

Sutton Planning Board
August 23, 2010
Minutes

Approved _____

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

General Business:

Form A Plans - No Form A Plans.

Minutes

Motion: To approve the minutes of 8/9/10, W. Whittier
2nd: D. Moroney
Vote: 4-0-0

Filings

Common Drive Amendment– Putnam Hill – Romeo, Accessory Apartment – 92 Hartness – DuBois, Turflinks Retail – 29 Gilmore Drive. The Board accepted the legal filing of these three applications

Correspondence/Other

Release – New State Acres Slope Stabilization Funds – Tabled to next meeting to allowing mowing and re-inspection.

Open Meeting law Guide – The Board submitted certification that they have received and read the New Open Meeting Law Guide.

(R. Largess arrives)

Public Hearing – Rescind Bridle Path Definitive Subdivision

T, Connor read the hearing notice as it appeared in The Chronicle.

Attorney Peter Keenan, representing the applicants Mr. and Mrs. O’Shea, asked for a brief recess to try to resolve outstanding issues.

Upon returning from recess Attorney Keenan asked the Board for a 60 day extension to try to resolve issues between his client and the prospective buyers/developers, Funari Development. Attorney Keenan noted they have no objection to an extension of any permits or surety in the meantime. There was no objection from Mrs. Funari or her attorney.

Motion: To continue the hearing to 11/8/10 at 7:15 PM, D. Moroney

2nd: W. Whittier
Vote: 5-0-0

Public Hearing – Accessory Apartment – 69 Lincoln Road – Blaue

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

Mr. Blaue explained no additions are proposed, that the home has existed this way for some time, and they just want to make it legal so they might rent the apartment to a local teacher or married couple.

The Board reviewed departmental comments. Mr. Blaue noted he has spoken to most departments who commented.

No one else was present to comment.

Motion: To grant the special permit for an accessory apartment at 69 Lincoln Road based on the application and plans presented by Mr. Blaue with the following condition:
D. Moroney

1. Approval of all other local, state and federal departments, boards and commissions.

2nd: W. Whittier
Vote: 5-0-0

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

Public Hearing – Stone Crushers Transmission – 5 Harback Road

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

Robert Miller, owner of the property, explained he chose not to renew the lease for Stonegates Granite, and he has since leased the location to Mr. Haroutanian for an auto repair/transmission business. He stated the Building Commissioner has requested a MDC trap. He noted there are several other grandfathered businesses who are operating without one and even people changing hydraulics right in their gravel yards! They are asking to be allowed to start operations without the trap with a time limit to get the trap installed. He said he hoped the Board would be reasonable in this request.

R. Largess noted if Mr. Miller is aware of individuals violating the law he should notify the Building Commissioner. The permitting process is the Board opportunity to ensure illegal situations are rectified. He stated as the Building Commissioner has requested the trap prior to opening, he would be hard pressed to recommend otherwise.

Mr. Miller also noted this plan was the same plan used for Stonegates approval and he is not proposing site changes, only a tenant change. Mr. Largess noted that had they required a proper survey during that process, the sign at this location might not have been installed in the State right of way and had to be removed. Again, the Board is tightening their standards to avoid issues and plans now need to be more formally prepared. Mr. Miller noted Bob Murphy is preparing the MDC trap design and he can have him fix the plans. It was noted Mr. Murphy is not a surveyor or engineer. Mr. Miller noted Mr. Murphy would have Norman Hill from Land Planning stamp the plans.

The Board asked how many vehicles Mr. Haroutunian thought would be housed on the site including customers and the tenants vehicles? Mr. Haroutunian said no more than ten.

Mr. Miller noted the sign will list Signs by Design, his son in laws business, as well as his business Affordable Excavating. J. Hager stated it was the Board's understanding that Affordable Excavating stores equipment on the site, therefore the business name may be on the sign. However, per the bylaws a sign may only be located on the same lot with the business it advertises. Therefore, Signs by Design needs to have vehicles, equipment and/or office space at this location or they can not have a sign at this location. This bylaw has been in place for decades and was intended to eliminate "sign farms", parcels where the owner rents space for numerous signs to businesses located somewhere else. Off-site signage is only legally allowed for religious or educational uses as well as directional signage or signage erected by the State or municipality. R. Largess stressed Mr. Miller needs to address this issue.

Motion: To continue the hearing to 9/13/10 at 7:10 PM, W. Whittier
2nd: J. Anderson
Vote: 4-0-0

(D. Moroney returns to the Board)

Motion: To Adjourn, W. Whittier
2nd: D. Moroney
Vote: 5-0-0

Adjourned 8:04 PM