

Sutton Planning Board
Minutes
June 2, 2014

Approved _____

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

General Business:

Minutes:

Motion: To approve the minutes of 4/7/14, S. Paul
2nd: W. Whittier
Vote: 5-0-0

Form A Plans:

Vaillancourt – 612 Central Turnpike – The Board received an email from Gary Vaillancourt requesting withdrawal of this application for the time being.

Motion: To allow the withdrawal of this application without prejudice, W. Whittier
2nd: S. Paul
Vote: 5-0-0

Laforce – Whitins Road – The Board reviewed a plan dividing off land bounded by both Whitins Road and Putnam Hill Road that is slated to be transferred to the Department of Conservation and Recreation.

Motion: To allow the chairman to endorse the Form A plan for LaForce on Whitins and Putnam Hill Roads dated 5/19/14 showing one new buildable lot, S. Paul
2nd: W. Whittier
Vote: 5-0-0

(R. Largess arrives)

Lackey Road Retreat Lot – The Planning Director reported the appeal period for two retreat lots owned by Duff on Lackey Road has run with no appeals filed.

Motion: To endorse the covenant for the retreat lots, S. Paul
2nd: R. Largess
Vote: 5-0-1, W. Whittier abstains as he owns abutting land

Motion: To allow the Chairman to endorse the Form A plan of these two new retreat lots dated 4/28/14, R. Largess
2nd: M. Sanderson
Vote: 5-0-1, W. Whittier abstains as he owns abutting land

Correspondence – The Planning Director reviewed meeting notices for the CMRPC Annual Dinner and a legislative breakfast also hosted at CMRPC.

The Board reviewed a letter and plans from Green International, the traffic engineers for Galaxy Development and the Pleasant Valley Crossing project.

They provided 75% design plans for of-site roadway improvements for comment. Jeff Walsh of Graves Engineering has reviewed the plans for the Town and his only substantive comment was that the gravel base proposed for roadway widening is not as deep as the Town's Subdivision regulations require and therefore he would suggest the applicant be required to meet the Town's standards. The Board agreed.

Motion: To send a letter to Green International, copied to MassDOT, requiring gravel road base in accordance with the Town's regulations on all roadway widening and to also forward Graves entire review letter for them to address, S. Paul

2nd: R. Largess

Vote: 6-0-0

Public Hearing – Gramstorff Accessory Apartment – 67 Barnett Road

J. Anderson read the hearing notice as it appeared in The Chronicle.

Chris Gramstorff explained he wants to build a structure that looks like a barn to house an accessory apartment for his in laws.

He noted the barn will be to the side of the house and slightly back as a typical garage or barn would be located.

The Board reviewed the plans and departmental comments. There were no comments from the public.

Motion: To approve a special permit for an accessory apartment at 67 Barnett Road with the following conditions:

1. Approval of all other local, state and federal departments, boards and commissions.
2. Separate dwelling numbers of 67A and 67B on each unit shall be clearly visible.

2nd: R. Largess

Vote: 6-0-0

Motion: To close public hearing, W. Whittier

2nd: M. Sanderson

Vote: 6-0-0

Public Hearing (Cont.) – Lorden Propane – 63 Worcester Providence Turnpike

J. Hager informed the Board that the applicant had met with Jen Hoyt from the State Fire Marshall's Office, Paul Maynard, Emergency Management, and John Couture, Building Commissioner. Subsequently a smaller group had a follow meeting and Ted Lorden has revised his proposal from four down to two 60,000 gallon propane tanks that will be mounded, or buried above surrounding ground level. Additionally, Lorden Propane will make several other plan changes and comply with recommendations of the various department as well as the Fire Marshall's Office.

The Town's consulting engineer, Jeff Walsh was present and confirmed, other than some minor issues, he has no issues with the plan. J. Hager noted a written response to Graves's initial comments and other departmental comments received has not been submitted.

Normand Gamache of Guerriere & Halnon, Ted Lorden of Lorden Propane, and Steve Younis, Fire Services Engineer were present to review the changes they had made based on input and meetings. Mr. Gamache noted the responses to comments received had been done for some time but they were held back in case additions were necessary as the plan evolved. They were ready to address all comments. They requested the Board at least close the hearing, if not vote conditionally on their proposal.

They had fully revised plans in hand and agreed to comply with broad draft conditions the Planning Director has drafted. They are anxious to conclude this stage of permitting as they agreement to purchase the land has been extended several times and the current owner isn't pleased at the prospect of extending it again.

On a question from Scott Paul it was confirmed now that the tanks are proposed to be mounded they will have NFPA compliant protective coating to slow the rate of decomposition. It was also confirmed that other standard protective measures like grounding and static discharge will be employed to reduce the risk of combustion.

There were no comments from the public.

The Board discussed acceleration and deceleration lanes. The applicant noted they met with MassDOT and MassDOT did not think these lanes were a good idea as there isn't enough length available to make them beneficial and requiring a full stop with a clean line of sight and sufficient traffic gap is likely safer. They did require the applicant to shift the location of one of the entranced drives further from driveway on the abutting property. The applicant confirmed they will prohibit tankers from entering and exiting the site during morning rush hours.

Motion: To grant Site Plan approval for this propane distribution facility with the following conditions: S. Paul

1. Approval of all other applicable local, state and federal permitting authorities
2. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set.
3. Prior to endorsement the plan shall be adjusted to deal with the issues noted in the 3/17/14 letter from Graves Engineering.
4. Prior to the commencement of construction the applicant shall attend a pre-construction meeting with the Planning Department and any department or staff that have inspection responsibilities relative to the site, as well as the site contractor and other personnel the applicant feels are appropriate.
5. Construction shall be limited to Monday through Friday 7 AM to 6 PM and Saturday 8 to noon, no local, state, or federal holidays.
6. Prior to occupancy the applicant shall provide written certification from the project engineer that the site has been constructed in accordance with the approved site plan.
7. The Board reserves the right to review and adjust lighting within a year of installation and use if they find it to be a danger or unreasonable nuisance.
8. No exterior storage shall be allowed.
9. The applicant must submit evidence of maintenance of cistern and propane tank inspections to the Fire Department.
10. Compliance with Jen's memo dated 3/10/14
11. Compliance with Graves memo dated 3/17/14

2nd:

R. Largess

Board members discussed that there are too many loose ends on this plan at this point and approving it with the proposed conditions would set a bad precedent. The majority of the Board stressed they had no issues with the plan as revised but that written responses need to be received in response to all comments received and the plans need final adjustments as necessary.

The second and the motion were rescinded.

Motion: To continue the public hearing to June 16 at 7:05, W. Whittier
 2nd: R. Largess
 Vote: 6-0-0

Public Hearing – Retreat lot - Oliver

J. Anderson read the hearing notice as it appeared in The Chronicle.

Norman Hill of Land Planning was present to request retreat lot designation of a lot that already exists but was previously approved with a non-buildable notation in anticipation that someday a permit would be acquired to make the lot buildable. He read through all retreat lot requirements to demonstrate the lot meets them all. He also confirmed the lot width does not drop to less than 50' at any point,

Mr. Maguire of 140 Dodge Hill Road noted he has nearby land with insufficient frontage and asked if this gets approved if it will preclude him from also getting a permit for a retreat lot. The Board stated the regulations require at least 250' of distance between retreat lots along their legal road frontage, they may actually touch away from the frontage. One of the members noted Mr. Maguire does not appear to have enough acreage to form a retreat lot as three times the usual area is required.

Christine and Donald Thurber of 130 Dodge Hill Road own two parcels in front of the retreat lot as you travel down gradient to Dodge Hill Road. They sent an email to the Board explaining their concerns with runoff and the need to require drainage calculations and for the applicant to demonstrate they can get a driveway in without altering the stone boundary walls to either side and trees that currently provide a buffer. They also expressed concerns with existing drainage issue on this section of roadway and also with screening and control of drainage north of their home.

There were legal questions about whether the Board issuing a retreat lot special permit would in itself negate the non-buildable notation on the plan currently on file at the Registry of Deeds, or if a new Form A with new dated, etc. would need to be endorsed and filed. J Hager will ask Town Counsel.

Motion: To continue the hearing to June 16th at 7:20 P.M., S. Paul
 2nd: W. Whittier
 Vote: 6-0-0

(W. Whittier off the Board as an abutting landowner)

Public Hearing – Definitive Subdivision –Journey’s Rest -34 Lackey Road

J. Anderson read the hearing notice as it appeared in The Chronicle.

Steve O'Connell of Andrews Survey & Engineering reviewed the plan for this two lot subdivision off Lackey Road with potential access for a third lot that already has legal frontage further south along the roadway. He explained how the roadway is longer than 500' to get around a significant ledge outcropping, not to gain an additional lot. As this roadway will only serve two new lots and one existing, he utilized the similar LaPlante subdivision off McClellan Road and the common driveway standards as a starting point and requested applicable waivers to keep the roadway in keeping with the rural characteristic of this area.

The applicant, Clara Kim, noted they wanted this to be a third retreat lot but it wasn't far enough away from the previously endorsed lots at the frontage, therefore they were forced to file this subdivisions plan and it had to have two lots as a subdivision legally requires at least two.

J. Hager expressed sincere concerns with not having drainage calculation especially considering this development is on the same steep hillside where previously approved retreat lot and common driveways are causing increased drainage issues.

J. Walsh of Graves Engineering expressed concerns with a section of the roadway that goes from 3% to 10% over too short a distance. He felt that vehicles like a fire truck will bottom out at this location. He also noted brush will have to be permanently cleared back at the entrance to establish required site distance.

S. Paul noted this road serves more lots than McClellan Road and that land was virtually flat.

It was confirmed that the Board must make findings in open meeting to allow the third lot to access off this roadway. Otherwise the roadway can only be utilized for the two lots.

J. Walsh reviewed the available drainage on Lackey Road which consists of two catch basins about 400' south of the proposed entrance to the subdivision.

R. largess stressed that the proposed road should fit into the area and not be totally out of place like the extremely wide Forest Edge (Ariel Drive) off Blackstone Street. S. O'Connell noted Lackey Road in this area is between 18' and 22' wide. R. largess said he will be fine with the width and length if the safety departments approve.

J. Walsh confirmed with the applicant that the road is intended to stay a private way.

S. Paul stated he is fine with a narrower roadway especially to save the ledge outcropping which adds character to the development, but stressed drainage must be thoroughly addressed.

T. Connors said issues with the grade, drainage and width have to be addressed to ensure safety.

M. Sanderson said she agreed with all previous comments and stressed there should be a deed restriction to ensure the road stays private. J. Anderson agreed.

J. Walsh noted that if the roadway was straightened out as it approaches Lackey Road it will improve the grade and provide room for a drainage area if necessary.

The Board began to address waiver requests.

4.A.2.f. – Waive the minimum centerline radii down to 100’. The Board agreed this waiver needs to wait for potential re-design of the roadway.

5.I.1. – Waive the requirement for sidewalks as they are not appropriate in this instance.

Motion: To waive the requirement for sidewalks in 5.I.1., having found they would only serve two homes and there are no existing sidewalks on existing roads for a proposed sidewalk to attach to in this part of Sutton and it is a very rural area where sidewalks would not be appropriate, R. Largess

2nd: S. Paul

Vote: 5-0-0

5.G.1. – Waive the requirement for curbing as this roadway only serves two homes and the low impact swale drainage that is proposed will not work with curbing.

Motion: To waive the requirement for curbing in 5.G.1., having found curbing will inhibit the proposed drainage, R. Largess

2nd: T. Connors

The Board discussed if drainage requirements might change and therefore the need for curbing if the roadway is redesigned. The second and the motion were withdrawn for reconsideration at the next meeting.

4.A.6.a. – Waive the requirement for curved radii of 30’ for property lines and pavement lines noting it is not possible to attain a radii on one of the property lines and this does not cause any functional issues and the 10’ radii provided on the proposed pavement edge is adequate for the anticipated design speed and sight distance. J. Walsh stated that 15’ would be more appropriate on the pavement radii particularly for pickup trucks and larger vehicles to reduce the amount they will enter into the other lane when they exit.

Motion: To waive the requirement for 30’ radii for property lines and pavement lines in 4.A.6.a., having found the lack of a radii on one of the property lines does not cause any functional issues and to allow a 15’ radii for the proposed pavement edge as this is adequate for the anticipated design speed and sight distance., R. Largess

2nd: S. Paul

Vote: 5-0-0

4.A.5.b. – Waive requirement for a full diameter bulb cul-de-sac with interior island noting this road will only serve two , max three, homes and it’s not possible due to ledge to install a full diameter cul-de-sac bulb, and the proposed hammerhead turnaround will greatly reduce run off and other environmental impacts.

Motion: To waive the requirement for a full bulb cul-de-sac per 4.A.5.b., and allow a hammerhead turnaround having found this is adequate and safe for the number of proposed homes, R. Largess

2nd: S. Paul

The Board discussed the safety departments should have the ability to weigh in on the turnaround design once the roadway is redesigned. The second and the motion were withdrawn for reconsideration at the next meeting.

The remaining waivers will be considered at the next meeting once the roadway design is adjusted. The Board agreed that width will be very dependent on safety department input and likely with what improvements can be made to the road grades. The majority of the Board felt that 8" of gravel road base is not sufficient.

Motion: To continue the public hearing to 7:30 P.M. on June 16th, R. Largess
2nd: S. Paul
Vote: 5-0-0

(W. Whittier returns to the Board)

Motion: To adjourn, T. Connors
2nd: S. Paul
Vote: 6-0-0

Adjourned 10:50 P.M.