

Sutton Planning Board  
Minutes  
January 23, 2012

Approved



2/6/12

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

**General Business**

Motion: To approve the minutes of 1/9/11, W. Whittier  
2<sup>nd</sup>: R. Largess  
Vote: 6-0-0

Form A Plans: None.

**Gilmore Drive – AsBuilt Approval**

Motion: To approve the AsBuilt plan for Gilmore drive in accordance with correspondence from Graves Engineering dated 1/6/12, R. Larges  
2<sup>nd</sup>: D. Moroney  
Vote: 6-0-0

**Correspondence/Other:**

Special Town Meeting – J. Hager noted a Special Town Meeting has been scheduled for February 27<sup>th</sup> on a petition to amend the solar bylaw adopted at the Fall 2011 Town Meeting. The petition proposes allowing large scale solar installations, over 250kW, in residential areas when the parcel they are located on is 100 acres or more with no more than 30% being used for the entire installation including screening.

NEDT Service Expansion – Mike Robertson, owner of New England Disposal Technologies on Gilmore Drive in South Sutton Industrial Park, was present to ask the Board for permission to include short term storage and transport of household hazardous waste out of his facility on Gilmore Drive. He noted there are only 13 sites state wide that take household hazardous waste. There is an un met demand for locations where people can dispose of these materials, like old paint, etc. instead of hiding them in regular garbage or dumping them illegally. People will likely pay by the pound for disposal. He noted he has spoken with the Fire Chief who had no major concerns. As this facility already temporarily stores and transports industrial waste, it is more than outfitted to handle this expanded use. As area residents will bring the waste to the facility themselves, Mr. Robertson was asked if parking will be sufficient. He noted the parking lot is usually no more than 50% full, therefore he expected no issues.

The Board unanimously agreed his proposal is within the scope of his existing business and therefore needs no additional Planning Board permits, however, he should see the Fire and Building Departments to make sure he obtains any permissions he may need from them. T. Connors added if the endeavor becomes wildly successful and parking or other things become an issue he will have to return to the Board for site plan adjustments. Mr. Robertson said he will gladly do that, as that is a problem he would welcome.

**Public Hearing - Subdivision Rules and Regulation Changes**

S. Paul read the hearing notice as it appeared in The Chronicle.

On a request from a project proponent, and because they have been requested to waive the dead end road length requirement several times over the last few years, the Board agreed to consider extending the dead end road length from 500' to 900'.

The Board review comments received from various departments and a list compiled by the Planning Director of what several towns in central mass allow for dead end road lengths.

J. Anderson said he thinks extending the length is about more than safety. He noted from recent surveys and input at Master Plan sessions, residents do not seem in a hurry to build out the town. Extending the dead end road length allows more and more land that can't currently be developed to be populated. Will extending road lengths speed up the rate of growth?

R. Nunnemacher of 24 Singletary Avenue, who also plows for the Town, is a Sutton Fire Fighter, and a Registered Professional Land Surveyor, stated he felt the 500' length was an original legislative mandate back when these regulations were originally being adopted state wide. He noted cul-de-sacs are considered desirable as they don't have cut through traffic, making them safer in general and particularly for children. However, he noted with the use of retreat lot permitting you could get 12 lots on a 900' roadway. With the habit of reducing pavement width on cul-de-sacs and people parking on both sides of a street, this creates a substantial maintenance and safety issue. He asserted there is no pressing need on the Town's part to extend the allowed length and noted the Board already has the ability to waive this requirement on a case by case basis.

W. Whittier wondered if there are existing dead end roads that will extend out beyond 500' if the regulations are changed?

Norman Hill of Land Planning, representing the land owner and proponent of extension, noted he also has a Masters Degree in business/finance. He stated the 500' limitation is unfair to small builders who can not afford the cost of building a roadway with only the potential for four lots. It is unfair to land owners who can't obtain a decent return on their land investment. It is unfair to the Town as it makes them more susceptible to 40B developments, and it is unfair to the Planning Board who are not an active part of the process if a 40B development is filed.

Jim Ray of 192 Hartness Road, with a financial interest in development of 192 Hartness Road, noted Sutton's existing 80,000 s.f 250' frontage regulations maintain the character of the Town. He stated lots like 192 formed many years ago did not take into account todays frontage requirements. If you are left with a lot like this with 15 acres but only limited frontage you can't produce a reasonable amount of house lots without making the road longer. What is the probability of having a blockage at one end of a road and an incident that requires safety vehicle further down? Probably slim to none and probably not more than at 500'. Length of hose safety concerns can be mitigated with installation of a cistern.

S. Paul noted the Board had not received input from the Highway department who often has to maintain these roadways.

W. Whittier stated the Board can grant waivers now when appropriate. He worried that extending the regulatory length to 900' will lead to requests for 1200' and longer. He noted cisterns are currently required for any streets with over 3 houses.

R. Largess stated that perhaps the regulation could include restriction for no retreat lots on cul-de-sacs to allow some extension, but not an overload of homes on these dead end streets. He stressed while the proponent is primarily interested in his one project. The Board is making a decision or the whole town.

Motion: To continue the hearing to February 6<sup>th</sup> at 7:30 P.M. primarily to seek the input of the Highway Superintendent, R. Largess

2<sup>nd</sup>: D. Moroney

T. Connors stressed that 500' has worked for the Town up to this point and questioned why it should be changed.

Vote: 6-0-0

### **Public Hearing – New Village Estates – Reservoir Ave.**

S. Paul read the hearing notice as it appeared in The Chronicle.

N. Gamache of Guerriere & Halnon presented a project showing 12 single family house lots and 30 condominiums in 10 buildings off the end of Reservoir Avenue. The project consists of a total of 50 acres, 9 acres for condominiums, 12 acres for the single family house lots, and 29 acres of permanently preserved open space. All roads will be private. The project is proposed to have public water and sewer. The proposal extends Reservoir Avenue minimally to 718' where the road splits into a loop with an 18' wide paved emergency access road to the west and a 24' wide condominium roadway to the east. The applicant will request three waivers 1) dead end road length increased to 718', 2) curbing bituminous instead of granite, and 3) width of pavement reduced to 24' and 18'. Because site distance at the intersection of Reservoir Avenue and Manchaug Road is already dangerous due to the location of Steven's Pond Dam, the applicant is proposing a light that will be triggered by traffic approaching on Reservoir. When no traffic is at the light on Reservoir, it will remain green for traffic on Manchaug Road. It will also be designed to allow immediate access through for Fire Department/ safety vehicles. Mr. Gamache noted they had considered other access points, but the strip of land they own out to Mumford Road is too steep for access and access out to Duval Road would cause substantial wetland impacts. The current project is proposed fully outside of state and local resource areas.

It was clarified that while the Smiths are listed on the application that they are on there because the proponent has a purchase and sale agreement with them to purchase their land to allow for the roadway locations shown. They are not part of the development team.

There are existing trails on the site. There is no intent to block access to these trails to people outside this development.

The Board received comments from R. Nunnemacher, Earth Removal, Fire, Manchaug Water, Conservation, Graves Engineering and the Planning Director.

It was noted anticipated volumes of cut and fill should be submitted. The applicant was not sure if a MEPA filing will be necessary.

It was noted the proponent asked for input on architectural design and was provided with historic documents showing the Victorian style of buildings that are prevalent in Manchaug. They are proposing that both condominium units and single family homes be built using this type of architecture in order to be consistent with and respect the Village.

Mike McQuistin of 10 Second Street asked about adequacy of sewer and water to serve the project, as well as screening from his property. The Sewer Department has not responded, but the Planning Director will check in with them again. The Water District noted concerns with capacity and pressure that will have to be addressed. There will be over 80' to Mr. McQuistins property line and only single family homes will abut here. It was noted the Planning Board always retains the right to supplement screening after construction as it is impossible to know exactly what things will look like until a project is constructed.

Ed Lacouteur of 356 Manchaug Road was concerned about drainage and increasing some existing problems with runoff from the hill above his property. The applicants engineer reviewed drainage basin locations and stated they are happy to meet on site to observe Mr. LaCouteurs concerns. R. Largess explained that storm water management says that whatever currently exists for flow can not be impacted by the development. Therefore, if clearing trees and adding buildings and pavement to this area increases the rate or changes the direction of flow it has to be captured and dealt with on this property. Drainage impacts have to be contained to the developed property.

R. Nunnemacher of 24 Singletary Avenue had concerns with the grade at the end of Reservoir Avenue approaching the proposed stop light. He felt this area and perhaps even Manchaug Road, might need to be modified to allow adequate stopping distance once someone sees the light from either street.

Barbara Bessette of 11 Morse Road shared Mr. Nunnemacher's concern and asked where the light would be located. The light would be directly at the intersection, but perhaps a warning sign or flashers can also be installed west on Manchuag Road to alert people to the light just around the bend.

Gail Bernier of 1 West Second Street was concerned about widening Reservoir Avenue noting it would impact her property. Mr. Gamache noted there is a discrepancy with the actual right of way width of Reservoir Avenue. He agreed most of the homes along Reservoir have components that encroach into the right of way and it is their intention not to impact this unless the Town requires them to do so. On further questioning Mr. Gamache noted that alternate access to Duval Road would not only have significant wetland impacts it would add 1800' of paved roadway to a sensitive environmental area, with little positive impact.

Jeff Walsh of Graves Engineering reviewed soil testing on the site and his work in reviewing the proposed project and mitigation that has been proposed.

Motion: To Continue the public hearing to March 5, 2012 at 7:15 PM, D. Moroney  
2<sup>nd</sup>.; W. Whittier  
Vote: 6-0-0

### **Public Hearing – West Side Connector Road**

S. Paul read the Hearing notice as it appeared in The Chronicle.

J. Hager explained that for many years the Towns of Douglas, Northbridge, Sutton and Uxbridge have been working together to find ways to encourage economic development in this area where the four towns come together. Changes have been made to bylaws so if a project wants to straddle town lines, the zoning will be similar, utility extensions and connections have been accomplished or at least explored

and two roads running parallel to Route 146 have been investigated running between the Whitins Road/Main Street exit in Sutton/Northbridge and the Lackey Dam exit in Douglas/Uxbridge. Private land owners on either side of the highway have provided their own expensive engineering studies to assist and have committed to continue to participate in this regional public/private effort that will benefit all parties. While the east side connector is in the conceptual design phase, state 43D expedited permitting funding has been utilized to prepare the definitive subdivision plan for the west side connector road that the Board will review tonight. The Towns of Douglas and Northbridge are also reviewing these plans.

Although Guerriere & Halnon have been retained by Douglas, Northbridge and Sutton to design this roadway, to be consistent and perhaps to bring another beneficial view point to the design, the Planning Board still required a peer review of the plans. Kevin Quinn of Quinn Engineering was present in that capacity.

Norm Gamache of Guerriere & Halnon reviewed the proposal. He stated the connector roadway is approximately 6,600' long. It begins at a four way intersection with Gilmore Drive that actually begins in the Town of Northbridge. It then winds its way through significant wetland resources and up and down hills to the Douglas town line where it extends through existing earth removal operations and exits between a large hill owned by Mary Bedoin and the factory now owned by Gilboa Properties on Gilboa Street in Douglas. A traffic light is not currently proposed on either end. There is around 100 acres of potentially developable land in Sutton and several hundred in Douglas. Obstacles include trying to maintain a gentle slope of between 1-3% for possible industrial traffic, mitigating impact to resource areas, avoiding the breakout elevation behind the wastewater treatment plant and dealing with an archeological site that will invariably be impacted to some degree.

Mr. Gamache has been on site with the Conservation Commission's consultant as well as Kevin Quinn and Jen Hager to evaluate issues directly.

Bill Husted of 38 Hough Road asked what the construction timing might be. J. Hager stated as there are ongoing earth removal operations that are needed to bring elevations down significantly and funding must also be obtained. It is likely nothing could begin for at least three years.

Mark Rachwal of 226 Whitins Road had concerns with impact on his property. Mr. Gamache stated the road is about 13' below the elevation of his property so he would be looking over traffic on the road. J. Hager noted the Board is committed to providing necessary screening to lessen impact on abutting properties.

Motion: To continue the public hearing to March 5m 2012 at 7:45 PM, R. Largess  
2<sup>nd</sup>: D. Moroney  
Vote: 6-0-0

Motion: To adjourn, R. Largess  
2<sup>nd</sup>: W. Whittier  
Vote: 6-0-0

Adjourned 9:54 PM