

Sutton Planning Board
Minutes
November 2, 2015

Approved _____

Present: R. Largess, W. Whittier, J. Anderson, W. Baker
Staff: J. Hager, Planning Director

W. Whittier served as Acting Chairman and Walter Baker was acting as a full member in the absence of M. Sanderson and S. Paul.

General Business:

Minutes:

M: To approve the minutes of 10/5/15, R. Largess

2nd: J. Anderson

Vote: 3-0-1, W. Baker abstained as he wasn't present at this meeting.

Filings: None.

Form A Plans: None.

Endorse Self Storage Site Plan – 85 Gilmore Drive

Motion: To endorse the Site Plan for 85 Gilmore Drive dated 9/23/15 noting the edge of clearing for each phase will be delineated at least a week in advance of start of construction with review by the Planning Department and soil testing will be done in the proposed basin prior to start of construction, R. Largess

2nd: J. Anderson

Vote: 4-0-0

Forest Edge Update:

The Planning Director noted she had spoken with and received various emails from Jon Bruce stating he has final approval from Grid for the installation of lighting and that this work as well as sidewalks and finish paving will be underway this week. His contractor assures him this work will be completed this year. Jeff Walsh from Graves Engineering confirmed he received communication from Jon Bruce asking for him to start inspections on sidewalks on Wednesday. Bruce Akerley of 106 Ariel Circle confirmed the entrance walls are complete and that Mr. Bruce and some contracting personnel have been on site this week, but he remains concerned if all work will be done this year. He also asked questioned whether existing potholes and base course pavement gaps would be filled prior to top course paving. J. Hager noted these areas are usually patched and a leveling course applied where necessary before top course paving is applied, but she will double check.

Correspondence/Other: Common driveway and retreat lot discussion tabled until end of meeting

Public Hearing (Cont.) – Tefta Drive

J. Hager noted the Board has received a request to allow the withdrawal of this application without prejudice which means it may be refiled at any time. The applicant will have to pay the mailing and ad fee, but not the filing fee.

Motion: To allow the withdrawal of the Tefta Drive subdivision filing without prejudice,
R. Largess
2nd: J. Anderson
Vote: 4-0-0

Public Hearing – Pyne Sand - Bedoin 2016 Earth Removal Permit

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

Jim Pyne, owner of Pyne Sand & Stone who is doing the earth removal on the Bedoin property explained they have been working on Ms. Bedoin's land for some time. The 2016 application and plan shows the 2012/2013 restoration of 5.5 acres originally permitted in 2007. The remaining 5 acres originally permitted in 2011 is still being excavated but is fine sand. They need to open up another 5 acres that is more stony material in order to produce the various grades of material they sell.

It is anticipated it will take about 4-5 years to remove all of this material. They will work west to east from the location of the permitted connector road out to Route 146 restoring each section as they reach the finished grade. There will be a significant vegetated buffer between the excavation and Route 146 until they reach the final stage where MassDOT has given them written permission to grade right to their right of way to allow full visibility to the land for future development.

Normand Gamache of Guerriere & Halnon refreshed the Board's memory on the approved connector road. It was noted it is likely excavation will take place to the west of the connector road at some point to get it down to an elevation that can also be developed but that is not anticipated in the near future.

Brian Duclos of 49 Hough Road and Peter Fitzpatrick of 45 Hough Road had concerns about proximity of operations to their homes including really messy logging operations. It was noted the logging was not related to the earth removal. The logging was stopped and these operators will not be back on the site. On further questioning Jen Hager responded that the connector road as currently permitted is estimated at \$10 million with all earth removed down to 400' in the roadway right of way and \$25 million as is with much of the earth work not done. The Town would like to explore an alternative that would eliminate potential impact on an Indian archeological area in Sutton as well as work on excessive slopes and in wetland buffers. The direct roadway connection o Whitins Road would be eliminated and access would be via Douglas with a cul-de-sac on Town Land and emergency access only to Hough/North Street. This would maintain access to all of Ms. Bedoin's 70 acres in Sutton but hopefully decrease the cost of the roadway significantly so it is more likely to get at least partial State funding.

W. Whittier asked Mr. Pyne about dust from operations. Mr. Pyne said dust does happen and they have a water truck on site to deal with blowing. He said most blowing happens in Douglas and it is more likely in dry winter months, but they will continue to keep it under control as much as possible.

Motion: To grant the 2016 earth removal permit for 5 new acres and the continuation of the previously granted 5 acres for Pyne Sand & Stone on land of Mary Bedoin with the following conditions: R. Largess
1. Release existing bonding and establish new site specific bonding in the amount of \$110,000.00 for the duration of January 1, 2016 to December 31, 2016.
2. Maintain appropriate dust control measures.
2nd: J. Anderson
Vote: 4-0-0

Public Hearing – The Treasure Chest – 140 Worcester Providence Turnpike

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

Applicant Steve Tellier was present with his business partner Pam Corriveau. They want to occupy 1,500 s.f. at Sutton Station for sale of new and used clothing, household items, tools and the like. This will not be an indoor flea market or a pawn shop. You will not be able to bring items to the shop to sell, the applicant acquires his used goods via store closings, estate sales and other avenues. The owners will be the only employees.

W. Baker asked if they own any other locations? Mr. Tellier said he runs his own home improvement business but wanted to make this his main employment, so there are no other locations to date.

Michael Chizy of 12 Marble Road had traffic concerns with people potentially using Marble Road, a small residential street behind the project, as opposed to Route 146. R. Largess noted it would be a good idea for Mr. Tellier to keep in touch with his residential neighbors to make sure their concerns continue to be addressed. Mr. Tellier noted he will be happy to do that and Ms. Cormier said they will be happy to discourage their customers from using the rear entrance if it becomes an issue, although the applicant did not think it would be a large issue especially as the Route 146 intersection is working better than expected.

The Board reviewed the special permit criteria of section VII.A.2. and found the following:

1. The site is appropriate for the use as it is zoned for retail business
2. This site has adequate provisions for water and sewer as it has a new septic system and permitted well.
3. With the applicant discouraging clients from using the curb cut to Marble Road if necessary, there should be little effect on the neighborhood.
4. As the curb cuts for this site have been clearly defined and parking appropriately situated to facilitate safe movement of vehicles and pedestrians, there will be no undue nuisance or serious hazard to vehicles or pedestrians.
5. It appears adequate and appropriate facilities have been provided to ensure the proper operation of the proposed use particularly as there is adequate parking for this use in conjunction with other uses in the building

Motion: To approve the special permit for use of 1,500 s.f. of 140 Worcester Providence Turnpike for a retail store selling new and used merchandise with the following conditions:

R. Largess

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 occupancy the dumpster must be in an approved location and the front landscaping should be complete.

2nd:

J. Anderson

Vote:

4-0-0

Motion: To close the public hearing, J. Anderson

2nd:

R. Largess

Vote:

4-0-0

Correspondence/Other:

Common Driveway/Retreat Lot Discussion – W. Baker and J. Hager have begun the process of reviewing common driveways and retreat lots permitted by the Board. Photographs of some of them were presented to the Board for discussion.

R. Nunnemacher of 24 Singletary Avenue, a former plow driver and fire department member, was present stating that it is his understanding that E-911 will require common driveways to be named and lots served off the drives to have new numbers. J. Hager stated she just wasn't sure this would necessarily make these lots easier to find and additionally had a concern that naming the drives does carry a risk of residents in the future claiming the drives have status and asking for them to become town ways even with restriction that are supposed to be on the deeds.

W. Whittier asked if these residents would then have to change their postal address and everything tied to that? He noted that would be quite an ordeal.

The Board discussed the effectiveness of implementing what Town Meeting had just voted requiring a post at the end of all common driveways with lots numbers on the way clearly marked. R.

Nunnemacher brought up the example of Steve Leclair's home on Putnam Hill Road where emergency crews have twice gotten lost trying to find his home at #90 when due to the shape of his lot, there is nothing at #90, his home is accessed off a common driveway further up the road near #95. In this situation a post wouldn't have helped.

The Board agreed this is a complicated issue that they need to think over and maybe take a look at some actual locations. The subject will be scheduled for an upcoming meeting for further discussion.

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

Adjourned 8:24 P.M.