

Sutton Planning Board
Minutes
April 2, 2012

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

General Business:

Motion: To approve the minutes of 3/26/12, R. Largess
2nd: W. Whittier
Vote: 6-0-0

Form A Plans: None

Airsoft Outdoor Playing Field – 100 Worcester Providence Turnpike: Matt Pearson of City Airsoft in Worcester was present to ask the Board for a waiver of Site Plan Review for a proposed outdoor airsoft playing facility at 100 Worcester Providence Turnpike, the 9.3 acre former drive-in site. Mr. Pearson currently operates and indoor facility on Suffolk Street I Worcester. The next closest facility is in Upton. Mr. Pearson hopes this outdoor facility will become a destination. It can be operated year round, although its prime season is April to October.

Airsoft uses various types of guns and very small biodegradable pellets. Groups of 2-4 generally come together to hide behind barricades and obstacles and try to shoot each other. They generally have 30-40 people on the field at once, with no more than 100 people max. They anticipate having three employees. Face and head protection will be mandatory and you will be able to rent equipment/protection at the facility. They anticipate either using the small entrance building for this function and for refreshments or will set up a temporary tent structure. No other existing structures will be utilized except as obstacles. They will have portable toilet facilities, regularly maintained and screened from the roadway.

R. Largess asked about noise. Mr. Pearson noted there is no music and little noise other than players calling out. He noted there is a significant wooded buffer between the field and abutting residential uses.

D, Moroney expressed concerns with players wandering onto abutting properties as did Jon Anderson. Mr. Pearson will clearly mark the lot lines.

The majority of the Board noted as this is a completely new use of a long vacant site, there needs to be site plan review. As a use permit is also needed form the Zoning Board of appeals, the Board's will attempt a joint meeting to save Mr. Pearson some time and cost.

Correspondence/Other: None

Public Hearing (Cont.) – New Village at Steve's Pond

J. Hager began by apologizing to all involved parties regarding advising the Board that the motion to grant the dead end length waiver at the last meeting had failed. In reconsidering how the Board could have had a tie vote, which all Boards are structured to avoid, it occurred to her that the Planning Board is

actually legally a five member Board. While Sutton voted to allow the Associate Member to act on all matters before the Board, when it comes to tabulating a legal vote, the vote of the Associate Member is only counted if another member of the Board is absent. Therefore, the vote on the dead end road length waiver was actually 3-2-0. She suggested the Board should note this in their minutes or re-do the vote. The Chairman stated it was a legal vote, just incorrectly recorded and therefore the 3-2-0 vote stands. The road length waiver is approved.

The Board continued to review the remainder of the waiver requests.

Motion: To grant the waiver from Section 4.A.2.f. to allow a roadway centerline radii of 235 feet, having received input from the Town's consulting engineer and various department heads that the reduction does not create safety issues, R. Largess

2nd: D. Moroney

Vote: 6-0-0

Motion: To grant the waiver from Section 4.A.3. to allow roadway width of 24', having received input from the Town's consulting engineer and various department heads that the reduction does not create safety issues, R. Largess

2nd: T. Connors

Vote: 6-0-0

Motion: To grant the waiver from Section 4.B.2.b. to allow cover of less than 4 feet over drain lines in two areas, having received input from the Town's consulting that the reduction does not create safety or engineering issues, R. Largess

2nd: W. Whittier

Vote: 6-0-0

Motion: To grant the waiver from Section 5.G.1. to allow modified cape cod berm throughout, noting there is no berm on Reservoir Ave. approaching the project, the cape cod berm has a more rural look to it and the Town will not be responsible for maintenance of the ways or repair of the berm moving forward, R. Largess

2nd: W. Whittier

Vote: 5-1-0, T. Connors opposed as he feels cape cod berm will create a long term maintenance /aesthetic issue for the association that will care for the ways.

Motion: To grant the waiver from Section 4.A.5.b. to allow a teardrop configuration on the cul-de-sac and no defined right of way, having received input from the Town's consulting engineer and various department heads that this configuration will not create safety issues and will still be easier to maintain than a full bulb cul-de-sac, R. Largess

2nd: W. Whittier

Vote: 6-0-0

Motion: To grant the waiver from Section VI.A.4.g. – Allow the emergency access connection from Stat 3+75 +/- to Stat 9+ 40 +/- to be 18' wide, having received input from the Town's consulting engineer and various department heads that this configuration will not create safety, R. Largess

2nd: W. Whittier

Vote: 6-0-0

The Board reviewed the five criteria for grant of A Special Permit in Section VII.A.2. a. and made the following findings:

Motion: The Board finds that with conditions the specific site is an appropriate location for this use, R. Largess
2nd: D. Moroney
Vote: 6-0-0

Motion: The Board finds that with conditions there is adequate public water and sewer for this use, R. Largess
2nd: D. Moroney
Vote: 6-0-0

Motion: The Board finds that with conditions the effect of the developer use on the neighborhood will be negligible, R. Largess
2nd: D. Moroney
Vote: 6-0-0

Motion: The Board finds that with conditions here will be no undue nuisance or serious hazard to vehicles or pedestrians as a result of the project and it will help with an existing serious site distance issue at the intersection of Manchaug Road and Reservoir Avenue,
R. Largess
2nd: D. Moroney
Vote: 5-1-0, T. Connors opposed as he feels the road is too long

Motion: The Board finds that that with conditions adequate and appropriate facilities have been provided for the proper operation of this use, R. Largess
2nd: D. Moroney
Vote: 6-0-0

Motion: To grant a condominium special permit for New Village at Steve's Pond with the following 23 conditions: R. Largess

1. Prior to commencement of construction approval shall be received from all other local, state and federal agencies, boards, commissions and departments, particularly the Sutton Earth Removal Board and Manchaug Water District and a NPDES permit from DEP.
2. An electronic file of the roadways and parcel lines shall be provided to the Assessor's Office in a form determined by them.
3. Both the pushed end gable and Victorian design homes with porches shall be available to residents of the subdivision for construction. Both designs shall be included on the final plan set.
4. If no appeal is filed to the Board's approval, by June 1, 2012 final plans shall be provided for endorsement along with a covenant to ensure construction of the ways shown on both the subdivision and condominium plans.
5. Prior to commencement of construction, the applicant shall post a bond in the amount of \$10,000 per acre of area to be disturbed.
6. Prior to commencement of construction the developer shall provide the Town with a snow removal easement and plan through and adjacent to the intersection of Reservoir Avenue Extension and Steven's Pond Drive.
7. Prior to commencement of construction a mechanism to ensure the permanent protection of open space shall be provided and approved. The developer shall pay for the review of said mechanism by Town Counsel.
8. Prior to construction there shall be a pre-construction meeting with the Town's consulting engineer and other appropriate town officials as well as the applicant, his engineer and his contractor. Construction shall not commence until the minutes of the meeting have been received and acknowledged by all in attendance;

9. Hours of construction operation are limited to Monday through Friday from 7AM to 5PM and Saturday from 8AM to 12PM. Work may not take place on Sundays and legal holidays;
10. Prior to commencement of project construction, proposed lights and related warning signage at Manchaug Road and Reservoir Ave. shall be operational and the developer shall install a new section of guardrail, not to exceed 100', to replace the damaged section of guardrail/jersey barriers on the north side of Manchaug Road adjacent to proposed warning signage.
11. The proposed traffic light shall be equipped with Opticom preemption for safety vehicle access.
12. Prior to commencement of project construction, all storm water facilities must be in place, stabilized and inspected by the Town's consulting engineer.
13. Clearing shall be minimized to that which is absolutely necessary to construct the project per the plans. As construction proceeds the visual impact of the project will be reviewed by Town staff at regular intervals. Should screening plantings be deemed necessary, they will be installed immediately.
14. Concurrent with grading in the area, existing radio, telephone and electric lines to the water tanks shall be located, unearthed and re-buried at a safe depth below final grade within existing easements. Care shall be taken to maintain communication at all times.
15. All landscaping will be maintained in a healthy condition any dead plants shall be replaced immediately or in the next planting season if it isn't possible to replace the plantings immediately.
16. All roadways and related structures north of Third Street within the project shall remain private and shall be maintained by the developer until such time as a home owner association can take over their maintenance.
17. The emergency access connection shall be maintained fully open and maintained to the same degree as other roadways in the project at all times.
18. The infrastructure shall be completed by September 1, 2015, unless an extension is granted by the Planning Board.
19. Prior to occupancy of the last building, 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;
20. No homes or units shall be granted an occupancy permit until the binder course of roadway asphalt is completed on at least the loop created by Reservoir Avenue Extension and Steven's Pond Road.
21. The Board reserves the right to review drainage issues post construction and require remediation if necessary.
22. The water booster pump must serve both domestic and fire flows.
23. Construction inspections shall be done on the subdivision and the condominium project in accordance with the inspection schedule detailed in the Subdivision Rules and Regulations.

2nd: D. Moroney

Vote: 5-1-0, T. Connors opposed due to road length

Motion: To approve the Definitive Subdivision Plan for New Village at Steven's Pond with the following 23 conditions: R. Largess

1. Prior to commencement of construction approval shall be received from all other local, state and federal agencies, boards, commissions and departments, particularly the Sutton Earth Removal Board and Manchaug Water District and a NPDES permit from DEP.
2. An electronic file of the roadways and parcel lines shall be provided to the Assessor's Office in a form determined by them.
3. Both the pushed end gable and Victorian design homes with porches shall be available to residents of the subdivision for construction. Both designs shall be included on the final plan set.
4. If no appeal is filed to the Board's approval, by June 1, 2012 final plans shall be provided for endorsement along with a covenant to ensure construction of the ways shown on both the subdivision and condominium plans.
5. Prior to commencement of construction, the applicant shall post a bond in the amount of \$10,000 per acre of area to be disturbed.
6. Prior to commencement of construction the developer shall provide the Town with a snow removal easement and plan through and adjacent to the intersection of Reservoir Avenue Extension and Steven's Pond Drive.

7. Prior to commencement of construction a mechanism to ensure the permanent protection of open space shall be provided and approved. The developer shall pay for the review of said mechanism by Town Counsel.
8. Prior to construction there shall be a pre-construction meeting with the Town's consulting engineer and other appropriate town officials as well as the applicant, his engineer and his contractor. Construction shall not commence until the minutes of the meeting have been received and acknowledged by all in attendance;
9. Hours of construction operation are limited to Monday through Friday from 7AM to 5PM and Saturday from 8AM to 12PM. Work may not take place on Sundays and legal holidays;
10. Prior to commencement of project construction, proposed lights and related warning signage at Manchaug Road and Reservoir Ave. shall be operational and the developer shall install a new section of guardrail, not to exceed 100', to replace the damaged section of guardrail/jersey barriers on the north side of Manchaug Road adjacent to proposed warning signage.
11. The proposed traffic light shall be equipped with Opticom preemption for safety vehicle access.
12. Prior to commencement of project construction, all storm water facilities must be in place, stabilized and inspected by the Town's consulting engineer.
13. Clearing shall be minimized to that which is absolutely necessary to construct the project per the plans. As construction proceeds the visual impact of the project will be reviewed by Town staff at regular intervals. Should screening plantings be deemed necessary, they will be installed immediately.
14. Concurrent with grading in the area, existing radio, telephone and electric lines to the water tanks shall be located, unearthed and re-buried at a safe depth below final grade within existing easements. Care shall be taken to maintain communication at all times.
15. All landscaping will be maintained in a healthy condition any dead plants shall be replaced immediately or in the next planting season if it isn't possible to replace the plantings immediately.
16. All roadways and related structures north of Third Street within the project shall remain private and shall be maintained by the developer until such time as a home owner association can take over their maintenance.
17. The emergency access connection shall be maintained fully open and maintained to the same degree as other roadways in the project at all times.
18. The infrastructure shall be completed by September 1, 2015, unless an extension is granted by the Planning Board.
19. Prior to occupancy of the last building, 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;
20. No homes or units shall be granted an occupancy permit until the binder course of roadway asphalt is completed on at least the loop created by Reservoir Avenue Extension and Steven's Pond Road.
21. The Board reserves the right to review drainage issues post construction and require remediation if necessary.
22. The water booster pump must serve both domestic and fire flows.
23. Construction inspections shall be done on the subdivision and the condominium project in accordance with the inspection schedule detailed in the Subdivision Rules and Regulations.

2nd: D. Moroney
Vote: 5-1-0, T. Connors opposed due to road length

Motion: To close the public hearing, D. Moroney
2nd: T. Connors
Vote: 6-0-0

Motion: To adjourn, T. Connors
2nd: D. Moroney
Vote: 6-0-0

Adjourned 8:35 PM