

Sutton Planning Board  
Minutes  
July 7, 2014

Approved \_\_\_\_\_

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

**General Business:**

Minutes:

Motion: To approve the minutes of 6/16/14, W, Whittier

2<sup>nd</sup>: M. Sanderson

Vote: 3-0-2, J. Anderson and S. Paul abstained as they were not present at this meeting

Form A Plans: None

Vapor Emporium – 20 Providence Road – Waiver Site Plan Review

Patricia Otto and Ron Sampson were present to ask the Board to waive Site Plan Review for a proposed retail store selling vapor cigarettes and accessories out of the home at 20 Providence Road. The area that will be a store is approximately 150 square feet. They will be the only employees, the hours will be 11 to 7 PM Monday Wednesday and Friday to start with no weekends as they at flea markets on weekends. Deliveries are via the USPS, UPS or FedEx, no large trucks. They are required to get a Special Permit for the retail use in the Village District which will require them to provide the same information that's required for Site Plan Review. Waiving Site Plan Review, however will allow them to save a little money on filing fees.

J. Anderson asked how many customers they anticipate. They said they would be lucky to get ten in a day.

The majority of the board felt the use is minimal at best.

Motion: To waive Site Plan Review process and fees, R. Largess

2<sup>nd</sup>: W. Whittier

Vote: 4-1-0, S. Paul opposed as he feels the Board should require a SPR hearing to address site and operational details even if there's already one to occur for the use

The Board stated the plan that was presented is fine for hearing purposed although dimensions should be added.

Sutton Falls Campground – Yurts

Roger from Sutton Falls Campground was present at the request of the building Commissioner to obtain the board's opinion as to whether converting several full hook up camper sites at Sutton falls to yurt sites is an allowed use and if it requires Site Plan Review.

A yurt is a movable structure, a large round reinforced tent of sorts, that can contain separate rooms and a kitchen and bath. Mr. GIngras stated he has approximately 60-70 full hook up camper sites and he would like to try out 2-4 yurts. He is trying to encourage longer stays.

M. Sanderson stated the units are functionally the same as campers but more attractive. She felt Site Plan Review is not necessary.

In response to a question from M. Sanderson, Mr. Gingras stated the yurts are bigger than campers as they have to meet ADA standards, but otherwise they will be hooked into the park systems just like a camper is hooked in. There will be no additional impact on the septic as they will take the place of camper sites.

W. Whittier agreed and noted Roger is just bringing the Park in line with the times.

These wouldn't be additional sites, they would take the place of existing sites. The yurt would be secured to a platform that would allow hookup of power and waste pipes below the yurt.

In response to a question from S. Paul, Mr. Gingras noted the yurts would be used seasonally from April to October 1<sup>st</sup>.

The remainder of the Board agreed this is a non-permanent, seasonal structure, that is not a change of use and does not require Site Plan Review.

Correspondence – J. Hager summarized the summary judgement motion filed by Galaxy Development asserting that there is no real foundation he to lawsuit filed by Stop & Shop and requesting the judge effectively suspend the litigation.

J. Hager also noted the board of Selectmen appointed Miriam Sanderson as a full Board member at their last meeting.

**Public Hearing (Cont.) – Jane Oliver – Dodge Road Retreat Lot**

Ms. Oliver stated she is working with Dave Lavallee to remove the non-buildable notation from this lot so the Board will be comfortable acting on the application. It was noted he should also demonstrate that a driveway of compliant grade can be installed without disturbing the existing walls or eliminating substantial screening.

Motion: To continue the public hearing to August 4, 2014 at 7:10 P.M., W. Whittier  
2<sup>nd</sup>: M. Sanderson  
Vote: 5-0-0

(W. Whittier steps down from the Board due to conflict as an abutter)

**Public Hearing (Cont.) – Journey's Rest Definitive Subdivision – Lackey Road**

Paul Hutnak summarized and J. Hager confirmed that adjustments have been made to the alignment of the roadway that have significantly reduced the grade of the proposed roadway and provided room to push and stack snow.

The Board addressed the remainder of waiver requests.

- Motion: To waive the requirement for granite curbing in section 5.G.1. and allow elimination of all curbing in order for the drainage design to function properly, R. Largess  
2<sup>nd</sup>: S. Paul  
S. Paul asked if any drainage will run to Lackey and not to the drainage swales. Paul Hutnak showed the tiny area of roadway that will drain directly to lackey. S. Paul noted the Board will need to condition action to make sure any issue that may arise from this untreated drainage are immediately mitigated.  
Vote: 4-0-0
- Motion: To waive the requirements of section 4.A.6.a for a curved property line radii for the southern property line for the ROW as this cannot be achieved without making the adjacent lot non-conforming, and also reduce the radii for the paved surface at the intersection of Stone Circle and Lackey Road, per the input of Jeff Walsh P.E., from 30' to 15'. R. Largess  
2<sup>nd</sup>: M. Sanderson  
Vote: 4-0-0
- Motion: To waive the requirement in section 4.A.5.b. for a full bulb cul-de-sac in lieu of a hammerhead turnaround having found the proposed hammerhead is adequate in width, length and turning radii to serve this limited number of homes safely per review by Jeff Walsh, P.E. and Fire Chief Belsito and less pavement means less environmental impact and runoff, S. Paul  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0
- Motion: To waive the requirement in section 4.A.5.a. and allow an increase in the length of this dead end road from 500' to 620' having found with reduction in grades and straightening of the alignment, the additional length should not become safety concern, the increased length does not provide additional lots, and lengthening the road limits ledge blasting and allows this feature to remain intact, R. Largess  
2<sup>nd</sup>: S. Paul.  
Vote: 4-0-0
- Motion: To waive the requirement in section 4.A.3 and allow an increased right of way width of 101.68 feet as it approaches Lackey Road and allow reduction of the pavement width to 18', having found the combined attributes of the proposed roadway to be safe at this width per review by Jeff Walsh, P.E. and Fire Chief Belsito and less pavement means less environmental impact and runoff and maintains the character of this area, S. Paul  
2<sup>nd</sup>: M. Sanderson  
Vote: 4-0-0
- Motion: To waive the requirement in section 4.A.2.k.. to allow alterations of the standard roadway cross section of 18' paved surface, no curbing, no sidewalks, no planting strip, and 12" of gravel base instead of 18", having found what is proposed is safe per review by Jeff Walsh, P.E. and Fire Chief Belsito and less pavement means less environmental impact and runoff, no sidewalks exist in this part of town and this road only serves a few homes, and with existing vegetation being maintain along much of the proposed right of way planting strips are not necessary  
R. Largess

2<sup>nd</sup>: S. Paul  
 Vote: 4-0-0

Motion: To waive the requirement in section 4.A.2.f. to allow a reduction of the centerline radii from 270' to 100' having found what is proposed is safe per review by Jeff Walsh, P.E. and Fire Chief Belsito, R. Largess

2<sup>nd</sup>: M. Sanderson  
 Vote: 4-0-0

Motion: To approve the definitive subdivision plan entitled Journey's Rest off Lackey Road with the following conditions: R. Largess

1. Approval of all other applicable local, state and federal permitting authorities.
2. Prior to endorsement all waivers and conditions of approval shall be listed on the plan set.
3. Prior to endorsement in accordance with MGL, the applicant shall provide a covenant that states no lot shall be transferred until the construction of the roadway and any related site restoration is complete or any remaining work is secured through one of the other methods provided in MGL.
4. Prior to commencement of construction the applicant shall attend a preconstruction meeting with the Planning Department, applicable department representatives, and other bodies that have responsibilities relative to the site, as well as the site contractor and other personnel the applicant feels are appropriate.
5. Construction shall be limited to Monday through Friday 7:30 AM to 5 PM and Saturday 8 AM to noon, no local, state or federal holidays.
6. At the time of transfer of the first lot, in accordance with MGL, the applicant shall provide a form of surety other than a covenant to secure any uncompleted items shown on the definitive subdivision plan at the Town's cost of completing the items plus contingency as estimated by the Town's consulting engineer.
7. The applicant shall pay for the cost of surety estimating and inspections by the Town's consulting engineer in accordance with the inspection schedule contained in the Subdivision Regulations.
8. The applicant and /or subsequent owners shall maintain the sight distance to the north and south by regular trimming of brush within their right of way and the Town's right of way in the proximity of the project entrance.
9. The applicant will submit and operation & maintenance plan for the drainage system (swales and stilling basin) prior to the start of construction, and the property owners shall be responsible for long-term maintenance and repairs of the swales and the stilling basins.
10. The road shall remain private in perpetuity and as such it will be the responsibility of the owners to maintain the way and related drainage and sight distances. A stipulation to this effect shall be entered on the deeds to the lots within this subdivision a copy of which shall be provided to the Planning Board.
11. An electronic file of the roadway and parcel lines shall be provided to the Assessor's Office in a form determined by them.
12. During construction the applicant shall take measures to ensure run off is contained to the site.
13. 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.
14. Initial sight distance clearing along Lackey Road must be completed prior to commencement of construction on the site.
15. Prior to commencement of construction the Applicant/Engineer shall submit three (3) full size sets of the endorsed plan, one (1) 11" X 17" reduced set and one (1) electronic copy to the Sutton Planning Office.
16. Should it be determined drainage from Stone Circle is causing problems on Lackey Road, the applicant shall design and install mitigation satisfactory to the Highway Superintendent.

2<sup>nd</sup>: S. Paul

There were no comments from the public.

Vote: 4-0-0

Motion: To close the public hearing, S. Paul  
2<sup>nd</sup>: R. Largess  
Vote: 4-0-0

The Board addressed the request to allow access for a third lot, a retreat lot, from Journey's Rest instead of Lackey Road to eliminate another curb cut on Lackey Road and preserve the stone walls along the roadway.

Motion: To allow access for retreat lot #2 off of Stone circle instead of Lackey Road for the reasons discussed, S. Paul  
2<sup>nd</sup>: R Largess  
Vote: 4-0-0

(W. Whittier returns to the Board)

#### General Business (Cont.)

Motion: To nominate R. Largess for Chairman for the upcoming year, S. Paul  
2<sup>nd</sup>: W. Whittier  
Vote: 5-0-0

Motion: To nominate Miriam Sanderson as Vice chairman for the upcoming year, S. Paul  
2<sup>nd</sup>: R. Largess  
Vote: 5-0-0

Motion: To adjourn, W. Whittier  
2<sup>nd</sup>: S. Paul  
Vote: 6-0-0

Adjourned 8:34 P.M.