

**STURBRIDGE PLANNING BOARD  
MINUTES OF  
TUESDAY, APRIL 14, 2015**

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

Ms. Gibson-Quigley noted the members were present.

**Present:** Charles Blanchard  
Russell Chamberland  
James Cunniff  
Penny Dumas  
Heather Hart  
Sandra Gibson-Quigley, Chair  
Susan Waters, Clerk

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

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

**APPROVAL OF MINUTES**

**Motion:** Made by Mr. Chamberland to approve the draft minutes of March 24, 2015.  
**2<sup>nd</sup>:** Mr. Blanchard  
**Discussion:** None  
**Vote:** 7 – 0

**RANDY BERCUME – LAUREL WOODS – REQUEST RELEASE OF FUNDS  
FROM LENDER’S AGREEMENT FOR WORK COMPLETED.**

**Materials presented:**

Letter from Randy Bercume requesting Release of Funds – dated 4/9/2015

Form P – Inspection Form – Laurel Woods Subdivision – dated 4/9/2015

Ms. Bubon stated that the applicant has requested release of the amount of \$71,250.00 from the Lender’s Agreement to pay for work completed. The work completed includes the National Grid fee for design plans (\$13,300.00) and installation of underground utilities infrastructure conduit for electrical, phone and cable per National Grid (wiring is provided and installed by service providers) (\$57,950.00). These items have been approved by National Grid. Mr. Morse and Ms. Bubon will sign the release pending approval by the Board.

Ms. Bubon recommends that the Board vote to authorize the release of the amount of \$71,250.00.

**Motion:** Made by Mr. Chamberland to authorize the release of the amount of \$71,250.00 from the Lender's Agreement as requested and authorize the Town Planner to sign the release form and to submit that to Hometown Savings Bank; pending receipt of the inspection approval by National Grid.

**2<sup>nd</sup>:** Ms. Waters

**Discussion:** None

**Vote:** 7 - 0

## **PUBLIC HEARING – TO CONSIDER AMENDMENTS TO THE SOLAR BYLAW – CHAPTER 29**

### **Materials presented:**

Proposed Amendments 9/26/2014 – revision 1 -10/20/2014

Ms. Waters read the legal notice.

Ms. Bubon stated that she has proposed minor modifications to Chapter 29 Solar Bylaw in an effort to clarify some of the more problematic sections of the bylaw. These revisions were provided to the Board for review on at least three separate meetings and on February 24<sup>th</sup> the Board voted to proceed as petitioner for the modifications. It should also be noted that these proposed modifications were provided to Ms. Meunier and later to Mr. Zeh, two of the driving forces behind drafting the citizens petition bylaw that was adopted as Chapter 29 on January 7, 2013 Article 33.

A brief overview of the changes follows:

First - The definitions will be moved to Chapter 2 – Definitions. You will recall this was a recommendation in the Master Plan in an effort to clean up the zoning bylaw and we have slowly been doing this as we modify other sections. The definitions to be moved include Large Solar Energy Facility, Rated Nameplate Capacity and Small Solar Energy Facility. No changes are proposed to the definitions. The proposal is to insert the definitions in the appropriate locations within Chapter 2.

Second – Changes are proposed to Section 29.5 – Dimension and Density Requirements to clarify the buffering requirements and to qualify the type of buffering that is required. The bylaw as currently written requires a two hundred foot natural vegetative buffer between a large solar energy facility and a property in residential use, including houses across a street. The changes will clarify the difference between the 200' buffer and the 100' setback required and when it applies. Language is also proposed that will remove the "natural vegetative buffer" language and insert language indicating that natural features and landscaping shall be used to buffer/shield structures from view. Changes are also proposed that will require appurtenant structures to meet the same setback requirements as the solar facility.

Finally, changes are proposed to 29.6.1 Design Standards that allow safety signage to be allowed as required, and provide an option for utility lines to be placed above ground if deemed necessary by the Board and for the connection to the utility. Also proposed are new sections on land clearing and environmental impacts.

This hearing was advertised and all others were notified as required. The proposed changes have also been on file with the Town Clerk. We have not had any calls on the proposed changes.

Ms. Bubon recommends that the Board vote to support the revisions as proposed and to forward the recommendation and Warrant Article to the Interim Town Administrator for inclusion on the Annual Town Meeting Warrant.

One comment made was in 29.6.1 Design Standards: Utility Connections

To make sure that there is a strong effort to require underground wiring, unless it is truly unfeasible.

**Motion:** Made by Mr. Blanchard to close the Public Hearing.  
**2<sup>nd</sup>:** Ms. Waters  
**Discussion:** None  
**Vote:** 7 – 0

**Motion:** Made by Ms. Dumas to support the proposed amendments to the Solar Zoning Bylaw, Chapter 29 and forward the recommendations to the Interim Town Administrator for inclusion on the Annual Town Meeting Warrant.  
**2<sup>nd</sup>:** Mr. Blanchard  
**Discussion:** None  
**Vote:** 7 - 0

### **DAVID MAXSON – ISOTROPE, LLC – UPDATE ON TELECOMMUNICATION BYLAW**

#### **Materials presented:**

Isotrope – document providing commentary and suggestions regarding the Sturbridge wireless bylaw

Mr. Maxson stated that the main limitation if this bylaw as it stands is the use of a somewhat arbitrarily defined overlay district for the installation of taller towers. Giving the SPGA the ability to relax the height limitation on out-of-district towers under defined circumstances would avoid the need of a carrier to seek a variance. The overlay district utilizes high elevation sites and limited specific parcels therein for the placement of new towers more than 15 feet above the tree canopy. With the continuing deployment of facilities closer to where they are needed, this district is not as helpful as it could be; the district is generally away from higher locations where new facilities are likely to be proposed.

Mr. Maxson stated that bylaws were written in the early days of rapid growth in the technology. As a result, some words are used ambiguously. "Facility" is one such word. Sometimes it refers to the antennas, or to the antennas on a tower, or to the ground equipment, or to all. Rules that apply to antennas may be counterproductive with respect to ground facilities. In this case, camouflaging an antenna or a tower is substantially different than camouflaging ground equipment.

Typically, it is the antenna and the antenna mount that needs camouflage in the context described here (antennas hidden in a cupola or faux rooftop chimney, for example).

The Board had the following questions and concerns:

- The shopping plaza on Route 131 has coverage – Mr. Maxson stated that yes it does have coverage but the coverage is poor – nowadays reception is more than just phone coverage – people do a lot more with their phones – could use a flagpole – mono pole
- Big Alum - poor coverage – how to deal with it – Mr. Maxson stated that have a visual impact study with photos to show best spot
- Hazardous wastes - Mr. Maxson stated that there are no hazardous waste materials with the cell towers
- Can pick which Board to be the SPGA – Ms. Bubon stated that you can designate in the bylaw – Mr. Maxson stated that the Board has two choices - one to expand the overlay district or be more flexible in the district but have more control
- Why do more towns have the SPGA be ZBA – Mr. Maxson stated that the ZBA is quasi judiciary board with more legal detail in their findings but Planning Board can make a waiver to height and cover all in site plan

The Board needs time to review the edits and make comments to Ms. Bubon who in return will forward to Mr. Maxson and update the bylaw.

## **TOWN PLANNER UPDATE**

604b grant application has been submitted – will know if granted in June

Correspondence from Ms. Kennedy – compilation of concerns and comments from various departments relative to the 40B that is proposed for 152 Main Street

Sal's Pizza at 376 Main Street is closed. Sturbridge Seafood will now be using the entire space and will be starting a new business in a portion of the former Sal's space. This new business will be called "On the Fly" and will provide some seating for quicker meals and will also provide "to go" orders

Admiral TJ O'Brien at 404 Main Street is under lease agreement. The owners of Sturbridge Seafood will be renovating the interior and opening a steakhouse in this location. No approvals are required from the Planning Board for this conversion as seating capacity will remain the same.

MRTA Technical Assistance Request – Mill Redevelopment Technical Assistance – 9  
Holland Road – guidance for an assessment on what can be done with the property – Ms.  
Bubon recommended that the Board support and authorize the Chair to sign the letter for  
technical assistance.

**Motion:** Made by Mr. Blanchard to support the MRTA Technical Assistance Request  
and authorize the Chair to sign the letter of support.

**2<sup>nd</sup>:** Ms. Hart

**Discussion:** Could be used as mixed use with affordable housing – CPC funds

**Vote:** 7 - 0

### **OLD/NEW BUSINESS**

Why is Burgess already at design capacity? – Mr. Blanchard stated that MSPA design capacity  
numbers are higher than what is allowed. The real numbers count K – 6 does not count  
pre-K. Burgess was built to the maximum that was allowed.

### **NEXT MEETING**

April 28, 2015 – Center Office Building

On a motion made by Mr. Chamberland, and seconded by Ms. Waters, and voted 7– 0, the  
meeting adjourned at 8:50 PM