

Sutton Planning Board
Minutes
January 12, 2009

Approved _____

Present: R. Largess, Chairman, S. Paul, T. Connors, D. Moroney, W. Whittier
Staff: J. Hager, Planning Director

General Business:

Atlas Box Field Changes – The Board reviewed requests dated 12/17/09 for minor field changes to roof drainage and storm water basin berm and letters dated 12/18/09 from Graves Engineering approving the same.

Motion: To approve the minor field changes to roof drains and storm water basin berm dated 12/17/09 as recommended by Graves Engineering, D. Moroney

2nd: W. Whittier

Vote: 4-0-0

Endorse Judson Retreat Lot Plan – J. Hager confirmed that the appeal period for this retreat lot has run with no appeal filed.

Motion: To endorse the Covenant and Form A for this retreat lot dated 10/14/08 contingent on producing the application and fee, D. Moroney

2nd: W. Whittier

Vote: 4-0-0

(T. Connors arrives)

Form A Plans – None.

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Motion: To approve the minutes of 12/15/08, W. Whittier

2nd: S. Paul

Vote: 5-0-0

Correspondence

Final Oakhurst Farm Ruling- J. Hager reviewed correspondence from Town Counsel stating that the applicant for Oakhurst Farms has declined filing an application without a gas station use, therefore final judgement has been entered in favor of the Planning Board and the case is closed.

Oxford Hearing – 74,000 s.f. food store - J. Hager noted that Oxford is having a hearing tonight on a possible food store in the same plaza as the Home Depot adjacent to Route 395. The Chairman asked that J. Hager keep in touch with Oxford regarding the progress of this application. The store is rumored to be a Market Basket.

Other: J. Hager noted that the Attorney General has agreed to allow the Town to post a notice of defect for the 23 articles that went to Town Meeting and were unanimously (all but one) approved. While required mailings and posting at the Town Hall were completed, the newspaper said it did not receive the ad that was e-mailed to it for advertising and thus the ad never ran in a newspaper. The defect notice will post for 21 days and be advertised once. If no one claims an injury because of the defect, a certified copy of the defect notice ad will be returned to the Attorney General's Office, and then the articles can be approved.

(D. Moroney leaves the Board as he has a potential conflict as an abutter)

Public Hearing (Cont) - Chase Harris Corp. – Dudley Road

Mark Allen, P.E. reviewed changes that were made to the plans as a result of departmental and abutter comments that were received. Changes included defining and graveling driveway and storage yard, site distance evaluation and tree removal recommendations, vehicle & equipment storage, and fencing as well as various requested calculations. He also briefly reviewed his response letter dated 1/7/09.

Mike Russo of 95 Dudley Road asked about the plows shown on the plan and J. Hager confirmed an anonymous letter was received suggesting a plowing business would also be run out of the site. Mr. McGuirk confirmed he runs a plowing business in Worcester, but stores and operates all vehicles for that business in Worcester, as it wouldn't be practical to store them in Sutton. He noted he may pick up some clients in Sutton, but currently only uses these plows for septic business use, and he would check with the Board first if he intends to start operating a commercial plowing business from this site. J. Hager confirmed if he decides to do this, there will likely be some conditions relative to idling and hours of operations, etc..

S. Paul noted the article on the business in Oxford that was causing issues by doing truck to truck effluent transfers regularly. Mr. McGuirk stated they only occasionally do truck to truck transfers during cold weather to prevent trucks with effluent being left outside where they could freeze. J. Hager noted there will have to be a condition about controlling odors related to this process.

It was noted mitigation will likely be necessary for the three trees that need to be removed should they be deemed healthy. It was agreed that existing pavement adjacent to Dudley Road will be saw cut and removed and the area re-seeded to prevent parking in this location. At least one tree is likely to be replaced in this area, and the Tree Warden will establish a value for other trees which will need to be placed in the tree gift fund.

Motion: To continue the hearing to January 26, 2009 at 7:15 P.M., R. Largess
2nd: W. Whittier
Vote: 4-0-0

Motion: To Adjourn, S. Paul
2nd: W. Whittier
Vote: 4-0-0

Adjourned 7:55 P.M.