

Sutton Planning Board
Minutes
November 3, 2008

Approved _____

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

General Business:

Form A Plans –

Motion: To approve a Form A for Whittier on Town Farm Road dated 10/30/08 showing two new buildable lots, D. Moroney

2nd: S. Hughes

Vote: 4-0-2, W. Whittier and T. Connors abstaining as an owner and abutter respectively

Filing – The Board acknowledged the filing of an application for a retreat lot on Putnam Hill Road owned by Judson and a retreat lot on Whitins Road owned by Samuelson.

West Sutton Realty – Bob Murphy was present representing West Sutton Realty, Dave and Ben Pearson. He presented a draft plan for a three lot subdivision off Mendon Road. The roadway is proposed to be 850' long, 24' wide, with a 2% grade at the entrance going to 4-5% out of the wetland. He noted he has already met with the Fire Department and adjusted the plan to accommodate a larger fire vehicle, add a fire cistern in the cul-de-sac, and provide 5' gravel shoulders. He noted they are proposing Low Impact Development (LID) design with no formal drainage system and a shift in the roadway location to limit wetland impact. The Board noted this is good as long as the drainage calculations show the LID design functions in controlling run off. The roadway is proposed to become public.

Bob Largess asked if the fire cistern can freeze? B. Murphy noted it is designed and installed to not freeze. S. Hughes asked about the proposed house locations. B. Murphy noted the lots are very large, over three acres, and it is their intention to try to maintain the privacy of existing abutters and the new home owners.

2009 Planning Board Schedule – The Board approved the 2009 meeting schedule.

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Motion: To approve the minutes of 10/27/08, D. Moroney

2nd: T. Connors

Vote: 3-0-2, S. Hughes and S. Paul abstained as they were not present

Correspondence –

National Grid Special Permit Approval – The Planning Director noted that due to voting eligibility and quorum requirements, the Board needed to re-vote the Special Permit approval for National Grid.

Motion: To grant the Route 146 Special Permit for National Grid with identical findings and conditions as at the last Board meeting, D. Moroney

2nd: S. Paul

Vote: 5-0-1, W. Whittier abstains as he is not eligible to vote on this issue

Public Hearing (Cont.) – DeFeudis Property

Attorney Peter Keenan was present to request a final continuance of this public hearing. His client's main concern is that if he withdraws, he will lose his dead end road length waiver, and that this waiver may not be granted for a new application.

He provided a calendar record of all activities from the beginning of the year showing his client is working on the subdivision. The process with Endangered Species regarding the salamanders on the site is just taking much longer than anticipated.

The Board has the option of accepting the extension or disapproving the subdivision. If they disapprove the subdivision they need to state specific reasons for the disapproval, and the applicant will get automatic approval if he addressed each of the issues raised in the disapproval. The Board preferred one final extension, but for a very long period of time to ensure the applicant is through the endangered species process. In order to address their concerns about the public hearing process having been compromised by the extensive continuances, they also wanted the applicant to pay to re-advertise and re-send certified mail notice of the continuance.

D. Kuchinski, direct abutter, expressed continuing concerns with the location of the entrance. It was noted with Armsby Pond & Village having withdrawn, this applicant may end up responsible for more off site roadway work than when that project was moving forward.

Motion: To continue the hearing to May 4, 2009 at 7:20 PM, with re-advertising and re-notification to abutters, D. Moroney
2nd: T. Connors
Vote: 6-0-0

Public Hearing – Scenic Roadway – Lebeau – 36 Boston Road

Mrs. Nancy LeBeau was present to ask that a large oak at the end of her driveway be removed. She noted there is virtually no sight distance and that with planned development that will further increase traffic on Boston Road, she felt the Town should remove the tree for safety reasons. She said she believed the tree had been condemned years ago, but had never been removed.

Acting Tree Warden, Joe Camarra, was present. He stated that according to both his review and an inspection by the Millbury Tree Warden, who is a certified arborist, the tree is healthy and only in need of crown cleaning and one limb removal. This type of work is normal for a tree of this age, which is projected to be more than 100 years old.

Chairman Largess noted that the Town does not have the budget to cover removal of healthy trees and currently barely has a budget for removal of hazard trees. It was noted if the majority of the Board felt the tree could be removed it would have to be at Mrs. LeBeau's expense by an insured contractor and that restitution may be required to replace this public shade tree. It was noted the tree is on the same side of the road as the power lines.

The majority of the Board felt other measures, such as a traffic mirror, should be attempted to gain sight distance. If these measures aren't sufficient, the tree can be removed at the expense of the applicant. R. Largess added replacement of a red oak at another location would be appreciated. S. Hughes felt there are a substantial number of trees in a rural town like Sutton that create issues and removing them because homes and drives were constructed without thought for the future sets a bad precedent.

J. Hager will meet with Mrs. LeBeau and the Highway Superintendent to discuss possible mitigation.

Motion: To continue the hearing to December 15, 2008 at 7:20 PM to review the status of the request, S. Paul
2nd: W. Whittier
Vote: 6-0-0

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Public Hearing (Cont.) – Hair Inc.

The Board reviewed a request to continue this hearing to allow time to address various issues.

Motion: To continue the hearing to November 17, 2008 at 8:20 PM, S. Hughes

2nd: W. Whittier

Vote: 6-0-0

Discussion – DiLeo Gas – No discussion necessary.

Motion: To Adjourn, W. Whittier

2nd: S. Paul

Vote: 4-0-0

Adjourned 8:45 P.M.