

March 21, 2023

Requested Waiver List with Justification Language Sutton Planning Board for Convenient MD Urgent Care Facility

Torrington Properties, Inc.
15 Pleasant Valley Road
Town of Sutton, MA

Associated with our application for a 5,253 SF freestanding Convenient MD Urgent Care clinic, there are three variances that have been submitted to the Zoning Board for consideration. These variances relate to the Medical Clinic Use, wall signage square footage and internally illuminated pylon sign square footage.

Our application also requires relief from a number of design waivers that are associated with the Business-Highway (B2) zoning and Route 146 Overlay District requirements. These items have been specifically noted on the ***Site Layout Plan***, sheet C-301 and listed below for clarity.

Design Waivers (W):

- Area Height and Bulk Regulations – Table 2 Table of Area Regulations
 - Minimum Lot Frontage B-2 District, 200' required. Lot Frontage definition: The horizontal distance continuously measured along the front lot line between the points of intersection of the side lot lines.
The current lot contains frontage along Route 146 and Pleasant Valley Road, making it a corner lot. The longest straight horizontal measurement along the Route 146 frontage is 181.82'. However, the frontage along Route 146 contains a jog in the line that is a result of a prior DOT taking that maneuvers around a utility pole and guy wire. With the bends in the property line added to the total frontage length, the dimension increases to 206.50' of total lot frontage, in which we are respecting with a 50' building front yard setback from all portions of this line noted above. We are requesting the waiver to leave the current property boundary as is, with no modifications to the lengths or measurements along the frontage, as we believe the intent of the requirement is still being satisfied by the current total length of the frontage and limited proximity to other access points along Route 146 or Pleasant Valley Road.
- Section B. Off-street Parking, Loading and Landscaping regulations.
 - 5.a.2. the landscape area will have sufficient trees arranged to that a vegetated buffer is effectively provided from the public street, whereas due to sight triangle restrictions, the landscaping is pulled back to provide a clear line of sight to the driveway and the building from Route 146 (W)
The typical trees that would be provided along the site frontage are being proposed closer to the access drive within the site. The trees are proposed outside of the sight triangle restrictions for safety reasons.

- 5.b.1. A landscape area at least 10 feet wide is required, whereas some landscape islands are smaller than 10' wide (W)
With a smaller parking lot, we have provided landscaping along the perimeter of the lot with shade trees placed at the terminus of the parking areas instead of within isolated landscape islands. The trees placed around the perimeter will have more space for root development and less conflict with vehicle/pedestrian activity.
- 5.c.3. Interior landscape areas shall be dispersed so as to define aisle and limit unbroken rows of parking to a maximum of 100 feet, whereas the rows of parking extend longer than 100' (W)
We have two rows of parking with angled spaces that extend beyond the 100' length without an internal landscape island. We feel the landscaping provided along the perimeter of the site will provide the desired shade trees and avoid internal conflicts with landscape islands that would break up the parking row. The omission of the internal landscape island will make for easier parking lot maintenance/snow removal and less conflicts with vehicle movements within the angled parking areas.
- Route 146 Overlay District Bylaw
 - 4.a.3. Slope Protection: disturbance of grade greater than 15% on site (W)
The site today contains slopes greater than 15% along the Pleasant Valley Road frontage and along the side yards adjacent to the neighboring properties. We have proposed modifications to the site in order to provide for flatter surface areas around the building pad and parking lot for ADA accessibility and do require some areas of 3:1 slope in order to tie back into grade around the perimeter of the site.
 - 4.b.1. Minimum 35% of open space required, where 12.33% is provided (W)
The minimum open space excludes the green space within the setback limits. Since the site is impacted by 50' setbacks of the corner lot, a large portion of the landscape area is excluded from this calculation. If the landscape areas within the setbacks were factored into the calculation the open space or landscape areas on site would increase to 50.8% of the site.
 - 4.C.1.C Pedestrian paths linking major buildings to open space are required, whereas non are provided (W)
Sidewalks are provided along the building that connect to the parking areas. As noted above in the slope protection description, the property has existing steep slopes around the perimeters. A pedestrian connection to a sidewalk for offsite connection would not be code compliant or would require significant switch back ramps to provide for a connection that we do not anticipate pedestrians to desire to walk to. The landscape areas on site are utilized for open area maintaining clear lines of sight or to connect into existing slopes. There is no designated public gathering space on site that is located outside the building.
 - 4.C.1.D. Common gathering area required, whereas non are provided (W)
No common gathering areas for external use are proposed. Since the intended use will cater toward patrons that are not feeling well, we do not want to propose additional gathering areas that will provide a hardship to sanitize and maintain for proper health conditions.
 - 4.C.2.D. Required shelters for public transit, whereas non are provided (W)
We do not have a local bus stop location on the premise for public transit pick up or drop off. Therefore, we are not providing a shelter for same. If desired, we would be willing to post signage in one of the parking spaces designated for patron drop off and pick up.

- Parking Setbacks
 - Front Yard (50' is permitted) – 19.2' is proposed (W)
Due to the corner lot setbacks, we have positioned the building outside the 50' front yard setback. This has resulted in limited space in the rear and sides of the site to position parking and access roads. We have moved these improvements as far out of the setback as reasonable.
 - Side Yard (20' is permitted) – 5.2' is proposed (W)
Due to the corner lot setbacks, we have positioned the building outside the 50' front yard setback. This has resulted in limited space in the rear and sides of the site to position parking and access roads. Note that the parking is proposed within the side yard setback which abuts parking and a drive-thru lane on the neighboring lot.