

STURBRIDGE ZONING BOARD OF APPEALS
MINUTES OF
WEDNESDAY, JANUARY 6, 2016

Present: Elizabeth Banks
Thomas Earls
Kevin Kelley, Clerk/Vice/Chair
Fidelis Onwubueke
Maryann Thorpe
Michael Young

Also Present: Jean M. Bubon, Town Planner
Diane M. Trapasso, Administrative Assistant
Judi Barrett, RKG Economic Planning & Real Estate, Consultant
William R. Van Duzer, Transportation Engineer, Fuss & O'Neill
Michael Andrade, Graves Engineering, Inc.
Robert Engler, SEB, LLC (40B Consultant)
Branden St. Laurent, NBM Realty
Nick St. Laurent, NBM Realty
Matthew St. Laurent, NBM Realty
Andy St. Laurent, NBM Realty
Jennifer Conley, Conley Associates

Absent: Margaret Cooney, Chair

The meeting was held at Center Office Building – Meeting Room – 301 Main Street.

Mr. Kelley opened the meeting at 6:30 PM.

The Board introduced themselves.

APPROVAL OF MINUTES

Motion: Made by Ms. Thorpe to accept the amended minutes of October 21, 2015.

2nd: Ms. Banks

Discussion: None

Vote: 5 – 0 – 1 (Mr. Kelley)

Motion: Made by Ms. Thorpe to accept the minutes of November 4, 2015.

2nd: Mr. Young

Discussion: None

Vote: 5 – 0 – 1 (Ms. Banks)

CONTINUATION OF THE PUBLIC HEARING – THE APPLICANT SEEKS A COMPREHENSIVE PERMIT UNDER M.G.L. CHAPTER 40B TO ALLOW THE CONSTRUCTION OF “FIVE LEAVES AT STURBRIDGE” A 103 UNIT

APARTMENT COMPLEX TO BE LOCATED AT 152/158 MAIN STREET. THE SUBJECT PROPERTY IS OWNED BY NBM REALTY, LLC.

Materials presented:

Letter from Peter D. Jordan, Attorney at Law – representing Fravin Patel, owner and operator of the Scottish Inn at 142 Main Street – Re: 152 Main Street – dated 12/28/2015

Conley Associates Memorandum – Re; Response to Peer Review Comments of Five Leaves at Sturbridge – Dated 1/4/2016

Fuss & O’Neill – Re; Five Leaves at Sturbridge – Traffic Peer Review – dated 12/23/2015

Graves Engineering – dated 12/23/2015 – to: David Wood, Project Manager – Ops – Tennessee Gas Pipeline Company. LLC – Subject: Response to gas Utility Review Comments 152 & 158 Main Street

Graves Engineering – dated 12/19/2015 – to: Jean Bubon, Town Planner – Subject: Engineering Response to Town Department Review Comments Comprehensive Permit Application Five Leaves at Sturbridge (Comments from Sturbridge Planning Board dated 11/17/2015)

Fuss & O’Neill Memorandum – dated 1/5/2016 – to: Jean Bubon, Town Planner – from: William R. Van Duzer, PE, PTOE – Re: Response to Peer Review Comments for Five Leaves at Sturbridge by Conley Associates

Existing Conditions Plan With Aerial – Comprehensive Permit Application – Five Leaves at Sturbridge – 152 & 158 Main Street – prepared by Graves Engineering, Inc. plan date 12/8/2015 – project # 15108 – received 1/6/2016

Ms. Conley of Conley Associates spoke. Ms. Conley stated that Conley Associates is in receipt of the Fuss & O’Neill letter date December 23, 2015, outlining their comments on the Traffic Impact Memorandum prepared for the proposed Five Leaves at Sturbridge residential development (Peer Review Letter). Conley Associates, Inc. has reviewed the comments provided and offers the following and additional information.

Ms. Conley stated that for the most part Fuss & O’Neil are in agreement with their study with the following exceptions:

- #1 – no response required
- #2 – At the time of preparation of the traffic analysis for this project, the provision of separate left and right turn lanes had not yet been contemplated. To be consistent with the earlier analysis, the additional approach lane on the site driveway has not been included in the information provided below. During both peak hours the northbound and southbound left turns on Main Street remain at LOS A with less than 10 seconds of delay. During the AM peak hour, the “deli” (Rom’s) driveway

operates at LOS C under all conditions. During the PM peak hour, the deli driveway currently operates at LOS D. With the addition of background growth, the deli driveway is anticipated to operate at LOS E and remain at LOS E with site traffic. The addition of site related traffic will remain in AM peak hour operations of LOS C and PM peak hour operations of LOS E for the site driveway.

- #3 – The trip generation calculations were not based on the fitted curve methodology because, for this land use, the fitted curve methodology overestimates the number of trips for smaller apartment complexes. The fitted curves equations result in trips that are generated even if there are no units present. To provide an extreme example, with only one unit present, the fitted curve methodology results in 130 trips generated each day. Looking at the data points, using the average rate is appropriate for 104 units.
- #5 – Based on the limited number of vehicular trips that will pass through adjacent intersections and driveways, the study area was limited to the site driveway. The Peer Review Letter indicated in item 1 that the traffic volume data collected (only at the site driveway) provides sufficient data on existing traffic conditions. The Traffic Impact Memorandum researched crash data only at the site driveway intersection as that was the intersection being studied. To address the Peer Review comment, however, crash data at Shepard Road at Main Street and commercial properties near the proposed site were researched. Based on MassDOT data, two crashes occurred at the intersection of Shepard Road at Main Street and three crashes occurred at the commercial driveway of Annie's Country Kitchen and the Scottish Inn over three year period 2011 to 2013. Although some crashes that are reported are not provided in the MassDOT database, the only point of reference for crashes, the average crash rates per million entering vehicles, is determined statewide based only on crashes in that MassDOT database. Therefore, it is appropriate to review the data in the MassDOT database and compare the results to the MassDOT statewide and district averages.
- #7 – Because MassDOT has jurisdiction of Main Street, the details of the proposed crosswalk will be developed with MassDOT input. The proponent concurs that further engineering will need to occur as the design moves forward and will provide documentation to the Town if requested.
- #8 – The site driveway is being located where the driveway has been historically. As indicated, the stopping sight distance was measured at the proposed driveway location. SSD is typically the measurement of safety, as it is the distance required for a vehicle to stop for an obstruction in the roadway. Intersection sight distance is a measure of driver convenience, as it is the distance required for a driver to pull into traffic and get to 85% of the prevailing speed (and thus not require vehicles on the roadway to brake significantly). As outlined in the Traffic Impact Memorandum, the SSD is met approaching the site in both directions based on the 40 mile per hour speed limit posted right at the site. Actual prevailing speeds were

measured at 30 miles per hour southbound and 29 miles per hour northbound. The intersection sight distance was measured in the field to be the same as the SSD, 375 feet to the north and over 500 feet to the south. The required ISD for a roadway with a 30 mile per hour prevailing speed is 335 feet. Therefore, the ISD is also met at this location. Based on the intersection analysis, there is not expected to be standing queue in the southbound direction on Main Street.

- #9 – The proponent will make the change to the driveway to include a STOP sign and stop bars. Movements will be permitted to the driveway across the street.

Mr. Duzer of Fuss & O'Neill had the following comments:

- #2 – Intersection levels of service calculations were conducted using Synchro 8 professional software following Highway Capacity Manual methodologies. The synchro worksheets included with Appendix do not indicate the lane configuration used in the analysis. The proposed site driveway includes a right-turn and left-turn lane exiting the site. The configuration in the analysis is unclear. The intersection and approaches should be adequately described in the Memorandum and indicated on the analysis worksheets. The analysis included default values for approach peak hour factors and heavy vehicle percentages, which are not based on the actual count data. However, revising the analysis would have minimal impact on the overall analysis results. Table 3 in the Memorandum only reports the LOS and delay for one approach. The table should include the results for each approach.
- #6 – The site plans propose a marked crosswalk installed northwest of the proposed site access. This connection to the existing sidewalk on the west side on Main Street will establish a legal crossing where the proposed development will likely generate crossing demand. However, the crosswalk will be located away from any other traffic control (i.e. traffic signal or STOP sign) and an Engineering Study should be performed. The study should document appropriate factors, recommend location of crossing, and propose appropriate warning signage. The available sightlines of vehicles approaching the crossing on Main Street are of particular concern and should be addressed by the study. The sidewalks must be accessible by all users. A ramp is not also provided at this location. It is critical that wheelchair ramps are installed with all crosswalks or locations where sidewalks will cross drive aisles. The site plan should be revised to include accessible routes with wheelchair ramps. If recreational use of the gravel access path (proposed north of the site access) is not excluded, the sidewalk should be extended to the end of the trail so pedestrians are not directed into the roadway.
- #9 – Internally, the site plan shows a connection for access to the adjacent property. This may substantially change the circulation from the existing condition. The traffic Memorandum should address how the circulation on this property will be changed. The adequacy of the five foot curb radii

should be confirmed for proposed vehicle circulation. The drive direction arrows appear reversed for the garage access at Building Tow. There also appears to be little space provided for turning out of this access.

The Board had the following concerns, comments and questions:

- Where does the traffic data come from – Ms. Conley stated that traffic reports come from MassDOT
- What days of the week was the traffic study done – Ms. Conley stated that it was actually done for 24 hours on June 27, 2015
- Can a sign be erected stating intersection ahead or a flashing yellow light – Ms. Conley stated that since Route 131 is a state highway all signage or lights are subject to MassDOT approval
- What about school bus stop – Mr. Andrade stated that is a school department decision –
- Was the traffic considered during Brimfield Flee Market, which is three times a year – Ms. Conley stated “ no”
- Can Mr. Duzer summarize his comments on the traffic study – Mr. Duzer stated there is concern about the crosswalk – school bus stop – not a dangerous intersection – work with MassDOT about signage
- What is the traditional style of Sturbridge – did the architect get it right – Board members don’t think so
- If a fatal accident happens – who is liable – Is it the Town? - Ms. Conley stated that MassDOT has jurisdiction
- What about a set of lights at the end of Fairview Park Road

There were abutters present at the meeting and had the following comments, questions and concerns:

- Route 131 is a major route to the hospital – emergency vehicles are on that road at least 7 -8 times a day –cars making a left turn could jeopardize emergency vehicles from passing – Ms. Conley stated that there would not be standing queuing to cause a problem
- Lights at the Plaza on weekends cause a lot of traffic – people use Fairview Park Road as a cut through
- Fairview Park Road is a thickly settled roadway and cars speed through
- Traffic study is not right – this project along with the gas station have a huge impact on the quality of life
- Not a good project – no green space – too large of a project for the land

Aerial views of the site were presented to the Board. The Board had concerns with light pollution, the magnitude of the buildings on the site and design.

The Board decided that it needed more information and the applicant agreed to the following:

1. The Board felt that the one 24 hour period when school was not in session may not accurately represent traffic conditions in that area. The applicant would perform additional counts to include one weekday, one Saturday and one Sunday.

2. The applicant shall see if a meeting can be scheduled with MassDOT with the applicant's transportation engineer, Peer Reviewer; the Chief of Police shall be invited. The purpose of this meeting is to discuss intersection sight distance and cross walk concerns and to determine what mitigation may be acceptable to Mass DOT.

3. The applicant will seek local crash data from the Police Department and share that information with the Peer Reviewer providing any additional count information.

4. Conley Associates shall find a way to better represent the data provided to the Board - perhaps graphically to present the data more clearly to the Board.

5. The Peer Reviewer suggested that the queuing at the Shaw's Plaza by the traffic light be evaluated to determine what the impacts of this site would be on that intersection. The applicant indicated they believed it was beyond the scope of this project and would not agree to do this at this time. Ms. Conley indicated that she wanted to wait to have this additional data reviewed and if the new numbers did change the conclusions of her report, then she would not agree to this task feeling it is beyond the scope. If the new numbers changed her conclusions, it may be considered in the future.

The Board also agreed to require an architectural peer review believing that the proposed architectural design is not in character with the area or the town and is more hotel like in appearance.

The applicant, Five Leaves at Sturbridge agreed to the Peer Review for Architectural design.

Ms. Barrett stated that the next meeting should be dedicated to the Site/Civil and follow up on the traffic and design issues.

Motion: Made by Ms. Thorpe to continue the Public Hearing for Five Leaves at Sturbridge to February 10, 2016 @ 6:30 PM at Center Office Building.

2nd: Mr. Earls

Discussion: None

Vote: 6 – 0

CORRESPONDENCE

None

OLD/NEW BUSINESS

None

NEXT MEETING

February 10, 2016 @ 6:30 PM at Center Office Building

On a motion made by Mr. Kelley, seconded by Mr. Earls, and voted unanimously, the meeting adjourned at 9:10 PM.