

STURBRIDGE PLANNING BOARD  
MINUTES OF  
TUESDAY, JANUARY 13, 2008

On a roll call made by Ms. Gibson-Quigley, the following members were present:

**Present:**

Russell Chamberland  
Tom Creamer  
Jim Cunniff  
Penny Dumas  
Jennifer Morrison, Chair  
Sandra Gibson-Quigley  
Bruce Smith

**Also Present:**

Jean Bubon, Town Planner  
Diane Trapasso, Administrative Assistant

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 minutes of December 9, 2008  
**2<sup>nd</sup>:** Mr. Smith  
**Discussion:** None  
**Vote:** 6 – 0 – 1 (Ms. Morrison)

**ANR – SCOTT & ROBIN HENGEN – 138 WALKER POND ROAD**

Mr. Jalbert of Jalbert Engineering spoke on behalf of the applicant. He stated that the purpose of the plan was to create a single parcel containing 18.40 acres with access from Walker Pond Road located at 138 Walker Pond Road. Mr. Jalbert also stated that the access along Wells Park Road Extension and the frontage off Walker Pond Road in the vicinity of Wells Park Road Extension is not possible due to wetland constraints. The land northerly of Wells Park Road Extension is flooded due to beaver activity.

**Motion:** Made by Mr. Creamer to endorse the plan.  
**2<sup>nd</sup>:** Mr. Smith  
**Discussion:** None  
**Vote:** 7 – 0

The Clerk, Ms. Gibson-Quigley, signed the plan.

**PUBLIC HEARING TO CONSIDER AN AMENDMENT TO THE TOWN'S ZONING BYLAW AND THE GROUNDWATER PROTECTION DISTRICT MAP. THE PROPOSED AMENDMENT WILL UPDATE THE MAP TO INCLUDE THE ZONE II AND ZONE III DELINEATION AS REQUIRED BY THE PROPOSED INSTALLATION OF TOWN WELL # 4 AS SHOWN ON A MAP PREPARED BY TIGHE & BOND AND DATED NOVEMBER 2008. ADDITIONALLY, IT IS PROPOSED THAT CHAPTER 16 - GROUNDWATER PROTECTION DISTRICT BE AMENDED TO REFERENCE THE MOST UP TO DATE MAP.**

Ms. Gibson-Quigley read the legal notice.

Ms. Bubon stated that the existing bylaw and map must be amended due to the proposed Well # 4 that will be installed this year. The installation of the new well expanded the protection district to include an area along the Route 15 and I84 corridors. This proposed amendment would update the bylaw so that the most up to date map is referenced. She recommended that the Board support this amendment since it is necessary for the protection of the Town's water supply.

**Motion:** Made by Mr. Creamer to close the Public Hearing.

**2<sup>nd</sup>:** Mr. Cunniff

**Discussion:** None

**Vote:** 7 – 0

**Motion:** Made by Mr. Creamer to support the proposed amendments to Chapter 16 – Groundwater Protection District as written, and the corresponding map by Tighe & Bond and dated November 2008, and forward to Mr. Malloy for inclusion on the Town Meeting Warrant.

**2<sup>nd</sup>:** Mr. Smith

**Discussion:** None

**Vote:** 7 – 0

**TOWN PLANNER UPDATE**

CMRPC – District Local Assistance Funding- Revitalization of the Commercial Tourist District. Ms. Bubon stated that the fund would allow CMRPC the following:

Inventory property in the CT District

Survey the District

What type of improvements needed

Design standards

Discuss with other Boards what is best for the District

Ms. Bubon stated she will contact Larry Adams and have a better defined plan at the next meeting.

Overview of Projects for 2009:

- LID
- Street Width Standards
- Subdivision Regs
- Open Space Plans
- Mass Heritage Inventory Plans
- Housing Plan - Inclusionary Housing Bylaw
- Alternative Energy Projects – LEED Certified

Commonwealth Capital Application

Score – 64

Ms. Bubon stated in order to reach a higher score, we need more alternative energy projects.

Special Town Meeting – February 24, 2009 @ Tantasqua Regional Senior High School at 7:00 PM

Planning Board Meetings:

- February 10, 2009
- March 3, 2009
- March 17, 2009
- March 31, 2009

### **ENDORSE DUPLICATE RELEASE FOR LOT 6 THE SANCTUARY**

The Board endorsed and signed the release.

**PUBLIC HEARING TO CONSIDER A PETITION FILED BY NEW ENGLAND LAND & LUMBER FOR A PROPOSED AMENDMENT TO THE TOWN'S ZONING MAP. THE PETITIONER REQUESTS THAT PROPERTY OWNED BY THEM LOCATED AT 680 ROUTE 15, AS SHOWN ON ASSESSORS MAP 50, PARCEL 680, AND A PORTION OF THE PROPERTY LOCATED AT 650 ROUTE 15 AS SHOWN ON MAP 47, PARCEL 650 CONTAINING 103± BE CHANGED FROM RURAL RESIDENTIAL DISTRICT (RR) TO COMMERCIAL (C).**

MS. Quigley-Gibson read the legal notice.

Mr. Bergeron and Mr. Grossi, owners of the property spoke, on their own behalf. Mr. Bergeron stated that they have come back to the Board with a revised petition with a smaller parcel.

Why rezone:

- Portion was commercial at one time
- Abutting Town rezoned for Commercial use
- Better interest of Town – less taxing on schools

The Board stated that a citizen's petition goes to Town meeting regardless of what the Board decides. The property owner has the right to try to get the most value from their land.

The Board stated that Holland and Union don't have commercial centers, they are more rural. Sturbridge has a commercial district.

Mr. Cimini, Chair of EDC, stated that commercial land is taxed at a higher value, more revenue for the Town. He feels that businesses on Route 20 will not suffer, employees use services in Town. There is more of a strain on the Town if kept RR, more demands for the residents.

Ms. Pasquini of 18 Vinton Road stated that in 1992 Route 15 was an active Bicycling Corridor. Traffic from retail will hinder the quiet the residents want.

The Board stated that there are substantial uses are allowed on Route 15, Special Use District and PUBD.

Mr. T. Chamberland of 25 Bennetts Road stated he is in favor of the rezoning. Times are changing, neighboring zoning has changed and the interstate highway is on the other side. Piggyback on success of projects in neighboring towns. Route 15 will be a problem with residential development.

Mr. Landry of Bentwood Drive stated that traffic would increase on Haynes Road.

The Board had a concern about the parcel being rezoned then used as access to Holland parcel.

Mr. Bergeron stated that it would not happen.

Ms. Mercure of 16 Vinton Road stated that there would be more traffic, more noise, air and light pollution on Route 15 and a portion of the property floods every year, all wet very little place to put a road.

Mr. Creeden has a cottage on Leadmine Lake asked the Chair if she visited the site. Asked if they received input from the Conservation Commission and BOH.

Ms. Morrison stated that when applications are filed, the applications go to all Boards for review.

Mr. Bergeron stated the Conservation Commission is aware of the rezoning request an anrad has been submitted to the State; and four legal percs reviewed by the Town.

The Board had reservations with the plan before but can now be more supportive.

**Motion:** Made by Mr. Smith to close the Public Hearing.  
**2<sup>nd</sup>:** Mr. Chamberland

**Discussion:** None

**Vote:** 7 – 0

**Motion:** Made by Mr. Creamer to support and to be the petitioner for the request That the property located at 680 Route 15 as shown on Assessors Map 50, Parcel 680 and a portion of the property located at 650 Route 15 as Shown on Map 47, Parcel 650 containing 103± be changed from Rural Residential (RR) to Commercial (C).

**2<sup>nd</sup>:** Mr. Chamberland

**Discussion:** None

**Vote:** 4 – 3 (Ms. Dumas, Ms. Gibson-Quigley & Mr. Smith)

**PUBLIC HEARING ON A CITIZEN’S PETITION SUBMITTED TO CONSIDER A PROPOSAL TO INSERT A NEW CHAPTER EIGHTEEN, ACCESSORY DWELLING UNIT BYLAW. THE PROPOSED BYLAW WOULD ALLOW THE CREATION OF ACCESSORY DWELLING UNITS WITHIN SINGLE FAMILY HOMES OR ATTACHED ACCESSORY STRUCTURES WITHIN THE RESIDENTIAL AND SPECIAL USE ZONING DISTRICTS. IT IS ALSO PROPOSED THAT CHAPTER FIVE ( RURAL RESIDENTIAL DISTRICTS), CHAPTER SIX (SUBURBAN RESIDENTIAL DISTRICT), AND CHAPTER FOURTEEN ( SPECIAL USE DISTRICT) BE AMENDED TO INCLUDE ACCESSORY DWELLING UNITS AS A SPECIAL EXCEPTION THAT MAY BE GRANTED BY SPECIAL PERMIT.**

Ms. Gibson- Quigley read the legal notice.

Mr. Babcock of 85 Breakneck Road spoke on behalf of the petition. He stated that the ADU Bylaw would help people on fixed incomes who own homes and are being negatively impacted by the current recession.

The Board feels that this bylaw would enable the Town to regulate what people are already doing. Allow people to stay in their homes.

The Board had a few minor changes to make to the bylaw:

“not for revolving, short term”...

18.04 (c) period after created – add This accessory unit shall be either within.....

Since this is a Citizen petition the Board would like Ms. Bubon to check with Town Counsel to see if these changes can be made without a new public hearing.

The Board decided to continue the Public Hearing until they get an answer from Kopelman & Paige.

The Board agreed by consensus that they were all in favor of this bylaw with the proposed amendments.

**Motion:** Made by Ms. Dumas to continue the Public Hearing to January 27, 2009

2<sup>nd</sup>: @ 6:35 PM.  
Mr. Creamer  
**Discussion:** None  
**Vote:** 7 - 0

### **OLD BUSINESS/NEW BUSINESS**

Mr. Smith gave an update on CMRPC – presentation on Walkable Communities – might be good for the Town.

### **NEXT MEETING**

January 27, 2009

On a motion made by Mr. Chamberland, seconded by Mr. Creamer, and voted unanimously, the meeting adjourned at 9:30 PM.