

Sutton Planning Board
Minutes
September 14, 2009

Approved _____

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

Board reorganization – Tabled to end of meeting.

Minutes:

Motion: To approve the minutes of 8/24/09, S. Hughes

2nd: D. Moroney

Vote: 5-0-0

Form A Plans: None.

Filings: The Board acknowledged the filing of Mill Store Tea Room. A 50 seat tea room proposed on 356 Manchaug Road in the existing Rebecca Lecouture Interiors building.

Correspondence:

North Street Comprehensive Permit, Douglas, MA – The Planning Director noted a new proposal has been received for this location. North Street turns into Brown and Hough Road in Sutton. The currently proposal shows 124 duplex units. Depending on the number of bedrooms in each unit, the number of trips generated could range from 600 to 1200 trips per day. With the ease of access to Route 146 through Sutton, it's likely much of this traffic will impact Hough Road including the Senior Center and Field complex, as well as the intersection with Whitins Road. The Board asked that Police and Fire be made aware and that the Board express to Douglas their ongoing concerns with traffic safety and possible need for upgrades in Sutton.

Public Hearing – Proposed Bylaw Changes

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

The Board proceeded with petition articles first.

Joyce Walsh-Thompson was present to ask the Board's support of either a change that exempts existing homes that remain on retreat lots from having to pave their existing driveways, or allows the Board to grant a waiver from the paved driveway requirement for retreat lots with cause. She stated she is leaning toward the second choice as it is like a similar provision for underground utilities in the same bylaw. She added that there may be cases where you want a paved driveway for safety and therefore a blanket exemption may not be prudent.

R. Largess felt it was reasonable to allow the Board to consider a waiver from paving for an existing home, just as they can for underground utilities. S. Hughes said he would defer to safety officials.

R. Nunnemacher of 24 Singletary Avenue expressed concerns with changing a bylaw that is currently functioning well.

Motion: To recommend an exemption for all existing homes, S Hughes
2nd: D. Moroney
Vote: 1-4-0 – Motion Fails

Motion: To recommend the ability to grant waivers from bituminous driveways for existing homes only, T. Connors
2nd: D. Moroney
Vote: 4-1-0, D. Moroney opposed as he preferred a blanket exemption

Julio Fusaro and his attorney John Altimare were present to ask the Board's support of re-zoning land from Rural Residential to Business Highway along Route 146 north between Armsby Road and the former old mill road/ Fayette Road. He explained that based on some concerns from the Cronins at 159 Armsby, he is no longer proposing to include their parcel. He provided several support letters for the record. The Planning Director summarized the Cronin letter with concerns that their parcel be removed and that they do not support Mr. Fusaro's re-zoning as there is no known immediate project proposed.

Josephine Cronin of 159 Armsby Road elaborated that they would like to support Julio, but if the strip between their parcel and the parcel to the east is utilized for access it will impact them greatly, as well as the whole neighborhood especially if the State allows Armsby to be re-opened to Route 146.

Marty Reed of 167 Armsby Road shared Ms. Cronin's concern.

Attorney Altimare expressed that they have access to the old mill/Fayette Road and are likely to use that for main access not wanting to impact the residential neighborhood more than necessary. It's possible the Armsby Road strip could be used for emergency access only.

Robert Nunnemacher of 24 Singletary Ave. expressed that Armsby Road in this location is narrow and in lousy shape and only adequate for limited residential traffic.

Marsha Hopper, daughter to Malcom Pearson, expressed support of the proposal. She noted her father is aging and in need of structured care. As he moves into his next phase of life, it is unlikely he will be able to sell his house for a residential use. Re-zoning to business is their best option. She thanked the Cronins and Fusaros for being such good neighbors to her father.

Mrs. Cronin noted the petition was not signed by residents of the area. It was noted there was a second page to the petition that may have contained such signatures. As a courtesy, the Town notifies all land owners and direct abutters of any proposed re-zonings.

In response to a question as to whether the Attorney General would consider this a spot zoning, the Planning Director said she doubted it. Recently the Attorney General has deferred to the will of Town Meeting on re-zonings. In the past the general rule of thumb was more than 10 acres and more than one owner. This parcel does meet this minimal standard as well.

Motion: To recommend the re-zoning removing 159 Armsby Road, the strip between 159 and 163 Armsby Road, and the half of Route 146 in front of 159 Armsby Road,
D. Moroney
2nd: W. Whittier
Vote: 5-0-0

There was limited discussion on the other five articles. The article relative to the Planning Board approving sign design was pulled as Town Counsel noted the Building Commissioner has full authority to require planning board approval during his review.

Quabbin Path – Dana Gravison was present to report to the Board that the road has been paved, basins are being cleaned, and only a few driveways need finish work. Concerns were expressed with securing the covers on the underground drainage system and making sure that system is clean before it is turned over to the homeowners association for future maintenance.

Motion: To recommend that Town Meeting approve the remaining four articles and Quabbin Path road acceptance (though not required) for reasons previously discussed, W. Whittier
2nd: T. Connors
Vote: 5-0-0

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

Public Hearing – Dusak Definitive Subdivision – Dudley Road

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

David Lavalley of Andrews Survey & Engineering presented the three lot subdivision, Dusak Estates, to be located off Dudley Road.

Keneth Lavalley of Wilkinsonville Water District expressed concerns with the project being in the Zone II for Hatchery Road well heads. It was noted that residential streets and drainage systems handling a certain type of low pollutant load are allowed in Zone IIs, but the Town's consulting engineer will take another look at what was submitted with this information in mind.

Paul Dauphinais of Beechwood Avenue noted the basin is directed to overflow to this property. He noted at many times of the year his property is already saturated.

J. Walsh, the Town's consulting engineer from Graves Engineering, has already recommended the location of the spillway, which is anticipated not to be used, still be directed to the south. The Wass family and BNT expressed similar concerns with drainage affecting their properties.

Motion: To continue the public hearing to October 26th at 7:15 P.M., D. Moroney
2nd: W. Whittier
Vote: 5-0-0

Board reorganization:

Motion: To nominate S. Hughes for Chairman and T. Connors for Vice Chairman,
R. Largess
2nd: D. Moroney
Vote: 3-0-2, T. Connors and S. Hughes abstaining

Motion: To Adjourn, D. Moroney
2nd: S. Hughes
Vote: 5-0-0

Adjourned 9:00 P.M.