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TOWN OF SUTTON

PLANNING BOARD & DEPARTMENT

MEMORANDUM

TO: Planning Board

FROM: Jen Hager, Community Development Director *JSH*

DATE: November 28, 2023

RE: 120 Burbank Road – Retreat Lots & Common Driveway

I have reviewed the documents and plans submitted for this project and have the following comments:

VI.H. – Retreat Lot Requirements

The plan appears to meet all retreat lot requirements. However, the applicant should address how stormwater management might be handled for the extensive length of private drives as they will travers steep grades that can be up to 12%.

VI.I. – Common Driveway Requirements

Although this plan states the common driveway will adhere to all provisions of this bylaw, it is preferred that some of the standards be clearly indicated on the plan. Specific standards to be shown should include at a minimum adding a cross section of the common driveway showing width and type/depth of materials, compliance with grade requirements including a maximum of 3% within 50' of the street line, and an underground utility notation.

Although the grade across the area where the common driveway is to be located appears to be no more than 4% in places, the bylaw states that drainage calculations must be provided. In the least an engineer must address the issue of potential stormwater impacts relative to construction of the common driveway. The applicant should also address how stormwater management might be handled for the remaining length of private drive as well as they travers much steeper grades that can be up to 12%.

Form A - Approval Not Required (ANR) Plan Requirements – These requirements are for creation of new lots along an existing roadway.

All Approval Not Required (ANR) Plan requirements appear to have been met although I am recommending additional bounds be installed to ensure future lot owners and/or surveyors can determine what land is theirs especially in narrow portions of the lots. I have also included a cautionary that when dividing a large piece of land the Conservation commission does not have to allow more than one wetland crossing, this is likely the main reason the common driveway is proposed.

Minimum Conditions of Approval Retreat Lots

1. A recorded copy of the decision, covenant and plan must be received by the Planning Department within 6 months.
2. Approval of all other applicable Boards, Departments and Commissions.
3. The driveway shall have a maximum grade of 12% and minimum paved width of 12' width and 15' cleared width.
4. Underground utilities shall be provided on the retreat lots, unless the Planning Board makes findings in open meeting that underground utilities are not practical due to extreme topographical or environmental constraints and/or safety issues. Above ground utilities shall not be allowed solely for the convenience and/or preference of a petitioner.
5. The house number shall be clearly visible at the street in both directions of travel.
6. No occupancy permit shall be granted until all conditions and requirements of this bylaw and the Special Permit granted by the Board are 100% complete.

Minimum Conditions of Approval Common Driveway

1. A recorded copy of the decision and plan must be received by the Planning Department within 6 months.
2. Approval of all other applicable Boards, Departments and Commissions.
3. The common driveway shall have a maximum grade of ten percent (10%), three percent (3%) within 50 feet of the street line.
4. Underground utilities shall be provided on the common driveway, unless the Planning Board makes findings in open meeting that underground utilities are not practical due to extreme topographical or environmental constraints and/or safety issues. Above ground utilities shall not be allowed solely for the convenience and/or preference of a petitioner.
5. Prior to commencement of construction on the common driveway or any house to be served by the common driveway, the permit holder shall record a plan for the common driveway and such instruments as are necessary to establish easements providing for use of the common driveway and a restriction burdening all lots served by the common driveway that said common driveway shall remain private in perpetuity, no parking will be allowed on the common drive and all roadway maintenance, snow-plowing and rubbish collection shall be the land owners' responsibility. The plan and instruments shall be in form approved by the Planning Board, and shall be recorded, with proof of such recording provided to the Planning Board, prior to use of the common driveway to serve more than one lot.
6. Prior to commencement of construction of any house to be served by the common driveway, the private driveways branching off the common drive shall be reviewed and approved in each case by highway, fire and police to ensure emergency vehicle access.
7. An occupancy permit for any structure accessed via the common driveway shall not be

granted until the street numbers of the lots serviced by the common driveway are clearly posted on a single permanent post at the street, in a form approved by the Planning Board, so as to be

visible from both directions of travel, and are also posted on a permanent post at the point at which each private driveway splits from the common driveway. Said signage shall be purchased from the Sutton Highway Department and installed by the applicant in a location agreed upon with the Sutton Highway Department.

8. An occupancy permit for any structure accessed via the common driveway shall not be granted until the common driveway site work is 100% complete. In order to be considered complete, the design engineer must submit a stamped letter certifying the common driveway site work has been constructed as shown on the approved plans.
9. An occupancy permit for any structure on the retreat lot shall not be granted until all conditions of the approval and all bylaw requirements have been 100% satisfied.