

Sutton Planning Board  
Minutes  
February 22, 2010

Approved \_\_\_\_\_

Present: T. Connors, Vice Chair, R. Largess, S. Paul, D. Moroney  
Staff: J. Hager, Planning Director

**Form A Plans:** None

**Minutes**

Motion: To approve the minutes of 1/25/09, R. Largess  
2<sup>nd</sup>: D. Moroney  
Vote: 3-0-1, T. Connors abstained as he wasn't present at this meeting

The minutes of 2/4/10 will actually be the ZBA minutes from that date. The Board will have a chance to review the joint meeting portion of the minutes prior to their acceptance.

**Draft Bylaw Changes**

The Board reviewed a proposed bylaw change that would allow small hydroelectric generation. The intent is to encourage maintenance of dams by allowing owners to generate electricity at these locations that will pay for the maintenance of the structures. S. Paul has extensive experience in the electric industry and he noted there may need to be an allowance for at least a small structure to house equipment. The Board agreed that as long as it is unobtrusive that should be allowed, so the Planning Director will revise the proposed language. The Board also briefly discussed a possible petition article for Commerce Park to allow an expanded definition of "Processing". The Board agreed the proposed language is excellent but very broad and will likely need to be more narrow/specific to be approved by Town Meeting.

**Correspondence:**

Fall 2009 Bylaw Changes: The Attorney General has approved all Fall 2009 bylaw and map changes.  
MHD District #3 Letter: The Board reviewed a draft letter to District #3 asking for support for funding of roadway improvements necessary to improve safety at Boston Road and Route 146, and also necessary for the Cold Spring project to move forward. Motion: To endorse the letter, R. Largess 2<sup>nd</sup>: D. Moroney Vote: 4-0-0

**Public Hearing (Cont.) – JNL Holdings Fitness – 211 Route 146**

The Board reviewed the formal site plan provided by Andrews Survey & Engineering showing a reduction in the number of parking spaces. No interested parties were present to comment. The applicant was not present.

Motion: To continue the hearing to 3/22 at 7:20 P.M., R. Largess  
2<sup>nd</sup>: S. Paul  
Vote: 4-0-0

The applicant and his attorney arrived.

Motion: To void the last motion and reconvene the hearing for JNL Holdings, R. Largess  
2<sup>nd</sup>: S. Paul  
Vote: 4-0-0

Attorney Salem reviewed the revised plan. It was noted Mr. Lukasevicz is considering a franchise agreement with Anytime Fitness. The chain features 24 hour access via a pass card. There would not be staff present from 9 PM to 5 AM. The Board discussed concerns with clients being alone in the building in the case of a medical emergency or an assault, etc. Owner Ron Lukacevicz explained the various safety measures that are available. He noted the Police Chief is a member of the location in Grafton.

The Board considered waivers that are necessary. They discussed parking needs and whether what is provided will be adequate. Mr. Lukasevich noted he won't allow classes that will take up all his parking as that will be bad for his business.

Motion: To grant waivers from sections: IV.B.3., IV.C.4.g., IV.C.4.i.-l., IV.C.4.p., having found no changes are proposed to these site elements, but with the condition that the Board will have the right to review the parking situation and require more parking spaces and/or a cap on class sizes, R. Largess  
2<sup>nd</sup>: D. Moroney  
Vote: 4-0-0

The Board discussed minimum conditions for approval. It was noted as soon as renovations are complete the dumpster will be removed from the site permanently.

The Board decided that they were comfortable with the Town's public safety officials deciding if the safety measures that are proposed are adequate. Ultimately it is the business owner's job and liability to make sure his patrons are safe.

Motion: To approve the Site Plan for JNL Fitness at 211 Route 146 with the following conditions:  
D. Moroney

1. Receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments, particularly the Board of Health, Building and Fire Departments.
2. Prior to endorsement the locus plan, a signature block, and all waivers and conditions of approval shall be listed on the site plan.
3. Prior to installation, final signage shall be approved by the Planning Board and changeable message board must be removed.
4. Prior to issuance of a certificate of occupancy information on security systems shall be provided to the Police Department.
5. All doors on the building shall be identified with reflective numbers on both the interior and exterior of the door in a sequence (i.e. clockwise) acceptable to the Fire Department.
6. A KNOX box for entry keys and facility plans shall be provided for the building. A legible plan of the building and surrounding area shall be provided showing the building access doors, utility shut offs and any other information requested of the Fire Department shall be provided to the Fire Department for review and placement in the KNOX box.
7. Prior to occupancy the applicant will install "No Parking" signage or painted ground striping in front of the main entrances.
8. The Planning Board prefers that no clients shall be allowed in the building unless at least one staff member is present, but defers to the written determination of the Police and Fire Chiefs.
9. The dumpster must be FULLY enclosed in fencing no later than June 1, 2010.
10. The Planning Board's decision is void if the Zoning Board of Appeals decides the use is not appropriate at this location.

2<sup>nd</sup>: S. Paul  
Vote: 4-0-0

Motion: To Adjourn, D. Moroney  
2<sup>nd</sup>: S. Paul  
Vote: 4-0-0

Adjourned 7:53 P.M.