

**Sturbridge Planning Board
Meeting Minutes
Tuesday, February 23, 2021
Virtual**

Present:

Charlie Blanchard
Sue Waters
Christopher Bouchard
Russell Chamberland
Jeff Adams
Dane LaBonte
Jean Bubon, Town Planner
Jeneé Lacy, Administrative Assistant

Absent:

Michael Chisholm

Also Present:

Jeff Bridges, Town Administrator
Dan Gonya, Porchlight Investments
Pete Engle, McClure Engineering
John Shevlin, PARE
Zachary Gless, Existing Grade, Inc.
Todd Gerig, Tippman Innovation
Andrew Baum, Summit Engineering
Bernie Guen, VAI
Brian Hedge, RLS Complete
Dan Bigby, Foster Hill Transport
Paul Murphy

C. Blanchard called the meeting to order at 6:30pm and read the agenda and COVID notice.

Approval of Minutes

February 9, 2021

Motion: To approve the minutes from February 9, 2021 as written. By: S. Waters

2nd: R. Chamberland

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

ANR – 120/140 Fiske Hill Road – Allworth Realty

J. Bubon described the ANR request to the Board, stating that the applicant was requesting the creation of Lot A from the existing lot located at 120 Fiske Hill Road and the remaining land of Allworth, LLC, which meets the requirements and recommends the Board endorse the plan as submitted.

Motion: To endorse the ANR plan for 120 Fiske Hill Road as submitted. By: J. Adams

2nd: S. Waters

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Documents Reviewed:

- *Form A – Application for Endorsement of Plan Believed Not to Require Subdivision Approval 120/140 Fiske Hill Road;*
- *ANR Plan Content and Submittal Checklist 120/140 Fiske Hill Road;*
- *Approval Not Required Plan for 120 Fiske Hill Road Sturbridge, Massachusetts: Allworth Realty 136 Gould Road, Charlton, MA 01507, Prepared by: Existing Grade, Inc. (62 Riedell Road, Douglas, MA 01516, dated: 2/10/21.*

Continuation of Public Hearing – Fiske Hill East Realty Trust requests definitive Subdivision approval for property located at 30 Main St. & 20 Fiske Hill Rd.

- Applicant requests approval to allow for the conversion of <1 acre of CT zoned lightly wooded property adjacent to the existing 420 Main Street parking lot to an overflow parking lot to support additional business planned for the Table 3 Restaurant Group and existing tenants & shared agreements.

J. Bubon stated that the applicant has requested a continuation of the Public Hearing until April 13, 2021 to allow time to finalize and submit a revised plan set and response letter to peer review comments and to complete additional work requested by the Conservation Commission related to additional potential wetland resource area evaluation, conducting potential vernal pool habitat studies, and developing wetland area restoration protocols. Additionally since a final decision must be made by March 9, 2021, the applicant has also agreed to an extension of time for the Planning Board to act until June 30, 2021. J. Bubon recommended that the Board vote to continue the Public Hearing until April 13, 2021 as

requested and that the Planning Board agree to the extension of time to act until June 30, 2021.

P. Engle, McClure Engineering, gave an update regarding the Conservation related concerns and that some of the work would have to wait until March – May because of vernal pool habitats.

C. Blanchard asked if there was any one from the public that had any comments or questions:

Mr. & Mrs. Barnes of 42 Fiske Hill Road, called in on the public line. Mr. Barnes stated that they have concerns that the traffic from the subdivision could cause traffic issues on Fiske Hill and they are worried the traffic study did not take into consideration traffic impacts on Fiske Hill Road.

C. Blanchard stated that the Board and applicant would take the comments made into consideration.

Motion: To continue the public hearing for the Fiske Hill East Subdivision until 6:35pm on Tuesday April 13, 2021 and to agree to the extension of time request. By: C. Bouchard

2nd: J. Adams

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Documents Reviewed:

- *Request for Extension Definitive Subdivision – 30 Main Street & 20 Fiske Hill Road, Sturbridge, MA Fiske Hill East Realty Trust from Peter Engle, P.E., McClure Engineering;*

Continuation of Public Hearing – Special Permit & Site Plan – 420 Main Street – Porchlight Investments III, LLC

- Applicant requests approval to allow for the conversion of <1 acre of CT zoned lightly wooded property adjacent to the existing 420 Main Street parking lot to an overflow parking lot to support additional business planned for the Table 3 Restaurant Group and existing tenants & shared agreements.

J. Bubon stated that the plans have been revised with all the requested revisions and all peer review and staff review comments have been addressed. The Board of Selectmen, acting as the Water Commissioners, voted that it had no concerns with the proposal in regards to increasing the amount of impervious in the Groundwater Protection District. J. Bubon recommended that the Board vote to grant the Special Permit for the increased impervious

area within the Groundwater Protection District and to grant the Site Plan Approval with the following conditions of approval:

1. All construction and site improvements shall be in conformance with the plans submitted and approved by the Planning Board.
2. All landscaping is to be installed as shown on the plans submitted. Final landscaping to be shown on the as-built plan to be submitted to the Planning Department at completion of this project.
3. Any exterior lighting of the parking lot shall be subdued, shaded from the view of abutters and shall not be directed so as to extend above ground level onto the property of abutters or the public right-of-way.
4. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
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.
6. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
7. The site shall be maintained in a neat and orderly condition throughout the construction process.
8. An emergency contact phone list with at least two names and numbers on it be supplied to the Sturbridge Police Department 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.

Motion: To close the public hearing for 420 Main Street. By: R. Chamberland

2nd: S. Waters

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Motion: To grant the Special Permit for the increased impervious area within the Groundwater Protection District and to grant the Site Plan Approval with the conditions stated. By: S. Waters

2nd: R. Chamberland

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Documents Reviewed:

- Cover letter dated January 5, 2021;
- Application for Special Permit and Site Plan Approval dated December 29, 2020;
- "Site Plan Parking Lot Expansion – 420 Main Street & 7 Cedar Street, Sturbridge, MA – 01566. Plan date January 5, 2021. Plan prepared by McClure Engineering, Inc. – 119 Worcester Road, Charlton, MA 01507;
- A document entitled "Stormwater Management Report – Parking Lot Expansion – Parking Lot Expansion – 420 Main Street & 7 Cedar Street, Sturbridge, MA 01566 dated January 5, 2021". Prepared by McClure Engineering, Inc. – 119 Worcester Road, Charlton, MA 01507.
- Peer Review Report dated February 5, 2021 from John P. Shevlin, P.E., Senior Vice President, Pare Corporation – 8 Blackstone Valley Place, Lincoln, RI 02865.

Town Planner Update

Next Meeting Dates:

- March 9th – Nothing yet scheduled
- March 23rd – Town of Sturbridge Parking Lot – 501 Main Street & Floodplain bylaw revisions

J. Bubon gave an update on Pilot, stating that they are waiting on National Grid for power installation. She also stated that Pilot has offered to give the Planning Board a tour of the facility.

Public Hearing – Special Permit & Site Plan – 90 Charlton Road – RLS Complete

- Applicant requests Site Plan approval to allow for the construction of an 83,035 sq.ft. cold storage facility for the import and distribution of frozen food products throughout the region and related site improvements. The applicant is also requesting a Special Permit to construct a building that is greater than 35' high in accordance with Chapter 10, Section 10.02 (c) of the Zoning Bylaw. The applicant is proposing a max building height of 57'.

S. Waters read the public hearing notice and C. Blanchard opened the public hearing.

J. Bubon stated that RLS Complete was requesting a Special Permit for building height and Site Plan Approval to construct an 83,035 square foot frozen food warehouse and distribution facility on the property located at 90 Charlton Road. The building as proposed will contain 78,035 square feet of freezer warehouse storage requested a Special Permit for the height of the building which is proposed at a maximum building height of 57'. She stated that she had reviewed the application for administrative and technical compliance and that a Peer Review had been conducted on the Stormwater Management and Traffic Impact Assessment. J. Bubon also discussed staff comments regarding the project and concerns that were brought up by Venture Community Services, an abutting property and New England Cold, 6 Picker Road. She stated that Michael Hyland of Venture has been in contact with Bryan Hedge of RLS to discuss his concerns and they are working together to find a solution.

B. Hedge, RLS Complete, gave a presentation on the project and gave information regarding Ventures concerns and RLS solutions.

A. Baum, Summit Engineering, gave an overview of the Site Plans.

C. Blanchard asked if the Board had any questions or comments.

R. Chamberland stated that he would make his comments at the end of the Public Hearing.

D. LaBonte asked if the car parking lot could be moved closer to the building to limit the walk from the parking lot to the building. B. Hedge stated that they can look into doing that and that one of the reasons they had the car parking lot where it is, is to keep it separate from any truck traffic. D. LaBonte asked J. Shevlin if he had any concerns regarding the infiltration basins, J. Shevlin stated that he did not. D. LaBonte also asked B. Hedge if they were going to any use of guards or gates or if the site was going to be open. B. Hedge replied that it would be open.

No other Board members had questions or comments at this time.

B. Guen, Traffic Engineer, spoke about the traffic study.

J. Shelvin, Peer Reviewer, discussed the peer review done by Pare.

B. Hedge discussed the traffic study and the traffic in regards to the truck appointment scheduling.

C. Blanchard asked J. Shevlin if he was concerned about the possibility of trucks queuing on Rt. 20. J. Shevlin stated that he was not concerned about queuing and asked B. Hedge how long the turnaround time was for trucks being at the facility. B. Hedge stated that if the trucks are on time the turn-around time should be about 60 minutes. In addition, he discussed the modified appointment process they have in place because of the pandemic and that they have decided to continue the process since it is so efficient.

J. Shevlin asked B. Hedge if the new facilities in NH would affect RLS's customers. B. Hedge stated that it would make their customers more manageable.

C. Blanchard asked J. Shelvin that in his experience is there more concern with the 90 Charlton Road site than with other Cold Storage Facility sites.

J. Shevlin stated that this location should not have any issues.

C. Blanchard asked if the Board had any further questions or concerns.

R. Chamberland asked J. Bubon if there were any comments from the Board of Health. J. Bubon stated that the Board of Health does not have any issues with either cold storage facility. R. Chamberland also stated to B. Hedge that he would like them to have a Fire Department walk through before opening. B. Hedge stated that they would, and that they would have one annually.

No other Board members had questions.

J. Bubon stated that the details of the emergency access road was not originally on the conditions list but it sounds like it should be so that is something that will be added to the conditions and that the plans would need to be updated by the applicant to show that information.

C. Blanchard asked if there was anyone on the public line that had a comment or question on the proposed project.

Dan Bigby, Foster Hill Transport, was on the public comment line and stated that he had also filed written comment but wanted to come on and speak as a company that works with cold storage facilities, he is worried about common issues that may arise around scheduling of trucks, in regards to them being late or not showing up, which could potentially back up the trucks scheduled after. D. Bigby also stated concerns with queuing because of backups.

C. Blanchard thanked D. Bigby for his comments and stated that the Board and J. Bubon did convey the written concerns submitted by D. Bigby to the applicant and peer reviewer. C. Blanchard stated that the applicant and peer reviewer have taken those concerns into consideration and asked J. Shevlin that after hearing these concerns if he was still comfortable that the facility will work as anticipated and will be a safe operation. J. Shevlin stated that he was.

Motion: To close the public hearing for 90 Charlton Road. By: R. Chamberland

2nd: S. Waters

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Motion: To grant the Special Permit for the construction of a building with a maximum height of 57' in accordance with Chapter 10 Section 10.02. By: S. Waters

2nd: C. Bouchard

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes
S. Waters – Yes
C. Bouchard – Yes
R. Chamberland – Yes
J. Adams – Yes
D. LaBonte – Yes

J. Bubon read the conditions of approval for the requested Site Plan:

1. All construction and improvements shall be in conformance with the plans submitted and approved by the Planning Board, except as modified by these conditions. A copy of the approved Site Plan shall be on site at all times during construction.
2. The final engineering details of the emergency access road shall be submitted to the Planning Department prior to applying for a building permit. The details shall include an analysis of the cover proposed over Underground Basin 2 to make a determination that it can handle the weight of a fire truck or other emergency vehicles. The details shall be reviewed and approved by the Peer Reviewer at the expense of the applicant.
3. All State and Local Zoning Bylaws, Building Codes and Regulations must be adhered to.
4. All other necessary permits must be obtained prior to the state of construction.
5. The site shall be kept in a neat and orderly condition throughout the construction process.
6. 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.
7. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
8. Snow storage may only be stored as shown on the plan submitted.
9. An emergency contact phone list with at least two names and numbers on it be supplied to the Sturbridge Police Department 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.
10. All erosion and sedimentation controls shall be installed as shown on the plan and inspected prior to the start of site work.

11. A pre-construction meeting shall be held at least one week prior to the start of work. 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 construction process, appropriate traffic and safety control measures during construction, stockpile of materials, and inspection of erosion controls.
12. The following dust control measures shall be adhered to throughout the entire construction process:
 - a. Spray disturbed areas with water on dry and windy days as needed;
 - b. Wash vehicles wheels before leaving the site as needed;
 - 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.
13. Construction monitor report shall be provided to the Planning Department on a monthly basis until completion of the project. Reports shall be provided by the Engineer of Record and shall detail work completed, any issues encountered and any deviations from approved plans.
14. All excavation and trenching will be in accordance with the State trenching regulation 520 CMR 14.00 Excavation and Trench Safety. The construction area shall be secured using temporary fencing as needed.
15. The Stormwater operations and maintenance plan and site records shall be stored on site to ensure employees are familiar with the demands of the plan.
16. Maintenance is required for all plantings as proposed. The plantings shall be reviewed annually by the owner/applicant and any plant materials requiring replacement shall occur.
17. An as-built must be provided for all site work including plantings when the work has been completed.

Motion: To grant the Site Plan Approval for 90 Charlton Road as requested with the proposed conditions of approval. By: S. Waters

2nd: C. Bouchard

Roll Call Vote: All in Favor (6-0)

C. Blanchard – Yes

S. Waters – Yes

C. Bouchard – Yes

R. Chamberland – Yes

J. Adams – Yes

D. LaBonte – Yes

Documents Reviewed:

- *Cover letter dated January 26, 2021;*
- *Application for Special Permit and Site Plan Approval dated January 25, 2021;*
- *Chapter 43D Priority Development Site Form;*
- *Filing Fee;*
- *Special Permit Fee;*
- *Site Plan Approval Checklist;*
- *Copy of the Deed for the property;*
- *Certified list of abutters;*
- *Project narrative;*
- *Two sheet containing Tree Imagery and Shrub Imagery dated January 22, 2021;*
- *Copy of letter from EBT Environmental regarding Wetlands adjacent to project site;*
- *Copy of FEMA map showing site location;*
- *A Transportation Impact Assessment – Proposed Cold Storage Warehouse – 90 Charlton Road, Sturbridge, Massachusetts dated November 30, 2020. Report prepared by Mr. Jeffrey S. Dirk, P.E., PTOE, FITE Partner – Vanasse & Associates, Inc. – 35 New England Business Center Drive, Suite 140, Andover, MA 01810-1066;*
- *A plan entitled “RLS Sturbridge, Definitive Site Plan at 90 Charlton Road, Sturbridge, MA” prepared by Summit Engineering & Survey – 710 Main Street, North Oxford, MA 01537. Plan date January 22, 2021;*
- *A document entitled “Hydraulic/Hydrologic Calculations – RLS, Sturbridge – 90 Charlton Road, Sturbridge, Massachusetts – Prepared for Tippman Innovation Project Architect – Prepared by : Summit Engineering & Survey, Inc. – 710 Main Street, Oxford, Massachusetts. Date – January 22, 2021;*
- *Building Elevations, Floor Plans and Renderings prepared by Tippman Innovation, Inc. – 4218 Hobson Court, Suite B, Fort Wayne, IN 46815. Plan date – December 16, 2020.*

Right of First Refusal – Spencer Solar, LLC – 133, 137, 139 Fiske Hill Road & 48 Old Farm Road

J. Bubon stated that Spencer Solar has a Purchase and Sale Agreement to sell 133, 137 and 139 Fiske Hill Road to Joshua Wages. The potential buyers plan to create a Christmas tree farm and use 137 and 139 as two house lots. The property is in Chapter Land and therefore the Town has the First Right of Refusal. This parcel is not identified as a parcel of interest in the most recent Open Space and Recreation Plan and since only an agricultural use and two homes are proposed on the entire tract, the proposal seems reasonable. J. Bubon stated that she recommends that the Board send correspondence to the Town Administrator indicating that the Board does not recommend that the Town exercise its First Right of Refusal.

Motion: That the Board does not recommend that the Town exercise its First Right of Refusal and to send correspondence to the Town Administrator indicating recommendation. By: R. Chamberland

2nd: S. Waters

Roll Call Vote: All in Favor (6-0)

C. Blanchard - Yes
S. Waters - Yes
C. Bouchard - Yes
R. Chamberland - Yes
J. Adams - Yes
D. LaBonte - Yes

Old/New Business

R. Chamberland requested a walkthrough of the Pilot facility when they were ready to give tours and asked what the status was of the Lucky Mart construction.

J. Bubon gave an update on Lucky Mart stating that they had to replace their fuel tanks and want to move the gas canopy; they have an application for special permit filed with the ZBA, that public hearing will be held on March 17th. If the Special Permit is approved by the ZBA then they will need to also come before the Planning Board for approval.

Adjournment

Motion: To adjourn meeting. By: S. Waters

2nd: R. Chamberland

Roll Call Vote: All in Favor (6-0)

C. Blanchard - Yes

S. Waters - Yes

C. Bouchard - Yes

R. Chamberland - Yes

J. Adams - Yes

D. LaBonte - Yes

Meeting adjourned at 8:18 PM

Minutes prepared by: Jeneé Lacy

On behalf of the
Clerk of the Board: Juan M. Bubon
Town Planner

Date signed: 3/10/2021