

Sutton Planning Board
Minutes
February 22, 2016

Approved Mureen Sanderson

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

W. Baker was acting as a full member in place of Scott Paul.

General Business:

Minutes:

M: To approve the minutes of 2/08/16, R. Largess
2nd: W. Baker
Vote: 5-0-0

Filings:

Definitive Subdivision – 295 Manchaug Road – Two lot subdivision located north of Manchaug Road between its intersection with Torrey Road and the stop sign with Parker Road.
Site Plan Review – 17 Gilmore Drive – Carquest is leaving Sutton and this application is for a new tenant that manufactures, warehouses and distributes commercial seating.

Form A Plans: None.

460 Central Pike Driveway Change: Stefano Ritacco was present to request the Board allow him alternate access to his home at 460 Central Pike. He would like to close the entrance on Central Turnpike and open one on Ray Lane. He noted it is extremely dangerous trying to leave the driveway, you can not see oncoming traffic to the east when you exit and his family has almost gotten hit many times. The Planning Director provided an aerial of this location including contours that shown the peak of the road is just east of this driveway and the grade of central Pike drops of rapidly to the east, so cars traveling west can not been seen from this driveway until right before they crest the hill and by then they are right on top of this driveway. Mr. Ritacco added they are usually going very fast too.

R. Nunnemacher of Singletary Avenue added he has exited this property thousands of times and agrees wholeheartedly with Mr. Ritacco. However, he cautioned that if the driveway to Central Turnpike is eliminated the Assessors have to change his address to Ray Lane and he would have to make all the accompanying changes to various documents that bear his address.

The Board discussed how far a new driveway should be from the intersection of Ray Land and Central Turnpike and it was noted it should be over 70' to allow cars to turn into Ray land and have time to react to someone pulling out of the driveway and vice versa. R. Largess also cautioned to be sensitive to headlights shining across the street into the neighbor's house when exiting.

W. Whittier noted he though a rough path had already been cut for access to Ray Lane. Mr. Ritacco said he had roughed out a drive as the Central Pike exit was just too dangerous, but is before the Board asking that this be made his sole access, in effect changing his legal access point, not just adding another.

The majority of the Board had no issues with changing the access point, but Mr. Ritacco will need to decide if he leaves the Central Turnpike entrance in which case his address can stay the same or if closes this entrance in which case his address will change.

Motion: To allow a change of access to 460 Central Turnpike to Ray Lane with the condition that this access must be at least 75' from the intersection of Ray Lane with Central Turnpike and the driveway should not direct exiting headlights into the neighbor's home,
 R. Largess
 2nd: W. Whittier
 Vote: 5-0-0

Correspondence/Other:

Stone wall - 51 Burbank Road. Peter Sangermano, owner of 51 Burbank Road and Chris Windle, contractor, were present to discuss the stone wall in front of this property.

The Board discussed the rebuilt wall at 51 Burbank Road. The Board unanimously agreed that what Mr. Windle said he was going to do when he appeared before the Board was not what he actually did. IT was stressed that the only reason a public hearing was waiver was because the Board believed there would be minimal change to the wall. They expected the wall to simply be restacked where necessary remaining in the same form as it previously existed. What happened was the majority of stones were broken into smaller and flatter pieces and then rebuilt into a much more formed wall as opposed to the previous round rubble wall.

Mr. Windle stated he was shocked when contacted by the Planning Director and was sorry for any misunderstanding. He had not moved the footings of the wall, all the stones in the wall are the stones that were there, and he feels he acted consistently with what he previously told the Board. He stressed he had no malicious intention to mislead the Board but agreed the wall is noticeably different than the original wall.

Motion: To levy the maximum fine of \$300 considering the Town never should have had to stop work on this job to begin with. Mr. Windle should be well aware of the requirement for work on a scenic roadway in a town he both lives and works in and he should have followed the required procedure to begin with, W. Whittier
 2nd: R. Largess
 Vote: 5-0-0

Correspondence/Other (cont.) – The remainder of this agenda item was tabled to the end of the meeting to allow scheduled public hearings to proceed.

Public Hearing – Public Shade Tree – 78 Torrey Road

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

Charla and Stephen Kroll were present to explain their request to relocate a section of stone wall and remove trees in the Town's right of way at 78 Torrey Road.

The property will initially be utilized as a farm and the owners hope to eventually build a house. The Conservation Commission has approved a specific driveway location with consideration of the substantial wetlands along the lot frontage. The Commission has also required restoration of damage related to a former logging operation including blocking access from Torrey Road to the landing site in the wetlands. The restoration requires substantial wetland plantings and the owner intends to add in wetland tolerant trees she has been propagating.

Several trees are growing in the roadside drainage swale and causing flow to go out onto the street which can cause icing issues, they wish to remove these trees and re-establish the swale in front of the logging opening that they will close.

J. Hager noted the Town usually only allows up to a 20" break in stone walls. She wondered if the width of the break was reduced to 20' if the 32" tree could be retained.

Tree Warden Joe Camarra was present to provide input on removal of public shade trees. He stated he has no concerns or objection to removal of trees in the drainage swale, but agreed with Ms. Hager noting if the 32" tree can stay, it is good health and should remain. The Krolls showed the approved Conservation plan and although the width of the driveway itself is much narrower than 27" with the required radius at the end of the driveway, excavation would seriously disturb the trees root zone and actually cut right up to the tree itself. They also noted it is already starting to crack the road edge pavement.

Motion: To relocate a maximum of 27' of wall from the approved conservation commission location to an existing logging operation break and the removal of 9 trees ranging in size from 2" – 32" within the Town's right of way, W. Whittier

1. The relocated wall will be rebuilt as a hand stacked rubble wall similar to the wall shown in application photos.
2. Replacement of trees was waived noting the applicant will do significant plantings on their land, including trees as required by the Conservation Commission.

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

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

Public Hearing – Public Shade Tree/Scenic Roadway – 28 Manchaug Road

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

Mr. Kinne explained that they have a tree adjacent to their mailbox that leans towards the road and it makes it nearly impossible to pull out of their driveway safely.

Tree Warden Joe Camarra confirmed it is extremely dangerous exiting this driveway. He stated he estimates that nearly ¾ of you vehicle is in the street before you get clear visibility. It was also noted there are significant poison ivy vines on the tree as well.

The Board discussed if there is a need to have the applicant replace the tree as it is in good health other than poison ivy vines? They also discussed if adjacent smaller trees that appear to be in poor health should be removed at the same time. It was noted this removal will also likely require a paid police detail. The majority of the Board did not feel the need to require a replacement tree and the Town will actually inspect other trees in the area. If there are enough high priority removals in the area they may contract to have them taken down and also have this tree removed at the same time. Otherwise, the applicant will need to contract for the removal on his own.

Motion: To allow the removal one tree at 28 Manchaug Road with the following conditions,
R. Largess

1. Removal of tree at owners' expense unless the Town determines there are other hazardous trees in the area which will be removed including this tree.
2. Waive replacement of the tree as the applicant is mitigating a potential hazard and has followed the correct procedure seeking permission to remove the tree.
3. The existing stone wall behind the tree must remain intact.

2nd: S. Paul
Vote: 5-0-0

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

Correspondence/Other (Cont.)

Patrick Doherty P.E. was present on behalf of Pleasant Valley Crossing to update the Board on tenants in the multi-tenant buildings and seek confirmation that existing parking is adequate for these uses. Building C will contain a Starbucks with drive through window, a Verizon store, and an Asian restaurant, Building D will contain a Five Guys, a nail salon, and a hair salon, Building B has no tenants signed to date. Although Building C was originally approved with only one restaurant tenant Mr. Doherty noted the required parking spaces will be 82 per the regulations and they have 76, only 6 spaces short. He also noted the peak hours for the various uses in this plaza are different and they don't anticipate any parking congestion. S. Paul asked and it was confirmed if issues arise they have enough area at the north end of parking to add six more spaces.

Motion: To waive the requirement for site plan review and the parking requirements in the immediate parking field to adjust the mix of uses to two restaurant and one retail in Building C and one restaurant and two personal service establishments in Building D and the related parking from 82 to 76 spaces, with the condition that if traffic and/or parking/circulation safety issues arise, the applicant will add the additional required spaces to the north end of the parking lot, S. Paul

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

Annual Report – The Planning Director noted the Annual Report for FY15 has been submitted for publication in the next printed Town report available in May.

The Board also reviewed an email and related sections of Fire services related C.M.R. provided by Robert Nunnemacher of Singletary Avenue that could cause issues with future development. These include turning radii for safety vehicles, prohibition on turning into the oncoming lane of traffic, etc. He noted that an engineer schooled in fire safety and emergency response should be the one stamping this type of plan. The Board thanks Mr. Nunnemacher for the information.

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

Adjourned 9:07 P.M.