

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JUNE 12, 2012**

Ms. Gibson-Quigley called the regular meeting of the Planning Board to order at 6:30 PM.
On a roll call by Ms. Dumas the following members were present:

Present: Charlie Blanchard
Russell Chamberland
James Cunniff
Penny Dumas
Brian McSweeney
Sandra Gibson-Quigley, Chair

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

Ms. Gibson-Quigley opened the meeting and read the agenda.

APPROVAL OF MINUTES

Motion: Made by Mr. Chamberland to accept the amended minutes of May 22, 2012.
2nd: Ms. Dumas
Discussion: None
Vote: 6 – 0

**WAIVER OF SITE PLAN APPROVAL – PILOT TRAVEL CENTER IS
REQUESTING FOR SITE PLAN WAIVER FOR INSTALLATION OF A NEW
EMERGENCY GENERATOR TO BE LOCATED AT THE DIESEL FUELING
ISLAND ON THE PROPERTY IS LOCATED AT 400 ROUTE 15.**

Materials presented:

Application for Site Plan Waiver – 400 Route 15 – prepared by Bertin Engineering, 39 Elm Street, Southbridge MA – received 5/17/2012

Vicinity Map – Proposed Emergency Generator Plan – Pilot Travel Center - 400 Route 15 – prepared by Bertin Engineering, 39 Elm Street, Southbridge MA – project # 11-648 – dated 5/16/2012

Site Plan – proposed Emergency Generator Plan Pilot Travel Center - 400 Route 15 – prepared by Bertin Engineering, 39 Elm Street, Southbridge MA – project # 11-648 – dated 5/16/2012

Ms. Gibson-Quigley read the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Mr. Lindberg, Building Inspector/Zoning Enforcement Officer
- Ms Rusiecki, BOH Agent

Mr. Loin of Bertin Engineering spoke on behalf of the applicant. Mr. Loin stated that Pilot Travel is requesting a Waiver of Site Plan for the installation of a new emergency generator to be located at the diesel fueling island. This generator is required to replace an old antiquated generator that has failed and is not repairable.

Mr. Loin stated that ambient sound level at two different sound meters was taken at the location of the proposed emergency generator. The average ambient sound level was between 75 – 80 dB.

The ambient sound level near the car fueling Route 15 property line was taken. There was an average dB reading of between 55 – 60 dB. At the time this reading was taken the ambient sound reading at the generator site was 76dB. The average drop in dB was approximately 20dB between the property line and the proposed generator site.

The ambient sound reading at the Motel was taken. There was an average reading between 50 – 55 dB. This also shows an average drop of 25 dB's between the Motel and the proposed generator site.

A reading of 74 dB was recorded at 9:30 PM at the location of the proposed generator, May 14, 2012. It appears that the site average dB level in the vicinity of the proposed generator is between 70 and 80 dB. The proposed generator is listed to have a sound output of 83 dB. This is within 10dB of the average site ambient sound readings. The further away from the proposed generator site you go the less the dB readings will be.

Because this site is located between the north and southbound lanes of Route 84 there will not be any impact from sound to the nearest property owners. The nearest residential property is 1,000 feet from the proposed generator site located on Breakneck Road on the opposite side of the eastbound lane of Route 84.

The Board had the following concerns and questions:

- How long and when is the generator tested – Mr. Loin stated that the generator is tested once a week for 15 minutes
- Is there enough space around the generator, if an enclosure is needed around the generator for noise – Mr. Loin stated there is
- Will the dumpster and barrels be removed – Mr. Loin stated that the barrels will be removed and the dumpster will be relocated outside the ballards around the generator

Ms. Bubon stated that while it appears that the noise levels emitted from the generator will be within what is allowed by the Massachusetts Noise Regulations, the generator should be

set up to so that the test runs occur during daytime hours and not on evenings or weekends if possible. If noise levels become a concern, the applicant will need to construct an additional noise enclosure so that the site will be compliant with all requirements.

The Board added three conditions for approval:

1. The fuel storage tank must have secondary containment to prevent potential discharge within the Zone I radius of the on-site water supply.
2. The generator should be set up so that the test runs occur during the daytime hours of 10:00 AM to 3:00 PM and not on evenings or weekends.
3. If a noise enclosure is required, it should be constructed within 30 days of such determination.

Motion: Made by Mr. Blanchard to approve Waiver of Site Plan to Pilot Travel Center for the installation of a new emergency generator to be located at the diesel fueling island with the following three Conditions:

1. The fuel storage tank must have secondary containment to prevent potential discharge within the Zone I radius of the on-site water supply.
2. The generator should be set up to so that the test runs occur during the daytime hours of 10:00 AM to 3:00 PM and not on evenings or weekends.
3. If a noise enclosure is required, it should be constructed within 30 days

The property is located at 400 Route 15.

2nd: Mr. McSweeney

Discussion: None

Vote: 6 – 0

WAIVER OF SITE PLAN APPROVAL – TIMOTHY O'BRIEN (ADMIRAL O,BRIEN REALTY LLC) IS REQUESTING SITE PLAN WAVER TO ADD ANOTHER FACET (ICE CREAM PARLOR) TO THE EXISTING RESTAURANT. THE PROPERTY IS LOCATED AT 407 MAIN STREET.

Materials presented:

Application for Site Plan Waiver – Timothy O'Brien – 407 Main Street – received 5/30/2012

Plan of Land in Sturbridge – prepared for Old Sturbridge Village – prepared by Schofield Brothers of New England, Inc. – 1071 Worcester Road, Framingham MA 01701 – project # 20934 – dated 10/24/2011

Ms. Gibson-Quigley read the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Mr. Lindberg, Building Inspector/Zoning Enforcement Officer
- Ms. Rusiecki, BOH Agent

Mr. O'Brien spoke on his own behalf. He stated that he would be adding another facet to the existing restaurant. Mr. O'Brien also stated that he would like to offer hard ice cream, soft serve ice cream, frozen yogurt and sorbet in the unoccupied street level space.

The Board had the following questions and concerns:

- Is there enough parking – Mr. O'Brien stated there is
- Striping the parking lot – Mr. O'Brien stated that he was going to re-stripe the parking lot soon
- Directional signage for additional parking in the rear – Mr. O'Brien stated that he would place such appropriate signs

Ms. Bubon stated that there are currently 100 seats for the restaurant and there are twelve employees for that use. The function room contains 50 seats and there are normally two additional employees needed to cover functions. Therefore the current uses require a total of 65 parking spaces; that would mean that there are 16 parking spaces available for expanded seating. The applicant is proposing no more than 35 additional seats which would require 12 parking spaces for the site total of 77 leaving four spaces to accommodate additional employees. Therefore, parking on site will be adequate.

Motion: Made by Mr. Blanchard to approve Site Plan Waiver to Timothy O'Brien (Admiral O'Brien Realty LLC) to add another facet (ice cream parlor) to the existing restaurant with the following two Conditions:

1. Re-striping the parking lot.
2. Directional signage done within one year of 6/12/2012

The property is located at 407 Main Street.

2nd: Mr. McSweeney

Discussion: None

Vote: 6 - 0

WAIVER OF SITE PLAN APPROVAL – GREG & EILEEN VITELL ARE REQUESTING SITE PLAN WAIVER TO OPEN A SCOOP SHOP WITH COMPLEMENTARY CAFÉ WITH OUTDOOR SEATING. THE PROPERTY IS LOCATED AT 413 MAIN STREET.

Materials presented:

Application for Site Plan Waiver – Greg & Eileen Vitello – 413 Main Street – received 5/31/2012

Proposed Site Plan (for 419 Main Street) – Yervant Realty, LLC – prepared by Bertin Engineering, 39 Elm Street, Southbridge MA – project # 11-692 – dated 1/5/2012

Letter from Bertin Engineering – Re: 419 Main Street – Parking Calculations - modification

Ms. Gibson-Quigley read the following department memos:

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- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Mr. Lindberg, Building Inspector/Zoning Enforcement Officer
- Ms. Rusiecki, BOH Agent

Mr. Craig who is the building contractor for the whole property at 413 and 419 Main Street spoke. He stated that the proposal is to renovate the existing building to accommodate a scoop shop and café with outdoor seating. The building will be renovated to accommodate the necessary kitchen and bathroom improvements. An outdoor seating area will be installed around the building and customers will be able to pick up their orders inside the building or at the outside windows and then will be able to dine at the picnic tables proposed. This will be a seasonal operation and will be closed in the winter months.

Mr. & Ms. Vitello spoke on their own behalf, also. They stated that they are previous owners of a Ben & Jerry's in North Conway. They now live in the area and want to open a scoop shop and they believe this is the perfect spot. They will serve premium ice cream.

The Board had the following questions and concerns:

- Will a grease trap be installed – Mr. Craig stated that there will be a grease trap installed as required for a restaurant use and all appropriate permits will need to be obtained from the BOH
- The red maple that is beside the building, will it be removed – Mr. Craig stated that the tree needs to be removed; the roots are encroaching in the foundation and causing problems. The Board wants the tree to be replaced with a 3" caliper red maple
- Are there public restrooms – Mr. Craig stated that there are restrooms and one handicap restroom

The Board feels that this proposal will be a good addition to the neighborhood and will benefit tourists and residents who are using the trails and shops.

Motion: Made by Mr. Chamberland to approve Waiver of Site Plan to Greg & Eileen Vitello to open a scoop shop with complementary café with outdoor seating with the following Condition:

1. Replace the red maple tree with a minimum 3" caliper red maple in the appropriate location.

The property is located at 413 Main Street.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 – 0

WAIVER OF SITE PLAN APPROVAL – PAUL & SHEILA MCCARTHY ARE REQUESTING SITE PLAN WAIVER TO OPEN VETERINARY REFERRAL SERVICE – NO EXTERIOR CHANGES ARE PROPOSED. THE PROPERTY IS LOCATED AT 175 CHARLTON ROAD.

Materials presented:

Application for Waiver of Site Plan – Paul & Sheila McCarthy – 175 Charlton Road – received 6/5/2012

Ms. Gibson-Quigley read the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Ms. Rusiecki, BOH Agent

Mr. & Ms. McCarthy owners of the property spoke on their own behalf.

Ms. McCarthy stated that the building is currently set up to house two businesses. One side is leased and the other is open. They plan to keep the current business and occupy the open portion of the building. This portion of the building will house a referral only specialty veterinary practice. Their intent is to have a specialty referral practice center. Other veterinarians will refer animals to the veterinary specialists, an appointment would be made to see the specialist, the specialist would see the animal, service will be rendered, or a treatment regime would begin. The animals would go home, and their veterinarian would be made aware of diagnosis, treatment and any follow-up needed. There will be no boarding, no grooming, no bathing, except as medically necessary. There will be no general retail sale of products, only medications that would be directly related to treatment.

Mr. McCarthy stated that there will be approximately 2 clients per hour, during appointment hours, usually 4 hours of appointments per day, and usually 3 surgeries per day on surgery days. The hours of business will be Monday through Friday – 8:00 AM to 5:00 PM.

The Board had the following questions and concerns:

- Wetlands an issue – Ms. Bubon stated that there are no concerns – the area is all paved
- This facility will be a plus to Sturbridge – while people are waiting for their animals they may take advantage of the shopping in the area and local restaurants

Motion: Made by Ms. Dumas to approve Waiver of Site Plan to Paul & Sheila to open a veterinary referral service with no exterior changes proposed for the property located at 175 Charlton Road.

2nd: Mr. Cunniff

Discussion: None

Vote: 6 - 0

TOWN PLANNER UPDATE

Affordable Housing – The newspaper article regarding recent actions relative to affordable housing in Shrewsbury – Ms. Bubon stated that she is requesting that the Board request that the BOS take action similar to that recently taken in Shrewsbury. Town Meeting voters in

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that community recently approved a warrant article authorizing the BOS to file a home rule petition requesting the legislature amend Chapter 40 requirements to allow mobile homes to be counted as affordable housing units.

The Board feels it would be better to contact Senator Brewer and Rep. Smola and make the changes throughout the state.

Central Thirteen Prioritization Project Update – Community meetings – July 10, 2012 @ 6:30 PM – meeting with Planning Board and BOS

OLD BUSINESS/NEW BUSINESS

Zoning Diagnostic - start meeting again after the Annual Town Meeting

Soccer Fields – Route 15 – project is not going forward

George's Pizza – clothing bins located in parking spaces – Ms. Bubon stated that Mr. Lindberg has notified them – will ask Mr. Lindberg what is next step

Sturbridge Coffee House has not complied with their parking – need to look into this issue

Green Communities – Energy Comparisons – Energy Reduction Plan

Historic Commercial District Bylaw Article – Annual Town Meeting – Board feels Ms Bubon is the one to speak for it

NEXT MEETING

Next meeting date is June 26, 2012.

On a motion made by Mr. Chamberland and seconded by Mr. Cunniff and voted 6 – 0, the meeting adjourned at 8:10 PM.