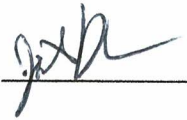


**Sutton Planning Board
Minutes
March 26, 2018**

Approved _____



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

General Business

Minutes:

Motion: To approve the minutes of 3/12/18, J. Anderson
2nd: M. Sanderson
Vote: 5-0-0

Filings: None

Form A Plans: None

Covenant Extension – Bridle Path:

The Planning Director read correspondence from George Funari requesting a one year extension of the covenant for Bridle Path citing continued issues with the title. She stated the subdivision is grand fathered until 2020. The Board has the following options: 1) extend the covenant as there would appear to be no downside and the up side is to ensure the applicant cannot transfer any lot within the subdivision without completing infrastructure, or 2) not extend the covenant, which will not affect the grandfathering and will leave the Town without protection from lot transfers.

Jack Sheehan of Jones Road expressed concerns with the fact that the Order of Conditions and MEPA Certificate have long since expired. He also asked if the provision of the Subdivision Regulations that calls for a construction start within two years of plan endorsement applies to this project.

The Planning Director will ask about the Regulation provision. The Board felt the best option for the Town was to extend the Covenant, but just for a few months, and to ask the developer to provide official information relative to the title status as well as let them know what his intentions are for the project as 2020 is fast approaching.

Motion: To endorse a covenant extension for Bridle Path with a performance date of June 30, 2018,
J. Anderson
2nd: S. Paul
Vote: 5-0-0

Site Plan Waiver – Sutton Square – Yoga Studio:

Alison Gara was present to ask the Board to waive Site Plan Review and allow her to locate her yoga studio in Sutton Square Plaza at 160 Worcester Providence Turnpike. She will occupy approximately 1,100 s.f., and she will be the only instructor. Classes will average 5-6, 60-70 minute sessions per day. Her hours of operation will be M-F 6 AM to 8 PM and Saturday from 8 AM to 8 PM. Classes will be a max of 18-20 students, but average 10-12. She will also sell related, small items like aromatherapy and essential oils products. She noted there is ample parking and there will be no overlap of classes.

Motion: To grant a waiver of Site Plan Review conditioned on Ms. Gara obtaining all other applicable approvals and permits, R. Largess
2nd: M. Sanderson
Vote: 5-0-0

Correspondence/Other:

J. Anderson steps off the Board due to conflict as an abutter. W. Baker acting as full member in his absence.

C.61A Release – 169 Eight Lots Road – Lot 5

Motion: To recommend the Board of Selectmen pass over the Town's first right of refusal for this property as it is not on the priority list in the most recent Open Space & Recreation Plan or Master Plan, W. Baker

2nd: S. Paul

Vote: 5-0-0

J. Anderson returns to the Board and W. Baker returns to Associate status.

Public Hearing – (Cont.) – 219 Whitins Road – Site Plan & Special Permits

J. Hager stated several permitting items are pending action. The applicant has substantially addressed previously expressed concerns with the plans. However, the applicant still has not formally appeared before the Conservation Commission due to weather issues. She suggested if the Board is comfortable doing so, it would be advisable to take a look at the two waiver requests and decide if they can be acted upon regardless of Conservation Commission input as well as the Special Permit applications for specific uses which are not necessarily dependent on Conservation actions. At which point the Board can decide if they have any outstanding concerns with the site or building architecture. Even if the Site Plan portion of the hearing is continued awaiting Conservation action, the applicant will at least know what work needs to be done to address remaining concerns from the Board.

Paul Hutnak, P.E. of Andrews Survey & Engineering was present with applicant Chris Windle. Mr. Hutnak reviewed changes to the plans including increasing circulation between parking spaces, supplementing landscaping on the front and side of the project. He also helped the Board to visualize how the building is being set into the existing grade of the land instead of flattening the site in order to reduce the massing of the building. Mr. Hutnak also confirmed their lot coverage is only 52%, under the max of 60%.

J. Hager noted she had the applicant explore using a more traditional roof that slopes in both directions, but with the way the building is set into the grade, it would almost look like a very long dog house from the adjacent roadway and drainage issues would be created along the west side of the lot. M. Sanderson interjected that the owner will need to be careful about snow sheeting off a metal shed style roof like this one.

Diane Urban of 215 Whitins Road asked if any blasting would be necessary to place the building into the slope. Mr. Hutnak said soil sampling suggests there would not be a need for blasting, but if there is they would have to follow all procedures including a pre and post blast survey of her property to ensure if any damage occurs that it will be corrected. Tom Murphy, a friend of Ms. Urbans, asked if her well will be impacted by this development. Mr. Hutnak stated there is no reason to suspect Ms. Urban's well would be effected.

In response to a question from the Board, Mr. Windle stated there will be emergency access doors in the rear of the building if Building Code requires them and they would be accessed via interior stairs. Four wall packs are proposed on the rear of the building with full cut-off shields so they will not shine toward the abutter.

Robert Nunnemacher of 24 Singletary Avenue again expressed tractor trailer trucks cannot turn around on this site and that he doesn't think that parking is adequate. Mr. Hutnak stated the parking they proposed is compliant with the bylaws. He added there are no loading docks on this building because large trailer trucks are not anticipated for the types of businesses they propose. J. Hager noted if the applicant says no trailer trucks will be on the site, the Board should require signage restricting large trucks.

The Board reviewed the two requested waivers:

IV.B.5.C.2. – 5% interior lot landscaping – The applicant requested a waiver of this provision noting requiring interior parking lot islands is more applicable to large parking lots. In this case, with a small parking lot, they are meeting the intent of the bylaw in the following manner. They are providing shade to reduce the heat island effect of the parking via a row of deciduous shade trees along the entire eastern lot line that when combined with shading from the building with reduce the heat island effect of the parking. They are also proposing scattered landscaping areas within the front setback that will break up the view of the parking from the roadway. A row of coniferous trees also placed along the eastern lot line will provide a visual break of the parking from the abutter to the east, and a fence will provide a visual buffer for the abutter to the west.

Motion: To grant the requested waiver to eliminate interior lot landscaping having found the proposal meets the intent of this regulation, R. Largess
 2nd: J. Anderson
 Vote: 5-0-0

IV.B.5.C.3. – More than 100' long unbroken row of parking spaces. The applicant requested a waiver to allow over 100' of parking spaces noting this is a small parking lot where it makes little sense to interject a parking space sized island of landscaping. They re-asserted they have met the intent of visually breaking up the parking and mitigating the heat island effect by the landscaping provisions highlighted during discussion of the last waiver request.

Motion: To grant the requested waiver to eliminate interior lot landscaping having found the proposal meets the intent of this regulation, M. Sanderson
 2nd: J. Anderson
 Vote: 5-0-0

The Board discussed the uses that the applicant is requesting potentially be allowed on this site that include III.a.4.: D.1.- Business Office, E.1. Retail Store, E.8. Personal Service Establishment, E.12. Repair Services (not auto), G.2. – Manufacturer, G.3. Building or Landscape Contractor or Arborist, or G.4. Research & Development. The Board discussed each use and the majority of the Board agreed they were comfortable with not knowing exactly what uses will be in each unit up front as they will be determined and constrained by the amount of available parking on the site. They made the following findings:

1. As this site is zoned for the proposed businesses and is in an area with similar uses, and adequate screening has been provided to adjacent sites, the site is appropriate for the specific uses.
2. Adequate private water and sewer capacity exist to serve these uses.

3. The effect of the uses upon the neighborhood will be minimal as the site is large enough for all potential operations to occur on site, the plans show adequate screening to adjacent sites, and the Board will regulate hours of operation.
4. Because parking, circulation and access to the site is compliant, and the Board has required a prohibition of tractor-trailers on site, no nuisance or hazard to vehicles and/or pedestrians exists.
5. Adequate and appropriate facilities will be provided to ensure the proper operation of the uses that are proposed.

Motion: Having made findings in open meeting that the requested uses are compliant with the provisions of section VII.A., the requested Use Special Permits can be granted with the following conditions: R. Largess

1. The applicant shall obtain all required approvals and/or permits from applicable permitting authorities.
2. Prior to issuance of sign permits the owner, or tenant with the owners' permission, shall submit any sign details to the Planning Department. Said submittal shall be reviewed and acted on in compliance with the Sign Bylaw
3. Prior to leasing or re-leasing any tenant space written correspondence shall be submitted to the Planning Department for approval. The Department will deny new tenant requests if there is not adequate parking for the current tenant mix or the use does not qualify under the use special permits granted.
4. There shall be NO outdoor storage of materials or equipment on this site.
5. Hours of operation shall be no earlier than 7 AM and no later than 7 PM Monday through Friday and 8 AM to 2 PM on Weekends unless the Board changes this condition for a specific user through a public hearing process.

2nd: M. Sanderson

Vote: 5-0-0

Motion: To close the public relative to the Special Permit applications, R. Largess

2nd: M. Sanderson

Vote: 5-0-0

The Board reminded the applicant to show a sign location for the "no tractor trailer" signs as well as a drawing of the sign with proposed language on the site plan.

Motion: To continue the public hearing relative to Site Plan Review to April 9, 2018 at 7 PM,
S. Paul

2nd: J. Anderson

Vote: 5-0-0

Motion: To Adjourn, R. Largess

2nd: S. Paul

Vote: 5-0-0

Adjourned 8:57 PM