

Sutton Planning Board  
Minutes  
February 27, 2017

Approved \_\_\_\_\_

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

General Business

Minutes:

Motion: To approve the minutes of 2/6/16, W. Whittier

2<sup>nd</sup>: W. Baker

Vote: 4-0-2, S. Paul and J. Anderson abstaining

Filings - None

Form A Plans – None

Correspondence/Other

CMRPC Quarterly Meeting – The Planning Director reminded the members the next quarterly meeting at Central Mass Regional Planning is on March 9<sup>th</sup>. R. Largess and M. Sanderson will be attending.

Forest Edge – J. Hager noted a letter had been received today from Jon Bruce, developer of the Forest Edge condominium project. He has received inquiries about locating a cell tower on the land in Grafton that is a portion of the required open space for this project. In the letter Mr. Bruce showed the calculations that there is far more open space than required even after subtracting the area of the potential cell tower installation. As a cell tower is not a compliant use of open space and existing residents bought their units without a cell tower in the open space, the majority of the Board felt an amended site plan should be filed removing the cell tower and its access road from the open space and a public process with notification to Forest Edge residents and abutters should be given so they are aware of the change.

**Public Hearing - Retreat Lot - 82 Eight Lots Rd**

The Board received correspondence dated 2/23/17 requesting withdrawal of this application without prejudice. This will allow the applicant to return at any time in the future once any issues have been resolved.

Motion: To allow the withdrawal of this application without prejudice, W. Whittier

2<sup>nd</sup>: M. Sanderson

Vote: 5-0-0

Motion: To close the public hearing, R. Largess

2<sup>nd</sup>: W. Whittier

Vote: 5-0-0

(M. Sanderson steps off the Board as she is an abutter to this property and W. Baker steps in as a full member)

### **7:15 Public Hearing (Cont.) - Special Permit/Site Plan - 79 Worc/Prov Tpk – Rock & Recycling Equipment Sales**

S. Paul and J. Anderson confirmed they had viewed the meeting tape from 2/6/16 so they are eligible to vote on this issue.

In response to questions from the Planning Director, Mr. Fleming stated hours of operation will be between 7 AM and 6 PM Monday through Friday with occasional hours on Saturday. He anticipates about 1-3 large trucks each week and it was noted that a wide turning radius exists to get these trucks off the highway safely. The business will likely employ 4-6 people.

The Board reviewed the criteria for grant of a Special Permit for this retail use. They made the following findings:

1. The site is appropriate for the specific use as it is zoned for business.
2. Adequate water and sewer capacity exist or can be provided to serve this use.
3. The effect of the use upon the neighborhood will be minimal as the site is already zoned and used commercially.
4. No nuisance or hazard will be created to vehicles and/or pedestrians as parking, circulation and access to the site is adequately designed.
5. Adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use, structure, or condition.

Motion: To grant the Special Permit for this retail use 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, especially the Board of Health septic system approval.

2<sup>nd</sup>: W. Whittier

Vote: 5-0-0

Motion: To approve the Site Plan dated 1/12/17 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, especially the Board of Health septic system approval.

2<sup>nd</sup>: W. Whittier

One waiver was requested to allow elimination of a loading space. Mr. Flemming explained nothing is delivered to this site an off loaded into the building other than small parts and office supplies that come in UPS or FedEx box trucks that use regular parking spaces. The equipment he sells comes in on flatbeds and they will off load in the very large outdoor storage area to the rear of the building.

Motion: To grant the waiver to eliminate the need for a designated loading space, R. Largess

Vote: 5-0-0

On a questions from S. Paul it was explained the nine required parking spaces are provided as four paved customer spaces in front of the building and five gravel employee spaces with curb stops behind the building.

Vote: 5-0-0

M: To close the hearing, W. Whittier  
2<sup>nd</sup>: W. Baker  
Vote: 3-0-0

(M. Sanderson returns to the Board and W. Baker returns to Associate status.)

General Business (cont.)

Villas at Pleasant Valley – Phase II performance date extension – The Board reviewed correspondence from Mr. Burns requesting a two year extension of the performance date for Phase II of the Villas. The Planning Director noted this is an active project and this phase is nearing completion. She recommended with the amount of activity and potential issues that can arise as a phase wraps up that a maximum one year extension be granted consistent with the Board’s actions on similar projects. Charlotte Newton of the Villas Board of Trustees was present and agreed with the Planning Director’s recommendation.

Motion: To grant an extension for Phase II of the Villas to 4/1/18, W. Whittier  
2<sup>nd</sup>: R. Larges  
Vote: 5-0-0

Proposed Bylaw changes – The Planning Director reviewed the following potential bylaw changes with the Board:

Board Sponsored:

Medical Marijuana Regulation – This use cannot be prohibited and without regulations stating specifically where the use can be located any area in Town that typically allows retail, manufacturing, or agriculture is likely a potential site. The proposed regulations limit this use to South Sutton Commerce Park. The Board had previously considered the entire Office Light Industrial District but the Planning Director noted this is over 700 acres and some directly abuts dense neighborhoods and/or is slated for different types of development.

Recreational Marijuana Moratorium – The Planning Director noted this use may be prohibited or restricted via a ballot question that would be submitted by the Board of Selectmen. However, in the meantime as the Cannabis Control Commission (CCC) is not required to issue draft regulations until early next year, she recommended the Board seek a moratorium on applications for this use until the CCC issues their draft regulations and the Board has time to craft local regulations.

Village Center Overlay – J. Hager reported the nearly one year of work with a varied group of residents has resulted in a pretty comprehensive set of regulations that would allow a slate of size restricted retail, restaurant and office uses. Right now the area is very limited as the group wanted to start off small. However, she noted residents in West Sutton are already looking forward to potentially expanding the overlay in the Fall.

Petition articles:

A petition to allow the sale of heavy vehicles in the Industrial District has been received for vehicles with a minimum of 26,000 lbs gvw. This was submitted by Dan Cowher who owns the trash truck component dealership in Burnap Industrial Park. He has been inundated with customers who want to buy the whole vehicle from him, not just the compacter, and he feels in the limited areas that are zoned industrial this would be an appropriate and beneficial use.

Re-zoning at Central Pike – An article from the Wence family is expected to request rezoning an approximately 3 acre parcel and adjacent roadway to extend the Business Highway District to the south side of Central Turnpike and West of Route 146.

Mill #2 Land Swap – The owners of the Manchaug Mill #2 site would like to obtain a very small piece of land from the Town to be able to create a conforming lot for the Post Office and in exchange they would like to gift over 2.5 acres that was formerly the Manchaug Mill #2 site to the Town for expansion of the walking trails in the Village. A Phase I environmental study has been done on the site that shows no significant contamination issues. The Board agreed they will sponsor this article if the Selectmen do not.

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

8:09 PM