

**STURBRIDGE PLANNING BOARD  
MINUTES OF  
TUESDAY, JUNE 21, 2016**

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

Ms. Gibson-Quigley noted the members present.

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

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

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

**APPROVAL OF MINUTES**

**Motion:** Made by Mr. Blanchard to approve the draft minutes of May 24, 2016.  
**2<sup>nd</sup>:** Waters  
**Discussion:** None  
**Vote:** 7 – 0

**PUBLIC HEARING - SOLECT ENERGY DEVELOPMENT, LLC IS REQUESTING SITE PLAN APPROVAL TO CONSTRUCT A (1) 1.9 MV SOLAR ARRAYS ON A PORTION OF PROPERTY OF 361 + ACRES OF LAND. THE PROPERTY LOCATION IS OLD STURBRIDGE VILLAGE AT 1 OLD STURBRIDGE VILLAGE ROAD.**

**Materials presented:**

Application for Site Plan Approval – Solect Energy Development – received 5/19/2016

Solect Energy Development Proposed Solar Array – located at 1 Old Sturbridge Village Road – prepared by Bertin Energy – plan date 5/19/2016 – project #25-6332 – DWG # CVR – received 5/19/2016

Stormwater Drainage Analysis – Proposed Solar Site Plan for Solect Energy Development, LLC – BEI Job # 15-633 – received 5/19/2016

Old Sturbridge Village – Proposed Solar PV Project – received 5/20/2016

Peer Review - Quinn Engineering – dated 6/17/2016

Ms. Waters read the legal notice.

Ms. Gibson-Quigley acknowledged the following department memos:

- Ms. Bubon, Town Planner
- Mr. Morse, DPW Director
- Ms. Terry, Interim BOH Agent
- Lt. Marinelli, Fire Inspector
- Chief Zinther, Fire Chief – dated 6/21/2016

Mr. Howe of Solect Energy spoke. He stated that they came before the Board about a year ago and made a presentation for this project. The Village uses a large amount of electricity and this solar array would cut down their cost.

Mr. Linera of Solect Energy spoke. He stated that they propose construction of a (1) 1.9 MV solar arrays on a portion of property of 361+ acres of land. Access to the site will be via Old Sturbridge Road with a proposed gravel access road. The site will be gated and contain a Knox Box with a list of procedures for emergencies. Grass swales and detention basins will be utilized for proper drainage. There will be construction vehicles on site for approximately 12 weeks. Post construction will only have periodic maintenance on an as-needed basis but no routine access is anticipated.

Mr. Bicchieri of Bertin Engineering spoke. He stated that there will not be any direct impact to the wetlands on site. All work will occur on the outside of the 25' no disturb and 50' no structure buffers; 0 – 100' riverfront area will not be altered; 100 – 200 riverfront area will have storm water features within this area. There will be solar farm seed mixture planted throughout the altered sections of the site. A 7' high black vinyl fence will be constructed around the solar array.

Mr. Bicchieri stated that the project will work within the buffer zones to resource areas, within an NHESP habitat areas and within riverfront areas. The project will require a Conservation and Management Plan to provide mitigation for work performed within NHESP habitat areas, to be permitted under MEPA & MESA procedures. The project is subject to the Wetlands Protection Act and they have filed a NOI with the Conservation Commission.

Mr. Linera presented to the Board aerial footage video of the proposed site taken by a drone flyover.

The Board had the following concerns, comments and questions:

- Do you have Army Corp. of Engineering approval – Mr. Linera stated that the Army Corp. are looking for a sense of approval from the Board before they start reviewing the application
- What is the extent of clearing – Mr. Bicchieri stated that the tree clearing is minimal

- Can you plant to buffer from the Town trail system – a lot of people use these trails and not to have to see the solar arrays would be helpful – Mr. Bicchieri stated that they can plant lower growing arborvitae – smaller lower growth
- Access road on the plan is 18' – Fire Chief comments that the state requires 20' – Mr. Biccheiri stated that on the revised plan the access road will be 20'
- How many times will you be crossing the waterline – Mr. Biccheiri stated at least at two locations
- How can one see the maintenance log and inspections – Mr. Linera stated that Solect will maintain the log and one can be invited to their drop box or request it from the office
- Will there be an easement for the waterline – Mr. Biccheiri stated yes
- Entrance gate is 40' back from the road and no Knox Box is shown on the plan - then another gate with a lock box – Mr. Biccheiri stated that both gates will have a lock box and be shown on the revised plans
- The screws are 7' – how much in the ground – Mr. Linera stated that 6'4" are in the ground – Mr. Biccheiri stated for decommissioning you just unscrew

Ms. Bubon stated that as noted in Mr. Quinn's report the applicant had requested relief from the requirement of having the landscape plan prepared by a registered landscape architect. Ms. Bubon stated that she has no concern with the applicant's request. The Board had a similar application by Bertin Engineering for another solar array in Town and the landscaping plans were well done and the visual impact of that facility is negligible.

Ms. Bubon recommended that the Board vote to waive the requirement.

**Motion:** Made by Mr. Cunniff to waive the requirement that a registered landscape Architect prepare the landscape plan.

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

**Discussion:** None

**Vote:** 7 – 0

Ms. Bubon stated that Board will further recall that Attorney Jonathan Eichman came to a Planning Board meeting on February 10, 2015 to discuss this issue with the Board, OSV and representatives of OSV including, Mr. Howe from Solect. Mr. Eichman was of the opinion at that time, that it was reasonable for the Board to conclude that this proposal constituted an accessory use for OSV and would therefore be entitled to the same exemptions afforded OSV as an educational use. Since OSV has provided information on its energy usage and the energy that will be generated from this proposed facility and since the average energy usage of OSV is actually a bit higher than what will be produced, Ms. Bubon does agree that the Board can make this determination as part of the Site Plan Approval process.

**Motion:** Made by Mr. Chamberland to find that this proposed use by OSV would in fact be allowed since it would be an accessory to an educational use.

**2<sup>nd</sup>:** Mr. Blanchard

**Discussion:** None

**Vote:** 7 – 0

The Board requested the following as a condition: the applicant shall install buffer plantings as shown on the plan submitted. The Planning Board and/or its designee shall review the buffer once installed. The Board reserves the right to require additional plantings be installed if deemed necessary to provide appropriate buffering.

The applicant agreed.

**Motion:** Made by Mr. Chamberland to continue the Public Hearing for Solect Energy Development, LLC for solar arrays on a portion of land at Old Sturbridge Village, to July 12, 2016 @ 6:35 PM.

**2<sup>nd</sup>:** Mr. Cunniff

**Discussion:** None

**Vote:** 7 - 0

**WAIVER OF SITE PLAN APPROVAL – STURBRIDGE LAQUINTA, LLC IS REQUESTING TO BUILD A PATIO ON THE EXISTING PAVEMENT. THE PROPERTY IS LOCATED AT 478 MAIN STREET.**

**Materials presented:**

Application for Waiver of Site Plan Approval – Sturbridge LaQuinta, LLC – received 5/31/2016

Proposed Pool – prepared by Bertin Engineering – plan date 5/1/2007 – file #W635 – received 5/31/2016

Interior Design Specifications

Architectural Specifications Manual

Ms. Gibson-Quigley acknowledged the following department memos:

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

Ms. Brown, General Manager of LaQuinta spoke. She stated that they would like to install a patio area for use by hotel guests on the existing paved/concrete area behind the building. It would have a pergola, fire pit and a television screen and seating.

The Board had the following concern, comments and questions:

- How will the fence be anchored – Ms. Brown stated the fence will be anchored with concrete

- Late night noise – Ms. Brown stated that the patio will close at 11:00 PM
- Late night usage could be a concern to neighbors
- Board requested adding a condition: The patio use is limited to no later than 11:00 PM. In the event use of the patio becomes an annoyance to abutters the applicant will be asked to review the operating hours of the patio and adjust accordingly.

**Motion:** Made by Mr. Cunniff to approve Waiver of Site Plan Approval to Sturbridge LaQuinta, LLC to build a patio on the existing pavement in the rear of the building for the property located at 478 Main Street with the following three conditions:

1. All State and Local Zoning Bylaws, Building Codes, and other Regulations must be adhered to.
2. All other necessary permits and approvals must be obtained prior to the start of construction. If any required approvals are not obtained and the plans must be modified, the applicant shall present revised plans to the Board for review and approval.
3. The patio use is limited to no later than 11:00 PM. In the event use of the patio becomes an annoyance to abutters the applicant will be asked to review the operating hours of the patio and adjust accordingly.

**2<sup>nd</sup>:** Mr. Chamberland

**Discussion:** None

**Vote:** 7 - 0

**WAIVER OF SITE PLAN APPROVAL – NANCY FERREIRA BIXBY/ALTRUIST BREWERY COMPANY FOR A MICRO-BREWERY TO BE LOCATED AT THE MARKET PLACE LOCATED AT 559 MAIN STREET.**

**Materials presented:**

Application for Waiver of Site Plan Approval – Nancy Ferreira-Bixby – received 6/1/2016  
Floor Plans – current one dated 6/15/2016

Ms. Gibson-Quigley acknowledged the following department memos:

- Mr. Ford, Police Chief
- Mr. Burlingham, Building Commissioner
- Lt. Marinelli, Fire Inspector
- Ms. Bubon, Town Planner

Ms. Ferreira-Bixby, the applicant, spoke on her own behalf. She stated that the current storage space will be re-purposed as a micro-brewery. Floor plan includes a small kitchen, cold room, brewery, bar public seating, bathrooms, office, new entry doors, grain room and an outdoor beer garden – patio. The microbrewery will go into a current marketplace building with an existing parking lot

The Board had the following concerns, comments and questions:

- Is there enough parking – Ms. Bubon stated yes – because of the staggering times of the different business – there should not be a problem

- Will the beer garden have a separate entrance or exit – Ms. Bubon stated it is a small area and will not have a separate entrance/exit
- Same place as Pioneer Brewery was to be – Ms. Bubon stated not exactly – Altruist will be in the rear next to the elevator – was used for storage – the applicant will do a Chapter 34
- The Board wished them luck and thought it was a good concept.

**Motion:** Made by Ms. Dumas to approve Waiver of Site Plan Approval to Altruist Brewing Company for a micro-brewery to be located at the Market Place at 559 Main Street with the following three conditions:

1. All State and Local Zoning Bylaws, Building Codes and other Regulations must be adhered to.
2. All staff concerns shall be addressed with the final plan submittal to the Building Inspector, Board of Health and Fire Department.
3. All other necessary permits and approvals must be obtained prior to the start of construction. If any required approvals are not obtained and the plans must be modified, the applicant shall present revised plans to the Board for review and approval.

**2<sup>nd</sup>:** Mr. Chamberland

**Discussion:** None

**Vote:** 7 - 0

**WAIVER OF SITE PLAN APPROVAL – SAIL ENERGY, LLC (PIONEER OIL) – THE OWNER WISHES TO ADD PROPANE SERVICES TO ITS BUSINESS AND PROPOSES TO INSTALL A 35' X 40' FENCED AREA FOR STORAGE OF CUSTOMER PROPANE TANKS THAT ARE EN ROUTE TO OR FROM CUSTOMER LOCATIONS. THE PROPERTY LOCATION IS 59 TECHNOLOGY PARK ROAD.**

**Materials presented:**

Application for Waiver of Site Plan Approval – Sail Energy, LLC – received 6/11/2016

Pioneer Oil – Site Plan – received 6/13/2016

Ms. Gibson-Quigley acknowledged the following department memos:

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

Mr. Tolan, the applicant, spoke on his own behalf. He stated that the proposal is to add propane services as part of its current oil operation. No bulk storage of propane is proposed at this time. There will be a 35' X 40' fenced area for storage of propane tanks en route to or from customer locations. Also contained in the area will be a 1,000 gallon tank to be used to reclaim residual propane from any tank returned to the facility.

The Board had no comments or concerns.

Ms. Bubon stated that the Fire Department did indicate that a permit would be required for the 1,000 gallon propane tank to be installed

**Motion:** Made by Ms. Dumas to approve Waiver of Site Plan Approval to Sail Energy, LLC for the installation of a fenced area to store customer propane tanks for the property located at 59 Technology Park Road with the following two conditions:

1. All State and Local Zoning Bylaws, Building Codes and other Regulations must be adhered to.
2. All other necessary permits and approvals must be obtained prior to the start of construction. If any required approvals are not obtained and the plans must be modified, the applicant shall present revised plans to the Board for review and approval.

**2<sup>nd</sup>:** Mr. Cunniff

**Discussion:** None

**Vote:** 7 - 0

### **BABA SUSHI – DISCUSS CHANGE TO LANDSCAPE PLAN.**

Ms. Bubon stated that she has been working with Baba Sushi to come up with a schedule for the installation of the landscaping on site. During this process, Ms. Bubon learned that the owner is no longer in favor of installing the outdoor patio area and instead would like to construct a water feature and modify the approved landscaping plan feeling that it would enhance the look of the property.

The owner has therefore hired a landscape company and they have retained a Registered Landscape Architect, Mr. Coan. He has provided a revised plan and photos of the plant materials to be used.

Ms. Bubon stated that the owner, Mr. Wang had executed a Power of Attorney which gives Mr. Coan authority to act on his behalf at this meeting since Mr. Wang cannot be present.

Mr. Coan stated that the main change in plant materials is the type of tree. Mr. Coan stated they would like to replace the maple trees with three kwanzan cherry to keep with the Asian theme. The outside patio will be replaced with a water feature.

The Board had the following concerns, comments and questions:

- Like the landscape plan – Mr. Coan stated that the maple tree that is still standing is not in good shape – should be removed – the Board agreed
- Want to be consistent with the street trees in that area - could you add two maple trees – Mr. Coan stated that they would add the two maple trees and remove the dead one

**Motion:** Made by Mr. Blanchard grant the modifications to the landscape plan plus two maple trees in addition to the three kwanzian cherry and remove the dead maple and add the two maple trees along frontage with the tree kwanzian cherry.

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

**Discussion:** None

**Vote:** 7 - 0

## **TOWN PLANNER**

Foreclosure notice for 657 Main Street

Om Shri Ambika - started construction on the Holiday Inn Express – anticipated opening August 2017 – Mr. Patel will be requesting an extension on his TIF for one more year since there will be no new incremental value in FY17

Pilot Travel Quarterly Report – FYI

Rumor has it that Charter Foods may be refiling for Taco Bell. If it happens Ms. Bubon has contacted Fuss & O'Neill and they have agreed to do the Peer Review on the traffic study for the Board. Mr. Morse will review the Site Plan when and if it is submitted.

200 Fiske Hill Road – BOS voted not to pursue

## **OLD/NEW BUSINESS**

None

## **NEXT MEETING**

July 12, 2016

On a motion made by Ms. Waters, and seconded by Mr. Blanchard , and voted 7– 0, the meeting adjourned at 8:30 PM.