



Town of Sturbridge Planning Board

Charles Blanchard
Wally Hersee
Dane LaBonte
Jeff Adams
Brad Goodwin
Michael Chisholm
Susan Waters

Jean M. Bubon, Town Planner

PLANNING BOARD NOTICE OF DECISION SPECIAL PERMIT & SITE PLAN APPROVAL

Date: May 10, 2023

Applicant: Justin Stelmok
557 Southwest Cutoff
Worcester, MA 01607

Phone: (508)868-3996

Owner: Fiske Hill East Realty Trust
97 Arnold Road
Fiskdale, MA 01518

Parcel Information: Assessor's Map 415-03914-030 & 280-03534-020

Book/Page: 00967/53

Zoning Designation: Rural Residential

Property Location: 3 Berry Farms Road (Fiske Hill East Subdivision)

Description of Request: The applicants are requesting a Special Permit and Site Plan Approval to allow a 55+ manufactured housing community, Blueberry Hill Estates to be constructed on the premises known as Lot 3 Berry Farm Road, which will be constructed off of the subdivision road (Berry Farms Road).

The following information was submitted as part of the Site Plan Approval application on April 5, 2022:

Documents Provided

- Application dated March 30, 2022 which includes – Development Impact Statement, Waiver Requests, Proposed Bond Schedule, Phasing and Construction Plan, and Operations and Maintenance Manual (Submitted April 5, 2022)
- Certificate of Taxes Paid
- Certified List of Abutters for Sturbridge and Southbridge
- A plan entitled Special Permit and Site Plan “Blueberry Hill Estates” 55+ Manufactured Housing Community Lot 3 Berry Farms Road, Sturbridge, Massachusetts. Applicant: Justin Stelmok – 557 Southwest Cut-Off Worcester, MA

01607. Prepared by McClure Engineering, Inc. 119 Worcester Road, Charlton, Massachusetts 01507. Dated 4/1/2022
- Stormwater Management Report – “55+ Manufactured Housing Community” – Lot 3 Berry Farms Road, Sturbridge, MA 01566. Prepared for: Justin Stelmok – 557 Southwest Cutoff, Worcester, MA 01607. Prepared by McClure Engineering, Inc. 119 Worcester Road, Charlton, Massachusetts 01507. Dated March 31, 2022 signed April 5, 2022.
 - A document entitled “Blueberry Hill Estates – Sturbridge, MA A 55+ Community- Justin Stelmok, John Stelmok”. Document shows renderings and floor plans of units

Additional Documents Provided and Reviewed

- Memorandum from John P. Shevlin, P.E., Pare Corporation dated May 23, 2022 Re: Engineering Review Services – Blueberry Hill Estates – Site Plan & Special Permit - 30 Main Street/20 Fiske Hill Road, Sturbridge, Massachusetts (Pare Project No.: 22088.00)
- Email from Justin Stelmok dated September 7, 2022 requesting a continuation until the next available meeting in November.
- Email from Heather Blakeley, DPW Director dated October 14, 2022 to Justin Stelmok confirming sewer allocation for the project.
- Correspondence from Peter C. Engle, P.E., McClure Engineering, Inc. dated November 10, 2022 Re: Peer Review Response Letter, Town Staff Comments 4/14/2022 and Pare Corporation Comments 5/23/2022 – 55+ Manufactured Housing Community – Justin Stelmok – Blueberry Hill Estates – Lot 3 Berry Farms Road, Sturbridge, MA
- New Sheet c19 of 31 dated 11/10/2022 – Plan entitled “Special Permit and Site Plan Blueberry Hill Estates – Lot 3 Berry Farms Road, Sturbridge, MA 01566 prepared for Justin Stelmok – 557 Southwest Cutoff, Worcester, MA 01607. Plan prepared by McClure Engineering, Inc. 119 Worcester Road, Charlton, MA 01507
- Stormwater Management Report – “55+ Manufactured Housing Community” – Lot 3 Berry Farms Road, Sturbridge, MA 01566. Prepared for: Justin Stelmok – 557 Southwest Cutoff, Worcester, MA 01607. Prepared by McClure Engineering, Inc. 119 Worcester Road, Charlton, Massachusetts 01507. Dated March 31, 2022 signed April 5, 2022, Revised November 9, 2022.
- A plan entitled Special Permit and Site Plan “Blueberry Hill Estates” 55+ Manufactured Housing Community Lot 3 Berry Farms Road, Sturbridge, Massachusetts. Applicant: Justin Stelmok – 557 Southwest Cut-Off Worcester, MA 01607 Dated 4/1/2022 Revised 11/10/2022 (includes revised phasing plan 11/10/2022)
- Memorandum from John P. Shevlin, P.E., Pare Corporation dated November 29, 2022 Re: Engineering Review Services – Blueberry Hill Estates – Site Plan & Special Permit - 30 Main Street/20 Fiske Hill Road, Sturbridge, Massachusetts (Pare Project No.: 22088.00)
- Email dated November 30, 2022 from Jean M. Bubon, AICP, Town Planner commenting on J. Shevlin review noted above clarifying several comments.

- Email dated December 1, 2022 from Lt. Jennifer Ashe regarding satisfaction with the grade change with regards to fire apparatus entering the property.
- Email dated December 1, 2022 from Peter Engle, P.E. to Jean M. Bubon and Jennifer Ashe discuss the grade percent change for the approach at Berry Farms Road. Email included an Exhibit.
- Correspondence dated December 19, 2022 from McClure Engineering to Jean M. Bubon, AICP and Rebecca Gendreau Re: Peer Review # 2 Response Letter – Pare Corporation Comments 11/29/22 – 55+ Manufactured Housing Community – Justin Stelmok – Blueberry Hill Estates – Lot 3 Berry Farm Road, Sturbridge, MA
- Memorandum from John P. Shevlin, P.E., Pare Corporation dated December 22, 2022 Re: Engineering Review Services – Blueberry Hill Estates – Site Plan & Special Permit - 30 Main Street/20 Fiske Hill Road, Sturbridge, Massachusetts (Pare Project No.: 22088.00)
- Correspondence from Peter C. Engle, P.E. dated May 1, 2023 Re: Revision 2 Submittal Memo – 55+ Manufactured Housing Community – Justin Stelmok, Blueberry Hill Estates – Lot 3 Berry Farms Road, Sturbridge, MA.
- Memorandum from John P. Shevlin, P.E., Pare Corporation dated May 2, 2023 Re: Engineering Review Services – Blueberry Hill Estates – Site Plan & Special Permit - 30 Main Street/20 Fiske Hill Road, 4th Review Sturbridge, Massachusetts (Pare Project No.: 22088.00)

Staff Comments were received from:

- Rebecca Gendreau, Conservation Agent dated April 19, 2022
- Lt. Jennifer Ashe, Fire Inspector dated April 14, 2022 and again via email string December 1, 2022
- Nelson Burlingame, Building Inspector dated May 2, 2022
- Ken Lacy, Health Agent dated May 24, 2022
- Heather Blakeley, DPW Director dated October 14, 2022 and December 20, 2022
- Chief of Police, Earl Dessert dated December 19, 2022

Applicable Section of Zoning By-Law:

- The Town of Sturbridge Zoning Bylaws Chapter 300 as amended 2021 – Specifically Section 300-4.2 B. (4). The property is located in the Rural Residential District. A variety of uses are permitted within the District including Manufactured Housing Communities by Special Permit (Planning Board as SPGA) in accordance with § 300-18.2B (2) of the Zoning Bylaw.
- The Town of Sturbridge General Bylaw as amended 2021 – Specifically Chapter 199 – Manufactured Housing Communities
- The Town of Sturbridge Subdivision Regulations Chapter 350 as amended 2021 as may be applicable to this project

Meeting Dates and Members Present:

The Planning Board opened the Public Hearing on May 10, 2022 and no testimony was

taken at this meeting. The Hearing was continued to May 24, 2022. The Board re-convened the Hearing on May 24, 2022 and heard testimony at the conclusion of that session the Hearing was continued to July 12, 2022 and then to September 13, 2022 and November 15, 2022 and no testimony was taken. The Hearing was continued to January 10, 2023 and updates were provided by the applicant and the Peer Reviewer. At the conclusion of that session, the applicant requested a continuation to February 14, 2023 to allow more time to continue review with the Conservation Commission. The Board re-convened the session on February 14, 2023 and then continued without testimony to the April 11, 2023 meeting. The Board re-convened the session on April 11, 2023 and then continued without testimony to the May 9, 2023 meeting.

During this timeframe Chris Bouchard resigned from the Board and on December 12, 2022 Brad Goodwin was appointed to fill his remaining term; he therefore has not participated in this proceeding. Additionally, Michael Chisholm missed a single session on May 10, 2022 and reviewed materials and meeting recording and certified the same on July 11, 2022. This certification can be found in the file in the Planning Department.

Waivers:

The applicant has requested several Waivers as noted below:

1. *Chapter 199 – Section 199-6 B (Special Permit - Manufactured Housing Bylaws) - Provide a landscape plan by a certified Landscape Architect.*
2. *Chapter 350 - Section 300-4.5 B - Grass Plots. Request to not install*

At the Planning Board meeting of May 9, 2023, a motion was made by Sue Waters, seconded by Wally Hersee and voted 5-1-1 (Dane LaBonte Opposed and Brad Goodwin Abstained) to grant the Waivers requested noted as noted above. A third Waiver was requested for the cul-de-sac length and it was determined that Waiver request was not required.

Secondly, a motion was made by Wally Hersee, seconded by Sue Waters and voted 6-0 to approve the Special Permit and Site Plan Approval as requested to allow the Manufactured Housing Community as proposed since the Board found that the requirements of § 300-18.2B (2) criteria (1) through (6) and the Site Plan Approval criteria have been met as evidenced by the plans and supporting documents provided as listed above.

1. All construction and site improvements shall be in conformance with the plans and specifications 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. A license to operate must be obtained from the Board of Health as required.

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.
6. Police Details, as appropriate shall be arranged and paid for by the applicant if needed during construction.
7. An emergency contact phone list with at least two names and numbers on it be supplied to the Sturbridge Police Dept. 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.
8. A complete set of water and sewer plans shall be submitted prior to the start of work. Plans shall include connections to each unit, pump station details, and connection locations.
9. Water and sewer systems shall be privately owned and maintained. The Town shall be able to inspect the system during construction and operation.

The site shall have a Contract Operator for the operations of the pump stations whom shall provide the Town with monthly reports. The water booster pump station will require daily checks and monthly report by a Certified Water Distribution system operator. This is supplying public drinking water and is connected to the public drinking water system. An operation and maintenance plan is recommended and a contractor needs to be on standby if there is any issues. This can be done internally if the person doing the inspections is a water distribution licensed operator. The sewer pump stations require a monthly check of the stations and a detailed operational plan, so that all residents know what to do if there is an alarm condition.

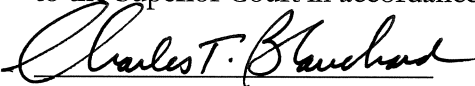
10. DPW and Water Department shall be provided plans and calculations for review of the water booster pump station prior to the building of the pump station. Backflow prevention and a master meter shall be required prior to the pumps.
11. All erosion and sedimentation controls shall be installed as shown on the plan and inspected prior to the pre-construction meeting noted in Condition #12.

12. 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, Conservation Agent, 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.
13. The applicant shall notify the Planning Department office forty-eight hours prior to the start of construction.
14. 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 vehicle 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.
15. Construction monitor reports 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.
16. 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.
17. The Stormwater Management System shall be privately owned and maintained. The Town shall be able to inspect the system during construction and operation. The Town shall be provided with maintenance records on a yearly basis demonstrating compliance with drainage operations and maintenance plan.
18. 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.
19. 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.
20. Street names shall be added to the final Plan Set as follows:

- a. Road A – Pinrock Drive
 - b. Road B – Rose Lane
 - c. Road C – Hickory Lane
 - d. Road D – Briar Lane
21. A note shall be added to the final plan set that states “Snow storage is not allowed in the bio retention areas”.
 22. The applicant shall revise the road details in the final plan so that the emergency access road will include the same grass paver system to ensure stability.
 23. If there are any revisions to the Plan during the Conservation Commission review process; a final Plan Set shall be provided to the Planning Board and this shall become the Plan of Record and Final Approved Plan for this project.
 24. Approval is contingent upon the provision of a performance guarantee in the form of a surety in an amount and form to be agreed upon by the Planning Board and the applicant. As an alternate in the form of a Covenant duly executed and approved, to be recorded with the Worcester District Registry of Deeds. Said form of guarantee may be varied from time to time by the applicant subject to agreement on the adequacy and amount of said guarantee by the Board’s Representative and the Planning Board. There shall be no building permits issued until streets or ways serving such structures have been graded to within one (1) foot of final subgrade, and no structure shall be occupied until the streets or ways serving the structure have been surfaced with at least the two-inch minimum binder course. The Board may grant partial release from such security for partial completion of improvements, provided that the completed portion provides a reasonable system for circulation and utilities pending completion of the rest. In the event a bond is requested after some work has been completed, the applicant’s engineer shall submit a detailed itemization of estimated cost for the remaining work at the subdivision to include all roads and utilities, monumentation, as-built plans, etc. There is a twenty five percent (25%) contingency added to the total bond estimate for the entire subdivision project including the value of both the subdivision and the water and sewer extensions required. Ten (10%) percent of the bond amount shall be retained by the town for maintenance of streets and systems. There shall be no final release of the performance guarantee until all work is completed including final pavements and as-builts unless the Planning Board agrees to a change in performance guarantee. In addition, a twenty five (25) percent hold back of the guarantee will be required through the first winter season to insure that all improvements are stable and able to withstand winter weather conditions.
 25. The Board’s designee shall make inspections during construction. The applicant/developer shall pay the cost for these services. The Board and the developer prior to start of construction shall agree upon the inspection schedule.

26. Prior to starting any construction activities, a Massachusetts Registered Land Surveyor shall be retained by the applicant/developer to set offset grades along the roadway right-of-way, centerline, sidelines and sidewalks at fifty (50) foot intervals. All trees to be preserved shall be flagged and protected during the construction period. The site shall be walked with the Tree Warden acting as the designated representative of the Planning Board. Clearing and grubbing shall be performed to remove stumps, brush, roots, boulders and like material from the area of the traveled way, shoulders, sidewalks and utility trenches, but elsewhere, wherever feasible, existing vegetation shall be protected. The Registered Land Surveyor shall perform stakeout to ensure that drainage structures are positioned properly to drain low points in the road.
27. Materials and methods of road construction shall conform to the specifications of the Department of Public Works and the "Rules and Regulations Governing the Subdivision of Land in the Town of Sturbridge" except where specific waivers have been granted. Where the town does not have written specifications, materials and methods of construction shall conform to the Commonwealth of Massachusetts Department of Transportation Standard Specifications for Highways and Bridges 2020 edition including all amendments and supplemental specifications.
28. Accurate as-builts must be provided for all site work including underground utilities, including water, sewer, drainage and electrical, plantings and other site improvements when the work has been completed.

Approval has been limited to matters of Special Permit and Site Plan Review only and not to construction details. Any persons aggrieved by a decision of the Planning Board may appeal to the Superior Court in accordance with the General Laws, Chapter 40A, Section 17.



Charles Blanchard, Chair

5/11/23

Date Filed

cc: Applicant
Peter Engle, P.E., McClure Engineering
Fiske Hill East Realty
Nelson Burlingame, Building Inspector
Rebecca Gendreau, Conservation Agent
Heather Blakeley, DPW Director