

Sutton Planning Board
Minutes
December 15, 2014

Approved _____

Present: R. Largess, W. Whittier, J. Anderson, M. Sanderson
Staff: Jen Hager, Planning Director

General Business:

Minutes:

Motion: To approve the minutes of 12/1/14, M. Sanderson
2nd: W. Whittier
Vote: 3-0-1, J. Anderson abstained as he wasn't present at this meeting

Form A Plans:

131 Eight Lots Road – Covenant and Form A for Retreat Lot

Motion: To endorse the covenant for 131 Eight Lots Road, J. Anderson
2nd: W. Whittier
Vote: 4-0-0

Motion: To endorse the Form A plan dated 11/14/14 showing one retreat lot, W. Whittier
2nd: J. Anderson
W. Whittier confirmed comments on the Form A checklist have been addressed.
Vote: 4-0-0

76 Griggs Road – Myers: This Form A Plan will be rescheduled to a future meeting.

Filings: None.

Correspondence/Other:

Mr. James Arrell of 95 Leland Hill Road was present to discuss a potential accessory apartment filing with the Board. He noted he has a two car garage with an attached car port that he wants to convert into and accessory apartment for his mother-in-law. The apartment would be a conversion of the two garage bays at just over 500 s.f., and the carport portion of the structure at approximately 400 s.f. would remain as is. The problem is the total structure is about 950 s.f. and the bylaw says the accessory apartment can be no more than half of a detached structure. He showed the Board photos of his lot demonstrating he can't expand the carport because of a stone wall and slope. Putting a second story on the garage would not work for his mother in law as she can't get up stairs, and it would be prohibitive in terms of cost especially noting the house and apartment will be tied into town sewer at a cost of nearly \$10,000. The Board confirmed there is a waiver provision in the bylaw that will allow them to waive the 50% requirement to allow what is being proposed. The majority of the Board agreed if Mr. Arrell was asking to have a larger apartment that may be a problem, but what is being proposed is modest and not a stretch of the intent of the regulations. The Board agrees the carport is a portion of the existing structure and the waiver provision is available to the Board to adjust the maximum percentage of the structure that can be used for an apartment. Mr. Arrell will apply to be on the next available Board meeting.

Public Hearing – Scenic/Public Shade Tree – 4334 Central Turnpike

Mr. Arakelian was present to request the Board allow him to remove two 10-12” oaks that are just to the east of his driveway within the Town’s right of way. He stated the trees block visibility when exiting particularly when he is in his truck. He noted there are plenty of similar trees in the area. He also noted removal of the trees would make mail delivery safer as well.

The comments of the Tree Warden were read into the record. He did not have any objections but noted there is no funding in the town budget for this type of removal.

The Board reviewed departmental comments, there were no objections.

Mr. Arakelian added the trees are on an embankment and there has been soil loss over the last few years that is starting to expose the roots. He noted in a few more years the trees will likely become unhealthy.

W. Whittier asked if removal of one tree would solve the problem? Mr. Arakelian stated that both trees block visibility and their root systems are so intertwined removing one would likely kill the other.

No one was present to comment.

Motion: To grant permission to remove the two trees as requested at the petitioners expense. All work must be done by a fully insured contractor, M. Sanderson
2nd: J. Anderson
Vote: 4-0-0

Motion: To close the public hearing, W. Whittier
2nd: J. Anderson
Vote: 4-0-0

Public Hearing – Aggregate Industries Earth removal Renewal – Boston and Providence Roads

R. Largess read the hearing notice as it appeared in The Chronicle.

David Lavalley of Andrews Survey & Engineering was present with owner’s representative Steve Landry to answer any questions relative to their renewal request.

Mr. Lavalley noted no removal has taken place on the site this year. Activities include mowing and clearing of brush and cleaning up the site, but no removal even from existing stockpiles. He stressed he felt that monitoring of ground water wells should only be required if the applicant intends to start excavating. He noted past readings have been fairly consistent over the years.

Steve Landry added they are beginning the process of removing old earth removal structures starting with the scale house. This will progress slowly.

There were no issues in departmental comments. No one was present to comment.

Motion: To grant the renewal with the following conditions: J. Anderson

General Conditions:

1. Failure to comply with all Conditions of this Permit, and all sections of the Town of Sutton Earth Removal bylaw, which are a part of this permit, and are attached herewith, will result in a Cease and Desist Order, and fines.
2. Approval/Permitting/Special Requirements of all other applicable local, state and federal agencies, with a copy of said decisions/permits provided to the Planning Board.
3. No Drilling or Blasting allowed in any area of the pit.

Special (or site/operation specific) Conditions:

1. Maintain current bonding in the amount of \$1,565,000 (covers all permits for Aggregate Industries) for the permit period of January 1, 2015 to December 31, 2015. Provide evidence of coverage before December 31, 2014.
2. Maintain a 200-foot buffer along all residential areas and along Dudley Rd.
3. Current ground water readings must be performed two weeks prior to resumption of work on the site in 2015. The Planning Board’s Agent must observe site readings.
4. Maintain 4 foot metal stakes with red flags every 50 feet more or less apart on the property boundaries between the above listed parcels and those properties owned by the Wilkinsonville Water District.

2nd: M. Sanderson

Vote: 4-0-0

Motion: To close the public hearing, W. Whittier

2nd: J. Anderson

Vote: 4-0-0

Public Hearing – Retreat Lot – Towle – 7 Morse Road

D. Lavallee of Andrews Survey & Engineering was present representing the owner to request approval of a retreat lot at this location in the Village District. The frontage of the lot is approximately 58’ and the acreage is 1.71 which is more than three times the required 20,000 s.f. All taxes have been paid. The lot has public water and sewer.

Chris Morneault of 4 Morse Road wanted to know what the lot would be used for? The Planning Director said the lot can be used for any purpose allowed under the town’s zoning bylaw. Retreat lots are usually used for single family homes, but other uses may go on the lot in accordance with the regulations. It is likely any use other than residential will be required to seek another permit and/or site plan review which would require another hearing and notice to abutters.

Motion: To grant the retreat lot with the following conditions: W. Whittier

1. Approval of all other local, state and federal departments, boards and commissions.
2. Driveways shall be of bituminous surface, no greater than twelve percent (12%) grade with a minimum paved width of twelve (12) feet and cleared width of fifteen (15) feet.
3. The house numbers shall be clearly visible from the street and/or posted at the street.
4. The Highway, Fire and Police Departments must approve the driveways.

2nd: M. Sanderson

Vote: 4-0-0

Motion: To close the public hearing, J. Anderson
2nd: M. Sanderson
Vote: 4-0-0

Motion: To adjourn, J. Anderson
2nd: W. Whittier
Vote: 4-0-0

Adjourned 8:04 P.M.