

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, JANUARY 9, 2018
CENTER OFFICE BUILDING**

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 Cunniff
Penny Dumas
Heather Hart
Sandra Gibson-Quigley, Chair
Susan Waters, Clerk

Also Present: Jean M. Bubon, Town Planner
Rebekah DeCoursey, Administrative Assistant
Christopher McClure, McClure Engineering
Cedric Daniel, Applicant
Patrick. Doherty, MidPoint Engineering
Jayesh Patel, Applicant

Ms. Gibson-Quigley opened the meeting at Town Hall and read the agenda.

APPROVAL OF MINUTES

Motion: Made by James Cunniff to approve the draft minutes of December 5, 2017
2nd: Russell Chamberland
Discussion: None
Vote: 6 – 0 – 1 (Charles Blanchard)

Motion: Made by Russell Chamberland to approve the draft minutes of December 13, 2017
2nd: Charles Blanchard
Discussion: None
Vote: 4 – 0 – 3 (Penny Dumas, Heather Hart, Susan Waters)

ANR – WILLIAM T. LAUGHLIN – THE TRAIL

Materials presented:

ANR Plan Content & Submittal Checklist

Form A – dated January 2, 2018

Plan of Land – The Trail – owned by William T. Laughlin – prepared by Sherman & Frydryk (3 Converse Street, Suite 203, Palmer, MA 01069). Plan date 12/28/17– Project #99341A

Ms. Bubon stated the plan shows the division of land into Parcel A and the remaining land. Ms. Bubon stated that the plan does meet all requirements and recommended that the Board endorse the plan.

Motion: Made by Susan Waters to endorse Plan of Land – The Trail – owned by William T. Laughlin – prepared by Sherman & Frydryk.

2nd: Heather Hart

Discussion: Mr. Blanchard asked for clarification of Parcel A because it has no frontage. Ms. Bubon stated it is her understanding that it was sold to an abutter with adequate frontage.

Vote: 7 – 0

Ms. Waters signed the plan

ANR – HARRIS HOLDINGS – BREAKNECK ROAD

Materials presented:

ANR Plan Content & Submittal Checklist

Form A – dated January 2, 2018

Lot Division Plan – Breakneck Road – owned by Harris Holdings – prepared by Sherman & Frydryk (3 Converse Street, Suite 203, Palmer, MA 01069). Plan date 12/29/17 – Project # 17012.

Ms. Bubon stated the plan shows the division of land into Parcel A, Lots 6, 7, 8 and Parcel B. Ms. Bubon stated that the plan does meet all requirements and recommended that the Board endorse the plan.

Motion: Made by Susan Waters to endorse Lot Division Plan – Breakneck Road – owned by Harris Holdings – prepared by Sherman & Frydryk.

2nd: Heather Hart

Discussion: None

Vote: 7 – 0

ANR – HARRIS HOLDINGS – BREAKNECK ROAD

Materials presented:

ANR Plan Content & Submittal Checklist

Form A – dated January 2, 2018

Lot Division Plan – Breakneck Road – owned by Harris Holdings (Chechile Parcels) – prepared by Sherman & Frydryk (3 Converse Street, Suite 203, Palmer, MA 01069). Plan date 12/30/17 – Project 17012A

Ms. Bubon stated the plan shows the division of land into Parcel B1, B2, and B3. Ms. Bubon stated that the plan does meet all requirements and recommended that the Board endorse the plan.

Motion: Made by Russell Chamberland to endorse Lot Division Plan – Breakneck Road – owned by Harris Holdings (Chechile Parcels) – prepared by Sherman & Frydryk

2nd: Susan Waters

Discussion: None

Vote: 7 – 0

WAIVER OF SITE PLAN APPROVAL – RAPSCALLION BREWERY IS REQUESTING A WAIVER OF SITE PLAN FOR A PROPOSED 480 S. F. BUILDING ADDITION FOR THE STORAGE OF BREWING PROCESS MATERIAL. THE PROPERTY IS LOCATED AT 195 ARNOLD ROAD.

Materials presented:

Application for Special Permit

A Certified List of Abutters

Filing Fee

A plan entitled “Site Plan – Building Addition – 195 Arnold Road, Sturbridge, MA 01566” containing seven sheets, Plan Date November 10, 2017. Plans are prepared by McClure Engineering, Inc., 119 Worcester Road, Charlton, MA 01507

A narrative dated November 9, 2017 from McClure Engineering, Inc. Re: Special Permit Application: Proposed 480 sq.ft. Building Addition, Rapscallion Brewery, 195 Arnold Road, Sturbridge, MA

A copy of the deed

Ms. Gibson-Quigley acknowledged the following memos:

- Memorandum from Nelson Burlingame, Building Commissioner dated November 28, 2017
- Memorandum from Thomas J. Ford III, Chief of Police dated November 29, 2017
- Memorandum from Lt. John C. Marinelli, Fire Inspector dated November 28, 2017
- Memorandum from Becky Gendreau, Conservation Agent dated November 22, 2017
- Memorandum from Kevin Filchak, Economic Development & Tourism Coordinator dated December 6, 2017

- Correspondence to the Zoning Board of Appeals and response from the ZBA to the Big Alum Lake Association (copied to Planning Board)

Mr. McClure from McClure Engineering presented the project. The applicant is requesting a Waiver of Site Plan Approval to construct a building addition. The property is located at 195 Arnold Road, also known as Hyland Orchard. The proposed addition of 480 sq.ft. will be used to store raw material used in the brewing process. The structure will be bare bones in terms of construction; a simple, safe, and secure room for storage. The current storage area for the materials is on-site up a steep embankment and in certain weather conditions the transport of this material from the storage area to the brewing area becomes dangerous.

The addition will be toward the rear of the existing building. Color and style of the addition will be concurrent with the existing structure. A proposed rain garden will be added adjacent to the addition, supplementing existing landscaping on site. There will be no significant changes to layout, parking and circulation and stormwater management.

The Board had the following questions, comments, and concerns:

- Please clarify where the Hyland Orchard Pavilion is located on the site plan. Mr. McClure showed that the Pavilion is on the opposite side of the building from the proposed addition. The addition is between the existing building and Lake Road.
- Is it correct that the addition will be used to store materials that are already being stored on site? Yes, that is correct. The current storage area is not 100% safe to access and secure. The new space will give much easier access to the brewing materials. There will be no changes to the brewing operation itself.
- In the memo from the Fire Inspector, it states that several measures “may” need to be taken. Have these issues been identified or addressed? Not yet, the Fire Inspector and Building Inspector will determine what specifically will be needed as construction commences.
- Ms. Bubon stated that the ZBA has granted a Finding and Special Permit to allow the building addition at its meeting of December 13, 2017. The ZBA also had Ms. Bubon prepare the response to a letter of concern from the Big Alum Lake Association to the ZBA regarding this project.
- Ms. Bubon stated that Design Review Committee approval is not required as this proposal does not impact 10% or more of the façade.

Motion: Made by Charles Blanchard for Waiver of Site Plan Approval to Rapsallion Brewery located at 195 Arnold Road for a 480 sq.ft. building addition to store raw materials for the brewing process with the following conditions:

1. All construction and site improvements shall be in conformance with the plans submitted and approved by the Planning Board.
2. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
3. All other necessary permits must be obtained prior to the start of construction.

4. The site shall be kept in a neat and orderly condition throughout the construction process.
5. 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.

2nd: Susan Waters

Discussion: Ms. Dumas acknowledged that the Board had read and noted the concerns of the Big Alum Lake Association, and we can assume that the concerns were addressed and alleviated at the Zoning Board of Appeals meeting on December 13, 2017.

Vote: 7 – 0

TOWN PLANNER UPDATE

Recreational Marijuana will be reviewed before the Board of Selectman on January 16, 2018 by Kopelman Paige, the Town Counsel. Ms. Bubon recommended the Planning Board members attend the meeting if possible, or watch streaming via the Town website. The Recreational Marijuana state regulations have changed significantly during the revisions of drafts. Kopelman Paige will be presenting these changes and provide suggestions on how the Town could move forward with some type of Recreational Marijuana Bylaw. Understanding how the new state regulations work will be the first part of understanding town regulations.

O’Reilly Auto Parts have reached out via writing about creating a sign package for the old Paoletti’s Fruit Store. No plans have been submitted to the Planning Department yet.

Jellystone Yogi Bear Campground has met with Ms. Bubon about renovating the Campground into a first class RV Park. They are proposing numerous improvements including new community rooms, reducing camp sites and improving roads, updating restrooms.

Next meeting dates: January 23, February 13, February 27, March 13, March 27.

February 26th is a Special Town Meeting. Keep this in mind as we approach the February 27th meeting date.

Om Shri Ambika will be making modifications to their approve Site Plan at 21 New Boston Road. Due to increased construction costs, there will be modifications to the building roofline. The information was received after the Agenda for tonight’s meeting was posted, so it cannot be discussed at this meeting. Ms. Bubon has taken a quick look at the plans, and if the modifications are only slight that she would recommend a joint meeting of the Design Review Committee and Planning Board for a Waiver of Site Plan and Architectural Review of the new building design.

STREET ACCEPTANCES

The Planning Board has already petitioned to send these two street acceptances forward, and procedure has it be that they return to the Planning Board from the Board of Selectmen. It is put forward tonight to petition that it be moved on to Town Meeting for a vote of acceptance.

LAUREL WOODS – ACORN LANE

Acorn Lane is located within Laurel Woods; a subdivision located off of Cedar Street that was approved by the Planning Board in 2006. The development contains 9 lots and the last of these lots were built upon in the past year. All conditions of the approved subdivision plan have been complied with and the appropriate inspections have been completed. Additionally, the bounds have been set.

Ms. Bubon and Mr. Morse from DPW are recommending that the Planning Board Petition the Board of Selectman to accept the roadway as a public way. Mr. Randy Bercume has worked to complete the subdivision project, inspections have been completed, and Escape Estates has completed the as-builts as well as metes and bounds.

Motion: Made by Ms. Dumas that the Planning Board Petition the Board of Selectmen to begin the process to lay out Acorn Lane as a town way in accordance with Chapter 82 of the Massachusetts General Laws, as shown on the layout plan of land entitled “Street Acceptance Plan Sturbridge, MA” prepared for Escape Estates, Inc. by Thomas R. Fancy Land Surveyor and dated October 12, 2017.

2nd: Mr. Chamberland

Discussion: None

Vote: 7 – 0

OLD TOWNE WAY

Old Towne Way is located within Spring Hill Estates; a subdivision located off of Glendale Road that was approved by the Planning Board in 1995. The development contains 21 lots and the last of the lots were built upon quite some time ago. During November 2017 inspection by Ms. Bubon and Mr. Morse it was noted that all seven items that previously needed attention has been addressed.

Motion: Made by Ms. Dumas that the Planning Board Petition the Board of Selectmen to begin the process to lay out Old Towne Way as a town way in accordance with Chapter 82 of the Massachusetts General Laws, as shown on the layout plan of land entitled “As Built Plan and Profile of Old Town Way Sturbridge, Mass” prepared by Richard D. Para, P.O. Box 202, Southbridge, MA.

2nd: Mr. Chamberland

Discussion: None

Vote: 7 – 0

PUBLIC HEARING TO CONSIDER GRANTING A SPECIAL PERMIT TO OM SHRI AMBIKA TO ALLOW ERECTION AND MAINTENANCE OF SIGNS IN

EXCESS OF WHAT IS ALLOWED IN THE BYLAWS OF CHAPTER 25 SECTION 25.05.5. APPLICANT IS PROPOSING ONE FREESTANDING SIGN FOR THE MULTI-TENANT BUILDING, BUILDING MOUNTED SIGNS FOR PANERA BREAD, DRIVE-THRU MENU BOARDS, AND DIRECTIONAL SIGNS FOR TRAFFIC.

Materials presented:

Application for Special Permit

A narrative from MidPoint Engineering & Consulting Dated November 27, 2017 – re: Hotel Redevelopment Plan, 21 New Boston Road – Special Permit for site & building sign describing the project.

Certified List of Abutters

Copy of the deed

Renderings of the signs proposed

Ms. Waters read the legal notice.

Ms. Gibson-Quigley acknowledged the following memos:

Kevin Filchak, Economic and Development/Tourism Director dated December 6, 2017.

Mr. Doherty from MidPoint Engineering spoke on behalf of the applicant. Om Shri Ambika is applying for a Special Permit for a 96 square foot multi-tenant sign for the property and three building signs and two drive-thru boards (a preview board) and the menu board order station for Panera Bread on the property located at 21 New Boston Road.

Mr. Doherty stated that the current sign regulations in Sturbridge are “one size fits all” in terms of the Bylaws being the same for all projects – commercial, residential, or anything else. The project proposed at 21 New Boston Road is unique because there are specific Zoning setbacks for the Village Gateway District. There is also a very large right-of-way along Route 20. These put the building further back off the road than many traditional projects. The first versions of the signs have gone before the Design Review Committee and their suggestions were applied to the revised plans submitted tonight.

The project is proposing 3 building signs: on the front of the building facing the parking lot, on the Route 20 side, and on the New Boston Road side. These signs individually are smaller in size than the Bylaw requirements. The signs on the parking lot and New Boston Road sides will read “Panera Bread Drive Thru” totaling 23.61 sq. ft. The sign on the Route 20 side will read “Panera Bread” totaling 18.86 sq. ft. The signs will be lit with external lighting. Panera Bread would like a placard logo sign on the front of the building, which will be on an outside corner, to display their mother bread graphic. This brand sign will be 5.84 sq. ft. and

be on the parking lot side and the Route 20 sides of the southwest corner post adjacent the outdoor seating area.

There are three proposed directional signs, bearing only lettering and no logo branding per discussing with the Design Review Committee. Two signs will read “Drive Thru” and one will read “Do Not Enter” – “Thank you”. The signs will have aluminum panel construction painted black and opaque green digitally painted graphics.

The proposed menu board will be 5 spaces back from the drive-thru window. The preview board would be 1 space back from the menu board. Mr. Doherty explained that in a business with an extensive menu such as Panera, the preview board helps with speeding up the drive-thru and keeps the line moving smoothly.

The project is also proposing a freestanding multi-tenant sign for four tenants. Each panel is smaller than what they Bylaw allows, but the overall size of the size is larger at 96 sq. ft. The pylon sign will be mounted on a concrete footing and brick foundation raised 6’ above the ground. It will have an aluminum fabricated black sign cabinet, and be externally lit. The Design Review Committee’s feedback included looking for consistency amongst the signs, which has been applied to the plans presented tonight, including matching the multi-tenant Panera sign to match the directional signs.

The Board had the following questions, comments, and concerns:

- Why do you need sign on three sides on the building? New Boston Road has a daily traffic average of 4,500 cars. The additional signage will increase visibility in an area that has many cars going by each day, but many at a high rate of speed.
- Why do the signs need to say “Drive Thru” in addition to “Panera Bread”? The Site Plan Review process for this project actually did a good job creating visual buffers hiding the drive-thru from passersby. While this enhances the site, it does decrease the visibility to potential customers.
- Please clarify the small logo sign – it is necessary? Panera has accepted the request to remove a lot of the branding logo on the other signs. The mother bread symbol is their logo and recognizable and they would like this small sign to be located adjacent the entrance, in the outdoor seating area.
- The multi-tenant sign. If there is an additional tenant added, will there be need for a new sign? No, one of the panels would be split in half to accommodate the two businesses signs.
- Is the property the sign is on owned by the applicant? No, it is located in a lease area of right-of-way. The old Motor Lodge sign was previously located in the same location.
- The multi-tenant sign design could be improved. The architecture is simple and this location is in the Gateway District – it would be nice to see something with a little more character to it to welcome people to town.
- Please review the materials for the sign. “Panera Bread” and “Drive Thru” will be acrylic letters painted black. The sign will be without the white background as it is shown on the plans. It will only be the black lettering. The mother bread logo sign will be painted acrylic and will be about the size of a stop sign.

- Regarding the digital menu board, what will the brightness of the board be? Will it be visible from Route 20 to motorists driving by? Mr. Doherty explained that the menu and preview board will be white lettering and pictures on a black background. The brightness is designed to make it easily readable to readers only a few feet away. It certainly won't be overcome by the brightness of the parking lot lighting. It will also be angled for best viewing from the drive-thru customers, is roughly 150' from the road and shouldn't be easily seen or read from the road.
- The menu board will also be screened from Route 20 with vegetation, and will not be visible from the parking lot. McDonald's in town has a large menu board and it is shut off at night. Will this one be shut off at night? Mr. Doherty said it would not be a problem to include that in the conditions of the Special Permit.
- The Planning Board has in front of them the first version of the plan; the new sign packets did not come in time from MidPoint Engineering before the meeting. The vote tonight will be on the sign structure and layout that was presented tonight. None of the signs will be internally lit, although the old sign packets note one internally lit sign.
- In the Site Plan Review, the traffic review stated that on average 4 cars per hour pass through the drive-thru. At the public meeting there was a person that spoke stating that 93 cars per hour pass through the drive-thru. Why is there such a large difference between these two numbers? Mr. Doherty stated that in the Site Plan process he had observed Panera drive-thru's in Webster, MA and one in Southern CT and there was an average of 4 cars in the queue at a time. That is where his number came from. Mr. Doherty was not familiar with the reference to the 93 cars.
- Theoretically, what is highest number of cars that could be waiting in the queue? Approximately 27 cars.
- Overall the signs have been well done.

The Public has the following questions, comments, and concerns:

- Ms. Gimas of 38 Farquhar Road brought up concern with the reference to 93 cars. She stated that she was at the public hearing with that conversation, and that the person who said that had pulled it up on their phone. There was no reference to a source or citation of any kind. She stated she would only believe statistics that came from a valid source.
- Mr. Rosenbloom of 5 Old Brook Circle expressed excitement over Panera coming to town. He stated that the Planning Board should speed it up and stop interfering with moving this process forward. Ms. Gibson-Quigley explained to Mr. Rosenbloom that this meeting is part of the planning process; the applicant had requested a Special Permit for the signs, and as soon as the Special application was received in the planning office, it was added to the next meeting agenda. There was no delay in the permitting process at the town level.

Motion: made by Mr. Blanchard to approve the Special Permit for Om Shri Ambika signs at 21 New Boston Road to allow erection and maintenance of signs as presented on plans submitted January 9, 2018 with revisions dated January 5, 2018 and original dated of October 25, 2017 – Drawing 30330.1 and 30330.2 “Panera Bread” and “Drive Thru” Signs; Drawing 30330.3 “Panera Bread” sign; Drawing 30330.7 one digital Preview Board and one

digital Menu Board; Drawing 30330.9 Multi-tenant freestanding sign with the following condition:

1. The digital preview and menu boards will be shut off when the business is not in operation.

2nd: Ms. Waters

Discussion: None

Vote: 6 – 1 – 0 (Mr. Cunniff)

OLD/NEW BUSINESS

On a motion made by Mr. Blanchard and seconded by Ms. Waters, and voted 7 - 0, the meeting adjourned at 8:14 PM.