

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, DECEMBER 15, 2015**

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

The meeting was held at Town Hall – Veterans Memorial Hall – 308 Main Street.

Ms. Gibson-Quigley noted the members 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 amended draft minutes of December 1, 2015.

2nd: Mr. Blanchard

Discussion: None

Vote: 6 – 0 – 1 (Ms. Hart)

PUBLIC HEARING - T.M.C. NEW ENGLAND, LLC (CVS) IS REQUESTING SITE PLAN APPROVAL AND SPECIAL PERMIT. THE APPLICANT IS PROPOSING TO DEMOLISH THE EXISTING BUILDING AND EXISTING PARKING LOT AND CONSTRUCT A 11,594 S. F. CVS/PHARMACY WITH 66 PAVED PARKING SPACES AND RELATED SITE IMPROVEMENTS. SPECIAL PERMIT IS REQUESTED TO ALLOW IMPERVIOUS SURFACE AREA IN EXCESS OF 2,500 S.F. OF THE LOT, MORE THAN 15% OF THE AREA. THE PROPERTY IS LOCATED AT 362 MAIN STREET.

Materials presented:

Application for Site Plan Approval /Special Permit –T.M.C. New England, LLC c/o T.M. Crowley & Associates (CVS) – received 11/16/2015

Letter – from RJO’Connell & Associates, Inc. - Re: Special Permit/Site Plan Application – CVS/Pharmacy – dated 11/16/2015

Letter – from RJO’Connell & Associates, Inc. – Re: CVS/Pharmacy – responses to staff comments – dated 9/21/2015

Proposed Project Narrative – CVS/Pharmacy – received 11/16/2015

Site Plan for CVS/Pharmacy – Store #10649 – prepared by RJO’Connell & Associates, Inc. – job #13103 – plan date 11/10/2015

Ms. Waters read the legal notice.

Ms. Gibson-Quigley stated that the purview of the Planning Board is to follow the guidelines for the criteria for Site Plan Approval as stated on Chapter 25 of the Zoning Bylaws and to make sure that the applicant meets all the regulations of Site Plan Approval. Retail use is permitted in the Commercial District and is allowed by right.

Ms. Gibson-Quigley stated that the applicant originally submitted the application on August 5, 2015 and that the plan was sent to staff for review and to Boards and Committees as required by Chapter 16 Groundwater Protection District for comment. Staff and Board and Committee comments were compiled and provided to the applicant on August 24, 2015. A response memo was issued by the applicant (dated September 21, 2015 and contained in your packets), that addressed the comments and concerns raised. However, the applicant submitted a request to withdraw the application without prejudice on October 6, 2015 since the Shared Parking Agreement with the Host Hotel was not finalized. The Board voted unanimously to allow this withdrawal at the meeting of October 13, 2015.

Eventually, the applicant revised the plan showing a smaller building and a site plan that accommodates all required parking on site. A new submittal was received on November 16, 2015 and this Site Plan Approval and Special Permit Request was once again sent to staff and Boards and Committees as required by Chapter 16 for review and comment. When the review notice was sent, the comments provided on September 21, 2015 were also provided for review with the packet. It was requested that any new comments be sent to the Planning Department by this week, or if no new comments were needed then we asked to be notified of such. Only the Tree Warden and DPW Director offered additional new comment.

Ms. Gibson-Quigley acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Ford, Police Chief
- Lt. Marinelli, Fire Inspector
- Mr. T. Chamberland, Tree Warden
- Mr. Colburn, Conservation Agent
- Ms. Rusiecki, BOH Agent

Attorney Donahue of Fletcher Tilton, attorney for the applicant spoke. He stated that the property is located entirely within the Commercial District as well as the Zone II Groundwater Protection District.

Retail type uses are permitted as a matter of right within the Commercial District. The pharmacy pick-up/drop off window is considered an accessory use to the primary use of a retail store and as such it is permitted as a matter of right.

The project proponent's use of the subject property and development program is allowed within the Groundwater Protection District subject to a special permit approval from the Planning Board as the impervious surface area will exceed more than 2,500 sf. of the lot and more than 15% of the lot.

The proposed development further requires Site Plan Review by the Planning Board pursuant to Chapter 25 of the Zoning Bylaws.

Mr. Dundon of RJO'Connell Associates spoke on behalf of the applicant. Mr. Dundon stated that the applicant is seeking permit approvals from the Planning Board to construct an 11,594 sq.ft. single story building for use as a CVS/Pharmacy on the property situated at the northwest corner of the intersection of Main Street (Route 20) and Fairgrounds Road with a street address of 362 Main Street.

Mr. Dundon stated the property consists of 1.59 acres and is bounded on the east by Fairgrounds Road, on the north and west by the Sturbridge Host Hotel and Conference Center parking lot and on the south by Main Street. The property is located in the Commercial District and is currently the home of Bentley's Pub. The proposed retail use is allowed by right within the Commercial District and therefore requires Site Plan Approval. However, the property is also located within the Groundwater Protection District and the zoning bylaw requires that any proposal that will render impervious 15% of the lot of 2,500 square feet whichever is greater be granted a Special Permit. The project as designed results in a reduction of impervious surface by 17,300 square feet from the existing developed condition.

The sanitary sewage flow generated by the existing use of the property was calculated based on the flow rate for a restaurant type use as outlined in 310 CMR 15 (State Environmental Code Title V) of 35 gallons per day per seat (35 gpd/seat). Based on a one hundred and ninety two (192) seat restaurant, the daily sewage generated by the existing facility was calculated to be 6,720 gpd. The average water consumption rate for the existing facility was calculated based on 110% of the sewer flow rate as calculated by Title V. The daily water consumption generated by the facility was calculated to be 7,392 gpd.

The sanitary sewage flow to be generated by the Project Proponent's redevelopment program was calculated based on a flow rate for a retail type use as outlined in 310 CMR 15 (State Environmental Code Title V) of 50 gallons per day per 1,000 sf of gross floor area (50 gpd/1,000 sf gfa). Based on an 11,594 sf retail store, the daily sewage generated by the CVS development program was calculated to be 580 gpd with the water consumption demand being estimated to be 638 gpd which is based on 110% of the sewer flow rate as calculated by Title V.

The redevelopment of the site will result in a net reduction of 6,140 gallons per day of sanitary sewage being discharged into the municipal sewer system and a reduction in water demand of 6,754 gpd.

The site in its present condition is comprised predominantly of impervious surface area consisting of building and bituminous surface area as developed for one hundred and three (103) existing parking spaces. The site's topography allows untreated stormwater runoff to

sheet flow in a south (front of site) to north (rear of property) direction. Stormwater is currently directed to a single leaching basin which is located in the northwestern portion of the parking lot. The existing leaching basin is undersized to handle the volume of stormwater generated by the site and as a result a five (5') foot wide paved drainage swale exists at the northwest corner of the property along the rear property line which it shares with the Sturbridge Host Hotel and Conference Center. Stormwater runoff on site from heavy rainfall events sheet flows onto the abutting property owned by Sturbridge Host Hotel and is subsequently collected in a series of leaching basins.

A Comprehensive Stormwater Management system has been designed for the site to meet the objectives of MADEP 2008 Stormwater Management Policy Guidelines and the Town of Sturbridge's Stormwater Management regulations. The stormwater management system proposes to collect rainfall runoff on site through a series of deep sump catch basins and particle separators prior to discharging stormwater runoff into an on-site subsurface infiltration basin, which has been designed to store and infiltrate the volume equivalent to the 100 year storm event.

The Project Applicant has included within the Stormwater Management report submitted as part of this application a post construction Operations and Maintenance plan (O&M), which outlines the maintenance activities to be performed for each pretreatment and treatment best management practice (bmp) to ensure they function as designed and are operating at peak efficiency in removing pollutants from stormwater runoff prior to its discharge to the groundwater table.

For a detailed discussion on the design of the stormwater management system designed for the site, refer to the Stormwater Management Study prepared by RJ O'Connell & Associates, dated November 10, 2015.

The applicant has completed the Design Review approval process for the architecture of the building (renderings provided in your packets). A substantial amount of landscaping has also been proposed by the applicant. Since many of the plant types proposed on the plan were the same, the Tree Warden has asked the applicant to consider a mix of tree and plant material types. A revised landscaping plan has been provided that accomplishes the goal of a mixture of plant types. As the Board is aware, the rationale for the mixture of plant types is to reduce the threat of loss of the entire landscape due to a particular disease or pest. There are two trees being removed and another is proposed to be saved. There are 25 trees, 494 shrubs and 396 perennials and 210 annuals proposed for this site (see Sheet L-1). The site currently has limited green space and consists mainly of asphalt parking lot and building. As proposed the amount of impervious a surface will be reduced and the landscaping plan will comply with the bylaw. Details have been provided for the dumpster enclosure and those are contained in your packet.

A Photometric plan (see Sheet C-10) has been provided and this plan shows that there will be no impact on surrounding properties by the lighting as proposed. During the Design Review process, the lighting was changed to be more consistent with the lighting type shown in the Commercial Tourist District Revitalization Plan as this property was part of that study area.

Mr. Thorton, Traffic Engineer from Vannasse & Associates stated that the project will entail the construction of an approximate 11,594 sq.ft. pharmacy with a mezzanine and a drive-through lane. Based on trip-generation statistics published by the ITE for a similar land use as that proposed and incorporating a 25 percent pass-by trip rate, the project is expected to generate approximately 984 new vehicle trips on an average weekday (492 entering and exiting) and 814 vehicle trips (407 entering and exiting) on a typical Saturday. The project will add only 9 vehicle trips (9 entering and 0 exiting) during the weekday morning peak hour, 68 new vehicle trips (31 entering and 37 exiting) during the weekday evening peak hour and 37 vehicle trips (19 entering and 18 exiting) during the Saturday midday peak hour.

Attorney Donahue stated that due to the age and the multi floors, the structure does not meet the needs of the applicant and they wish to demolish and construct a new building.

The Board had the following concerns, questions and comments:

- Will the fire hydrant remain, plus the one on the grassy area– Mr. Dundon stated yes – the fire hydrant on the grassy area is on the Host property
- Can a short sidewalk be added in approximately the location of the current southerly Faigrounds Park roadway to the building – Mr. Dundon stated that could be possible
- Don't want to lose landscaping for a sidewalk – Mr. Dundon stated that no landscaping will be lost
- The west exit is just an exit – how do you deter people from entering – Mr. Dundon stated that there will be a “do not enter” sign and we will incorporate a design radius turn for ‘right turn only’ in the application to MassDOT
- Will there be signs in the windows – CVS does not put signs in their windows
- The employees door is plain – Ms. Bubon stated the door is a raised panel door approved by DRC – Mr. Dundon stated that the door is not an employee door but an emergency exit
- Tree Warden request annuals to be planted – concerned with the maintenance and how do we enforce the up keep – Mr. Dundon stated that CVS has a 5 year maintenance landscaping plan and the annuals will force regular replacement of the annuals
- Add a tree by the emergency door on Route 20 – Mr. Dundon stated will do
- Where is the dumpster – Mr. Dundon stated in the back
- Snow storage – Mr. Dundon stated on the plan C-2 the snow storage in the back
- Lighting for the exterior – Mr. Dundon stated that there will be no light spillage on the neighbors – two black light poles according to the CTD guidelines and wall lighting that project downward
- Any landscaping lighting – Mr. Dundon stated no
- Bollards are yellow – can they be white – Mr. Dundon stated that the bollards are not for protecting the building but to designate the handicap parking according ADS regulations

- Ms. Bubon stated that Cumberland Farms could change the color of their bollards because it was for protecting the building
- Stormwater maintenance - Mr. Dundon stated it will be inspected and cleaned regularly - no mechanical – pipe and stone
- Right turn from the drive-thru – landscape will hinder vision – Mr. Dundon stated that the landscaping in that corner is already moved back and low growth is in the front and will not cause any visual problems

Ms. Gibson-Quigley stated that the demolition of this building is not part of the Site Plan Approval process. Once CVS gets their approval from Planning Board, they apply to the Building Department for a demolition permit for the building. The Building Inspector will then forward the application to the Historic Commission for comment and that will trigger the process for a public hearing for the Historic Commission to discuss. Historic Commission can only delay the project for six months.

The Public had the following comments and concerns:

- Propane tank – Mr. Dundon stated that existing tank will be removed and a new propane will be underground
- Left going east – there have been accidents – Police had no concerns with the project
- Fairgrounds Road is a private road – not happy with the road being used for CVS
- This is an historic building and demolishing this building is destroying what is Sturbridge – there are other alternative parcels for CVS to be located
- This parcel was, perhaps, Indian grounds and their remains may be buried there
- How will pharmaceutical spills be dealt with – Attorney Donahue stated that CVS has a protocol in place that deals with any spillage
- The building should be kept
- Why is a drive-thru allowed in this district – Ms. Bubon stated that it is allowed according to the Zoning Bylaw – it is an accessory use to pharmacy
- If CVS receives Planning Board approval – can they withdraw their design plan – Ms. Gibson-Quigley stated that any minor changes will go through the Town Planner and she will update the Board – anything significance will come back to the Board for modifications
- Traffic will be a problem – especially at flea market time – traffic is always a problem at flea market time

Ms. Bubon stated that she recommends to the Board that they grant the Special permit and Site Plan Approval since the applicant meets all the criteria with the seventeen conditions plus three more and the recommendation to work with the applicant on their access application to MassDOT having a turning arrow painted on the street for turning left lane. Consider adjusting the timing of light and a green left turn.

Motion: Made by Mr. Chamberland to close the Public Hearing.
2nd: Mr. Cunniff

Discussion: None

Vote: 7 – 0

Motion: Made by Ms. Waters to grant Site Plan Approval to T.M.C. New England, LLC (CVS) to demolish the existing building and existing parking lot and construct an 11,594 sq.ft. CVS/Pharmacy with 66 paved parking spaces and related site improvements for the property located at 362 Main Street with the following conditions:

1. The following changes shall be reflected on the final plan for submission to the Planning Department:
 - a. A valve box, riser and cap should be installed on the tapping sleeve or a secondary valve at the property line for water flow control; plans shall be modified to reflect this change.
 - b. A 45 degree bend shall be substituted for the two 90 degree bends shown internally on the water feed.
 - c. Sheet L-1 shall be changed as follows – under General Notes # 2 – modify to provide 48 hour notice to the town.
 - d. Sheet L-2 – Detail 6 shall be modified to show the required Protected Root Zone at a ratio of 2' diameter for every 2" of diameter at breast height (DBH) in addition to the trunk protection detail currently contained.
 - e. Sheet L-2 – Detail 3 shall be changed – deciduous tree planting, "mound of soil" change note to "compacted" mound of soil.

Other than the modifications noted above, all construction and site improvements shall be in conformance with the plans submitted and approved by the Planning Board.

2. The town planner be supplied a copy of all arborist report/inspections with a proposed action by the applicant/developer.
3. The town shall be supplied the name and address of CVS contact person who is authorized to address any landscape issues that may arise over the 5 year landscape plan period.
4. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
5. All other necessary permits must be obtained prior to the start of construction.
6. The site shall be kept in a neat and orderly condition throughout the construction process.
7. 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 the following holidays – New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
8. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
9. Snow storage shall not be permitted within any of the delineated parking areas or traveled ways and may only be stored as shown on the plan submitted. If required, excess snow shall be removed from site during heavy snow events to prevent a loss of on-site parking.
10. An emergency contact phone list with at least two names and numbers on it be supplied to the Sturbridge Police Dept. 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.

11. All erosion and sedimentation controls shall be installed as shown on the plan and inspected prior to the start of demolition or site work.
12. Stockpiles shall be stabilized as indicated in the "Demolition and Erosion Control Notes" on Sheet C-1 of the plan submitted.
13. No demolition of the existing structure and no site work shall occur until a demolition permit has been secured.
14. A pre-demolition meeting shall be held at least one week prior to the demolition. Present shall be the applicants contractors and other appropriate designees, the Town Planner, DPW Director, Police Chief, Fire Chief, Building Inspector or their designee. The purpose of the meeting shall be to discuss the demolition process, location of material disposal, dust control measures and appropriate traffic and safety control measures.
15. The following dust control measures shall be adhered to throughout the entire demolition/construction process:
 - a. Spray disturbed areas with water on dry and windy days as needed;
 - b. Wash vehicle wheels before leaving the site;
 - c. Periodically clean surrounding roadways near the entrance to the site;
 - d. An anti-tracking pad shall be installed and maintained throughout the construction process.
16. Small section of walkway shall be added in the approximate location of the current southerly Fairgrounds Park Roadway to the building walkway.
17. Pending MassDOT approval the Route 20 curb cut shall be altered to prevent or discourage vehicles from entering into that curb cut.
18. An additional tree (red maple) shall be added to the site plan and shall be placed to buffer the emergency egress door
19. Copies of the environmental monitor reports shall be provided to the Planning Department on a regular basis.
20. An as-built must be provided for all site work including plantings when the work has been completed.

2nd: Mr. Blanchard

Discussion: Ms. Dumas stated that originally she was very concerned with this project regarding how it was going to look and would impact the area. After working with Ms. Bubon on the design and landscaping, she now supports the project. She thanked Ms. Bubon for all her hard work with the applicant to make this a good project.

Ms. Gibson-Quigley thanked the applicant and Ms. Bubon for making this project a success.

Vote: 7 – 0

Motion: Made by Mr. Cunniff to grant the Special Permit to allow impervious surface area in excess of 2,500 sq. ft. of the lot more than 15% of the area for the property located at 362 Main Street.

2nd: Ms. Waters

Discussion: None

Vote: 7 - 0

TOWN PLANNER UPDATE

Pilot Travel – Quarterly Report – added guardrail – rustic and aged look

OLD/NEW BUSINESS

None

NEXT MEETING

January 12, 2015 @ Center Office Building

On a motion made by Mr. Cunniff and seconded by Ms. Hart, and voted 7 – 0, the meeting adjourned at 9:05PM.