

Sutton Planning Board  
Minutes  
December 3, 2012

Approved \_\_\_\_\_

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

**General Business:**

Motion: To approve the minutes of 11/19/12 as corrected, D. Moroney  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

**Form A Plans:** None.

**Dean Farm Field Changes:** The Board reviewed proposed field changes to Dean Farm Road off Lincoln Road. A portion of this road is presently public and a portion will be private. This is a two lot subdivision approved back in 1999, but tied up in litigation until recently. Now that construction has begun, the contractor and owner, Dave Mason, has requested a reduction in payment width throughout from 20' to 18' and a design change in the cul de sac to a hammerhead turnaround like to one approved for LaPlante Way off McClellan Road, with 14' of pavement attaching the ends of the hammerheads for ease of maintenance. The proposed change has been reviewed and approved by the safety department heads.

Motion: To approve the field changes for Dean Farm Road from 20' width down to 18' and redesign of the cul-de-sac per the plans dated November 13, 2012, D. Moroney  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

**Earth Removal Permit Extension - Pyne/Bedoin:** The following people were present regarding the request for a one year extension of the earth removal permit for Pyne Sand & Stone for land of Mary Bedoin off 'Lackey Dam/Hough Road: Normand Gamache P.E. of Guerriere & Halnon, Owner Mary Bedoin, Operators James and Marlen Pyne.

Norm Gamache reviewed the plans for the upcoming year. He stated they intend to continue with excavation in the area permitted last year. He stated ground water levels in the site wells and the adjacent wells at Sutton's wastewater treatment plant continue to appear consistent with the elevation of the neighboring major wetland at around 362'. This is almost forty feet lower than the proposed floor of excavation on the site. Jim Pyne explained they went slightly outside the permit area because the plan showed excavation stopping 2/3rds of the way down a steep hill which was impossible to leave in real life, so they completed excavation of this slope to make it safe which took them just outside the permit area. Mr. Gamache noted even with the overage they are only excavating 3.4 acres of the 10 acres currently allowed via their permit.

The Board reviewed departmental comments.

Motion: To appoint the Planning Director the Board's Agent for Earth Removal matters,  
R. Largess  
2<sup>nd</sup>: J. Anderson  
Vote: 4-0-0

R. Largess noted the Planning Board is new to the earth removal process. He asked the applicants if there was anything they felt wasn't working about the permit process and/or that the Board should consider? Jim Pyne stated he felt Sutton's process was working fine and that with any permitting process there needs to be give and take.

Motion: To grant a one year extension of the Pyne earth removal permit for the Bedoin land with the following conditions: R. Largess

**General Conditions:**

1. Failure to comply with all Conditions of this Permit, and all sections of the Town of Sutton Earth Removal bylaw, which are a part of this permit, and are attached herewith, will result in a Cease and Desist Order, and fines.
2. Approval/Permitting/Special Requirements of all other applicable local, state and federal agencies, with a copy of said decisions/permits provided to the Planning Board.
3. No Drilling or Blasting allowed in any area of the pit.

**Special (or site/operation specific) Conditions:**

1. Maintain current bonding in the amount of \$110,000 for the permit period of January 1, 2013 to December 31, 2013.
2. Maintain a 200-foot buffer along all residential areas.
3. Maintain appropriate dust control measures.
4. All vehicles hauling excavated material must enter and exit via Lackey Dam Rd.
5. Current ground water readings must be performed in the Fall of 2013 from all wells adjacent to active excavation as determined by the Board or its Agent. The Planning Board's Agent must observe site readings.

2<sup>nd</sup>: D. Moroney  
Vote: 4-0-0

**530 Central Turnpike – common drive:** Mr. Heney was not present at the Board meeting. J. Hager reported that she had spoken with Mr. Heney twice since the last meeting. At the end of last week Mr. Heney stated as he was out of town returning driving his parents to Florida, he was not aware that his contractor had left the site with work barely started. He contacted him and found he had temporarily gone to a short job that had to be done immediately and would be returning to the site soon. Mr. & Mrs. Murphy whos home is accessed off the common drive confirmed all equipment has been moved off the site and there has been no activity since Thanksgiving.

The Board discussed their on ongoing concerns with the lack of performance at the site and restated concerns that asphalt plants would close before pavement could go down on the drive.

Motion: To request the Zoning Enforcement Officer begin ticketing Mr. Heney under the Non-criminal Disposition Bylaw starting Wednesday for everyday the contractor is not on the site working to complete the approved plan, D. Moroney

2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

Mr. Murphy expressed concern that loam stacked along the side of the road would be used for fill on the driveway. It was noted the plans call for gravel and site visits will be conducted daily once work begins.

Correspondence/Other:

Lifesong AsBuilt – Lenny Marchionni of Clubhouse Way, representing Lifesong Church, was present to request minor field changes and approval of the AsBuilt plan for Lifesong Church on Gilmore Drive. Mr. Marchionni explained the minor changes which include enlarging an island for adequate propane storage which relocated a parking space, installation of a wood guard rail and elimination of a small amount of landscaping to leave adequate areas for snow stacking. J. Hager confirmed she had been on site to confirm the remaining work is complete.

Motion: To approve the AsBuilt plan and requested field changes as shown on the plan dated December 3, 2012, D. Moroney

2<sup>nd</sup>: J. Anderson

Vote: 4-0-0

**Public Hearing – Aggregate Earth Removal Permits**

Motion: Waive reading of the legal ad, R. Largess

2<sup>nd</sup>: D. Moroney

No objection from those present.

Vote: 4-0-0

Steve Landry of Aggregate industries was present to review the calendar year 2013 plan with the Board. He noted this site is mostly in reclamation. If any material is removed from the site it is from piles of fill which were brought into the site or stockpiles that were established during past operations. There is no new excavation taking place on the site. He noted the company has been cleaning up site and demolishing unnecessary processing structures. They hope to do some demolition of such structures on this site in 2013.

Dave Lavalley of Andrews Survey & Engineering noted they had just received the review letter and would be addressing questions and commentary. D. Moroney inquired if operations on this site are closer to groundwater than operations like Pyne in South Sutton. Mr. Lavalley confirmed groundwater was much shallower here, but again that no new removal is proposed. However, they will provide groundwater elevations so they Board can confirm finish elevations are consistent with the regulations.

Motion: To continue the hearing to December 17, 2012 at 7:15 P.M., D. Moroney

2<sup>nd</sup>: J Anderson

Vote: 4-0-0

Additional Business: Stefan Forsberg of Manchaug Road is taking a Planning class at UMass Amherst. He was present to ask the Board related questions: With respect to what the biggest planning challenges are in Town currently, the Board and Planner responded that providing for a wide range of housing needs with nearly 20% of Sutton’s population technically eligible for affordable housing and Sutton only having 2% of housing that is affordable under HUD standards, there is a gap to be filled. Additionally traffic at Boston Road and Route 146 is an issue. Finally growing necessary tax base when so little of Town, less than 8%, is zoned for business and from Cold Spring Brook south along Route 146 is “No Access” meaning no new curb cuts may be created onto the highway for over 4 of the 6 miles of the

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highway located within Sutton. The Board wished Mr. Forsberg luck with his studies and noted he can gain experience and an entry for his resume as an intern in Sutton's Planning Office!

Motion: To adjourn, W. Whittier

2<sup>nd</sup>: D. Moroney

Vote: 4-0-0

Adjourned 8:28 PM