

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, MAY 19, 2009

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

Present: Russell Chamberland
Jim Cunniff
Penny Dumas
Francesco Froio
Jennifer Morrison, Chair
Sandra Gibson-Quigley

Also Present: Jean Bubon, Town Planner
Diane Trapasso, Administrative Assistant

Absent: Bruce Smith

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

Ms Morrison welcomed Francesco Froio as a new member of the Board.

APPROVAL OF MINUTES

Motion: Made by Mr. Cunniff to accept the amended minutes of May 5, 2009
2nd: Mr. Dumas
Discussion: None
Vote: 6 – 0 – 1 (Mr.Froio)

TOWN PLANNER UPDATE

Ms. Bubon stated that Allen Homestead debris had been removed. She will need to visit the site to take photographs.

The Preserve - hope to finish by the end of June

PUBLIC HEARING - JCJ REALTY TRUST – REQUEST FOR SPECIAL PERMIT FOR A CAR WASH TO BE LOCATED AT 173 MAIN STREET.

PUBLIC HEARING – JCJ REALTY TRUST – REQUEST FOR SITE PLAN APPROVAL FOR CONVENIENCE STORE, GAS STATION, SERVICE

STATION AND CAR WASH AND RELATED SITE IMPROVEMENTS AT 173 MAIN STREET.

Ms. Gibson-Quigley read the legal notice for both hearings.

Mr. Loin of Bertin Engineering presented to the Board a letter withdrawing the Special Permit Application without prejudice for the proposed car wash which was associated with the site redevelopment located at 173 Main Street.

Ms. Bubon stated that the applicant and plans were distributed to appropriate Department Heads for review and comment on April 14, 2009. Department memos were submitted from the DPW Director, Tree Warden, Police Chief, Conservation Agent and Building Inspector between April 22, 2009 and May 15, 2009. As is standard practice with a Site Plan Review application, these review reports were provided to the applicant's engineer. She met with the applicant's engineer on site on May 12, 2009. During the site visit she expressed concerns relative to the location of the car wash and potential noise that would be generated by the car wash, and again her concerns that the site was being over built. Since staff had raised the issue on more than one occasion that the site was being over-built, the car was removed.

Mr. Loin stated that on behalf of his client, JCJ Realty Trust, they are asking for Site Plan Approval for a commercial site redevelopment in the Commercial Zoning District. The existing 1.18 acres site is composed of pervious and impervious surfaces, with the majority of the site existing as a parking lot, approximately 32,000 sq. ft.

The site improvements consist of a Convenience Store, 3- bay Service Station, and 4 Gas Pump Islands. Removal of the car wash provided employee parking and snow storage on pavement into a treated drainage network.

The site, almost in its entirety, sits within the Wetland Review area with the majority of the impervious surfaces being located within the 100' Wetlands Buffer and the 200' Wetlands buffer however, there is currently a parking lot located within the 50' Wetlands Buffer as well as the 25' Wetlands Buffer. At present, the site has no storm water management and erosion does not now occur along the Mass DEP's Storm Water guidelines for redevelopments and will meet the guidelines set forth by the Town of Sturbridge.

The proposed site redevelopment will remove the existing impervious surface from the 25' Wetlands Buffer. At the same time there will be a slight increase to the impervious within the 50' Wetlands Buffer as well as the 100' Wetlands Buffer. The 200' Wetlands Buffer will see a reduction in total impervious surface. Mitigation plantings have been provided and exceed the minimum requirements.

Mr. Khorasani, Traffic Engineer, stated that the lot and its associated buildings are arranged in such a way that they will have a safe internal traffic flow. The proposed development will have one primary point of ingress/egress from Route 131 and opposite Fairview Park Road, and a secondary exit only near the southeasterly corner of the property. This design reduces conflict points for vehicles entering and exiting the site and areas of traffic friction along Route 131. All parking spaces and aisles are designed in such a way that will provide safe

access to all spaces and fueling positions. The dimensions of the proposed driveways and parking spaces are designed and will be built to the standards of the Town of Sturbridge.

This traffic study has been conducted in order to evaluate the potential traffic impacts associated with the development of the proposed gas station located on the south side of Route 131 and opposite of Fairview Park Road. This study includes the evaluation of an existing signalized and two existing local unsignalized intersections in the vicinity of the proposed site, which are likely to be impacted by the proposed development. Evaluation of the area to identify capacity constraints was performed for existing, future no-build, and future build conditions. Future analyses have determined that the site-generated traffic volumes from the proposed gas station land use are not significant and can be accommodated with the existing roadways. These analyses demonstrated that, as a direct result of traffic volumes associated with the planned gas station development, the intersection LOS would drop for the southbound approach of Fairview Park Road to E during PM peak period. However, as was observed in the field, the presence of a traffic signal at the plaza creates a sufficient gap in the flow of traffic on Main Street to allow for the motorists traveling in the southbound direction to safely cross or enter the Main Street stream of traffic. Similarly, the traffic signal should provide frequent gaps that would allow the traffic to exit the proposed site in a safe and efficient manner. Therefore, the traffic associated with the proposed development is not expected to adversely impact the area traffic patterns, safety, or operational capacity of the local roadways and their intersections.

The Board had the following concerns and questions with this proposal:

- Markings for right turn – how to enforce and why (design so that you face east bound – signs both sides – do not enter and exit only)
- Internal circulation traffic – don't find it safe – confusing like Pistol Pond (this project has a more circular pattern)
- One dumpster (more frequent pickups – waste oil in building)
- Auto repair not permitted in Commercial District (Mr. Nichols, past Building Inspector, received legal notice from Kopelman & Paige it is allowed)
- Concerned about the access and egress from Shepard Road and Fairview Park Road – it is a tough intersection – nice to get access through the lights (not possible at this time – Rosciolis retain the right) (curb cut granted from Mass Highway)
- Traffic management – where do trucks reload tanks (park on the tanks – there still will be access to aisle – try to refuel after hours)
- Not in favor of a 3' buffer waiver
- 12" concrete state drain moved from under the building (yes)
- Concern about the fencing
- Lot of action for one site

Ms. Goodwin of 19 Orchard Road has great concern with the traffic; not allowing access to the existing light to regulate is a mistake. Mass Highway should never have granted a curb cut. The hill blocks view, very dangerous intersection. She also stated that car repair was not allowed in Commercial District.

She also wanted to know the operating hours of the proposed business.

Mr. Loin stated that the hours are 5:00 AM to 11:00 PM and the service station is 8:00 AM to 5:00 PM.

Mr. Rich of 15 Blueberry Lane wanted to know the boundary lines and standing water

Mr. Loin stated that the boundary line is at the top of the hill above the gorge. The maintenance garage will act as visual buffer from Blueberry Lane. He also stated that the water treatment area in 24 – 48 hours empties out.

Mr. Shaw of 2 Blueberry Lane has many concerns with the traffic, noise, lighting, not a good use next to a motel. He also stated that the service station does not fit in the character of the neighborhood. He strongly opposes it.

Mr. Sinno, present owner of Jack's Gas, bought it from Mr. Bohana in August 2007, they used to be partners. He will do everything in his power to stop this project. It is an ethical issue, when he bought it from Mr. Bohana, there was a non-compete clause included in the purchase. If the Board grants permission for this project, his lawyer will try to stop it.

Ms. Morrison stated that the Board can make decisions on the Town's bylaws and cannot be involved in free trade matters.

Mr. White stated that the engineers should try to access into the light. Also, a portion of the parking lot belongs to the State. The Town has the highway layout plan.

Ms. Bubon stated that she would like the Board to consider allowing a Peer Review for the traffic analysis. Given the nature of the business, the proximity of other intersecting streets and the traffic light, she felt that it is beyond her capacity to properly review this site plan in regards to traffic flow both on site and off. The applicant has agreed to the Peer Review and she has a quote from Fuss & O'Neil, it is \$3,000 with an estimated start date of May 25, 2009 – estimated completion date of June 30, 2009.

Motion: Made by Ms. Dumas to authorize Ms. Bubon to allow a Peer Review by Fuss & O'Neil for the proposed project at 173 Main Street.

2nd: Mr. Chamberland

Discussion: Ms. Gibson-Quigley would like the information presented in layman terms, to be able to fully understand the information

Vote: 6 – 0

Motion: Made by Ms. Gibson-Quigley to waive the ten foot buffer strip requirement.

2nd: Ms. Morrison

Discussion: None

Vote: 0 – 6

Motion: Made by Ms. Gibson-Quigley to close the Public Hearing for the Special Permit for a car wash located at 173 Main Street.

2nd: Mr. Chamberland

Discussion: None

Vote: 6 – 0

Motion: Made by Ms. Dumas to allow JCJ Realty Trust to withdraw without prejudice the Special Permit for the proposed car wash located at 173 Main Street.

2nd: Mr. Froio

Discussion: None

Vote: 6 – 0

Motion: Made by Ms. Gibson-Quigley to continue the Public Hearing to June 2, 2009 @ 7:15 PM for Site Plan Review Approval for JCJ Realty Trust located at 173 Main Street.

2nd: Mr. Chamberland

Discussion: None

Vote: 6 - 0

TOWN PLANNER UPDATE

- Update on meeting with IPB – 43D Sites and Grant Application
 - Site analysis
 - Quote
 - Traffic Study
- Addendum to RFQ issued – written questions will be accepted until 5/22/09 and written responses will be provided to all by 6/4/09
- Commercial Tourist District Revitalization Plan Update
 - Start up – July
- DFIRM
 - Most Zone B's are now Zone A's
 - Grandfather period to obtain flood insurance
 - Bylaw must be amended and new maps must be accepted by Town Meeting or we face suspension from the program
 - Suggest mailing to all affected property owners
 - Senior Worker

Walkable Communities Day – Saturday, June 6, 2009 – 9:00 to Noon – meet at Senior Center

OLD BUSINESS/NEW BUSINESS

Mr. Chamberland stated that while he was leaving the shopping center at Hobbs Brook, he noticed that they re-painted the lines and arrows exiting the plaza and they are now different than what was approved and could be a safety issue.

There used to be 2 exit lanes going east bound to Route 20 with 2 directional traffic light arrows and one lane going west bound with one traffic arrow.

He contacted Chief Ford who contacted Hobbs Brook and they are going to fix the problem.

NEXT MEETING

June 2, 2009

On a motion made by Mr. Chamberland and seconded by Mr. Cunniff, the Board unanimously voted to adjourn at 9:00 PM.