

STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JUNE 2, 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

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

Ms Morrison stated that Mr. Smith submitted his resignation to the Board, effective immediately.

APPROVAL OF MINUTES

Motion: Made by Mr. Chamberland to accept the amended minutes of May 19, 2009
2nd: Ms. Dumas
Discussion: None
Vote: 6 – 0

Ms. Morrison recused herself from the Board. Ms Gibson-Quigley acted as Chair.

ANR – NASH REALTY TRUST – 109 MAIN STREET

Mr. Para of Para Land Surveying, Inc. spoke on behalf of the applicant. He stated that the plan would divide the existing business from the remaining land. Both parcels meet the requirements.

Ms. Bubon recommended that the Board endorse the plan.

Motion: Made by Mr. Chamberland to endorse the ANR Plan for Nash Realty Trust at 109 Main Street.
2nd: Mr. Froio
Discussion: None

Vote: 6 – 0

Ms Gibson-Quigley, Clerk, signed the plan.

Ms. Morrison returned to the Board as Chair.

PUBLIC HEARING – PATRICK DAOUST – REQUEST FOR SITE PLAN APPROVAL TO RENOVATE THE EXISTING TWO FAMILY HOUSE INTO A TWO-CHAIR HAIR SAOLN ON ONE SIDE OF THE BUILDING AND USE THE OTHER SIDE AS A RESIDENCE. THE PROPERTY IS LOCATED AT 588 MAIN STREET.

Ms. Gibson-Quigley read the legal notice.

Ms. Bubon gave an overview of the plan. The parking area is currently an undefined gravel area around the bounds of the property. No impervious surface will be added as a result of this project. During the ZBA Public Hearing process, neighbors to the rear of this property expressed concerns about erosion of the rear slope. After consultation with DPW Director, Mr. Morse during that approval process, the applicant agreed to install a 1:1 riprap slope to the rear of the property. This slope treatment is consistent with that of abutting properties.

The current parking area consists of an undefined parking area adjacent to the house and along the rear property line. Once the riprap slope is installed, the parking area will be better defined. The two existing residential spaces are 9' X 20' rather than the 10' X 20' as normally required. Both the DPW Director and the ZBA have approved these existing spaces.

The parking calculations using the current zoning bylaw require that 2 spaces be provided for the residence. The salon is 575 sq. ft. and would require 2 parking spaces. Since there are two workstations, the applicant has allowed for two employee spaces. It should be noted however, that the operator of the salon would also be the resident of the home. Therefore, the parking for this site meets zoning requirements.

Mr. McClure of McClure Engineering stated that all concerns from department heads had been addressed.

The Board had the following questions:

- What kind of signage – wooden sign on Main Street, yellow & brown – no sign on Church Street
- Snow storage – when necessary the snow will be trucked away
- If business changes and needs more parking – would have to come back to ZBA and then Planning Board
- Lighting – installed on the corners of the building and will be directed downward

Mr. Tryba of 6 High Street wanted to know if the plan was the same as for the ZBA, it was. The contour change of the property line, will the work be off the abutters property, it will. Mr. Kostic, an abutter, was concerned about how to make sure the business is conducted as approved by the permit.

The Zoning Enforcement Officer is the person who sees if businesses comply with what is permitted.

The Board agreed to add a seventh condition to the approval as follows:

Snow shall be removed from site when necessary so as not to impede required parking spaces.

Motion: Made by Ms. Dumas to approve Site Plan Approval to Patrick Daoust to allow the operation of a two-chair hair salon on one side of a two- family home with a residential unit on the other side of the home at 588 Main Street.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 – 0

WAIVER OF SITE PLAN – OSV – TO OPERATE A BAKESHOP AT THE STURBRIDGE INFORMATION CENTER.

Ms. Bubon stated that the OSV Bake Shop requests permission to allow a small retail space for the sale of baked goods and beverages at the Information Center located at 280 Main Street. No goods will be produced on site; all products will be prepared at the Oliver Wight Tavern at Old Sturbridge Village and transported to the Visitor Center.

Ms. McCormick of OSV stated that they would like to open as soon as possible, probably by the beginning of July. The Chamber of Commerce offices on the second floor will remain.

Motion: Made by Ms. Dumas to grant a Waiver of Site Plan to OSV to operate a bakeshop at the Sturbridge Information Center.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 – 0

TOWN PLANNER UPDATE

Update on meeting with IPB

- Letter sent to Mr. Lucien, EOTC sent 5/19/2009 – Traffic Study
- Revised quote accepted
- Another meeting on June 10, 2009

Central Mass Metropolitan Planning Organization Annual Development of the 2010 – 2013 TIP Project Listing

Master Plan response to the questions provided to Jim Malloy for distribution to consultants

June 12, 2009 RFQ due at noon

Walkable Community Day – June 6, 2009 at 9:00 AM

Cancellation of the June 16, 2009 meeting

Keep the June 23, 2009 – regular business

July 7, 2009 – consultant interviews

July meeting dates:

July 14, 2009

July 28, 2009

August meeting dates:

August 11, 2009

August 25, 2009

**CONTINUATION OF THE PUBLIC HEARING – JCJ REALTY TRUST –
REQUEST FOR SITE PLAN APPROVAL FOR CONVENIENCE STORE, GAS
STATION, SERVICE STATION AND RELATED SITE IMPROVEMENTS AT
173 MAIN STREET.**

Ms. Bubon stated that after the May 19th meeting, the applicant's engineer was provided with a list of concerns and questions noted by the Board at the Hearing as well as a copy of the Draft Minutes so that they could appropriately address the concerns.

Ms. Bubon stated that she reviewed several site plan applications on file with the Board for other gas station/convenience stores and found the method of calculating the parking has not been consistent. In some instances, such as Cumberland Farms located at 506 Main Street, the spaces at the pump island were included in the count. Other sites, such as Pistol Pond Xtra Mart located at 215 Charlton Road, provide more than the required parking without counting the spaces at the pump island. This could be due to differences in the size of the site, the makeup of the Board, and/or different staff persons conducting the review. She has asked the applicant to review the parking again and to determine how many spaces are being provided without counting those at the pump island; however, she thought it is important to bear in mind that some customers will only be stopping to fuel their vehicle. She also asked that those blocking the service bays not be included in the count, but rather be reserved for drop off spaces. This will result in a drop off space and a repair space within the garage for each service bay. She thought it important to remember that when all spaces within the garage shown on the plan are counted, the plan currently exceeds the zoning requirement by twelve spaces; only eight of these are at the pumps. She has asked the applicant to re-evaluate how many parking spaces are actually required for this use and then be sure that they are being provided in a meaningful manner.

Ms. Bubon stated the following in response to a Board member's question about whether or not the proposed use is permitted under zoning: "The Latest Illustrated Book of Development Definitions" by Harvey S. Moskowitz and Carl G. Lindbloom (2004) defines Automobile Service Station as "Any building, land area, or other premises or portion thereof, used for the retail dispensing or sales and installation of lubricants, tires, batteries,

and similar vehicle accessories”. This is the Dictionary that we reference for clarification within our Subdivision Regulations.

Additionally, as stated at the meeting she did remember the previous Zoning Enforcement Officer requesting a legal opinion on the proposed use; after review of the opinion obtained by Mr. Nichols in October 2008, she found that the question was whether a gasoline station would fall under the Automobile Service Station category which is a permitted use within the Commercial District. There was never a question that Automobile Service Station included the servicing of vehicles.

Mr. Loin of Bertin Engineering noted that they have not yet received a formal letter from the Roscioli’s indicating that they will not provide an easement across their property to access the traffic light at this time, but he has received this information verbally.

Mr. Loin stated that the landscape plan had been revised and meets the landscape requirement. Regarding the parking spaces at fueling stations and in front of service bays; it is Bertin’s contention that a portion of the convenience store’s retail sales is the dispensing of fuel and therefore should be counted in the parking calculations. However, Bertin has removed these eight parking spaces from the count. Bertin has also removed three parking spaces in front of the service bays from the count. Currently, the parking required is 24 spaces and Bertin has provided 24 spaces.

Bertin has a multiple fence designs for the Board to review and comment.

Actually, the Board might not like to see a fence on the right side but would like to see greenery on the property line. Maybe, a fence might be needed on the left depending on what goes in there.

Mr. Loin also stated that the drive thru window would be removed.

Ms. Cooney of 3 Ridgeview Road stated that Chapter 1.of the Sturbridge Zoning Bylaws, Section 1.01; notes that the purpose of the Zoning Bylaw was for the safety and welfare of the residents of Sturbridge. This plan before the Board jeopardizes the safety of Town residents with the following:

- Making a left turn out of Shepard Road
- Run off problem with water, ponds at the end of Shepard Road and in winter freezes causing a safety problem
- Two daycare centers on Shepard Road
- Too much traffic
- Disputes the definition of auto service
- Over burdening the site

She does not see where the Town is promoting health and safety to its residents if it approves this plan.

Mr. Decker, Director of Real Estate for Xtramart, stated the following:

- Irregular shape of the lot - only 1.8 acres – wetlands make for limited development

- Cramming a few uses on a small lot – lot of activity
- Underground storage tanks should be as far away from wetlands as possible
- They have a 24' drive aisle – difficult radius – usually 30' drive aisle
- Tank unload zone – should be separated – blocks southerly access
- Parking ratio – fueling stations or parking in front of bays – usually not counted unless parking garage
- Loading zone impedes cars backing out – needs 24' back out lane – loading zone should be somewhere else
- 12 X 24' dumpster - normal – 10 X 10' dumpster pad shown – unrealistic
- Gas island typically oriented perpendicular to the site – proposed is at reverse angle to dominant traffic flow
- Nose of car projects from Service Bay – only 22' setback – usually 30'
- Layout is unconventional
- Questions stormwater calculations - benefit test hole, boring, test pits – design based on assumptions.
- Cannot meet aisle widths – parking ratio

Ms. Cooney questioned why the plans show two offices.

Mr. Loin stated one is for the cashier and the other for accounting.

Mr Shaw of 2 Blueberry Lane stated that the lights from the vehicles will be a nuisance to his guests at the motel. He is trying to protect his interest.

Mr. Sinno, present owner of Jack's Gas, stated that Sturbridge does not need another gas station, it is difficult now with all the other gas station in Town to be in business. He feels this plan does not preserve the historic look for Sturbridge.

Mr. Sinno also stated that the inspection bays may be problematic, cars line up at beginning and end of month, the site is maximized causing a safety issue.

The Board would like Fuss & O'Neil to see the new layout of Route 131 from Mass Highway when they do the Peer Review for this project.

The Board discussed definitions, suggesting that the difference between a Service Station and Automobile Repair is the degree of maintenance and repair. For example, Steve's Collision is Automobile Repair.

The Board still has problem with the tightness of the site and the internal circulation of traffic.

Mr. Loin stated that the petroleum business is a tough business, very competitive. He also stated that observation holes are being scheduled. The Conservation Commission will do a Peer Review

Motion: Made by Mr. Cunniff to continue the Public Hearing to July 14, 2009 @ 6:35 PM for Site Plan Review Approval for JCJ Realty Trust located at 173 Main Street.
2nd: Mr. Chamberland
Discussion: None
Vote: 6 - 0

RE-ORGANIZATION OF THE BOARD

Motion: Made by Ms. Morrison to nominate Ms. Gibson-Quigley as Chair.
2nd: Ms. Dumas
Discussion: None
Vote: 6 – 0
Ms. Gibson-Quigley accepted.

Motion: Made by Mr. Cunniff to nominate Ms. Morrison as Clerk/Vice Chair.
2nd: Ms. Gibson-Quigley
Discussion: None
Vote: 6 – 0
Ms. Morrison accepted

Motion: Made by Ms. Morrison to nominate Mr. Froio to CMRPC
2nd: Ms. Dumas
Discussion: None
Vote: 6 – 0
Mr. Froio accepted.

Mr. Chamberland suggested that the Board send letters to Mr. Creamer and Mr. Smith thanking them for their service on the Board.

The Board agreed to send the letters.

OLD BUSINESS/NEW BUSINESS

None

NEXT MEETING

June 23, 2009

On a motion made by Mr. Chamberland and seconded by Mr. Cunniff, the Board unanimously voted to adjourn at 8:50 PM.

