

Sutton Planning Board
Minutes
January 4, 2016

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 12/7/15, R. Largess

2nd: J. Anderson

Vote: 5-0-0

Filings: None.

Form A Plans: None.

Sutton Solar LLC Surety – Planning Director Jen Hager stated this 2.6 MW Nexamp solar generation facility on Oakhurst Road straddling the town line with Northbridge is ready to start construction. One of the conditions prior to issuance of a building permit is provision of surety for remediation of the site if necessary sometime in the future. The developer is required to put \$3,000 in an account and add \$1,000 for 10 years at which point they will add 2.5% of the balance each year to account for inflation. The remediation cost was based on an average of formal estimates ranging from \$0 due to recycling value of panels to over \$30,000.

Motion: To endorse the surety agreement and accept the initial cash deposit for the 25 Oakhurst Road solar generation facility, R. Largess

2nd: S. Paul

Vote: 5-0-0

140 Worcester Providence Surety – The Planning Director confirmed that in accordance with discussion at the Board's last meeting, the owners of this site have posted \$4,550 cash surety for completion of unfinished landscaping at this site. She requested that although the members have already endorsed the surety agreement so it could be recorded, there should be a formal vote acknowledging the endorsement and accepting the deposit.

Motion: To acknowledge the endorsement of the surety agreement for 140 W/P Turnpike and accept the cash deposit of \$4,550, R. Largess

2nd: W. Whittier

Vote: 5-0-0

Forest Edge Update: J. Hager referenced an email from Jon Bruce and various site visit reports stating the majority of Phase 1 work, including final paving has been completed. There are a number of punch list items that will be completed in the spring. Bruce Akerley of 106 Ariel Circle and Rich Mahoney of 132 Ariel Circle were present expressing gratitude for completion of the work that was done and the Board and staff's efforts in this regard. However, Mr. Akerley noted some concerns with pavement at the drives to the units not having been keyed in leaving a lip that can be peeled up by snow plows, as well as a few areas of pavement which he feels have already been effected by recent freeze and thaw and appear to be breaking up.

The Board agreed Jeff Walsh from Graves Engineering can be contacted to meet with the residents and take a look at the areas of concern.

Correspondence/Other:

2016 Meeting Schedule- The Board received the final version of the 2016 meeting schedule with only one regular Board meeting scheduled in months that they must also attend Town Meetings.

Minardi Landscaping AsBuilt Plan- Worcester Providence Turnpike – The Planning Director stated the AsBuilt plan was received and appears completed other than a row of screening plantings between the active part of the site and the southern abutter.

Motion: To approve the AsBuilt plan for Minardi Landscaping at 72 Worcester Providence Turnpike dated 12/21/15 with the addition of the missing screening plantings,

W. Whittier

2nd: J. Anderson

Vote: 5-0-0

Public Hearing – Retreat Lot – 6 Burnap Road

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

Byron Andrews of Andrews Survey & Engineering was present to review the application. He stated the applicant is requesting the Board grant a Special Permit for a 5.51 acre retreat lot with 50' of road frontage at 6 Burnap Road. He noted a Form A plan forming this parcel and several buildable lots was previously approved, now this lot has been adjusted to account for the gas line easement area and ensure conformance with the retreat lot regulations so it can be considered a buildable lot. He noted the upland on the lot is contiguous as there is a 20' wide strip along the northwest side of the lot that connects upland areas on the lot. He stated it is his understanding the applicant was thinking of placing the home toward the rear of the lot for privacy but nothing has been definitively decided and final home placement will depend on a number of factors.

The Board reviewed departmental comments. J. Hager noted that her comments have been addressed in the revised plan Mr. Andrews was showing the Board.

R. Largess asked for a description of the remaining 48+ acres. Mr. Andrews explained where the remaining land is and noted he had not shown the balance of remaining land as remaining lots lines in their entirety are shown on a previously recorded plan, the revised lot line is shown on this plan.

George Nasinnyk of 12 Butternut Drive asked how much clearing would be done for the new home as he was concerned with privacy. Mr. Andrews noted he cannot know how much the applicant or new lot owner will decide to clear, but noted it is Mr. Magill's current position that privacy is a selling point on this lot, so he doubted he would be doing more clearing than necessary.

Nancy Cox of 18 Butternut Drive was concerned with the location of the gas pipeline as shown on the plan. She stated it was her understating that her property was on both sides of the pipeline which is not consistent with this plan. Mr. Andrews noted he used two stamped/recorded plans to locate the pipeline via standard surveying practices. He noted the physical cleared pipeline is usually somewhere in the center of the pipeline easement which is generally much wider than the cleared area, which is maybe causing some confusion?

Mr. Andrews will send a pdf of the easement plan to the Planning Director who can forward it to the abutters to help them understand its placement.

Ms. Cox added she is in favor of one home instead of the previously proposed senior housing facility but added her lot is the only one with a clear view to the adjacent cleared area and previous tournament office site and Armsby Road, so she is concerned that a house not be placed directly in her view as well, particularly if there is an opportunity to locate it elsewhere on the site. It was noted the applicant can locate the home anywhere they wish on their site, but will have to comply with wetland regulations and costs related to underground utilities and dealing with slopes on the site that may influence the placement of the home. If the home is proposed to be located within 100' of a wetland there will be a Notice of Intent filing and another public hearing with notice to abutters allowing more opportunity for input on the specifics of the home siting.

Mr. Andrews noted his plan also references another recorded plan of the lots on Butternut that is likely to show the pipeline location as well.

The Planning Director explained a number of years ago town residents voted to allow Retreat Lots which may have as little as 50' of road frontage but in exchange must provide three times the required lot area, or in this case 240,000 s.f. which is about 5.51 acres. In order to be granted a special permit to create this unique type of lot, a set of requirements was established. If the applicant meets the requirements, they must be granted the permit unless there is a life safety issue that cannot be mitigated. In this case the applicant has met, or has the ability to meet, all requirements of this regulation.

Paul Metzger of 6 Butternut Drive asked if there are set hours of construction as recent construction in the area is starting before 6:30 AM. J. Hager stated she does not think the Town has a general bylaw regulating hours on construction in general perhaps this is addressed in the Building Code. She added that for projects in this area, like the Villas at Pleasant Valley condominium project, this was a special permit project that contains construction hour restrictions for no earlier than 7 AM. If this applicant is violating this condition, the abutters just need to contact the Planning Office and it will be corrected.

Motion: To grant the Special Permit for a 5.51 acre retreat lot with 50' of road frontage at 6 Burnap Road with the following conditions and leaving the public hearing open to allow minor adjustments that maybe necessary to the easement location, R. Largess
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.

2nd: S. Paul

Vote: 5-0-0

Motion: To adjourn, W. Whittier

2nd: R. Largess

Vote: 5-0-0

Adjourned 8:02 P.M.