

Sutton Planning Board
Minutes
December 7, 2015

Approved _____

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

General Business:

Minutes:

M: To approve the minutes of 11/16/15 with correction of one typo, R. Largess

2nd: J. Anderson

Vote: 5-0-1, W. Whittier abstained as he wasn't present at this meeting.

Filings: None.

Form A Plans: None.

Chapter 61A Release – 289/290 Putnam Hill Road: The Board reviewed a release of approximately 35 acres straddling Putnam Hill Road that has been maintained as farm fields. J. Hager noted these are not priority parcels in the Open Space Plan of Master Plan. In response to a question from the Board R. Nunnemacher stated one parcel is adjacent to the golf course but not a part of the Greenway parcels.

Motion: To recommend the Town pass over its first right of refusal for this property, W. Whittier

2nd: S. Paul

Vote: 5-0-0

Forest Edge Update: J. Hager read the email from Bruce Akerley of 102 Ariel Circle who was also present. It was noted as of yesterday activity appears to be picking up again but there are concerns about big potholes where the gas was trenched. J. Hager stated she will ensure these areas will be patched as part of the base course preparation prior to tack and finish coats of pavement. The Board is hopeful paving and other items will be completed before the end of the year as promised.

Villas at Pleasant Valley – Phase 2 Bond Reduction: The Board reviewed correspondence from Graves Engineering with a proposed bond reduction for Phase 2 of the Villas.

Motion: To grant a reduction to a total of \$146,000 for Phase 2, R. Largess

2nd: W. Whittier

Vote: 5-0-0

Conditions of Approval – 140 Worc/Prov Tpk – The Treasure Chest: J. Hager told the Board there are issues with completion of the landscaping a dumpster pad and screening for this property and asked the Board how they wish to proceed. The Board said as is the case with other projects, if work cannot be completed, it must be bonded before occupancy and/or business openings can occur.

Endorse Site Plan – Sutton Solar LLC:

Motion: To endorse the site plan for Sutton Solar LLC dated 4/14/14, W. Whittier

2nd: R. Largess

Vote: 5-0-0

Correspondence/Other:

2016 Meeting Schedule- The Board approved the meeting schedule with the removal of the third May meeting.

Windle – 51 Burbank Road - Scenic Road Issue – J. Hager noted she responded to a complaint at 51 Burbank Road this morning and found Mr. Windle’s crew working on a stone wall along the entire length of the property. It appeared brush had been cleared in front of the wall and at least on section of wall was disassembled. She stopped work at the site, spoke with Mr. Windle about the fact that Burbank Road is a scenic roadway and any work on stone walls in or on the right of way must be authorized, and asked him to attend the meeting. Mr. Windle stated he isn’t relocating the wall, that portions have been pushed over by plows and tumbled over the years and his crew simply removed all brush and is restacking stones that have fallen down. He noted when power was installed to this lot the power company knocked out the section of missing wall and his crew is reassembling that one short section. He has no intention of changing the type of wall. R. Largess noted Mr. Windle should know permission is required before this type of work begins.

Motion: To allow the restacking of stones that has fallen off the wall at 51 Burbank Road and reassembly of the small section of wall that was destroyed with any leftover stones remaining on the property, R. Largess

2nd: W. Whittier

Vote: 5-0-0

Public Hearing – Worcester Sand & Gravel – 2016 Earth Removal Permit

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

Chuck Scott P.E. could not be present due to a conflicting meeting and Mike Trotta was also not present.

J. Hager summarized this is fairly straightforward other than the fact that there is a bond reduction request. The applicant is requesting stabilized haul roads be removed from the bond as they will remain necessary to access neighboring water district wells and adjacent parcels for emergency access. A good deal of the haul roads have naturally grown in and this much reduced are was indicated on revised plans. W. Whittier noted this is an annual process and if any of the area that has grown in is opened up again the Board can increase the bond requirement.

The Board reviewed departmental comments and J. Hager noted that her comments include cautionary on allowing other uses to operate out of this site without permission and/or proper permitting such as PJ Albert temporarily staging out of the site.

Motion: To grant a one year earth removal permit with the following conditions and a bond of \$50,000 pending receipt of logs that show material that has entered and left the site this year, W. Whittier

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. Excavation shall be no lower than the proposed finish elevations shown on the plan and in any case at least ten (10) feet higher than the ground water table as measured at the water table's highest point during the year.
2. Maintain a bond for duration of January 1, 2016 to December 31, 2016 in the amount of \$50,000, which shall not include haul roads, and sufficient top soil must be remain stockpiled on site to effect a bond reduction that excludes top soil.
3. Current ground water readings must be performed in Spring of 2016 at wells adjacent to the permitted excavation area as determined by the Board or its Agent. The Planning Board's Agent must observe site readings.
4. Maintain four (4) foot metal poles with red flags every 50 feet, more or less apart, along the boundaries of those properties owned by the Town of Sutton and the Wilkinsonville Water District. Flagging shall be verified during monitoring annually.
5. Provide log of 2015 materials brought onto and leaving the site. If material continues to be brought into the site, a log shall be maintained with information on the origin of this material and said log shall be readily available to the Planning Board and the Wilkinsonville Water District for inspection. The water district engineer may perform a daily observation of the site during the period when material is being brought in, and if during that visit, the engineer feels that testing of the material is required, the representative will notify the Planning Board and Worcester Sand & Gravel. With the concurrence of Sutton's Agent and/or consulting engineer, a sample for testing will be taken as soon as possible and before any additional material is brought in. Worcester Sand & Gravel shall then reimburse the appropriate parties for costs related to this testing.

NOTE: This Earth Removal Permit must be displayed at the excavation site. The Permit holder is responsible for maintaining the permit in a legible form in a visible location.

2nd: R. Largess
Vote: 5-0-0

Motion: To close the public hearing, W. Whittier
2nd: J. Anderson
Vote: 5-0-0

Aggregate Industries – 2016 Earth Removal Permit Renewal

Steve Landry, Operation Manager was present and summarized that the company may still sell and or process stockpiled materials and will maintain the right to excavate in area noted on the plans. He stated they will be demolishing the old processing equipment. Two buildings and the scale house on Route 122 will remain.

It was noted the surface material Grid put down is inaccessible to anything other than four wheel drive vehicles inhibiting access for inspections. The Board suggested the Planning Director write a letter to Grid asking for a better surface for accessibility.

S. Landry noted there were stabilization and reseeded items noted in J. Hager's review memo that they will pursue in the spring.

Motion: To grant a one year renewal of the Aggregate Industries earth removal permit with the following conditions, W. Whittier

General Conditions:

4. 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.
5. 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.
6. No Drilling or Blasting allowed in any area of the pit.

Special (or site/operation specific) Conditions:

6. Maintain current bonding in the amount of \$1,565,000 (covers all permits for Aggregate Industries) for the permit period of January 1, 2016 to December 31, 2016. Provide evidence of coverage before December 31, 2015.
7. Maintain a 200-foot buffer along all residential areas and along Dudley Rd.
8. Ground water readings must be performed in the wet season of 2016 prior to June. The Planning Board's Agent must observe site readings.
9. 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.

NOTE: This Earth Removal Permit must be displayed at the excavation site. The Permit holder is responsible for maintaining the permit in a legible form in a visible location.

2nd: R. Largess
Vote: 5-0-0

Motion: To adjourn, W. Whittier
2nd: R. Largess
Vote: 5-0-0

Adjourned 7:57 P.M.