

Sutton Planning Board

Minutes

January 26, 2009

Approved _____

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

(S. Hughes acting Chairman)

General Business:

Filing – Accessory Apartment – Janes - 10 Crestview Lane: The Board acknowledged the legal filing of this application for an accessory apartment.

Form A Plans –

Motion: To endorse the form A plan for Morin on Old Mill Road dated 12/8/08, D. Moroney
2nd: W. Whittier
Vote: 3-0-0

(R. Largess and T. Connor arrive and R. Largess resumes as Chairman)

Atlas Box Field Changes: the Board reviewed two field change requests. One of the field changes can not be acted on until the Board received verification that the abutter concurs with the change that affects his property.

Motion: To approve the field change for grading and catch basins dated 1/8/09, D. Moroney
2nd: W. Whittier
Vote: 4-0-1, S. Hughes abstains due to conflict

Minutes

Motion: To approve the minutes of 1/12/08, W. Whittier
2nd: T. Connors
Vote: 3-0-2, S. Hughes absent and D. Moroney not present for full meeting

(S. Paul arrives)

Correspondence

Myers – Tabled until end of meeting.

Oxford Crossing – J. Hager noted a certificate from the Secretary of EOEAA stating that changes to the EIR for this project, including a 74,000 s.f. grocery store, do not require the filing of a new EIR. Therefore, only local permitting remains before this project can proceed in Oxford at the Home Depot site adjacent to Route 395.

Ch 61A Release – Manchaug Road – The Board reviewed the bonafide offer for the former Sutton Falls Campground adjacent to Waters Farm on Manchaug Road. S. Paul noted possible leach field and “clean up” issues that may exist on the site. While the majority of the Board noted that economics don’t favor a Town purchase of this parcel, they hoped any purchaser would be sensitive to the environmental and neighboring use issues. S. Hughes wondered if Water’s Farm was aware of the pending sale? It was noted the Conservation Commission was notified and W. Bien, their Clerk, is very involved at Water’s Farm.

Motion: To recommend that the Town decline their first right of refusal of the Therrien property on Manchaug Road, D. Moroney
2nd: S. Paul
Vote: 6-0-0

Bridle Path Sewer Extension Permit – J. Hager reviewed correspondence from DEP noting the applicant had been advised of several deficiencies in their filing for an extension permit with DEP. The applicant has until March 25, 2009 to address the deficiencies or the application will be considered withdrawn..

(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 removal of pavement adjacent to Dudley Road with replacement of all three trees that need to be removed to obtain proper sight distance. M. Allen referred to a recent supplemental review comment from the Fire Chief asking for an 18' driveway, when his original comments asked for a 14-16' driveway. The plan was upgraded to include a 14' driveway with a substantial base to accommodate heavier loading.

Mike Russo of 95 Dudley Road was present. He expressed concerns with lighting to the Planning Director and in response the standard condition requiring cut off lighting and allowing the Board to review lighting post installation was inserted to ensure any concerns can be addressed.

The Board discussed restrictions for commercial vehicles at great length and revised proposed conditions accordingly. They attempted to address residential abutter concerns while dealing with the reality that Dudley Road is the dividing line between a Residential District and an Industrial District that also serves as a north/south alternative to Route 146.

The Board reviewed the other 16 minimum proposed conditions in detail and made several adjustments.

Motion: To Close the hearing, W. Whittier
2nd: S. Hughes
Vote: 5-0-0

Motion: To approve the Site Plan for Chase Harris with the following conditions: S. Paul

1. Receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments.
2. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set.
3. As soon as possible, but no later than June 30, 2009, the applicant shall provide written certification from the project engineer that the site has been constructed in accordance with the approved site plan, as well as an AsBuilt plan.
4. Prior to occupancy, the storage yard, employee parking, circulation areas, and driveway shall be cleaned of existing trailers and debris. As soon as possible, but no later than June 1, 2009, the storage yard, employee parking, circulation areas, and driveway shall be cleared as necessary, graded, surfaced and fenced as shown on the approved plans.
5. Prior to occupancy, the trees that must be eliminated to provide adequate sight distance must be removed.
6. The applicant shall ensure that all lighting is either full cut off lighting, not emitting any glare onto adjacent properties, and/or that the lighting has the appropriate hoods to prevent the same. The Board reserves the right to review lighting once operations commence and require adjustments.
7. Prior to installation, the applicant shall submit signage detail to the Planning Board for approval.
8. Prior to future construction, architectural elevation plans of proposed garage addition shall be submitted to the Planning Board for approval.
9. Prior to June 1, 2009, the applicant shall remove asphalt adjacent to Dudley Road, loom and re-seed and plant any replacement trees.
10. The applicant will ensure that all company vehicles Class B or larger, ONLY utilize Dudley Road south to Harback Road (or vice versa) and DO NOT travel along remaining portions of Dudley Road. Exception will only be allowed when the operator can show evidence of having a pumping job in the immediate neighborhood

of Dudley Road. ALL other trips whether north or south of this location shall utilize Dudley Road south to Harback Road and reverse direction along Route 146 if necessary. Any violation of this condition shall result in ticketing and fines through the Police Department and Building Commissioner.

11. Prior to occupancy, the applicant shall provide all hazmat information to the Fire Dept.
12. Only cleaning of the exterior of portable toilets is allowed on the site.
13. Transfer of effluent and bio-solids (sludge) between active pump trucks is only allowed when absolutely necessary. If the frequency or issues associated with this practice become a hazard or a nuisance, the applicant may be required to only complete transfers at pumping sites, not at this location.
14. No vehicle repairs shall take place outside the building, other than minor emergency repairs.
15. The only vehicle washing allowed on site is washing of the exterior of vehicles with household grade cleaners only.
16. Should the applicant desire to commence any other operations at this site, such as a commercial snow plowing business, he must return to the Planning Board for proper permitting.
17. The address of the residence and the business shall be clearly visible at the street and it's recommended the address of the business be different for E-911 purposes.

2nd: S. Hughes
Vote: 5-0-0

(D. Moroney returns to the Board)

Public Hearing (Cont.) – Hair Inc.

J. Hager reviewed outstanding issues with the Board. The main outstanding issue, which could cause changes to drainage design, is the Fire Department concern with turning radii and grade into the site. The Fire Review Team is scheduled to meet on Thursday night with the Town's consulting engineer, the applicant's engineer, and the Grafton Fire Department (with their ladder truck) for actual turning movement tests. J. Hager stressed that the turning templates the department has been using are conservative as they are generally used for street intersections with vehicles traveling a constant speed of 30 MPH. In this case the site is narrow; therefore the usual conservative turning movement standard was supplemented by the industry standard of auto turn. Actual truck dimensions and steering angles were provided by the Sutton Fire Department and utilized in the auto turn program. The resulting movements assume a vehicle will slow and likely stop before turning into the site. Using this auto turn standard all movements appear to be possible for this site. However, as the department is being asked to consider a standard different from the one they have used in the past, they have requested an actual turning movement test with the Grafton ladder truck, to ensure the information submitted is reasonable.

Eric Wilhelmsen from Heritage Design and owner, Sandra Roy, were present to field additional questions from the Board.

Motion: To Continue the hearing to February 9, 2009 at 7:30 P.M., W. Whittier
2nd: S. Hughes
Vote: 6-0-0

General Business (cont.)

Myers: The Board discussed concerns with operations at the Myers site at 70 Worcester Providence Highway. It was noted the only permitted business at the site is Windle Landscaping. However, there are trailer backs and car carriers and construction equipment currently on the site. The Board asked that the Planning Director contact the owner, Alfred Myers, and request he attend the next Board meeting to tell the Board what is going on at the site. They will discuss conflicts and issues including dealer licensing vs. use grandfathering, multiple uses on one site, proper permitting of new tenants, signage and compliance with the Route 146 Overlay Bylaw. They asked that Mr. Myers bring a timeline reflecting his knowledge of operations and businesses at the site over time. They suggested the Building Commissioner and Town Administrator should attend. Also the Board extended an invitation to the Board of Selectmen members through the Town Administrator.

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Motion: To Adjourn, S. Hughes

2nd: S. Paul

Vote: 6-0-0

Adjourned 8:55 P.M.