

Sutton Planning Board  
Minutes  
November 3, 2014

Approved \_\_\_\_\_

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

**General Business:**

Minutes:

Motion: To approve the minutes of 10/06/14, M. Sanderson

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

Vote: 3-0-2, J. Anderson & S. Paul abstained as they weren't at this meeting

Form A Plans:

Linder – 33 Century Farm Road

Motion: To endorse the Form A plan dated 10/23/14 showing one new buildable lot,  
S. Paul

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

Vote: 4-0-1, M. Sanderson abstained as she has a conflict

Towle & Prunier – 7 Morse Road

J. Hager noted 1<sup>st</sup> quarter taxes on the land were paid but 2<sup>nd</sup> quarter taxes were not. The applicant maintains the tax collector's office said they weren't actually due until the 4<sup>th</sup>. He asked that the Board sign the plans and not release them to him until he pays the taxes. R. Largess noted it was his understanding that the application should not be entertained until the taxes are up to date. He expressed the Board needs to be consistent in their application of the regulations. The majority of the Board agreed and action on the Form A plan was rescheduled for the Board's next meeting.

Jaber – W. Millbury Road

J. Hager explained that the Board approved these retreat lot revisions and common driveway at the beginning of the year but the applicant never returned to have the covenant and Form A plan signed.

Motion: To endorse the Covenant dated 11/2/14 and related Form A plan dated 1/30/14 showing revisions to two previously approved retreat lots, W. Whittier

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

Vote: 5-0-0

Filings

Public Shade Tree – 73 Lincoln Road – Request to remove two shade trees because they are damaging a driveway and one tree because it is against the power lines.

Rescind Subdivision & Retreat lot – 131 Eight Lots Road – Request to rescind Stockwell Hollow two lot subdivision and grant a special permit to use the land as one retreat lot.

The Board acknowledged the legal filing of these applications.

Correspondence/Other

CMRPC Quarterly Meeting – The Planning Director reminded the Board about the quarterly meeting of the regional planning agency that will feature discussion on food hubs and agritourism.

Chase Road Discussion – Attorney Henry Lane was present to ask for the Board’s direction on permitting several Form A lots along the layout of Chase Road which he maintains remains intact although a portion of the way clearly needs to be re-established and/or upgraded. He asserted the way meets the MGL guidelines for a “historically existing way” which was accepted in 1844. His client, Mr. Mariner, would like to upgrade the layout to safe and adequate standards including a turn-around for plowing and safety vehicle access. He does not feel a subdivision filing is necessary. The Board requested he investigate the status of the roadway further, including if there were any subsequent votes to abandon or discontinue any portion of the roadway. They also asked him to submit his written position on why no subdivision filing is necessary and address his conviction that the entirety of the frontage of the third lot does not need to be accessible, only enough to provide safe access. The Planning Director will consult with the Town Administrator to see if the Town will pay for the legal consult as it addresses a matter which can be applied in various locations, or if Mr. Mariner will have to pay for Town Counsel’s time.

### **Public Hearing – Amend Site Plan – Dileo Gas – 124 Providence Road**

R. Largess read the hearing notice as it appeared in The Chronicle.

Dave Lavalley of Andrews Survey & Engineering was present with his client, Paul Dileo, to review the revised site plan with the Board.

Mr. Lavalley stated that Mr. Dileo will be adding an additional 30,000 gallon propane tank in front of the existing 30,000 gallon tank and security fencing will be extended to enclose both tanks. He stated there will be excavation to install the saddles for the new tank and they will file a Notice of Intent with the Conservation Commission to permit this work.

The Board reviewed departmental comments including a favorable report from the Fire Chief and correspondence from Wilkinsonville Water that expressed no concerns with the addition of the extra tank. Mr. Dileo noted that when he installed his first tank the former Fire Chief had required him to extend the public water line and install a hydrant, as well as provide water cannons to both Millbury and Sutton, and conduct training in both towns for about 100 firefighters. He noted Matt Belsito, Sutton’s current Fire Chief, was the Millbury Fire Chief at the time and worked with then Sutton Fire Chief Paul Maynard to establish the safety requirements on the former installation. He surmised this is why he is comfortable with the installation and confident in the safety provisions.

In response to concerns about the access between the tanks and the landscaped portion of the lot being narrow, he stated they will likely add 4-6’ of clear and compacted driveway width to make sure all equipment can traverse the site smoothly.

No one from the public was present to comment.

Motion: To approve amending the site plan to add an additional 30,000 gallon tank at 124 Providence Road conditioned on the approval of all other applicable permitting authorities, W. Whittier

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

Vote: 5-0-0

Motion: To close the public hearing, W. Whittier  
2<sup>nd</sup>: S. Paul  
Vote: 5-0-0

**Public Hearing – Scenic Road/Public Shade Tree – Arakelian – 434 Central Turnpike**

R. Larges read the hearing notice as it appeared in The Chronicle.

He read a letter from the applicant requesting a continuance to the Board's December 15<sup>th</sup> meeting as he will be unavailable due to work until that time.

No one from the public was present to comment.

J. Hager noted in accordance with the law she is requiring public shade tree applicants clearly mark the trees they are requesting to be removed and post a copy of the hearing notice on the trees so the Board can visit the sites and clearly see which trees are involved.

Motion: To continue the public hearing to December 15<sup>th</sup> at 7:15 P.M., S. Paul  
2<sup>nd</sup>: W. Whittier  
Vote: 5-0-0

Motion: To adjourn, M. Sanderson  
2<sup>nd</sup>: W. Whittier  
Vote: 5-0-0

Adjourned 7:48 P.M.