

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JUNE 11, 2013**

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
Heather Hart
Susan Waters
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. Cunniff to accept the amended minutes of May 28, 2013.
2nd: Ms. Hart
Discussion: None
Vote: 6 – 0 – 1(Ms. Gibson-Quigley)

ANR – MARK CORRIVEAU – 48 BUSHNELL ROAD

Materials presented:

Form A – Application for Endorsement of Approval Not Required Plan for Mark Corriveau – 48 Bushnell Road – received 6/5/2013

Mr. Jalbert spoke on behalf of the applicant. Mr. Jalbert stated that the applicant had submitted a plan showing the division of land between 46 & 48 Bushnell Road. Both proposed parcels have sufficient frontage and area.

Ms. Bubon recommended that the Board endorse the plan.

Motion: Made by Mr. Blanchard to endorse the plan.
2nd: Mr. Chamberland
Discussion: None
Vote: 7 – 0

Ms. Dumas, Clerk, signed the plan.

PUBLIC HEARING--SPECIAL PERMIT/SITE PLAN APPROVAL - CUMBERLAND FARMS IS PROPOSING TO RAZE THE EXISTING TWO-FAMILY HOUSE AND GASOLINE STATION. BUILD A NEW GASOLINE STATION/ CONVENIENCE STORE WITH FOUR MULTI-PRODUCT FUEL DISPENSERS. INSTALL TWO NEW 20,000 GALLON UNDERGROUND FUEL STORAGE CONTAINERS. THE PROPERTY IS LOCATED AT 506/510 MAIN STREET.

Materials presented:

Application for Special Permit/Site Plan Approval – Cumberland Farms, Inc. – 100 Crossing Boulevard, Framingham MA – received 4/30/2013

Development Impact Statement

Proposed Renovations to Petroleum Storage, Fuel Dispensing & Environmental Protection at 506 Main Street, Sturbridge MA from Web Engineering Associates, Inc. date October 5, 2012

Traffic Impact Study for the Cumberland Farms Redevelopment – received 4/30/2013

Notice of Intent Project Summary & Drainage Calculations for Cumberland Farms – prepared by Garofalo & Associates, Inc. – dated 10/2/2012, revised 12/21/2012, revised 4/9/2013 – received 4/30/2013

Site Plans for proposed Cumberland Farms situated at 506 Main Street – prepared by Garofalo & Associates, Inc. – plan date 2/17/2012 – DWG #6827-ECS – Store #6686 – Station #852131 – received 4/30/2013

The following were members of the Cumberland Farms team:

- Mr. Paiva, Senior Project Manager, Cumberland Farms
- Ms. Chlebek, McMahon, Transportation Engineers & Planners
- Attorney Lombardo, Lombardo, DeVellis & Smith LLP – Attorney for Cumberland Farms
- Mr. Duarte, Staff Engineer, Garofalo & Associates, Inc.
- Mr. Lyne, Senior Project Manager, ECS

Ms. Gibson-Quigley acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Mr. Colburn, Conservation Agent
- Captain Marinelli, Fire Inspector
- Ms. Rusiecki, BOH Agent
- Mr. Ford, Police Chief

Mr. Paiva, Senior Project Manager of Cumberland Farms, made the presentation. Mr Paiva stated that Cumberland Farms will be razing the existing two-family house and gasoline/convenience store. They will build a new gasoline station/convenience store with four multi-product fuel dispensers to be located further from Main Street and build a new canopy over dispensers. They will install two new 20,000 gallon underground fuel storage containers. The building will be relocated toward the front of the property and will be of a colonial design. Signs have been approve by Design Review Committee. The freestanding sign will be brought into conformance with current dimensional

requirements. Access will be from Main Street and Hinman Street. Curbing will be introduced on the westerly side of Hinman Street.

Mr. Duarte of Garofalo & Associates, Inc. stated that the project is an expansion of a pre-existing use within the Commercial Tourist Zone. The new store building will be of a colonial design and the building will be closer to Main Street in better conformity with the line of retail buildings in the area. Access will be from Main Street and Hinman Street. Curbing will be introduced on the westerly side of Hinman Street for better traffic circulation. Signage will be brought into conformity with current bylaw requirements. Landscaping features will be added. Stormwater drainage will be vastly improved, including underground detention and storm captor pre-treatment of suspended solids in accordance with the best management practices. The building has been approved by Design Review Committee.

Mr. Duarte stated that the site will be completely razed and ongoing underground water remediation is expected to be accelerated as impacted soil, currently not accessible, will be removed. They will replicate the inland bank on an approximately 3:1 basis to compensate for a minor wetland disturbance (drainage ditch to be impacted). Currently, stormwater sheet flows untreated into adjacent roadways system including underground infiltration system that will provide ground water recharge. Treatment of stormwater runoff for total suspended solids will be implanted in a stormwater management plan as outline in submittal materials.

Ms. Chlebek of McMahon Transportation Engineers & Planners stated that the traffic volumes were collected manually at key locations within the study area during the weekday morning and weekday afternoon peak periods.

Ms. Chlebek stated that with the predominantly pass-by nature of the proposed Cumberland Farms convenience store and gasoline station, the project is not expected to result in a significant impact to the overall traffic operations of the study area roadways. Due to the nature of the convenience market with gas station land uses, patrons will seek out the most efficient routes for entering and exiting a site and will access the project site at a time that is convenient for them. The vehicle delays reported in the study do not account for patrons altering their travel patterns to minimize their delay by exiting the site at other site driveways or by seeking alternate times to visit the site, which would be expected to happen if delays were to occur.

The Board complimented the applicant on a well prepared presentation.

The Board had the following questions and concerns:

- Deliveries & tanker fillings – Mr. Paiva stated that the refueling trucks are given a trip card and will be instructed to come in from the west end of Main Street – having them exit at Exit 8 (Palmer) on the Mass Pike and enter Cumberland Farm by making a left turn and then exit by making a right turn – Mr. Paiva stated that the smaller delivery trucks can back into the loading dock
- Height of the canopy – Mr. Paiva stated that the canopy will be 14'4"
- Spill container – Mr. Pavia stated that it will be inside and will meet code
- All outside lighting would be better all bronze and not half white and bronze – Mr. Pavia stated the lights were white in the parking lot to match all the white trim but if the Board prefers all bronze that can be done
- Does the remediation trailer go away – Mr. Lyne stated that after the site is open for construction and cleanup of the soil is done, hopefully the trailer will go
- How to screen the trailer if it remains – Mr. Lyne stated that a stockade fence could be installed around it

- Bollards – Mr. Pavia stated that they 6’ on center – protect pedestrians
- Reflectors on the ballard be white instead of the green reflector – Mr. Pavia stated that Cumberland Farms has always had the green but they can change it to white
- Explain the intense landscaping in the back of the property – Mr. Duarte stated that Conservation Commission required them to replicate the wetlands that were there
- Time of construction – traffic – Ms. Bubon & Mr. Pavia stated that they will be meeting with Chief Ford and discuss the details
- Tanks are alarmed – Mr. Paiva stated that the monitoring for the tanks are state of the art and are monitored in the manager’s office
- Employee training – Mr. Paiva stated that the employees are trained annually
- How will the tables and umbrellas be taken care off - Mr. Paiva stated that this is the first store to have the tables and umbrellas, they will be removed and stored
- Tree between the house and the site – Mr. Paiva stated that it will be coming down because of the construction
- Red Box – Mr. Paiva stated that they need to be lighted and the lighting is against Zoning – may be able to use eyebrow lighting
- ADA compliance - Mr. Paiva stated that the whole site is ADA compliant
- Snow removal – Mr. Duarte stated that for major snow storms the snow will be taken off site
- Buffer between the proposed site and the condos in the back – Mr. Paiva stated that the buffer will be what is already there and will be cleaned up and pruned
- Will have granite curbing on Main Street – can have granite curbing on Hinman Street – Mr. Duarte stated that can be done
- Crosswalk on Hinman Street – Attorney Lombardo stated that Cumberland Farms is in favor if DPW will do it
- What is happening to the house – thought of selling it for a \$1.00 and have them move it - Mr. Paiva stated that they do not want a hold up but if someone is out there who wants it for a \$1.00, it is theirs and would have to move it fast – if not it will be demolished and recycle the wood

An abutter on Hinman Street asked how long will the construction will be , what will happen to the back property of the house to be demolished and will there be any traffic interruption to Hinman Street.

Mr. Paiva stated that construction will be a 16 -18 week project. The back property at 510 Main Street will be maintained, clean up and pruned. They will be meeting with the Police Chief about the traffic concerns with the construction but Hinman Street will always be open for emergency vehicles and the residents of the street.

The Board added the following six conditions to Site Plan Approval:

1. The white LED Site light fixtures shall be changed to bronze or brown as discussed.
2. If the remediation trailer is required to remain on site after construction, a detailed plan showing an appropriate level of screening around the trailer shall be provided to the Planning Board for review and approval.
3. Only white reflective tape may be used on white bollards. The green reflective tape as depicted in the materials submitted may not be used.
4. All exterior curbing shall be granite.
5. A crosswalk shall be installed across Hinman Street by Cumberland Farms if approved by the DPW Director.

6. The "Red Box" shall be installed only in accordance with all town bylaws and regulations. Ms. Bubon stated that the applicant worked very hard with the Planning office and their presentation was well done.

Motion: Made by Mr. Chamberland to close the Public Hearing.
2nd: Ms. Waters
Discussion: None
Vote: 7 – 0

Motion: Made by Mr. Blanchard to grant the Special Permit as requested under Section 16.06 c. (1) to allow the enlargement or alteration of an existing use that does not conform to the Groundwater Protection District by allowing an increase in underground fuel storage from 18,000 gal. to 40,000 gal. on the proposed location at 506/510 Main Street.
2nd: Mr. Cunniff
Discussion: None
Vote: 7 – 0

Motion: Made by Ms. Waters to grant Site Plan Approval to Cumberland Farms to raze the existing two-family house and gasoline station. Build a new gasoline station/convenience store with four multi-product fuel dispensers. Install two new 20,000 gallon underground fuel storage containers. The property is located at 506/510 Main Street with the following 24 Conditions and with a modification to Condition #5.

1. All construction and site improvements shall be in conformance with the plans submitted and approved by the Planning Board.
2. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
3. All other necessary permits must be obtained prior to the start of construction.
4. The site shall be kept in a neat and orderly condition throughout the construction process.
5. Exterior construction shall only occur during the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to Noon on Saturday. No exterior construction shall occur on Sundays or State Holidays. Construction involving heavy trucks and equipment entering and exiting the site, including but not limited to, concrete mixers, dump trucks removing demolition debris and materials, etc. shall be subject to the operating hours as may be approved by the Chief of Police. A construction traffic management plan shall be submitted to and approved by the Chief of Police prior to the start of any construction on site.
6. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
7. An emergency contact phone list with at least two names and numbers on it shall be supplied to the Sturbridge Police Department and Planning Department to be used by the dispatchers, in case of an off hour emergency, prior to the start of the project. The list must be updated whenever necessary for the duration of the project.
8. Maintenance is required for all plantings as proposed. The plantings shall be reviewed annually by the owner/applicant and any plant materials requiring replacement shall occur.
9. During construction, an environmental professional working under the direction of a Licensed Site Professional (LSP) shall be on site to monitor the excavation work and removal of existing product piping. If any new reportable conditions are detected, the LSP shall follow appropriate procedures for reporting of conditions and for removal of excavated materials.

10. All excavation and trenching will be in accordance with the State trenching regulation 520 CMR 14.00 Excavation and Trench Safety. The Site shall be secured using temporary chain-link fencing and as an additional safety measure, the contractor shall utilize temporary safety fence around the perimeter of the tank excavation.
11. The Storm Water operations and maintenance plan and site records shall be stored on site to ensure employees are familiar with the demands of the plan.
12. Water service shut downs for both parcels need to be tested before demolition begins on either building in the presence of either D.P.W. or Veolia Water personnel. (Please note: Kenderian's water service comes from the bank, the existing store shut off is paved over and the location unknown).
13. The new sewer connection on Route 20 will require an approved MA DOT utility permit to enter the roadway for the connection.
14. The changed curb cut and sidewalk restoration will require an approved MA DOT permit. A raised granite curb through Kenderian's existing driveway and a radius west of the retaining wall would prevent confusion for people entering the bank once the work is completed. Locations of granite curb and sidewalks shall be field verified on site with the DPW Director prior to installation.
15. The existing sewer service laterals abandoned at the street line must be capped and inspected by DPW or Veolia Water personnel prior to backfilling.
16. The new water curb stop box shall be installed inside a top section of a standard valve box and cover to offer protection from construction and maintenance activities on site.
17. The slotted drain should be set back from the back edge of the sidewalk by 3ft or so to prevent injuries to pedestrians by them walking off the sidewalk and stepping into the drain grating during periods of bad weather.
18. The white LED Site light fixtures shall be changed to bronze or brown as discussed.
19. If the remediation trailer is required to remain on site after construction, a detailed plan showing an appropriate level of screening around the trailer shall be provided to the Planning Board for review and approval.
20. Only white reflective tape may be used on white bollards. The green reflective tape as depicted in the materials submitted may not be used.
21. All exterior curbing shall be granite.
22. A crosswalk shall be installed across Hinman Street by Cumberland Farms if approved by the DPW Director.
23. The "Red Box" shall be installed only in accordance with all town bylaws and regulations.
24. Two copies of an as-built plan shall be provided to the Planning Department after completion of construction.

2nd: Mr. Blanchard
Discussion: None
Vote: 7 – 0

ALLEN HOMESTEAD DEVELOPMENT, LLC – REQUEST REPLACEMENT OF THE TRIPARTITE AGREEMENT WITH A CASH DEPOSIT WITH THE TOWN.

Materials presented:

Letter from Louis W. Mountzoures, Attorney at Law – dated 5/20/2013 – Re: Allen Homestead Development, LLC – Tannery Road Bond/Tri-Partite Agreement – received 5/21/2013

Ms. Bubon stated that the Town through the Planning Board and Allen Homestead Development, LLC are currently bound by a Tri-Partite Agreement for completion of infrastructure at Allen Homestead. The amount remaining in this agreement is \$44,400.00. At this time the developer wishes to substitute a cash bond for the Tri-Partite Agreement. If the Board agrees to this then you should vote to authorize the release of the Tri-Partite Agreement contingent upon of the cash bond in the amount of \$44,400.00

Motion: Made by Mr. Blanchard to release the Tri-Partite Agreement contingent upon the receipt of a cash bond in the amount of \$44,400.00.

2nd: Ms. Waters

Discussion: None

Vote: 7 - 0

TOWN PLANNER UPDATE

Letter from Hometown Bank – dated 5/13/2013 – Re: Tripartite Security Agreement – T. Reardon Builders, Inc. – Draper Woods Lender Agreement increased to \$200,278.00 (to adjust by 1.5% CPI)

Wind Bylaw – Conducting research on wind bylaws – Ms. Bubon will be preparing a draft for discussion

Solar Bylaw – Ms. Bubon believes the current bylaw needs some language changes.

Medical Marijuana – The DPH regulations have been adopted, but to date not much has been done in the way of drafting bylaw language.

Telecommunications Bylaw and Map - Ms. Bubon has provided the RFP for Consultant Services to Mr. Suhoski for review, approval and advertising and hopes to get this project underway soon.

Sturbridge Recreation – 2013 Summer Concert Series

Celebrate Sturbridge's 275th Anniversary

Regional Economic Development Organization Presentation – Town Hall June 26, 2013 @ 6:30 PM

OLD BUSINESS/NEW BUSINESS

None

NEXT MEETING

Next meeting date is July 23, 2013 at the Center Office Building.

On a motion made by Mr. Cunniff, seconded by Mr. Blanchard voted 7 – 0, the meeting adjourned at 9:20 PM.

