

Sutton Planning Board
Minutes
March 10, 2014

Approved _____

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

General Business:

Minutes:

Motion: To approve the minutes of 2/24/14, T. Connors

2nd: M. Sanderson

Vote: 3-0-1, S. Paul abstained as he was not present at this meeting.

Form A Plans:

Magill – Byron Andrews from Andrews Survey & Engineering was present with a plan showing five new lots, 3 buildable and 2 non-buildable, across from the clubhouse at Pleasant Valley Country Club.

Motion: To endorse the Form A plan dated 3/7/14 for Magill, S. Paul

2nd: T. Connors

Vote: 4-0-0

(W. Whittier arrives) (R. Largess arrives)

Correspondence/Other:

Common Drive Drainage Bylaw – J. Hager presented a draft bylaw change in response to the Board's request to deal with drainage concerns on common driveways. J. Walsh from Graves Engineering also provided suggestions on potential language for the bylaw. The Board discussed the subjects of stormwater management, construction standard, and inspection as they relate to common driveways. The majority of the Board came to the agreement that the existing width and grade requirements were appropriate, but that drainage calculations should be provided that show changes on rate and direction of flows are being adequately mitigated. Additionally, the design engineer will be required to submit a stamped certification that the common drive and related drainage measures were constructed in accordance with the approved plans before an occupancy permit can be issued for any home accessed by the common driveway. The Planning Director will revise the proposed bylaw in accordance with the Board's recommendations.

Atlas Box Site Plan Endorsement – The appeal period for the Site Plan and Route 146 Overlay approval has run and no appeals were filed.

Motion: to endorse the Site Plan for Atlas Box dated R. Largess

2nd: W. Whittier

Vote: 6-0-0

FY13 Annual Report – J. Hager provided the Board with a copy of the FY13 report which is to be included in the annual town report and told the Board to let her know ASAP if any amendments are recommended.

Public Hearing – Lorden Propane – 163 Worcester Providence Turnpike

With the consent of the applicant, because it was already past the scheduled time for the second public hearing, and because the second hearing was judged to likely be considerably less complicated than the Lorden matter, this hearing was tabled until after the next scheduled hearing.

Public Hearing – Scenic Roadway Alteration – 157 Burbank Road

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

Applicant Neil Rybicki was present to ask the Board’s permission to create a 20’ break in a stone wall to gain access over a deeded right of way over the land of Fallow to backland that he owns.

J. Anderson asked about the condition of the wall. Mr. Rybicki stated the wall was in good condition measuring about 4’ high and 3’ wide and in good repair.

R. Largess thanked Mr. Rybicki for following the regulations and applying for permission as opposed to asking for forgiveness. He stated any stones removed should stay on the property.

W. Whittier asked if any trees will be removed. Mr. Rybicki noted trees will need to be removed within the access easement but none in the public right of way.

Elaine Swallow of 149 & 151 Burbank Road was concerned that if this opening does not have a gate or other means to block access, like the NEPSCO power line easement, it will be utilized by motorcycles, 4 wheelers and snowmobiles, particularly as Mr. Rybicki will not live on this piece of backland. Mr. Rybicki said he is happy to post signage and added once you’re in the property it is completely surrounded by a stone wall so there is no way out making it a poor location to ride without getting caught. Ms. Swallow also expressed concerns with any future development of this lot and the effect it might have on Sibley Reservoir. It was noted if anything is constructed within 200’ of the reservoir it will have to go through a public process with the Conservation Commission.

Motion: To approve the scenic road application to create a 20’ break in the stonewall at 157 Burbank Road with the condition that any stones that are removed must remain on the property: R. Largess

2nd: W. Whittier

Vote: 6-0-0

Motion: To close the public hearing, W. Whittier

2nd: M. Sanderson

Vote: 6-0-0

Public Hearing – Lorden Propane – 163 Worcester Providence Turnpike (resumed)

J. Anderson read the hearing notice as it appeared in The Chronicle and the Telegram & Gazette.

Normand Gamache of Guerriere & Halnon was present with the applicant Ted Lorden and several other individuals: Steve Younis a fire safety engineer, Architect Carl Franceschi of DRA Architects, and John Hart a fire safety consultant.

N. Gamache explained this site is located on Route 146 north about 1,000' north of Harback Road between Stonegates Granite and the former Sonya's Auto. The parcel is industrially zoned and has about 4 acres with more than adequate road frontage.

The applicant's team has been in contact with MassDOT about the curb cuts they require and they do not anticipate any issues with granting the approvals, but an approved site plan is required before they can go any further with MassDOT. There will be an entrance only and separate exit only drive.

The proposed structure will be 7,440 s.f. and will be about half office space and half warehousing. There will be a private well and septic to serve the site. All active portions of the use on this site will be setback a minimum of 75' from lot lines including the 3 - 60,000 gallon above ground propane storage tanks proposed for the site. For comparison the Dileo propane tank on Providence Road is 30,000 gallons.

It is anticipated there will be about 7-10 employees at the site, with three likely working primarily off site. They anticipate starting with 2 or 3 - 3,000 gallon delivery trucks that will generally fill up and depart in the morning and normally not return until the end of the day. A 10-11,000 gallon tanker will come to the site every other day to top off the onsite tanks to the 80% level which is the allowed maximum. It was noted as the supplier of the propane is some distance away, it is important to have a large quantity onsite, so clients can continue to be serviced even in inclement weather when the company tries to suspend deliveries from the supplier that might be too dangerous. Company vehicles operating out of this location will be domiciled and pay excise tax here.

All stormwater will be maintained and infiltrated on site up to the 50 year storm.

Steve Younis a fire safety engineer stated the site as designed to be fully compliant with NFPA 58 the LP Gas Code. With no public water available at the site they are installing a 15,000 gallon cistern. He stressed they have employed every safety measure required by code.

Lorden Propane has several other facilities in Ayer, Townsend and Pepperell, MA and Hollis, NH. This site will be similar to Lorden headquarters in Ayer that have been in operation since 2009. This site has 120,000 gallons of propane and is permitted for 200,000 with an additional 400,000 gallons in diesel, gasoline and oil. There will only be propane and there will be no retail sales at the Sutton site. The warehouse will contain HVAC components that Lorden uses on installation and repair jobs. The Ayer Fire Chief and other officials have offered to provide a letter of recommendation about their dealings with Lorden Propane.

The Board reviewed the proposed architecture and landscaping which was seen as clean, neat and positive. There is a portion of the roof that is sloped and made of glass that will screen HVAC units on the roof. The area of visual interest needs to be included on the site and while a fully sloped roof is preferred the building as designed was deemed attractive and compliant with the regulations. Landscaping will mostly block the view to the propane storage tanks which are 11' in diameter each.

The applicant will happily train the fire department staff on the site regarding the specifics of their system and its safety features. It was noted there are daily, weekly, monthly and annual inspections required in the industry. Over 75% of incidents are "pull-away" incidents where a driver pulls away from the tank with the hose still attached and in most cases the system shuts down the system before the driver realizes what happened.

In response to a question from J. Hager about whether there had ever been a fire at any Lorden facilities, John Hart reviewed the properties of propane and how hard it is to actually ignite leaking propane as well as the details of the system that work to prevent fires.

The Board reviewed the Community Fiscal Impact Assessment section of Site Plan Review and determined there was no need for the applicant to submit one for this use.

The Board reviewed departmental comments. The most extensive commentary from Fire and Planning was just received and comments have not been received from Graves Engineering. The applicant will respond to comments in writing. They requested a meeting as soon as possible with the Fire Chief as his comments are most germane to the viability of the site.

There were no questions from the public.

Motion: To continue the public hearing to April 7th at 7:30 PM, W. Whittier
2nd: T. Connors
Vote: 6-0-0

Motion: To adjourn, W. Whittier
2nd: M. Sanderson
Vote: 6-0-0

Adjourned 9:04 PM