owners surveyed believed that the current duration of 14 days was too long since focused sales periods really did not last for two weeks; only one person objected to reducing the duration of Temporary Sign Permits. He also noted that the EDC was looking at this as a work in progress; this was something they hoped would provide a quick economic stimulus.

Mr. Dalbert stated that the items included from discussion with the DRC were worded in a way to try to strike a balance between subjectivity and specificity as well.

Mr. Creamer stated that on the whole he did not have any objections to the proposal. He thought this was a time when we needed to think outside the box. However, he questioned why the proposal was limited to A-Frame Signs. Ms. Bubon stated that she had met with the Building Inspector to discuss the proposal and that he was most comfortable with this type of sign since it could be weighted down, moved for snow plowing or other storm events and there was not the risk that a sign would get frozen into the ground for the winter period as could happen with other types of signs. She indicated that at the DRC meeting it was suggested that T-Frame Signs be allowed, but that Mr. Nichols was not comfortable with that proposal. Mr. Cimini stated from the EDC's perspective they were looking for uniformity in sign styles as a way of making the community more attractive for the residents. Presently any type of sign within the twelve square foot limitation can be used.

Mr. Cuniff questioned if a square foot limitation was required. Ms. Bubon explained that is already contained in the Sign Table within the bylaw.

Mr. Smith asked what special circumstances would warrant a renewal. Mr. Cimini stated that something such as a special event with a rain date would warrant a renewal.

Mr. Creamer asked about a fee schedule and application process. Ms. Bubon indicated that she had met with Mr. Nichols and they had discussed changing the application to include an area for a sketch and location of the proposed sign to be certain the sign would meet the bylaw requirements. They had also discussed the possibility of establishing an annual fee that would offer a discount since it would reduce the workload for that department. Municipal fees are supposed to cover the cost of processing the permit; she would need to have further discussions with Mr. Nichols and then the proposed fees would need to be approved by the Board of Selectmen.

Ms. Morrison thought that for some businesses it may be difficult to match the Temporary Sign to the primary permitted signs on the premises. She believed that the Board should consider adding language that white signs with black or red lettering would be permitted as well.

Mr. Chamberland questioned if the Board should go so far as to state that Temporary Signs should not be illuminated in any way. He stated that in the winter months it is dark early and businesses could use existing lighting. He also questioned holiday lighting displays. Mr. Dalbert and Ms. Bubon indicated that was added intentionally since this is supposed to be Temporary and as noted by Mr. Dalbert, the use of extension cords in a haphazard manner could pose a safety risk. Board members believed that the signs could be illuminated

externally if the lighting source is reviewed and approved by the Building Inspector through the application process.

Members were generally in agreement with the bylaw as drafted with the exception of the color and lighting items discussed. Those suggestions will be incorporated into the draft. Mr. Morrison stated that since two members were absent this evening and since the practice of the Board is to allow input from all members prior to moving a proposal forward, the Board would discuss this again at its next meeting on November 5th. At that time the final draft will be reviewed and the Planning Board will discuss moving forward as Petitioner for this proposal.

CONTINUED DISCUSSION OSRD BYLAW

Ms. Bubon stated that she had incorporated the proposed changes and additions from the last Planning Board meeting. Additionally, she had incorporated suggested changes by Dave Barnicle of the Conservation Commission, Erin Jacque, Conservation Agent and Greg Morse, DPW Director. Additionally, both Ms. Dumas and Ms. Gibson-Quigley had been in contact with her and provided edits. She went through the edits page by page with the Board. Highlights of the changes were:

Changes were made to the buffer from wetland areas. As written, the bylaw was requiring a higher standard than the Town Wetland Regulations. The areas where this was referenced have been deleted and/or changed to reflect the same standard.

Mr. Morse suggested that more detail on potential shared systems and sewer flows be incorporated into the bylaw so that the language is clearer. Therefore language has been added to indicate that all proposals have to meet Massachusetts Department of Environmental Protection standards. He was concerned that some proposals could be approved for OSRD permits, but that they would not be able to progress to the Subdivision approval phase if soils were not suitable. Common driveway standards were changed to limit three homes on a common drive, reduce the percent of grade from 12% to 8% unless otherwise approved by the DPW Director; and to allow a variety of pavement types on the driveways. Also, Mr. Morse suggested that density bonuses should be allowed only when the land can support the bonus (i.e. adequate soil types, topography, etc.) when private wells and septic systems were required.

Ms. Gibson Quigley corrected several typographical errors. Ms. Dumas found several sections where language that was proposed by the Board had not been included in the final draft. Under Allowable Uses of Open Space, it should have included Protected Lands – At least one half of the open space may be required by the Board to be left in a natural state. Also, under the Affordable Housing Density Bonus section the potential bonus still read fifteen, twenty percent. This has been changed to reflect the 5% bonus agreed upon. Ms. Dumas also believed the language proposed by Mr. Morse regarding the property being able to support the bonus units was good, but that it should not be limited to sites not served by public water and sewer. Ms. Bubon agreed and changed the language in that section.

During the meeting Mr. Smith noted that although the sample calculation had been added under Required Open Space the additional language from the State Model had not been

included. This language will be incorporated as follows “A minimum of fifty percent (50%) of the site shall be open space. The percentage of open space that can be wetland shall not exceed the percentage of wetland for the entire site under the existing conditions as shown on the sketch plan”.

Additional areas to be changed are in the Protected Lands Section noted above; the language will be changed to reflect that the Planning Board may require that up to one half of the open space remain in its natural state”. The Increases in Permissible Density Section, qualifying language will be added to clarify what “land is suitable to support additional bonus units” actually means (i.e. water supply, appropriate soil types, sewage disposal methods, etc.). Finally, the Time Limit section will be changed to be more consistent with the language currently used for special permits and site plan. Board members were not comfortable with language that “encouraged the Planning Board” to grant extensions.

- Motion:** Made by Mr. Smith that the Planning Board serve as Petitioner of this proposed change to the Zoning Bylaw and that the proposal as amended this evening be forward to the Board of Selectmen to begin the amendment process.
- 2nd:** Mr. Chamberland
- Discussion:** There was general discussion that the Board members present were comfortable forwarding this as Petitioner without a full Board present since none of the amendments discussed this evening derogated from previous discussions. Also, both members absent had contacted Ms. Bubon with proposed corrections and changes.
- Vote:** 5-0

TOWN PLANNER UPDATE

- The Town Planner reviewed items scheduled for the November and December Planning Board Meetings as follows:
 - o November 5th – Public Hearing on several proposed zoning amendments including a proposal to add religious, educational and governmental uses as permitted uses in several zoning districts; a proposal to delete a portion of a sentence within the Site Plan Review section of the zoning bylaw as per a recommendation from the Attorney General’s Office; and proposed amendments to bring the Flood Plain District bylaw into compliance with the newest edition of the Building Code.
 - o November 5th – Discuss final Temporary Sign Bylaw proposal
 - o November 18th – Public Hearing on Proposed Underground Utility Bylaw
 - o November 18th – Public Hearing on a property owner petition by New England Land & Lumber Corporation to change property owned by them on Route 15 from Rural Residential to Commercial II
 - o December 2nd – Public Hearing on OSRD Bylaw and Temp Sign Bylaw Proposals

- December 16th – Review of 43D materials (sites, proposed regulations, proposed activities)
- December 16th – Review of LID Bylaw and Regulations
- The Town Planner also reminded members of the Housing Forum that will be held on October 28th at 7:00 p.m.

OLD BUSINESS/NEW BUSINESS

None

NEXT MEETING

Wednesday, November 5, 2008

On a motion made by Mr. Creamer, seconded by Mr. Chamberland, and voted unanimously, the meeting adjourned at 8:18 PM.