

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, OCTOBER 8, 2013**

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

Present: Charles Blanchard (arrived @ 6:35 PM)
Russell Chamberland
James Cunniff
Penny Dumas, Clerk
Heather Hart
Susan Waters

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

Absent: Sandra Gibson-Quigley, Chair

Ms. Dumas opened the meeting and read the agenda.

APPROVAL OF MINUTES

Motion: Made by Mr. Cunniff to accept the minutes of September 10, 2013.

2nd: Mr. Chamberland

Discussion: None

Vote: 6 – 0

WAIVER OF SITE PLAN APPROVAL – KURT & KELLY SOUKUP (VERITAS RESTAURANT) REQUESTING WAIVER OF SITE PLAN APPROVAL TO CHANGE THE USE OF THE BUILDING FROM RETAIL TO A CATERING AND FUNCTION FACILITY. THE PROPERTY IS LOCATED AT 420 MAIN STREET.

Materials presented:

Application for Waiver of Site Plan Approval – Kurt & Kelly Soukup – received 9/30/2013

Ms. Dumas acknowledged the following department memos:

- Mr. Colburn, Conservation Agent
- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Lt. Marinelli, Fire Inspector

Mr. & Mrs Soukup, the applicants were present.

Mr. Soukup spoke on his own behalf. Mr. Soukup stated that Veritas restaurant proposes a catering hall seating up to 128 guests. The building has an open floor plan perfect for large parties and meetings. This would bring more business and tourism to the Town. Most parties will take place at night after 5:00 PM when the retail shops are closed, leaving ample parking for events up to 128 guests.

Mr. Soukup stated that the building needs an additional restroom and a fire call box and fire lighting. We are looking to have construction completed by November.

The Board had the following questions and concerns:

- Having enough of parking spaces at full capacity could be a problem – Mr. Soukup stated that he would cut back the seating in the restaurant and the banquet hall
- BOH requirements – Mr. Soukup stated that he is working with BOH on the applications
- Having the tent on the common area – Mr. Soukup stated that the tent is only temporary because the building is not up to code
- This is residential area – concern about noise – Mr. Soukup that they have had entertainment out on the terrace in the summer and had not received any complaints
- Parking is the main issue – already committed six space to Cedar Street Grille
- Hours of the facility – Mr. Soukup stated that they will close at 10:00 PM – they can only sell alcohol until 11:30 PM
- The Board prohibits the tent on the common area

Ms. Bubon stated that the Board has a couple options. One option is to reduce the seating in the restaurant to 72 seats and the banquet facility to 102 seats. This would require a total on site of 126 which is just one space over the 125 on site. This means that Cedar Street may not be able to use this lot on function nights. Another option is that all functions be held when retail shops are closed and keep the seating capacity as is requested; this would mean that 118 spaces are required. This would still leave extra capacity for Cedar Street as well. The existing retail operations close at 5:00 PM; however when a new tenant is located, this will have to be re-examined. Options at the time will include reviewing overall seating capacity, shared parking with a nearby facility, and/or greater reduction of restaurant space during functions.

The Board wants the BOS to have on file that this waiver if granted be only for the indoor facility.

Motion: Made by Mr. Cunniff to grant Waiver of Site Plan Approval to Kurt & Kelly Soukup for the property located at 420 Main Street to change the use of the building from retail to a catering and function facility with the following four conditions:

1. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.

2. All other necessary permits must be obtained prior to the start of construction.
3. Total seating capacity of the Banquet Facility and Restaurant combined, shall at no time exceed 174 seats. Operational issues shall be reviewed 9 months from the date of start of operation, or sooner if circumstances warrant. If any nuisance issues arise for the neighborhood or community; the applicant will be required to meet with the Board to address the issues. This waiver is granted only for the indoor facility.
4. All pot, pan and dish washing must be done in the restaurant and not in the banquet facility to protect the sewers from F.O.G. (Fats, Oils and Grease) or a grease trap will need to be installed.

2nd: Mr. Chamberland

Discussion: None

Vote: 6 – 0

QUARTERLY REPORT REVIEW OF PILOT TRAVEL CENTER & TRAFFIC MANAGEMENT PLAN FOR THE PROPERTY AT 400 ROUTE 15.

Materials presented:

Quarterly Report – Pilot Travel Center – prepared by Sovereign Consulting Inc.

MassDot Application Permit to Access State Highway – Pilot Travel Cents, LLC – 400 Route 15 – prepared by Bertin Engineering

Also present were Mr. Alsup of Pilot Travel Center and Mr. Schofield of Sovereign Consulting Inc.

Ms. Bubon stated that Pilot was asked to be here to give the Board an update on the Traffic Management Plan.

Mr. Alsup stated that Sovereign Consulting Inc. provided this Quarterly Report addressing the Three Year Review items set forth in a correspondence from the Town of Sturbridge, dated June 20, 2011.

Mr. Alsup stated that the property is being kept cleaned and maintained.

Mr. Alsup stated that Pilot Travel re-submitted to MassDOT the application for Permit to Access State Highway on August 29, 2013 prepared by Bertin Engineering. Hopefully, they will receive their approval through the winter and start construction in the spring. The plan is to widen the driveway which will enable the trucks to make the turns and eliminate the traffic back up.

Mr. Alsup stated that Pilot Travel will hire a landscape architect to develop a plan in accordance with the Town's bylaws.

The Board had the following questions and concerns:

- Debris on the opposite of Route 15 especially in winter months – Mr. Alsup stated that when they revise the landscape plan they will have plantings to solve the problem of blowing trash and enhance the site
- How is the log done – Mr. Alsup stated that the employee checks for trash on the site and within the public right of way and then fills out the log
- Spot checks will be conducted by the Planning Department

Mr. Alsup stated that Pilot will need to upgrade the wastewater treatment facility, so they had to move the storage unit. He asked what the process would be to have a heated storage container next to the building (diesel side). It will not be visible from the street.

Ms. Bubon stated that Pilot would file a Waiver of Site Plan Approval.

ALLEN HOMESTEAD DEVELOPMENT – STREET ACCEPTANCE

Materials presented:

Letter from Louis W. Mountzoures, Attorney at Law, - dated September 25, 2013 – Re: Tannery Road Acceptance – Allen Homestead Development LLC – received 9/26/2013

Ms. Bubon stated that all construction is now complete, and the Board should petition the BOS to start the acceptance process and request that Mr. Morse and Ms. Bubon prepare final condition and status report.

Motion: Made by Mr. Chamberland that the Planning Board send a report to the BOS indicating that the roadway has been completed to Town standards and that the Planning Board is supporting layout acceptance of the roadway of Tannery Road – Allen Homestead Development.

2nd: Mr. Blanchard

Discussion: None

Vote: 6 - 0

REVIEW AND DISCUSSION OF THE PROPOSED ZONING AMENDMENT – WIND BYLAW

Ms. Bubon read Mr. Cunniff email dated September 18, 2013, stating that he feels that industrial uses could use one turbine of 20KW and two smaller roof mounted units or two 20KW turbines with no roof mounted.

The Board had the following comments:

- The Board wants to stay with small wind turbines
- The Board feels two 20's for industrial use is not enough and not worth it
- Not enough places in Sturbridge have the wind volume
- Wind energy for street lights in parking lots – would be allowed

Since there still appeared to be uncertainty, Ms. Bubon gave the Board an option of not allowing wind energy facilities since there was no broad exemption in the law.

The Board agreed to move forward with language that wind energy facilities be prohibited and have Ms. Bubon ask Kopelman & Paige for legal insight.

Motion: Made by Mr. Blanchard to have Kopleman & Paige word the language to prohibit Wind Energy Facilities.

2nd: Ms. Waters

Discussion: Aesthetics impact (areas that were great not good to the eye)
Less than ideal wind conditions in appropriate locations
Locations that were good for wind, not great to see wind turbine

Vote: 6 – 0

TOWN PLANNER UPDATE

Mr. Hennessey of Providence Realty Investment to meet the Board on October 22nd, to discuss solar as an accessory use to an existing housing development. A zoning bylaw amendment would be required to allow this.

November 12th – Town Project – BlueWave, LLC Solar Energy Facility

Fall 2013 Workshops CPTC

OLD/NEW BUSINESS

Ms. Waters – Brief discussion on process for editing existing solar bylaw:

- Wait until the Town application is processed so staff and Board can use the bylaw
- Ms. Bubon only minor edits
- Public work sessions for input
- No need to rush as there is a bylaw in place

Sturbridge Auto Body still working on the stone work

Hobbs Brook by Applebees – dead tree

String lights at Veritas – continually changing colors – not in the spirit of the bylaw

CPC – need Planning Board member – Ms. Bubon has talked to Mr. Suhoski to make Ms. Hart the Planning Board representative

Mr. Blanchard made a motion to nominate Ms. Hart as the Planning Board representative.

Ms. Hart would like time to think about it.

Mr. Blanchard withdrew his motion.

Ms. Dumas thanked Pare Corporation for an excellent presentation at the Public Forum on September 25th.

Ms. Bubon stated that the four houses on Route 20 – Industrial Park District – 1 house was sold - use – multi physician use, the others are on the market together.

NEXT MEETING

October 22, 2013

On a motion made by Ms. Waters, seconded by Mr. Blanchard voted 6 – 0, the meeting adjourned at 9:15PM.