

Sutton Planning Board
Minutes
September 8, 2008

Approved _____

Present: R. Largess, Chairman, T. Connors, D. Moroney, W. Whittier
Staff: L. Shea, Planning Assistant

General Business:

Filing – Repetitive Petition – Fox – 48 Griggs Road – The Board acknowledged the legal filing of this application to allow this applicant to return to the Zoning Board of Appeals, having made what they believe are significant changes to a prior application for a variance that was denied.

Stormwater Bylaw Sponsorship – Mark Brigham was present to discuss the background and history of the bylaw with the Board and request that the Board sponsor this bylaw. After discussion the Board decided to sponsor the bylaw.

Motion: To sponsor the Stormwater Bylaw, D. Moroney
2nd: W. Whitter
Vote: 4-0-0

Sutton Park Easements/Basin Ownership – Tabled to 9/22/08 at 7:00 PM

Minutes

Motion: To approve the minutes of 8/18/08, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Correspondence

Dauphinais Concrete ZBA application – The Board does not wish to make any comments.

Econolodge Sign & Sign Illumination – The Board discussed internal vs. external illumination. The Board also indicated that the changeable sign portion of the sign is prohibited under the present bylaws. The Board would like the applicant to explore the difference in cost from an externally illuminated to an internally illuminated sign. They had no objections to the sign design.

Public Hearing - Renaud – 219 Whitins Road

Motion: To accept the applicant's withdrawal without prejudice, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Public Hearing – Atlas Box – 221–225 Route 146

Brian Milisci spoke regarding why they would like to continue the public hearing. They are awaiting additional information/updates from Conservation Commission, Wilkinsonville Water and other department as well as engineering comments.

Motion: To continue the hearing to 9/22 at 7:40 P.M., D. Moroney
2nd: T. Connors
Vote: 4-0-0

Public Hearing – Proposed Bylaw Changes

The hearing notice was read as it appeared in The Chronicle. The Board discussed the attached proposed bylaw changes, and voted as follows:

(R. Largess – steps off Board - owns a portion of the property to be rezoned)

Article 1

Attorney Keenan discussed his petition to change the zoning from I to B2 from the edge of the existing B2 district North to the Millbury town line, including the present Honey Dew Donuts site, to allow conversion of this site to a convenience store, donut shop and car wash.

Motion: To recommend that Town Meeting approve the Article, T. Connors

2nd: D. Moroney

Vote: 3-0-0

(R. Largess returned to Board)

Article 2

Motion: To recommend that Town Meeting approve the Article, D. Moroney

2nd: W. Whittier

Vote: 4-0-0

Article 3

Motion: To recommend that Town Meeting approve the Article, D. Moroney

2nd: W. Whittier

Vote: 4-0-0

Article 4

Motion: To recommend that Town Meeting approve the Article, W. Whittier

2nd: D. Moroney

Vote: 4-0-0

Article 5

Motion: To recommend that Town Meeting approve the Article, W. Whittier

2nd: D. Moroney

Vote: 4-0-0

Article 6

Motion: To recommend that Town Meeting approve the Article, D. Moroney

2nd: W. Whittier

Vote: 4-0-0

Article 7

Motion: To recommend that Town Meeting approve the Article, D. Moroney

2nd: T. Connors

Vote: 4-0-0

Article 8

Motion: To table Article 8 for further discussion, D. Moroney

2nd: T. Connors

Vote: 4-0-0

Article 9

Motion: To recommend that Town Meeting approve the Article, W. Whittier
2nd: T. Connors
Vote: 4-0-0

Article 10

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Article 11

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 12

Motion: David Lavalley was present to state concerns for this Article.
To table Article 12 for further discussion, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Article 13

Motion: To table Article 13 for further discussion, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 14

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Article 15

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 16

Motion: To table Article 16 for further discussion, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 17

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Article 18

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 19

Motion: To table Article 19 for further discussion, D. Moroney
2nd: T. Connors
Vote: 4-0-0

Article 20

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 21

Motion: To recommend that Town Meeting approve the Article, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 22

Motion: To table Article 22 for further discussion, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 23

Motion: To table Article 23 for further discussion, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Article 24

Motion: To recommend that Town Meeting approve the Article, T. Connors
2nd: D. Moroney
Vote: 4-0-0

Article 25

Motion: To table Article 25 for further discussion, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Motion: To continue the public hearing on all tabled items to 9/22 at 8:15 P.M., D. Moroney
2nd: W. Whittier
Vote: 4-0-0

Public Hearing – Dileo Gas – 112 Providence Road

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

Representatives for the applicant were Attorney Todd Brodeur, Paul Dileo, David Lavallee

Attorney Brodeur summarized the application. He stated the applicant is proposing a 30,000 gallon propane tank to re-fuel delivery vehicles. Right now these vehicles re-fuel in Plymouth. The parcel will be approximately a 1 acre piece of existing land of Frank Rano that will need to be divided through a land court procedure.

Permits will be required from the Zoning Board of Appeals for the use, as well as the Conservation Commission as the immediate construction area is surrounded by wetland resources.

Attorney Brodeur continued stating all improvements on the site will be enclosed within a security fence and there will be enough room off Route 122A for delivery trucks and the 10,000 gallon tanker to pull into the site and unlock the gate without hanging into the roadway. There will be no “caravans” stacked at the gate and into the roadway. Mr. Dileo informed the Board about security procedures at the site.

Departmental comments were discussed. Attorney Brodeur reviewed discussions with the Fire Chief. He stated there will be a water line extension and hydrant installation at the end of the fencing for the existing car dealer on the site. Additionally, he noted while it is not required by Code, the applicant has agreed to install a water canon for the site for public safety. A Knox box will also be provided at the gate. Comments were received from the Police Chief that have not been addressed yet.

In response to commentary from R.Largess, the applicant agreed to set the lighting to only be on when someone authorized is on the site, making it more obvious to tell if someone un-authorized is on the site at night.

Open issues include comments, concerns and permitting from: Fire Department, Police, Conservation Commission, Planning Department, and the Zoning Board. These issues need to be resolved in order for the Board to act on this permit.

Motion: To close the Public Hearing, D. Moroney
2nd: W. Whittier
Vote: 4-0-0

(D. Moroney steps off the Board as he is an abutter to the site)

Public Meeting – Windle Landscaping – 79 Route 146

Mr. Windle handed out and spoke regarding the information that the Board had requested at the prior meeting. He explained he utilizes one of the buildings on the site to warehouse his landscaping equipment. He stores leftover materials and mulch etc... behind the Verizon site, not visible from Route 146. He would like to put an ID sign on the building he uses. He will check with the Planning Department about sign sizes.

Mr. Windle raised the question regarding The Bank of America sign, why it was allowed and why is it still up. R. Largess provided him with a history on that building and sign.

Motion: To approve the use of 79 Worcester Providence Turnpike for Windle landscaping as presented subject to the approval of all other departments, boards and committees, and the Board reserves right to review lighting, T. Connors
2nd: W. Whittier
Vote: 3-0-0

Motion: To Adjourn, R. Largess
2nd: T. Connors
Vote: 3-0-0

Adjourned 9:00 P.M.