

**STURBRIDGE PLANNING BOARD
MINUTES OF
TUESDAY, MARCH 27, 2018
CENTER OFFICE BUILDING**

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

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

Also Present: Rebekah DeCoursey, Administrative Assistant
Jean Bubon, Town Planner
Peter Engle, Bertin Engineering
Hadley Zabinski, Applicant
Josuha Lee Smith, Bowditch & Dewey
Huseyin Sevincgil, MHF Design Consultants
Fernando Santos, Sturbridge resident
Katherine Braucher Adams, representing Heal Inc.
Mark Borenstein, representing Baba Sushi

**ANR – THE ALLEN HOMESTEAD – SUPRENT REALTY TRUST
PREPARED FOR RANDY BERCUME**

Materials presented:

ANR Plan Content & Submittal Checklist

Form A – dated March 23, 2018

“The Allen Homestead – Revised Lots 19, 20, & 21 Subdivision Approval Not Required Plan of the Land in Sturbridge, Massachusetts Prepared for Randy Bercume by Harold L. Eaton and Associates, Inc. (235 Russell Street, Hadley, Massachusetts) dated March 14, 2018.”

Ms. Bubon explained this plan is a slight variation of the ANR for Tannery Road endorsed at the previous meeting. The plan shows the realignment of property line for Lots 19, 20, & 21 to comply with the frontage requirements. The application and plan were submitted by the property owner’s lawyer and Ms. Bubon recommended the Board endorse the plan.

Motion: Made by Mr. Cunniff to endorse “The Allen Homestead – Revised Lots 19, 20, & 21 Subdivision Approval Not Required Plan of the Land in Sturbridge, Massachusetts Prepared for Randy Bercume by Harold L. Eaton and Associates, Inc. (235 Russell Street, Hadley, Massachusetts) dated March 14, 2018.”

2nd: Ms. Waters
Discussion: None
Vote: 7 – 0

The Ms. Waters endorsed the plan.

FORM K – FOR ALLEN HOMESTEAD

Ms. Bubon explained that during the process of the real estate transition at Tannery Road, it was discovered that the release of lots had not been completed back when the subdivision was established. Ms. Bubon recommended that the Board sign Form K for the Allen Homestead.

Motion: Made by Mr. Chamberland to sign Form K for the release of lots at the Allen Homestead
2nd: Ms. Waters
Discussion: None
Vote: 7 – 0

The Board Members signed the form.

PUBLIC HEARING – SPECIAL PERMIT – HADLEY ZABINSKI – THE APPLICANT IS REQUESTING SITE PLAN APPROVAL FOR REDEVELOPMENT OF 1 RIVER ROAD FROM THE EXISTING RETAIL FACILITY TO A LUXURY FULL-SERVICE PET DAY CARE, LODGING, TRAINING, AND GROOMING FACILITY.

Materials presented:

Application for Special Permit

Filing Fee

A Certified list of Abutters

Plan entitled “Proposed Dog Daycare “Paw Plaza” Redevelopment located at #1 River Road, Sturbridge, Massachusetts 01566.” Plans prepared by Bertin Engineering, Associates Inc. (38 Elm Street, Southbridge, MA 01550. February 21, 2018 containing sheets C-1 through C-8.

Plan prepared by Gallant Architecture entitled “Paw Plaza 1 River Road, Sturbridge, MA” dated February 20, 2018 containing three sheets.

A document entitled Stormwater Drainage Analysis on behalf of Applicant: Hadley Zabinski, 18 Oak Ridge Drive, Charlton, MA 01507. Project location: 1 River Road, Sturbridge, MA 01566. Dated February 21, 2018. Prepared by Peter Engle, PE and Frank Bicchieri, PE.

A document entitled Construction Stormwater Pollution Prevention Plan on behalf of Hadley Zabinski, 18 Oak Ridge Drive, Charlton, MA 01507. Project location: 1 River Road, Sturbridge, MA 01566. Dated February 21, 2018. Prepared by Peter Engle, PE and Frank Biccieri, PE.

A plan entitled “Snow Storage Area” prepared by Bertin Engineering dated March 21, 2018.

Ms. Gibson-Quigley acknowledged the following departmental correspondence:

- Thomas Chamberland, Tree Warden memo dated March 2, 2018
- Nelson Burlingame, Building Commissioner memo dated March 8, 2018
- John Marinelli, Fire Inspector, memo dated March 1, 2018
- Bri Eichstaedt, Health Agent dated March 2, 2018
- Thomas Ford, Chief of Police memo dated March 2, 2018
- Kevin Filchack, Economic Development/Tourism memo dated March 8, 2018
- Gregory Morse, DPW Director memo dated March 13, 2018
- Rebecca Gendreau, Conservation Agent memo dated March 8, 2018.
- Jean Bubon, Town Planner report dated March 21, 2018.

Mr. Engle from Bertin Engineering presented the project on behalf on the applicant, Hadley Zabinski. The project proposal is for 1 River Road, the former Hebert Candy Building. The project includes the two out buildings, the main building, the woods, lawn, and existing septic. There will be some slight clearing on the eastern side on the property to make room for dog play area. Mr. Engle discussed some of the site improvements that will be completed. An old catch basin that is non-functioning will be removed and relocated, as well as other grading and drainage improvements to the parking area. One of the requirements from the Fire Department was to bring the building up to sprinkler code; this will include increasing the size of the water pipe for the sprinklers to accommodate appropriate flow rates. The project will utilize the existing septic system. Ms. Zabinski has done research on the water use reports from other pet day cares, including Charlton and Hadley. The average flow rates will work with the existing septic at 1 River Road. Ms. Zabinski plans to apply to the DEP for an alternative use of septic to cover all the bases. Trash will be located the parking lot and shielded from view.

There will be gravel walkways between the outdoor play areas. The rear gravel parking lot will be converted into lawn. The outdoor play areas will be constructed of 4”-6” of crushed stone over soil, with artificial turf covering the stone. Artificial turf is much more sanitary for the dogs, easier to clean, and eliminates risk of disease and pets (flea, tick) problems.

Parking complies with regulations at 33 spaces. The predicted maximum number of customers per hour is 36. The reception desk will be open 7am to 7pm when the peak day customer traffic is predicted during drop off and pick up hours. The maximum drop off time is predicted to be 5 minutes, but Ms. Zabinski feels that for regular customers this will be closer to a 1 or 2 minute timeframe.

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

- Clarifying fire requirements: Ms. Zabinski has met with the appropriate member of the Fire Department, including Chief Grasso and her fire safety plans include sprinklers, pipe improvements, and a knox box.
- When there are overnight animal guests, the facility will be staffed 24 hours.
- How will noise be addressed? Ms. Zabinski plans to follow the Massachusetts quiet hours of 9pm to 7am. No dogs will be outside at this time unless it is an emergency.
- The stockade fencing will be vinyl or wood depending on expenses. The entire site will be fenced in. This is better for the dogs – less distractions, less barking, and the dogs are able to remain focused on a task. A happy entertained dog tends to be a quite dog.

The public had the following comments:

- Gary Griffin, property manager and relator for 1 River Road spoke in favor of the project. He stated the building has a newer roof, an updated septic and is very happy that the property is in agreement after sitting empty for a long time. He feels the project will be great in Sturbridge and is a wonderful use of the building.

Ms. Bubon stated that Ms. Zabinski was great to work with on this project. Not only will this be a great use for the Herbert Candy Building, she had devoted herself to understanding learning, and creating the best environment possible for the dogs. She also worked with the engineers to address all of the concerns and requirements that were asked of her and the project.

Motion: Made by Ms. Waters to close the public hearing.

2nd: Ms. Dumas

Discussion: None

Vote: 7 – 0

Motion: Made by Mr. Chamberland to approve the Site Plan as presented in the application dated February 20, 2018 and the revised plans by Bertin Engineering, Associates Inc., with 16 conditions.

2nd: Ms. Dumas

Discussion: None

Vote: 7 – 0

PUBLIC HEARING – SPECIAL PERMIT – PETROGAS GROUP NEW ENGLAND, INC. IS REQUESTING SITE PLAN APPROVAL FOR THE EXTENSION OF A PRE-EXISTING NON-CONFORMING STRUCTURE AD USE. APPLICANT ALSO SEEKS SPECIAL PERMIT FOR A GREATER NUMBER OF SIGNS AT THE LOCATION THAN ALLOWED BY THE ZONING BYLAWS. THE PROPERTY IS LOCATED AT 234 & 236 HAYNES STREET.

Materials presented:

Application for Special Permit

Certified List of Abutters

A plan entitled “234 & 236 Haynes Street, Prepared for: Petrogas Group New England, Inc. – 168 North Main Street, Andover, Ma 01810. Prepared by MHF Design Consultants, Inc. – 44 Stiles Road, Suite One, Salem, New Hampshire 03079. Dated 2-20-18 Sheet No 5 of 14.

Photographs of the existing facilities

Existing Conditions Plan – Site Address – Route 15, Sturbridge, MA 01550. Prepared by Bertin Engineering, 39 Elm Street, Sturbridge, MA 01550. Plan dated March 4, 2016.

Plan entitled – applegreen Sturbridge, MA – Mashapaug Road, Sturbridge, MA 01566. Existing Floor Plan prepared by Upland Architects, 250 E. Main Street, Suite 13, Norton, Massachusetts 02766 (undated)

A document entitled – applegreen Sturbridge, MA Existing Conditions – Exterior Photos. Prepared by Upland Architects, 250 E. Main Street, Suite 13, Norton, Massachusetts, 02766 (undated)

A plan entitled – applegreen Sturbridge, MA – Mashapaug Road, Sturbridge, MA 01566. Proposed Shell Plan. The Plan was prepared by Upland Architects, 250 E. Main Street, Suite 13, Norton, Massachusetts, 02766 (undated).

A plan entitled – applegreen Sturbridge, MA – Mashapaug Road, Sturbridge, MA 01566. Proposed Exterior Elevations Sheets A200 and A201. The Plan was prepared by Upland Architects, 250 E. Main Street, Suite 13, Norton, Massachusetts, 02766 (undated).

Traffic Assessment Proposed Retail Motor Fuel Outlet Redevelopment, 234 & 236 Haynes Street (Route 15), Sturbridge, Massachusetts Prepared for: Petrogas New England, Inc. – 168 North Main Street, Andover, MA 01810.

Joshua Lee Smith, from Bowditch & Dewey, and Huseyin Sevincgil, from MHF Design Consultants, presented the project on behalf of the client. Petrogas Group New England Inc. is seeking Site Plan Approval and a Special Permit for sign relief. After filing the application on February 26, 2018 the project obtained approval for building architecture and signage design from the Design Review Committee, as well as Special Use Permit from the

Zoning Board of Appeals. The project still needs to go before the Conservation Commission (scheduled for April 15th at 6pm).

The proposed project is located at 234 & 236 Haynes Street – Route 15. The current 16.5 acre site holds a gas service station with one gas canopy, as well as a 6,400 sq. ft. building that former held Sbarro and Roy Rogers. The abutting land is wooded and the nearest neighboring home is a good distance away. The nearest commercial competitor is the truck spot down the road. This project is not a proposal for a truck stop.

The overall project will revive and revitalize the site. The vacant Roy Rogers building has outdated architecture and is in much need of repair. The Mobile convenience store building is not in much better shape, although is currently occupied. There is currently no clear traffic flow to the site. The proposal will increase curb appeal, address traffic flow and greatly improve the site. The project proposes removal of the existing convenience store and gas canopy. This will be replaced by two gas canopies – one regular and one diesel – and renovations inside and out to the former Roy Rogers building. The Roy Rogers renovations will have a modern design consistent with other new buildings in town.

The applicant is requesting Special Permit for Sign Relief because the nature of the site has the buildings set far back off the road and hidden by the wooded area when driving south on Route 15. This setback and buffer, in a 45mph zone, makes visibility limited of the site and the applicant wants to be clear of what services are offered at the location. MassDOT owns the section of grass adjacent to Route 15. After renovations, there will be a 130' set back to the Roy Rogers building. This is a large distance from the road, creating a need for predominant signs, explained Mr. Smith.

The applicant is requesting 79 sq. ft. freestanding multi-tenant sign on Route 15, where 50 sq. ft. is allowed. This is a unique circumstance where the multi-tenant includes a gas station, meaning that prices need to be incorporated into the sign square footage and follow gas industry standards. There are two main points of access to the renovated building and signage is proposed on both sides, where one side is allowed by the Bylaw.

Mr. Smith and Mr. Sevincgil stated that they have reviewed all memos and concerns with the Town Planner and believe they have satisfied all requests.

Ms. Gibson-Quigley noted the following reports from departments:

- Nelson Burlingame, Building Commissioner dated 2/26/18
- John Marinelli, Fire Inspector dated 3/8/18
- Cri Eichstaedt, Health Agent dated 3/8/18
- Tomas Ford, Chief of Police dated 3/5/18
- Kevin Filchack, Economic Development/Tourism dated 3.8.18
- Gregory Morse, DPW Director dated 3/20/18
- Rebecca Gendreau, Conservation Agent dated 3/16/18

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

- Only two gas prices, regular and diesel, are listed on the sign. This is a newer industry standard, rather than displaying all grades of fuel available. The applicant will not need more signage than this.
- On the Plan dated 2-20-18, there were a few typing errors that were pointed out to be corrected in the final version.
- Regarding well water. With the older water storage tank currently on site, it would run out of water in high peak times. With the new plan, there will be a smaller tank reserved for the fire suppression system. There will be a new well drilled uphill. The old wells are too close to the underground storage tanks to be utilized, and the water storage tank has been deemed contaminated. Testing will be done to make sure the well will perform to the needs of the site.
- Is there enough room between the diesel pumps and the traffic island for tractor trailers to make that turn to exit/enter? Yes, there is 80' between the bollard and the island. A 50'-60' tractor trailer needs 90' for a full U-turn.
- The downward facing LED lights on the gas canopies will be white in color.
- Perhaps there could be a better place for the flagpole than in the very back of the building.
- Will the underground storage tanks be replaced? They were replaced in 2004 and are still fairly new.
- Discussion of landscaping and planting species was had to confirm good, flowering shade trees and shrubs in the plan.
- The picnic tables that had previously been on site will not be replaced, but there will be an outdoor seating area adjacent the building near the play area.
- In the winter there are often overnight tractor trailers. This is most common during times of high snow levels.
- Designation of a dog walk area might be necessary to control waste accumulation.

The public had the following questions, comments, and concern:

- Fernando Santos, of 14 Mashapaug Road, is an abutter of the project. He asked if the project would remove any of the wooded area, particularly between his property and the project site. Mr. Smith informed him no, the project goes just beyond the existing pavement.
- Mr. Santos brought up concern regarding the well that is proposed to be drilled on the east side of the project. He asked if it was believed that this well would put any kind of stress on the water table and thus his existing well. As brought up by a Board member, in past years the project site had run out of water high peak season (summer months). Concerns for the proposed well included it may create a cone of depression even with the high water table in that area. Mr. Smith and Mr. Sevincgil informed Mr. Santos that all appropriate testing for the well drilling would be complete to be sure it complies with appropriate regulations and needs. If needed, a second well would be drilled to accommodate the flow rate needed.
- Mr. Santos also asked if during construction the soil would be monitored and tested to be sure any potential contamination from fuel lines was dealt with accordingly. He was informed a LSP would be on site during the construction to monitor this.

Ms. Bubon stated that it has been over a year since the conversations began regarding this project, and it is great to see it coming to fruition. The project still needs to go before the Conservation Commission (on April 5th at 6pm).

Motion: Made by Ms. Hart to close the public hearing
2nd: Ms. Waters
Discussion: None
Vote: 7 – 0

Motion: Made by Mr. Blanchard to approve the Special Permit for sign relief of a freestanding sign of 79 sq. ft. where 50 sq. ft. is allowed, an additional sign on the building and a preview board for the drive thru.
2nd: Mr. Chamberland
Discussion: None
Vote: 7 – 0

Motion: Made by Ms. Hart to approve the Site Plan Review for the application on behalf of Petrogas Group New England, Inc. with 18 conditions for the redevelopment of 234 & 236 Haynes Street.
2nd: Mr. Chamberland
Discussion: Applicant requested a condition that they may commence construction prior to receiving a MassDOT Indirect Access Permit. Heather Monticup, Traffic Consultant on the project from Greeman-Pederson, stated that while it is believed they will receive an Indirect Access Permit in plenty of time to begin construction, it would be a shame if the project was held up. Per MassDOT regulations, an applicant is allowed to begin construction on a project site before they have received all permits. Ms. Monticup stated they have met with MassDOT, worked with them closely on the project, and do expect to receive the permit without any issues. Accepting this condition would be at the applicant's own risk.
Vote: 7 – 0

HEAL – REQUEST FOR WAIVER OF SITE PLAN APPROVAL FOR MINOR MODIFICATIONS TO THE APPROVED PLAN. THE PROJECT IS LOCATED AT 660 MAIN STREET.

Katherine Braucher Adams presented on behalf of Heal, Inc. The project that was previously approved by the Board came in with construction costs much higher than anticipated. To bring the project back into a building price range, the applicants are proposing some minor modifications to the site plan. They have received their foundation permit from the Building Department already. They have also met with the new Fire Chief Grasso to discuss his safety concerns with the site, which included changing the position of the proposed fire hydrant.

The building is proposed to be on the same foundation as originally planned. The basement of the building will not be finished into office and staff space as originally proposed. The applicants are eliminating a small parking area on the right of the building. The remaining parking still complies with the Bylaw. Removing parking spaces will be a reduction in paving – less pervious surface, less excavation of the site, and removes the steep slopes that were

proposed to accommodate this parking. They are proposing less landscaping around the sign – the owner may replace the sign in the near future. The new site plan also eliminates the stairs on the outside of the building.

The current timeline for the project involves the following: the cultivation site is being finalized in Warren. Construction will commence in the spring with the hope to open in winter of 2018-2019.

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

- Will there be changes to security system? Ms. Adams stated that the locations of some of the cameras have changed but the overall security system remains the same as in their original site plan.
- The redesign of the plan actually seems to improve the site, decreased the impervious surface and increases the aesthetics.

Motion: Made by Mr. Blanchard to Waive Site Plan review for the minor modification of the project at 660 Main Street proposed by Heal, Inc.

2nd: Ms. Waters

Discussion: None

Vote: 7 – 0

BABA SUSHI PARKING ARRANGEMENT DETAILS.

Mark Borenstein, attorney for XM Corporation D/B/A Baba Sushi Sturbridge located at 453 Main Street, presented to the Board. Bylaw requirements for Baba Sushi parking require 53 parking spaces where the restaurant only has 40 parking spaces. Due to this limitation, the businesses entered a shared parking agreement with 450 Main Street for 20 additional spaces Sunday through Thursday from 4pm to closing and Fridays 11am to 4pm. Due to the lack of need for this shared parking, the business terminated the shared parking agreement in January.

Condition #10 of the Site Plan Decision required Baba Sushi to either provide the off-street parking that was previously provided in the terminated shared parking agreement within specific time frames, or demonstrate to the Board that the available parking is sufficient to accommodate the park parking demands of the property. Mr. Borenstein and Ms. Bubon discussed the collection of parking information to present to the Board to determine if there is sufficient parking on site. Mr. Borenstein presented to the Board details of parking information from February 11 through March 26. Besides the Valentine's Day holiday, the maximum number of cars in the parking lot was 19. Mr. Borenstein provided the Board with detailed parking information for dates February 11 through March 26.

After discussion, the Board decided to ask Baba Sushi to continue gathering parking information until June 1st, after the spring and flea market season has picked up. Winter is the slow time and won't most accurately reflect business averages. At that time the Board will determine if a shared lease agreement for Baba Sushi is still necessary.

Motion: Made by Mr. Blanchard to have Baba Sushi continue to monitor their parking situation through June 1st.

2nd: Ms. Waters

Discussion: None

Vote: 7 – 0

TOWN PLANNER UPDATE

- ✓ Next meeting date April 10, 2018
 - Public hearing regarding Zoning Bylaw for Prohibition on Recreational Marijuana. The Board of Selectmen is the petitioner.
 - Informal meeting with purchaser of 9 Holland Road. The project team would like to talk to the Board before going too far with their redevelopment project, which would involve tearing down the existing building and building a mixed use building with parking and landscaping including a Riverwalk.
 - Open Space Public Forum is April 11th at 6:30pm at the Publick House. Refreshments will be served. We will see you there!
 - Blackington Building will be having Crossfit move in to the first floor after construction has been completed.

OLD/NEW BUSINESS

- The new LED lights on the Porterhouse stairs are not downward facing, may be affecting night time drivers.
- No word on the 40B project at this time.
- Mainline Energy Solutions withdrew its permits for the former Paoletti's building. The owner felt very welcome in **T**own, but a business complication has prevented him from moving forward with the project.
- Farquhar Road area has been approved for a forest cutting management project.
- Edward's Gas (formerly Jack's Gas) has removed the underground storage tank and has been cleaning up the site. The owner is working on plans to be submitted for Board approvals.

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