

STURBRIDGE PLANNING BOARD  
MINUTES OF  
TUESDAY, MAY 5, 2009

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

**Present:** Russell Chamberland  
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. Smith to accept the minutes of April 14, 2009  
**2<sup>nd</sup>:** Mr. Cunniff  
**Discussion:** None  
**Vote:** 6 – 0

**MARY BERRY – STURBRIDGE RETIREMENT COOPERATIVE CORP. –  
PROJECT UPDATE AND COMPLETION DATE DISCUSSION.**

Ms. Bubon stated that she met with Ms. Berry on April 29, 2009 to review the construction progress. She was pleased to find the project substantially complete. The roads have been all installed and base coated and all drainage structures have been installed and are functioning. The lighting is in place and most of the slopes have been stabilized. There are two model homes on site and two additional units have been installed and one is occupied at this time. The site is being kept neat and orderly.

Ms. Berry stated that thirty-three trees will be installed this season. The completion of this project will largely depend upon how quickly the homes are sold and that is why she is asking for an extension of two years, to May 11, 2011.

**Motion:** Made by Mr. Cunniff to grant an extension to the Sturbridge Cooperative Corp. to May 11, 2011.  
**2<sup>nd</sup>:** Mr. Chamberland

**Discussion:** None

**Vote:** 6 – 0

### **TOWN PLANNER UPDATE**

- Application filed for Gas Station, Convenience Store, Service Station, Car Wash at 173 Main Street
- Ms. Bubon thanked the Board members who helped with the unpacking of the office.
- State interview is May 13<sup>th</sup> @ 10:00 AM for the 43D project
- Walkable Communities – June 6, 2009; 9:00 AM @ Senior Center
- Master Plan – Consultants are asking to meet with Ms. Bubon regarding their questions about the RFQ; – Mr. Malloy agreed with Ms. Bubon– no meeting – have the questions submitted in writing by May 22, 2009 and a response to the questions by June, 4, 2009

### **BRIAN MCCANN – THE PRESERVE – PROJECT UPDATE, COMPLETION DATE EXTENSION, AND PERFORMANCE GUARANTEE DISCUSSION**

Ms. Bubon stated that on April 28, 2009 she met with Mr. Morse, DPW Director, Mr. McCann of Hill Companies and Mr. Mercier of Diamond M. Contractors, Inc. During that meeting they were pleased that Mr. McCann was extremely cooperative and was more than willing to complete the subdivision. Mr. Morse also raised the issue of a leaking valve within the connection on New Boston Road that needed to be addressed. On April 30, 2009 they were pleased to find a work crew and police detail on New Boston Road working on the leaking valve issue. There was no leak.

Mr. McCann presented a work schedule for the Preserve and hopes to be done by the end of June.

Ms. Bubon stated that she and Mr. Morse are both in agreement that the developer should be accommodated since he is so willing to complete this subdivision and turn it over to the Town. They also will be supportive of placing the streets and related stormwater system before the Town for acceptance at a Special Town Meeting.

Mr. McCann stated that he hopes to self-fund this project; meaning the three remaining lots and the partially completed house will need to be used to cover the costs of the work remaining. It will therefore be necessary to enter into a Tri-Partite Agreement and then release the lots so that the work can be funded.

**Motion:** Made by Mr. Smith to accept and endorse the Form K Tripartite Security Agreement for the Preserve Subdivision as submitted by Lot 11 Rocky Road Realty Trust, the applicant and Hill Financial Services subject to approval by Town Counsel.

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

**Discussion:** None

**Vote:** 6 – 0

**Motion:** Made by Ms. Dumas to release Lots 55, 56 & 57 from the covenant as recorded on Book 41013, Page 396 subject to the execution of the Form K Tripartite Agreement for the Preserve Subdivision and subject to the receipt of proof of the mortgage. Release Documents to be withheld until such conditions have been met.

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

**Discussion:** None

**Vote:** 6 – 0

The Board signed the Covenant.

**ALLEN HOMESTEAD DEVELOPMENT, LLC REQUEST FOR EXTENSION OF COMPLETION DATE.**

Ms. Bubon stated that she met with Conservation, Mr. Morse and Mr. Murphy, Senior Project Manager for Holden Engineering. The main concern of Conservation is the “water quality swale /detention basin”. Last year, the berm surrounding the basin or “water quality swale” began to fail structurally and required emergency repair. The problem was compounded by the fact that the contractor had great difficulty reaching the area of the failure, as it was nearly inaccessible by vehicle, in order to repair it. This brought up the concern of the long-term structural integrity of the berm, and questions of how long it will be until the next failure. The emergency outlet structure is approximately 20-30 feet from where the failure occurred and is completely inaccessible by any type of vehicle at the present time; which as noted by Mr. Morse during the site visit also presents a problem for Town acceptance of this development. This is therefore an issue that must be addressed.

Ms. Bubon stated the Order of Conditions expired on this project on February 18, 2009, which means that no more work can take place on the site in jurisdictional areas to correct the problem unless a new permit is issued approving the work.

Ms Bubon stated that another issue was the plowing this past winter, the Town had to plow.

Attorney Mountzoures stated that when he receives an invoice from the plowing, they will reimburse the Town for the plowing. He also stated they will clean up the empty lots and are working with Conservation for a new Order of Conditions.

Mr Zimmerman of 14 Tannery Road presented pictures of the debris left on the vacant lots.

Attorney Mountzoures looked at the pictures and agreed to clean up the debris.

It was agreed that the Planning Board would review the status in 30 days, and report back to Attorney Mountzoures at that time.

The Planning Board would review the status of the clean-up in 30 days.

Mr. Bradley of 37 Tannery Road had concerns about the development not being plowed and safety issues. He stated that they pay taxes to the Town, yet they have no benefits.

**Motion:** Made by Ms. Gibson-Quigley to grant the extension to Allen Homestead Development, LLC to September 15, 2010.  
**2<sup>nd</sup>:** Mr. Cunniff  
**Discussion:** Ms. Dumas had concerns about the extension being too long.  
**Vote:** 6 – 0

**INFORMAL PRESENTATION TO THE BOARD REGARDING THE MASSACHUSETTS 100 Mw PHOTO VOLTAIC (PV) POWER PROGRAM BY ANSAR ENERGY, LLC AND DISCUSSION ON POSSIBLE LOCATION WITHIN THE TOWN OF STURBRIDGE.**

Mr. Yasin, President of Ansar Energy, LLC gave the presentation. He stated that they are looking at property owned by Peter Grudzien at 197 Clark Road.

He stated that approximately 12 sites required for 50 Mws identified and site agreements being negotiated (mix of private and public sites). Site-specific designs and site permitting efforts well underway. Interconnection applications to National Grid are being submitted Engineering, Procurement and Construction contract negotiations are well underway.

Total Project cost and financing structures are well developed. Discussions are well underway with debt and equity sources with a draft PPA. Tariff also designed to achieve grid parity in less than 10 years. A tariff also designed to impact ratepayer average monthly bill by less than 2% prior to grid parity. \$350 million first project being developed to close in Q4 2009.

The Board was in favor of the project but needs to proceed to the BOS for a presentation.

Ms Bubon stated that the project would only have to file for Site Plan Review with the Planning Board, as it is an allowed use.

**TOWN PLANNER UPDATE**

Ms. Bubon meeting with Ms. Jacque and Mr. Morse on May 7, 2009 - DFIRM

**OLD BUSINESS/NEW BUSINESS**

None

**NEXT MEETING**

May 19, 2009

On a motion made by Mr. Chamberland and seconded by Mr. Smith, the Board unanimously voted to adjourn at 8:55 PM.

