

**Sutton Planning Board**  
**June 21, 2010**  
**Minutes**

Approved \_\_\_\_\_

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

**General Business:**

Resignation of Scott Hughes/Board Reorganization

Motion: To appoint Tomm Connors Chairman for the upcoming year, R. Largess  
2<sup>nd</sup>: W. Whittier  
Vote: 3-0-1, T. Connors abstaining

Motion: To appoint Scott Paul as Acting Vice-Chair, R. Largess  
2<sup>nd</sup>: T. Connors  
Vote: 3-0-1, S. Paul abstaining

Motion: To recommend that the Selectmen appoint Wayne Whittier as a full member until the next election, at which time Mr. Whittier will have to run if he wishes to remain on the Board, S. Paul  
2<sup>nd</sup>: R. Largess  
Vote: 3-0-1, W. Whittier abstaining

(D. Moroney arrives)

Minutes

Motion: To approve the minutes of 6/7/10, T. Connors  
2<sup>nd</sup>: W. Whittier  
Vote: 5-0-0

Form A Plans - No Form A Plans.

Filings

Town of Sutton – Retreat Lot Application – Town Farm Road  
Hair Inc. Extension Request – Boston Road  
The Board acknowledged the legal filing of these two applications.

Ordung Dudley Lane Concept Plan

Dave Lavalley of Andrews Engineering explained that he has been asked to determine if additional house lots can be formed from the six acres that exist with the Ordung home on Dudley Lane. He presented correspondence from the past that indicated Dudley Lane was considered a private though adequate way that has a previously approved Form A plan with many lots shown. As a Form A, none

of these old lots are still grandfathered, and no longer exist. Therefore, a subdivision must be filed extending and improving the road to provide legal frontage that confirms to the current bylaw.

He asked the Board if they would consider a less than regulation roadway. T. Connors noted the Regulations provide a minimum standard and it's not a given that the Board should or will always grant waivers, and it's not the Board's job to tell developers what they can get away with. Mr. Lavallee stated they intend to file a plan that shows a private way of 18' wide, about 518' long to the front of the reduced diameter cul-de-sac, with several other waivers, like sidewalks, etc. He asked if the Board had any concerns or comments.

R. Largess stated if the safety departments are satisfied with the road design, he will be satisfied. The majority of the Board agreed.

#### Tipcart Drainage Connections

Robin Wallace of 11 Tipcart Road was present with Norman Hill of Land Planning. Ms. Wallace is having drainage issues in her yard that are undermining her home. Mr. Hill has proposed changes to grading on the lot that he feels will not only help Ms. Wallace's problem, but will also help the Town maintain the detention basin behind Ms. Wallace's home in the future. Mr. Hill has met with the Highway Superintendent who is in agreement that the proposed resolution is a good one. The changes include erecting a 2' – 8' retaining wall in the Town's drainage easement.

R. Largess asked if Mr. Hill felt this resolution will create issues on other properties. Mr. Hill stated this fix will not create other issues.

Motion: To allow revisions within the drainage easement for Tipcart Road per the plan dated 6/10/2010 by Land Planning, R. Largess  
2<sup>nd</sup>: W. Whittier  
Vote: 5-0-0

#### Correspondence/Other

J. Hager reviewed a series of violations she issued. S. Paul asked if she is the zoning enforcement officer, the person who should be issuing violations. She noted she was acting as an agent for the Board, and as such, she can issue violations of the bylaw and or decisions issued by the Board. It is more usual for the Building Commissioner to issue violations, but this is not something he finds a lot of time to pursue. The Board agreed with the violations that were issued.

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

#### **Public Hearing – Stonegate – 75 Worcester Providence Turnpike**

T. Connors read the notice as it appeared in The Chronicle.

Dave Lavallee of Andrews Survey & Engineering reviewed plans with the Board to re-use the building at 75 W/P Turnpike formerly the Verizon building, for use by Stonegate, a granite countertop and hardscapes manufacturing contractor that is currently located at 5 Harback Road. He indicated Mr. Dasilveira currently intends to lease half the building and storage yard. He intends to upgrade the

fencing at the site and install some limited landscaping. He will utilize a metal trailer inside his storage yard but intends to disguise it. The front fence will be stone and then black wrought iron look on top.

Owner George Lamothe and Mr. Dasilveira want to maintain all three curb cuts as it is impossible to get any new ones from the State once they are eliminated. Additionally, all three serve a particular purpose on the site. They are happy to paint directional arrows to limit conflicting traffic movements.

T. Connors noted the site houses one business and now that business is changing and may actually become two businesses. These changes require full consideration of the bylaws. Mr. Lamothe noted that what is proposed is less intense than what was there.

W. Whittier noted that several of the required parking spaces are over the lease line. Mr. Lavallee stated they would adjust the line.

R. Largess noted marketing and permitting of a use in the rear of the building might be difficult and wondered if a different interior configuration was considered. Mr. Lamothe stated Mr. Dasilveira hopes to eventually utilize the whole building, and in the meantime this is the only setup that works for his business. He thanked Mr. Dasilveira for staying in Sutton and noted his site will matter visually to the Town and to his business. He encouraged him to keep that in mind while he makes improvements to the site.

The Board considered waiver requests:

Section IV. C.4.j STORMWATER: Motion: Granted - Not required to provide drainage and storm water provisions as no changes are proposed to the site that would affect drainage and no current issues exist, R. Largess 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section IV.C.4.k TOPOGRAPHY: Motion: Granted - Not required to provide topographic information as no changes are proposed and no issues relative to topography exist, R. Largess 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section IV.C.4.p ARCHITECTURAL FEATURES: Motion: Granted - Not required to provide full architectural information as no substantial changes to the structure are proposed. The applicant must submit drawings of the proposed door and adjust the lease line to its correct location, R. Largess 2<sup>nd</sup>: S. Paul Vote: 4-0-0

Section V.D.4.a ENVIRONMENTAL CONTROLS: Motion: Granted - Not required to provide environmental information as no changes are proposed to the site that would negatively affect environmental issues and no current issues exist, R. Largess 2<sup>nd</sup>: S. Paul Vote: 4-0-0

Section V.D.4.b OPEN SPACE: Motion: Granted - Not required to provide 35% open space as the site is pre-existing, the applicant is proposing improvements and literal application of this requirement would hinder the use of the site substantially, R. Largess 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section V.D.4.c.1 LANDSCAPING: Motion: Granted - Not required to have a landscape architect prepare plans and fully meet every requirement of this section as the applicant is proposing reasonable improvements. The applicant must add landscaping directly in front of the building, R. Largess 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section V.D.4.c.2. CIRCULATION AND ACCESS: Motion: Granted - Not required to eliminate curb cuts as the curb cuts are long standing and have no history of accidents. However, the applicant must paint traffic flow arrows on the pavement and maintain them, 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section V.D.4.c.5 LIGHTING AND UTILITIES: Motion: Granted - Not required to bury utilities that already exist above ground as the site is pre-existing, R. Largess 2<sup>nd</sup>: W. Whittier Vote: 4-0-0

Section V.D.4.c.S.a. REDEVELOPMENT: Motion: Granted - Not required to eliminate curb cuts as the curb cuts are long standing and have no history of accidents. However, the applicant must paint traffic flow arrows on the pavement and maintain them. Additionally, the applicant must submit drawings of the proposed door, W. Whittier 2<sup>nd</sup>: R. Largess Vote: 4-0-0

Motion: To grant the Route 146 Overlay District Special Permit for Stonegate at 75 W/P Turnpike, S. Paul  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

Motion: To grant Site Plan Approval for Stonegate at 75 W/P Turnpike with the following conditions: S. Paul  
1. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set. In addition, landscaping and lease line adjustments as discussed shall also be made to the plan.  
2. Receipt of all other required approvals, if any, from all other local, state and federal boards, committees, commissions and departments.  
3. All site improvements shown on the site plan shall be completed by October 1, 2010, or an extension will be required through the Planning Board.

2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

Motion: To close the public hearing, W. Whittier  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

Motion: To Adjourn, R. Largess  
2<sup>nd</sup>: W. Whittier  
Vote: 4-0-0

Adjourned 8:45 PM