

Sutton Planning Board
Minutes
August 24, 2009

Approved _____

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

Minutes:

Motion: To approve the minutes of 8/10/09, D. Moroney

2nd: W. Whittier

Vote: 3-0-1

(S. Hughes & R. Largess arrive)

Form A Plans:

Motion: To endorse a Form A plan for Vera & Dusak breaking of the existing home from remaining land dated 8/4/09 and allow release of the plan after the fees are paid and the owner signs the application, D. Moroney

2nd: T. Connors

Vote: 5-0-1. R. Largess abstained as he didn't hear the whole review

Filings: The Board acknowledged the filing of Dusak Estates, a three lot definitive subdivision, to be located at 80 Dudley Road across from Chase Harris Septic.

Correspondence:

- Atlas Box Field Changes – The Board discussed two field change requests from Atlas Box. The first was to install traffic control gates that make vehicles slow and nearly stop as a sensor picks them up and opens the gate. The gates are not locked and should provide no issues for safety departments. The second was to eliminate all plantings along the south and south-east slopes as this area had to be blasted to grade and is nearly all ledge. While the wild/field mix is doing well, it's unlikely bushes and trees would be sustainable on this slope.

Motion: To approve the requested field changes, and considering the shade trees lost on the slope and the money saved in not having to plant stock as shown on the landscape plan, the applicant should provide replacement plantings and/or a donation to the Town's tree maintenance fund,
S. Hughes

2nd: T. Connors

Vote: 6-0-0

- Common Driveway Issues – 532 Central Turnpike – J. Hager explained that back in 2000 the Board approved a retreat lot at this location. The owner of Lot 1, Mr. Murphy agreed with their house contractor and owner of Lot 2 and the common driveway, Dan Heney, that the top course could wait until after the foundation was in on Lot 2. Unfortunately due to the market and Mr. Heney wanting to keep development on Lot #2 consistent with

the type of home on Lot #1, it has been 7 years and the top course has not been installed. Over the years, Mr. Murphy and Mr. Heney have communicated about the poor condition of the common drive and significant water issues affecting the driveway. Mr. Heney has attempted to address the issues. Both parties have acted in good faith throughout, and both parties acknowledge they have a deeded responsibility to jointly maintain the common driveway. At present the common driveway is in deplorable condition and the snow plow contractor has notified Mr. Murphy he will not plow the drive in its current condition. The Murphy's are concerned the driveway will never be finished and have requested the Town's assistance in establishing a plan of action to fix the issue. The Board noted the main issue appears to be a Conservation issue with the excessive water flowing to the adjacent wetland over the drive, although Conservation referred the Murphy's to the Planning Board.

Mr. Murphy elaborated that springs seem to exist in the actual common drive that shoot up and break apart the base paving as well as an unbelievable amount of water coming off the hill washing over the driveway to get to the wetland on the other side of the driveway. He also wondered if the driveway wasn't installed too low.

Mr. Heney noted he has installed drains along the wetland side of the drive, but due to the limited 5' distance to the lot line on the slope side, he can't do anything effective at the toe of slope without permission of these abutters. Mr. Heney said he'd be glad to install dikes coming down the Lot #2 driveway and hire an engineer to evaluate the issue. He expressed some hesitancy due to the economy about how he will be able to pay for a major re-construction.

The Board agreed with Joyce Smith, present from Conservation Commission, that no dikes should be installed on lot 2 until the whole situation is evaluated by an engineer. The Board required that Mr. Heney report back to the Planning Office with a copy to Conservation within 30 days, around 9/23, about what the engineer has found out.

Public Hearing – Puckihuddle Preschool – 5 Main Street, Manchaug

R. Largess read the hearing notice as it appeared in The Chronicle.

D. Lavalley of Andrews Survey & Engineering presented a site plan for renovations to the former Manchaug Library to accommodate relocation of the Puckihuddle Preschool from Sutton Center to Manchaug Center. He noted 8 parking spaces are required and 11 have been provided. He reviewed the one way circulation on the site and the stacking capabilities to keep cars off local roadways. There are no proposed grade changes.

Alicia Hammond and Samantha Calio from Puckihuddle explained the school will be open from approximately 7:30 AM to 2 PM daily. They will have movie nights from time to time and usually one Board meeting per month at night at the facility. Approximately 36 families utilize the school. Children are dropped off in two groups of 18 families 15 minutes apart. There will be teachers at the drop offs to unload children quickly and plenty of parking if a parent needs more time for drop off.

It was noted the river walking path isn't shown on the site plan and this needs to be added. There was extensive discussion about the type and location of fencing around the proposed play yard. Access needs to be maintained for fire protection and fuel deliveries.

It was noted this site is central to the Manchaug Center National Historic District and that the proposed chain link fencing is not very appropriate.

J. Smith of 35 Bond Hollow Road stated she has been hearing concerns from area residents that significant work has already occurred on site without any permitting. They are also worried about traffic jams. Planning Director, J. Hager, stated that work has occurred on the site over the last few months. The building was tied into the municipal sewer system and clearing was completed for the Mumford River Trail. Both of these projects were Town projects, not Puckihuddle project, and both went through a public hearing process with the Conservation Commission and were fully permitted. Otherwise only interior renovations have occurred at the site.

Motion: To approve Puckihuddle Preschool at 5 Main Street, with the following conditions: S. Hughes

1. Prior to endorsement of the final plan, it shall be adjusted to show full property address and applicant's name, adjusted fence detail, and location of riverside trail.
2. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set
3. Receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments.
4. Access issues shall be resolved with the Fire Chief and reflected on the final plan.
5. Fencing type will be resolved with the Historic Commission and Planning Department and reflected on the final plan.

2nd: T. Connors

Vote: 6-0-0

Motion: To close the public hearing, S. Hughes

2nd: W. Whittier

Vote: 6-0-0

Public Hearing – Verizon Scenic Roadway Alteration – Mendon Road

R. Largess read the hearing notice as it appeared in The Chronicle.

Paul Schneider from Verizon was present to tell the Board about their proposed line extension on Mendon Road. They need to extend their line to fill a gap that currently exists which will result in a boosted signal.

Tree Warden, Joseph Camarra, was present. He noted he walked the area with Mr. Schneider. There are a few significant tree removals proposed and selective pruning. He recommended that

the applicant be required to remove a hazard tree for the town while they are doing their work in the area, and that, like National Grid, they should be required to submit \$1,000 to the Town's tree planting and maintenance fund to additionally compensate for the trees they are removing.

It was noted a conservation filing will be required for any tree removals and/or pole installations within 200' of a resource area.

Motion: To approve the scenic road alteration with the following conditions: D. Moroney

1. Approval of all other applicable boards, committees, commissions and/or departments.
2. The applicant will remove the hazard tree across from their project area as agreed with the Tree Warden
3. The applicant shall remit \$1,000 to the Town within 30 days of the start of work to compensate for public shade trees removed.

2nd: S. Hughes
Vote: 6-0-0

Motion: To close the public hearing, S. Hughes
2nd: W. Whittier
Vote: 6-0-0

Discussion – Cornerstone Estates Bond Default – Virginia Avenue

It was noted that notice was provided to Mr. Audet, developer of the Cornerstone Estates subdivision, as well as Frontier Insurance, the bonding company, regarding tonight's discussion. Frontier responded with a letter requesting more information in order to decide if they will pay out bond money on this project. Mr. Audet has not contacted the Town and was not present.

It was noted the bulk of this subdivision was completed some time ago and that very little work remains to be completed. Despite continued assurances in the past by Mr. Audet, the remaining work was never completed. The main issues is getting layout plans and documents to allow the roadway in the subdivision, Virginia Avenue, to be accepted as a public way. Graves Engineering estimates the work that is absolutely necessary for road acceptance to be worth \$5,800.

Motion: To adopt the Graves estimate as the final punch list of uncompleted work, to find the developer in default of their performance agreement, and request required funding from Frontier Insurance to complete the necessary work for public road acceptance, D. Moroney

2nd: W. Whittier

The Board wanted to make sure that if possible the Town recoup maintenance expenditures they have made over the past two years on this roadway.

Vote: 6-0-0

(D. Moroney leaves the Board due to conflict as an abutter)

Public Hearing(Cont.) – Site Plan Review & Route 146 Overlay District – A.T. Equipment, Inc. – 81 Worcester Providence Turnpike

The Board discussed remaining issues on this project including the proposed zoning change that may make a building connection un-necessary. They also discussed aesthetic and waiver issues on the site.

It was confirmed that due to existing fire separation distances the Building Commissioner has verified that technically making the buildings one structure would not cause any fire code problems.

Motion: To grant requested waivers and approve AT Equipment at 81 W/P Turnpike with the following conditions: T. Connors

1. Prior to endorsement, the plans shall be adjusted to show the building connection with a note that it will not be installed if Town Meeting approves a bylaw change to make it obsolete, amended landscaping, open space area, fence and connection detail.
2. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set
3. Receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments.
4. The gold building will be re-painted to match the brown building by 10/23/09.
5. The building connection will be installed within 6 months unless Town Meeting vote negates the need.

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

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

Motion: To Adjourn, S. Hughes
2nd: T. Connors
Vote: 5-0-0

Adjourned 9:15 P.M.