

Sutton Planning Board
Minutes
December 16, 2013

Approved _____

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

General Business:

Motion: To approve the minutes of 12/02/13, R. Largess
2nd: W. Whittier
Vote: 6-0-0

Form A Plans: None.

Site Plan Filing – Atlas Box Expansion – The Board acknowledged the filing of applications for an 188,000 s.f. expansion of the Atlas Box Headquarters located at 223 Worcester Providence Turnpike. S. Paul asked if sound issues at the site have been resolved. J Hager stated the company installed sound walls around the equipment causing the noise and she has not received complaints in nearly a year. The proposed addition will sit between the source of the noise and the affected neighborhood and should further mitigate any potential issues.

Correspondence/Other:

Aggregate Letter- Aggregate Industries provided a letter detailing the proposed work on their site over the next year consistent with discussion at their permit extension request at the Board's last meeting.

Minardi Site Plan Endorsement - The Planning Director stated this approval has completed its 20 day appeal period with no appeals filed and therefore the Board needs to endorse the site plan.

Motion: To endorse the site plan dated 9/16/13 with a revision date of 11/12/13, W. Whittier
2nd: S. Paul
Vote: 6-0-0

Development/Project Update – The Planning Director provided the Planning Board with a copy of the Development/Project update. She will present to the Board of Selectmen at the following evenings meeting. The Update includes matters before the Planning board as well as additional projects in which the Planning Department is involved.

Villas Limits of Clearing Violation – The Planning Director noted she was prompted to inspect the required buffer between Lanes End and the Villas. There is a violation of the buffer in this area. Both parties have requested the Planning Board be involved in mitigation. It was noted both parties appear to be reasonable and it was the Board's hope this matter could be worked out between them, but the Board agreed to be involved if it is necessary. It was noted they will not necessarily require replacement of the missing buffer if it serves no actual useful purpose, but the matter of adequate buffer does need to be resolved. They encouraged the Planning Director to make herself available to assist the parties as well.

Public Hearing – McGovern – Common Drives/Scenic Roadway

J. Anderson read the hearing notice as it appeared in The Chronicle.

The applicant and landowner, Michael McGovern was present to review the revised plan with the Board. The drive to serve Lots 5 & 6 has been revised to reflect a true common drive that meets the requirement of the bylaws.

Mr. McGovern stated this will actually provide for a more beneficial means of accessing a potential garage on the future home as well as a barn. The construction details requested by the Planning Director have also been added to the plans.

T. Connors expressed concerns with the fact that there has been no engineering review for drainage resulting from the entire development. Mr. McGovern noted only a small portion of the drainage on this site will actually flow toward Manchaug Road.

R. Largess called attention to a memo from the Conservation Commission with resource area impact concerns. Mr. McGovern stressed that neither of the two proposed common drives from this application are within Conservation jurisdiction. Perhaps the Commission was repeating concerns they have about Lots 1 & 2 which are no longer owned by Mr. McGovern. These lots will likely have to file a Notice of Intent for development. The proposed common drives are also well over 200' from Lake Manchaug.

J. Hager asked how drainage is handled on this section of Manchaug Road. Mr. McGovern stated there is a swale on the same side of the road as these lots. She stressed any drainage coming off the lots/drives will have to be directed to this swale to avoid drainage/icing issues.

The Board confirmed the length of the common drive is measure to the point at which the last private drive breaks off before continuing to the last lot served. This proposed drive is in compliance with this standard. The 18' of width has been extended a little beyond where it is typically required. This is in consideration for the fact that it may be some time before the private drive is extended into Lot 6 and this additional width will allow for safety or other vehicles to turn around if necessary

- Motion: To grant the special permit for a common driveway to serve Lots 5 and 6 with the following conditions: R. Largess
1. Approval of all other local, state and federal departments, boards and commissions.
 2. The deed to the lots shall contain a restriction that said common driveway shall remain private in perpetuity, no parking will be allowed on the common drive and all roadway maintenance, snowplowing and rubbish collection shall be the land owner's responsibility. A copy of said recorded deeds shall be provided to the Board prior to issuance of a Building Permit for the homes located on said lots.
 3. The house numbers of the lots serviced by the common driveway shall be clearly posted at both Manchaug Road and the split in the common driveway as well as clearly on each unit.
 4. The Highway, Fire and Police Departments must approve the private driveways that branch off the common driveway.
 5. Underground utilities shall be provided.
 6. An occupancy permit shall not be granted to any structure serviced by the common drive until the common drive is 100% complete.

2nd: M. Sanderson

Vote: 5-1-0, T. Connors opposed as the cumulative impacts of the entire development of the parcel have not been evaluated.

Public Hearing – Bedoin/Pyne Sand & Stone - Earth Removal Permit

J. Anderson read the hearing notice as it appeared in The Chronicle.

Normand Gamache, RLS of Guerriere & Halnon was present to review the site operations plan with the Board. He detailed the area of the site which is being reclaimed. It is now loamed and seeded but is not at final elevation as there is no current market for the fill at this location.

There is another 5 acres of open excavation area closer to Route 146. The design elevation of the pit is 400'. Right now their lowest elevation is 435' and groundwater is estimated at 362' consistent with monitoring wells maintained by the Town in the immediate area as well as the elevation of a neighboring swamp. Access remains through land of Pyne Sand & Stone out to Lackey Dam Road in Douglas. A 250' buffer exists to Route 146.

In response to a question from the Planning Director, Mr. Gamache showed the closest monitoring wells to the active excavation. These wells haven't been monitored for some time. Mr. Gamache noted they can install groundwater monitoring wells closer to the active excavation in the coming year.

R. Largess and M Sanderson attended a site visit at the pit and noted it is a very well run, organized and clean operation.

Motion: To grant a one year earth removal permit for Bedoin/Pyne Sand & Stone off Lackey Dam Road with the following conditions: W. Whittier

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 \$110,000.00 for the duration of January 1, 2014 to December 31, 2014.
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 Spring of 2014 from wells adjacent to active excavation as determined by the Board or its Agent. **The Planning Board's Agent must observe site readings.**

2nd: R. Largess

Vote: 6-0-0

Public Hearing – Worcester Sand & Gravel - Earth Removal Permit

J. Anderson read the hearing notice as it appeared in The Chronicle.

Chuck Scott P.E., from CSF Engineering was present to review the site operations plan with the Board. He noted little has changed on this 32 a. site. They have done some rock crushing but little else. Their site is very different than the Pyne site, being surrounded on multiple sides by wetland resources, their excavation just maintains the required 10' separation to groundwater. One side of their operation also abuts the Wilkinsonville Water District Zone 1 for the Hatchery wells. Their groundwater readings are consistent to those performed by the Water District. The Wilks wells are shallow gravel packed wells.

R. Largess and M. Sanderson who attended the site visit noted this site is clearly closer to close out with little activity, but is also well maintained.

Motion: To grant a one year earth removal permit for Worcester Sand & Gravel off Hatchery Drive 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. Excavation shall be no lower than the proposed finish elevations shown on the plan and in any case at least ten (10) feet higher than the ground water table as measured at the water table's highest point during the year.
2. Maintain current bonding amount of \$134,800.00 for duration of January 1, 2014 to December 31, 2014.
3. Current ground water readings must be performed in Spring of 2014 at wells adjacent to the permitted excavation area as determined by the Board or its Agent. **The Planning Board's Agent must observe site readings.**
4. Maintain four (4) foot metal poles with red flags every 50 feet, more or less apart, along the boundaries of those properties owned by the Town of Sutton and the Wilkinsonville Water District. A letter from the Permit Holder's Professional Land Surveyor/Engineer must be on file with the Planning Board no later than June 1, 2014, certifying that said poles are in place.
5. If material is being brought into the site, a log shall be maintained with information on the origin of this material and said log shall be readily available to the Planning Board and the Wilkinsonville Water District for inspection. The water district engineer may perform a daily observation of the site during the period when fill is being brought in, and if during that visit, the engineer feels that testing of the material is required, the representative will notify the Planning Board and Worcester Sand & Gravel. With the concurrence of Sutton's Agent and/or consulting engineer, a sample for testing will be taken as soon as possible and before any additional material is brought in. Worcester Sand & Gravel shall then reimburse the appropriate parties for costs related to this testing.

2nd: W. Whittier

Vote: 6-0-0

Motion: To adjourn, R. Largess

2nd: W. Whittier

Vote: 6-0-0

Adjourned 8:05 PM