

Sutton Planning Board
Minutes
June 4, 2012

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

General Business:

Minutes: Tabled to next meeting.

Form A Plans: None.

(R. Largess arrives)

Forest Edge Update

John Bruce, developer of the Forest Edge Condominium project off Blackstone Street, was present to update the Board on the status of the project.

S. Paul noted Mr. Bruce had told the Board he would clean up the site and try to complete some smaller bonded items like signage. It is the Board's understanding that nothing has happened on the site.

Mr. Bruce noted while signs are in the bond estimate he can't find their location on the site plan. He feels if they are not on the plan the Board approved he shouldn't have to install them. The Planning Department will check into this item. He stated the large trailer on the site has to be moved with a tractor which he hasn't arranged to date. The smaller trailer has been moved away from the units and he has asked the landscaper to get his equipment off the site. The concrete pipes on the site are blocking access by ATVs.

J. Hager noted it was her understanding as construction wasn't imminent, that the trailers and equipment were supposed to be moved off the site, but in the least away from residents and fully screened. Mr. Bruce noted he hopes to begin construction the minute the lawsuit and market allow, so he is only moving these items to where they won't be seen.

With respect to Graves Engineering providing a revised bond estimate taking reports from Mr. Trettle at Guerriere & Halnon into consideration, the Board does not want Graves involved. As this request is relative to pending litigation and Graves is, and will continue to be, the active engineer on this site, the Board does not want them involved in litigation. They suggested Mr. Bruce hire an independent firm to take Graves' 2010 estimate and adjust it accordingly. Mr. Bruce noted the number Graves requires will be what he will ultimately have to provide so it just makes sense to have them do this now. It was noted no one knows when construction will start back up and what the condition of the site will be at that time. At that time Graves will go out to the site and adjust their bond estimate based on their own testing and observations.

Ed Roche of 140 Ariel Circle noted while the smaller trailer has been moved the residents up on the hill are still looking at it.

Kevin Corcino of 111 Ariel Circle noted that while only a few people can see the trailers and equipment from their units many people walk around the project and drive their cars by these areas daily and these items should not be visible from the road.

Mr. Bruce stated he expects to go to trial in August regarding his private litigation.

The Board will revisit the issue in a month and expects to see progress on cleaning up the site.

Correspondence/Other:

Solarize – S. Paul asked about the Solarize Fair. J. Hager noted there will be an energy fair on the 12th with food and fun! Reps from State agencies and MassSave will be present with energy saving information. Additionally, you can sign up for an evaluation of your home for solar installation and talk to banks who have special financing programs available. Because the Town is participating with the Town of Millbury in this state program, bulk purchasing advantages will kick in. The more people that install systems as a result of this program, the lower the price will go for everyone who participates. The installer is being vetted by the state and the town so there are limited worries with quality workmanship and guarantees. The installer will also help with filing for rebates and dealing with Solar Renewable Energy Credits. More info can be found on the website: www.solarizemillburysutton.com.

(J. Anderson and D. Moroney step off the Board due to conflicts as abutters)

Public Hearing – Retreat Lot – Eight Lots Road

S. Paul read the hearing notice as it appeared in The Chronicle.

J. Hager noted that with two members recused from the Board and T. Connors not present the Board needs to make a procedural decision. While there is a quorum to conduct the hearing, there is not a quorum to vote on this Special Permit. The Board has two options: 1) conduct the hearing and have Tom Connors watch the tape and file an affidavit of viewing at which point he will be able to act on the application or 2) automatically continue the hearing without comment which will also allow Mr. Connors to participate in a vote. Regardless, the hearing will have to ultimately be continued to a future date with voting quorum.

Mr. Lavalley of Andrews Survey & Engineering, present for the applicant Worcester Land Trust did not feel comfortable making the decision for his client so decided the whole hearing should just be continued.

Motion: To continue the public hearing to June 18 at 7:15 PM, W. Whittier
2nd: R. Largess
Vote: 3-0-0

(J. Anderson and D. Moroney return to the Board)

Mr. Cronin, former owner of the property expressed concerns with the configuration of the retreat lot that has been submitted. He explained why the lot was supposed to have been drawn differently. It was noted the Board can only act on what is before them and that Mr. Cronin should discuss his concerns with the Land Trust.

Robert Nunnemacher of 24 Singletary Avenue stated he feels Retreat lots should be a matter of right and be administered by the Building Commissioner. This will eliminate some of the clutter at the Registry that results with all the special permit filings.

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He also suggested the Board move forward on accepting the numerous roads that were designed as public roads but never accepted for various reasons. He suggested the Town should only take a public access easement as opposed to fee in the ways.

Motion: To Adjourn, W. Whittier

2nd: R. Largess

Vote: 5-0-0

Adjourned 8:02 PM