

Sutton Planning Board
Minutes
June 9, 2008

Approved _____

Present: D. Moroney, Chairman, R. Largess, S. Paul, T. Connors, W. Whittier
Staff: J. Hager, Planning Coordinator

General Business:

New State Acres Bond Reduction & Extension – D. Gravison was present to request a bond draw down and extension for New State Acres. J. Hager completed a site visit this evening and recommended a bond figure higher than what Mr. Gravison requested. She noted she had retained some funding for items like loam and seed that has been applied but isn't growing yet, increased surety for basin maintenance as it is in lousy condition, etc. She also added and retained funds for a sinking catch basin repair and clean up of substantial debris on Lot #16, both of which she recommends actually be dealt with immediately. Mr. Gravison did not have any objections.

Motion: To reduce the bond to \$105,798 and extend the bond for one year, R. Largess
2nd: S. Paul
Vote: 5-0-0

The Board agreed the catch basin and clean up of Lot #16 should be addressed immediately.

Sonia Auto – Bond Release – The Board discussed whether they should continue to hold the bond for striping of parking spaces at Sonya's Auto. The Board agreed that Mr. Paulino is maintaining a neat and orderly site and voluntarily maintaining safe spacing and arrangement of his vehicles. They had no objection to releasing the bond as long as Mr. Paulino understands that they will go as far as requesting a Cease and Desist on the business if safe access around the building and between vehicle rows is not maintained.

Motion: To release the bond being held for parking lot striping with the understanding that the Board expects safe access and circulation will be maintained throughout the site, T. Connors
2nd: R. Largess
Vote: 5-0-0

Use Determination –Batching Plant – 7 Kamaitis Road

Paul Dauphinais was present with his son, Chris, and Surveyor, Dave Lavallee to discuss questions presented by their attorney Steven Rodalakis in correspondence to the Board.

Attorney Rodalakis asked for two opinions from the Board 1) whether the Board agrees that a concrete batching plant is a manufacturing use; and 2) whether the silo is exempt from the height restrictions.

J. Hager noted that batching had previously been considered as "Processing" as the only batching facilities in Sutton are on sites that also mine and process. She agreed with Attorney Rodalakis however, that lacking a specific definition, the bylaws state terms will be defined by what is now the NAICS. This publication clearly defines concrete batching as a manufacturing use.

While the Board agreed, they noted the bigger issue is that the site Dauphinais is interested in is within the Route 146 Overlay District and it will be difficult to make a batching plant "pretty".

After reviewing the height table and related footnotes, the Board determined that the silo for this use is both a “necessary appurtenant structure” and a “special industrial structure” required for this manufacturing process, and thus exempt from the height restrictions.

Affordable Units Trade @ Leland Hill Estates (tent.) – Tabled.

Sutton Park Associates – waiver on monumentation – Re-scheduled to next meeting.

Form A Plans

Leonard – Manchaug & Lackey Roads:

Motion: To endorse the Form A plan for Leonard 1/17/08 showing two new buildable lots, R. Largess
2nd: D. Moroney
Vote: 4-0-1, W. Whittier abstained as his family owns abutting property

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Motion: To approve the minutes of 5/19/08 as amended, T. Connors
2nd: W. Whittier
Vote: 4-0-1, T. Connors abstained as he wasn't present at this meeting

Correspondence

Sutton Youth Baseball – Concession Stand – Hough Road: the Board discussed an e-mail and meetings with representatives of Sutton Youth Baseball that suggested although they received permission from the Selectmen to develop parking across Hough Road, they only intend to do so if a problem develops. The Chairman will send correspondence making it clear that the Board asked if they would develop this parking with the Selectmen's permission and they said yes, and the Board intends it will be developed at the same time the concession stand is built. It was noted that the parking at the Senior Center is not visible from the fields and access is through the woods which is not necessarily a safe situation.

Public Hearing – Ryan – 20 Oakhurst Road

The Chairman read the hearing notice as it appeared in The Chronicle.

Tim Ryan was present to explain the operations he says he has maintained at 20 Oakhurst Road for a number of years. He was referred to the Planning Board by the Building Commissioner to obtain proper permitting for the use which he was not aware was necessary. He currently dispatches two trucks with tractor trailers and one box van from his site for National waste management. He stated he and two other drivers man thee vehicles. They go to facilities pick up waste and materials, transport them to disposal facilities an d return to the site empty or with bundles o f cardboard boxes and other packing materials for the next run. Occasionally on trips south they will bring back “back haul” loads of things like car seats and bullet proof vests, but they absolutely never have medical waste or hazmat on the site.

In response to concerns about repairs on the site. Mr. Ryan stated he does only emergency repairs at the site, like replacing headlights. All vehicles are parked on the paved right of way that exists on his property. He does have two additional utility trailers on his site but they are both his personal trailers, one for his four wheeled vehicles and one for storage, neither are used for the trucking operations, although one was given to him by NWM and still has their name on the side.

He stated one of the trucks is long haul and comes and goes once a week, the other usually comes and goes a few times per week, and the third usually makes a once daily trip.

Mary Bedoin of 100 Lackey Dam Road asked several clarifying questions about who Mr. Ryan works for and what is in other trailers on the site.

The Board reviewed and discussed all departmental correspondence.

Motion: To permit the use of 20 Oakhurst Road for a small trucking operation 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.
2. No more than 2 tractors, 2 trailers and 1 box van shall operate out of this site.
3. No more than 3 drivers, including Mr. Ryan, shall operate out of this site.
4. No major vehicle repairs shall be done on this site.
5. No medical or hazardous material may be on this site.
6. No warehousing or transfer of cargo may take place on this site.

2nd: T. Connors
Vote: 5-0-0

Motion: To close the public hearing, R. Largess
2nd: T. Connors
Vote: 5-0-0

Public Hearing (Cont) – Atlas Box (Architecture Only)

Architect Masiello explained revisions to the architecture that included re-doing the entryway, adding headers to the windows, and defining subdued colors and materials. Mr. Masiello presented material samples noting the insulated wall panel in non-embossed. He showed a picture of a structure in Oxford that was constructed with the same masonry product. The Board was in general agreement with the architecture.

Motion: To continue the public hearing to 6/23 at 7:45 P.M., W. Whittier
2nd: D. Moroney
Vote: 5-0-0

Public Hearing (Cont.) – Renaud – 219 Whitins Road

Motion: To continue the public hearing to 7/21 at 7:20 P.M., W. Whittier
2nd: D. Moroney
Vote: 5-0-0

Public Hearing – Top Financial LLC - Retreat Lot – 156 Burbank Road

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

Walter Noonan with Guerriere & Halnon was present with a plan combining two lots and their proposed cul-de-sac access off Burbank Road into one retreat lot with frontage on Burbank Road.

Ms. Skrowski, an abutter, noted concerns with water issues in the area. Mr. Noonan noted the concerns should be reduced as there will be less impervious area for the driveway as opposed to the roadway. He also noted there is one fully developed house between the Skrowski property and this lot.

The Board reviewed departmental comments. S. Paul asked if there is enough room outside the power company easement to fit a house, well and septic system. Mr. Noonan visually explained that there is plenty of room.

The Board discussed that there is currently a driveway for an abutting home on this parcel. A representative for the applicant stated they will work with the abutter to make sure that driveway is relocated.

Motion: To close the public hearing, R. Largess
2nd: T. Connors
Vote: 5-0-0

Motion: To approve the retreat lot for Top Financial LLC with the following conditions: S. Paul

1. Approval of all other local, state and federal departments, boards and commissions
2. The access from the frontage of said lot to the principal structure (driveway) 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 number shall be visible at the street.
4. Satisfy the concerns expressed by the Fire Department in their 5/21/2008 letter.
5. Underground utilities shall be required.

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

Motion: To Adjourn, S. Paul
2nd: T. Connors
Vote: 5-0-0

Adjourned 9:15 P.M.