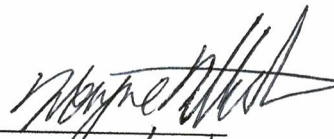


**Sutton Planning Board  
Minutes  
June 4, 2018**

Approved

  
6/18/18

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

W. Baker acting as full member in R. Largess absence.

**General Business**

**Minutes:**

Motion: To approve the minutes of 5/21/18, J. Anderson  
2<sup>nd</sup>: W. Baker  
Vote: 4-0-1, W. Whittier abstains as he wasn't present at this meeting

(R. Largess arrives and W. Baker returns to associate member status)

Filings: None

Form A Plans: None

**Correspondence/Other:**

- Public Hearing Notices Abutting Towns – J. Hager pointed out there are two applications in the Town of Northbridge for 5 MW ground mounted solar systems and one application in the Town of Millbury for a 4 MW system.
- Case Law Update – J. Hager provided the annual case law update from her MAPD Annual Conference. She reminded the Board that in Massachusetts zoning law is largely based on these types of rulings from Superior and Appellate courts.
- The Planning Director forgot to have the Board close the public hearing for 119 Eight Lots Road Accessory Apartment at the last meeting.  
Motion: To close the hearing, M. Sanderson  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-1, W. Whittier abstained as he wasn't present at this meeting.

**Public Hearing (Cont.) – Stockwell Farms Open Space Subdivision – 137 Dodge Hill Road**

Travis Brown of Andrews Survey & Engineering updated the Board on plan changes made as a result of comments received and public hearing testimony. Changes were also made as a result of a site visit with Mr. Brown, Jeff Walsh of Graves Engineering, the Highway Superintendent, the Planning Director and Mr. Dykstra of 194 Leland Hill Road. Changes included, among other things, increased sight distance clearing, warning signage for this dangerous curve with the roadway entering, and grading of the right of way where vegetation has been cleared so roadway drainage runs off the road instead of pooling on the road and freezing. The Highway Department will also be adding speed signs and chevron signs through the corner as well as reflector strips where the stone culvert crosses the road as there is a 9'+ drop off directly off the edge of pavement at this location.

The Board reviewed remaining waiver requests:

Motion: To grant a waiver from Section 4.A.2.k. to allow a pavement width of 20' width 1' gravel shoulders instead of 26' having found the Highway and Fire Departments feel this is adequate for this particular subdivision, R. Largess

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

Vote: 5-0-0

Motion: To grant a waiver from Section 4.A.3. to allow a pavement width of 20' width 1' gravel shoulders instead of 26' having found the Highway and Fire Departments feel this is adequate for this particular subdivision, R. Largess

2<sup>nd</sup>: J. Anderson

Vote: 5-0-0

T. Brown explained to the Board he is requesting a waiver for one of the vertical curves to be less than 100' long. He showed the Board on the plan that when entering the roadway there is a dip where the road transitions from 3% to 7% with a vertical curve of over 100' which means vehicles like Fire Trucks won't scrape bumpers on the pavement. Then he reviewed the second hump curve where the road transitions from 7% to 4% going into the cul-de-sac. This vertical curve is less than 100' long but its K Value is 19 which means vehicles will not bottom out on this hump. J. Hager verified she checked with Jeff Walsh to make sure he was comfortable with this curve length as well as the Highway and Fire Departments who deferred to Jeff's evaluation.

Motion: To grant a waiver from Section 4.A.4.b. to allow a vertical curve of less than 100' having found the Town's consulting engineer, and the Fire and Highway Departments feel this is safe for this particular subdivision as the K value for the roadway at this location shows vehicles are unlikely to bottom out on the curve, S. Paul

2<sup>nd</sup>: J. Anderson

Vote: 5-0-0

Motion: To grant a waiver from Section 4.A.4.c. to allow a leveling area of 3% of only 50' long approaching Leland Hill Road instead of 100' having found the Highway and Fire Departments feel this is adequate for this particular subdivision, R. Largess

2<sup>nd</sup>: R. Largess

Vote: 5-0-0

Motion: To grant a waiver from Section 4.A.5.c. to allow a grade in the cul-de-sac of 4% instead of 3% having found the Highway and Fire Departments feel this is adequate for this particular subdivision, R. Largess

2<sup>nd</sup>: S. Paul

Vote: 5-0-0

Motion: To grant a waiver from Section 4.A.3. to allow a pavement width of 20' width 1' gravel shoulders instead of 26' having found the Highway and Fire Departments feel this is adequate for this particular subdivision, R. Largess

2<sup>nd</sup>: J. Anderson

Vote: 5-0-0

Motion: To grant a waiver from Section 4.D.1. to eliminate the installation of a fire cistern as the Fire Departments verified there is a nearby water source to draw from, R. Largess  
2<sup>nd</sup>: S. Paul

R. Nunnemacher of 124 Singletary Avenue asked where this water source is. J. Hager said she didn't know she just watched the Chief and crew members review a list and a plan and then note there as a pond nearby and a hydrant up near Leland Hill Estates if necessary. The Chief told her he thinks a cistern for this small subdivision is not appropriate. He said he would like to amend the regulation requiring cisterns for subdivisions as small as three homes. In response to a question from the Board, R. Nunnemacher stated the two tankers hold 3,000 and 2,200 gallons of water and the engines each carry about 1,000 gallons. It takes about 20-30,000 gallons to put out a fire. Bill Wence of 154 Dodge Hill Road stated the pond they would draw from is likely Crosby Pond which they drew from during the adjacent barn fire. Mr. Nunnemacher noted they would have to lay line from there and it is quite a distance. J. Hager stated she naturally defers to the Fire Chief as this is his specialty.

Vote: 5-0-0

Motion: To grant a waiver from Section 5.G.1. to allow elimination of curbing having found the Highway Departments feel this is appropriate for this particular subdivision, R. Largess  
2<sup>nd</sup>: J. Anderson

In response to the question why, Mr. Brown stated as this curbing is not conveying storm water to a particular location, it does not make sense and it just becomes another maintenance item.

Vote: 5-0-0

Snow easements have also been added to the plans. R. Nunnemacher questioned their locations. J. Hager stated she defers to the Highway Superintendent as this is his specialty.

The Board discussed who would hold the open space. It is intended to be transferred to the Conservation Commission or held by another party with a conservation easement, R. Nunnemacher stated the land should be transferred to a land trust like Metacomet. J Hager noted this might be possible but it will still have to have a conservation easement as Metacomet has sold off donated land to buy higher value conservation land.

The Board also reviewed that there are 10 acres of required open space and about 9 acres of bonus open space the applicant would also like to permanently restrict. The open space design requirements say if a wetland is part of the open space the 100' buffer from the wetland also needs to be included. The limited wetlands in the required open space also include their buffer, but the wetlands that are part of the bonus open space carry over onto two of the buildable lots. J. Hager asked the Board if they are okay with the bonus open space not meeting the strict design requirements for required open space or if they would prefer the applicant reduce the bonus open space effectively creating a non-buildable parcel in order to strictly comply with the regulations. The majority of the Board felt there was no need for this extra open space to meet the strict design requirements, but they would request both the required and bonus open space restricted. The applicant said this is their intent.

T. Brown went over the Graves Engineering review comments. It would appear the only elements not addressed are the limited storm water comments. The Board had the choice of disapproving the application or approving the applications with conditions, or continuing the hearing until final comments are received by Graves.

## Motion:

- To approve the special permit application for an Open Space Residential Development (OSRD) as well as the definitive subdivision for Stockwell Farm showing 4 lots located off Leland Hill Road having found the application, with the following conditions meets the criteria of the OSRD special permit regulations, the general special permit criteria, and the Subdivision Rules and Regulations standards: S. Paul
1. Approval of all other local, state and federal departments, boards and commissions
  2. Prior to plan endorsement all waivers and conditions of approval shall be noted on the plan sheets to be recorded.
  3. Prior to plan endorsement in accordance with MGL, the applicant shall provide a covenant that states no lot shall be transferred until the construction of the roadway and any related site restoration is complete.
  4. As soon as the subdivision plan is recorded, an electronic file of the plans shall be provided to the Assessor's Office in a form determined by them.
  5. Prior to commencement of construction the applicant shall attend a preconstruction meeting with the Planning Department, applicable department representatives, and other bodies that have responsibilities relative to the site, as well as the site contractor and other personnel the applicant feels are appropriate.
  6. Initial sight distance clearing and installation of curve warning signage along Leland Hill Road must be completed prior to commencement of construction on the site.
  7. Prior to commencement of construction the Applicant/Engineer shall submit three (3) full size sets of the endorsed plans, one (1) 11" X 17" reduced set, and one (1) electronic copy in pdf format to the Sutton Planning Office.
  8. Construction shall be limited to Monday through Friday 7:30 AM to 5 PM and Saturday 8 AM to noon, no local, state or federal holidays.
  9. During construction the applicant shall take measures to ensure run off is contained to the site.
  10. Prior to transferring any lot or applying for a building permit for any home in the project, the open space must be transferred to the Town or a non-profit, or otherwise fully restricted in accordance with the bylaws.
  11. Prior to applying for a building permit for the first home in the project, the developer shall pay for and install a street sign at the direction of the Highway Department.
  12. At the time of transfer of the first lot, in accordance with MGL, the applicant shall provide a form of surety other than a covenant to secure any uncompleted items shown on the definitive subdivision plan at the Town's cost of completing the items plus contingency as estimated by the Town's consulting engineer.
  13. The applicant shall pay for the cost of surety estimating and inspections by the Town's consulting engineer in accordance with the inspection schedule contained in the Subdivision Regulations.
  14. The applicant or subsequent owner or the roadway shall maintain the sight distance to the north and south by regular trimming of brush within their right of way and the Town's right of way in the proximity of the project entrance in accordance with the approved plans, and the sight distance narrative provided and comment #17 from Graves Engineering in their review dated 5/15/18.
  15. At the conclusion of roadway construction and prior to release of surety for the project, the Applicant shall provide to the Planning Board an As-Built Plan and written certification from the Applicant's project engineer that the site has been constructed in accordance with the approved plans.
  16. After substantial construction and prior to release of surety for the project including one winter season, should it be determined drainage from this roadway is causing

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problems on Leland Hill Road, the applicant shall design and install mitigation satisfactory to the Highway Superintendent and the Town's consulting engineer.

17. Prior to plan endorsement all comments from Graves Engineering shall be incorporated and final approval of the plans and application documents shall be received from them.

2<sup>nd</sup>: R. Largess  
Vote: 5-0-0

Motion: To close the public hearing, S. Paul  
2<sup>nd</sup>: J. Anderson  
Vote: 5-0-0

**Public Hearing (Cont.) – Forest Edge Open Space Reduction – Ariel Drive off Blackstone Street**

The Board reviewed correspondence from Attorney Dan Klasnick requesting a continuance on deliberation to provide plans that were requested by the Board to reference in their decision.

Motion: To grant a continuance of deliberation to June 18, 2018 at 7:10 P.M., S. Paul  
2<sup>nd</sup>: J. Anderson  
Vote: 5-0-0

Motion: To Adjourn, R. Largess  
2<sup>nd</sup>: S. Paul  
Vote: 5-0-0

Adjourned 8:25 PM