

**Sutton Planning Board
February 3, 2011
Minutes**

Approved _____

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

General Business:

Minutes

Motion: To approve the minutes of 1/24/10, D. Moroney
2nd: W. Whittier
Vote: 5-0-0

Form A Plans - No Form A Plans

Villas Bond – Planning Director J. Hager explained that Town Counsel has now directed the Board to vote to release the Villas Phase II bond and Westchester from their obligations relative to the Villas project in exchange for the \$199,000 they have confirmed they will pay. The release will be held in escrow until the check has cleared. The check will be issued to Black Brook Realty in exchange for their posting surety in the full amount of the remaining work to be done on the project. The Planning Board clerk must certify the vote of the Board, and as there currently isn't a Clerk, the Board needs to appoint one.

Motion: To appoint Wayne Whittier as Planning Board Clerk, R. Largess
2nd: S. Paul
Vote: 5-0-0

Motion: To release Bond No. K07155116 from Westchester Fire Insurance in consideration of their payment of \$199,000 to Black Brook Realty Trust on behalf of the Town of Sutton, and in turn release Westchester from any obligations relative to the Villas at Pleasant Valley, R. Largess
2nd: W. Whittier
Vote: 5-0-0

Correspondence/Other: None

(R. Largess arrives)

Public Hearing – Eaton Farms – 140 Route 146 (joint meeting with ZBA)

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

The Planning Director reviewed the approval process for this proposed project which needs several special permits and site plan approval.

T.A. King of 72 Wilderness Drive in Sutton was present on behalf of Lynn and Bertha Eaton. He noted they have been evicted from their location on Burbank Road and would like to relocate to Sutton Station. They will continue the same operations they had on Burbank, manufacturing and wholesale and retail sales of candy as well as sales of gift items. They would also like to add a bakery and will likely have a professional physical massage therapist as a tenant. The attorney who is currently in the building will also remain.

R. largess read departmental comments including those from Fire and Police. T.A. King responded that he had been working with all departments who submitted comments to resolve any questions or issues.

The hearing was recessed briefly until after the ZBA's remaining business was concluded. The ZBA voted to grant the special permit for candy manufacturing at this location.

The Board reviewed waiver requests:

Motion: To grant the waiver from IV.B.4.h. to allow existing parking spaces #6-14 to remain less than 5' off the building as long as wheel stops are installed to preserve the intent of the bylaw which was safety, S. Paul
2nd: D. Moroney
Vote: 6-0-0

Motion: To grant the waiver from IV.B.5.a.-d. to not require any landscaping changes or additions for the time being. This requirement will be revisited by 9/1/11 or when the plans for changes to this intersection from MassDOT are nearly finalized, as there is no point in requiring landscaping that may need to be eliminated,
R. Largess
2nd: D. Moroney
Vote: 6-0-0

Motion: To grant the waiver from IV.C.4.k. to not require topography to be shown as no changes are anticipated. This requirement will be revisited if any topographic changes become necessary, S. Paul
2nd: W. Whittier
Vote: 6-0-0

Motion: To grant the waiver from IV.C.4.l. to not require any landscaping changes or additions for the time being. This requirement will be revisited by 9/1/11 or when the plans for changes to this intersection from MassDOT are nearly finalized, as there is no point in requiring landscaping that may need to be eliminated, S. Paul
2nd: D. Moroney
Vote: 6-0-0

The Board noted that all other requirements for which waiver requests were submitted, will not be waived, all these items must be added to the plans before the Board will endorse them. These sections include IV.B.4.e. width of driveways, IV.C.4.b. name of applicant, owner and professional seals, IV.C.4.d. structures within 100' and dimensional requirements, and IV.C.4.p. architectural elevations.

*For additional minutes of the beginning of these proceedings see minutes issued by the Zoning Board of Appeals for the same date.

Motion: To grant the Special Permit for a wholesale/retail store selling baked goods, candy and gift items consistent with the current operations on Burbank Road, S. Paul
2nd: R. Largess
Vote: 6-0-0

Motion: To approve the Site Plan for Eaton Farms Confectioners and Bakery at 140 W/P Turnpike 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 and Fire Department.
2. Prior to endorsement the width of driveways shall be added to the plans.
3. Prior to endorsement the applicant and owner names and addresses, B-2 District standards, and the approximate location of the house next door shall be added to the plans.
4. Prior to endorsement a drawing of the section of building façade that will be altered shall be submitted and approved.
5. Prior to endorsement a Registered Land Surveyor shall verify what is shown on the plan and stamp the plan showing metes and bounds in relation to building location.
6. Prior to fabrication, final signage shall be approved by the Planning Board.
7. Prior to opening, curb stops will be added to parking spaces #6-14.
8. The Board will revisit landscaping, parking and traffic circulation requirements on the site by 9/1/11 or when the State's plans for intersection changes are at 75%.
9. No changes shall be made to the topography on the site without prior Planning Board approval.
10. Any new lighting shall be full cutoff and or hooded and lighting requirements may be revisited if issues arise with glare or light spill onto abutting properties or roadways.

2nd: R. Largess
Vote: 6-0-0

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

Motion: To Adjourn, D. Moroney
2nd: W. Whittier
Vote: 6-0-0

Adjourned 8:40 PM