

## **SUTTON PLANNING BOARD**

### **Meeting Minutes**

**February 27, 2023**

Approved \_\_\_\_\_

\*Note- This meeting was held in person and remotely via Zoom in accordance with recently enacted legislation. The Chair read a notice regarding the hybrid meeting format. (see end of minutes)

Present in person: W. Talcott, R. Largess Jr., M. Gagan, E. McCallum (Associate)

Present remotely: W. Baker

Absent: S. Paul

Staff: J. Hager, Planning & Economic Development Director

E. McCallum acted as a full member in place of S Paul.

Public Hearings:

#### 15 Pleasant Valley Road – Convenient Med Urgent Care Center - Site Plan Review, Route 146 Overlay District & Groundwater Protection Special Permit

M. Gagan read the hearing notice as it appeared in The Chronicle.

The Planning Director stated a request to continue has been received from the attorney for the applicant. The main issue at present is whether the lot is a legally buildable lot as there is a question about the frontage of the lot. The proponent is also before the Zoning Board of Appeals (ZBA) for a Use Special Permit and sign variances, they are expected to continue to the first April meeting with the ZBA. There were no public comments.

Motion: To grant a continuance to April 10, 2023 at 7:15 PM, R. Largess Jr.

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

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

\*As there was a time gap before the next scheduled public hearing, the Board dealt with some Administrative Items:

Motion: To approve the minutes of 2/06/23 as amended, R. Largess Jr.

2<sup>nd</sup>: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

Filings – None.

Site Visit Reports – The Board received site visit reports for Blackstone Logistics Center, Unified Parkway, and Unified Building #3. M. Gagan how helpful he feels the site visit reports are

Abutting Town Notices of Interest: None

Correspondence: None

Board Business: J. Hager stated bylaw changes will include updates to the flood plain bylaw required to ensure continued coverage for residents with National Flood Insurance (over \$3.2 million in property in Sutton) as well as disaster assistance to the Town from various Federal sources. She noted that she and the Building Commissioner have met with the State officials regarding the bylaw changes.

Her position will also be designated as the Flood Plain Administrator (FPA), tracking changes within the floodplain. Additionally, changes to the Earth Removal Bylaw are being considered which are largely housekeeping in nature. If possible these will be delayed until Fall Town Meeting. She noted the Attorney General has asked for two 90-day extensions to date, so this bylaw technically is not in place yet. Therefore, it makes sense to wait until Fall to incorporate any comments from the AG review and the other changes the Town wants to make.

#### 10 Mark's Way – Accessory Apartment Special Permit

M. Gagan read the hearing notice as it appeared in The Chronicle.

Lindsey Welcome explained they are requesting Special Permit to add a 944 s.f. accessory apartment onto their home. The Board reviewed the lot plan, floor plan, and architectural elevations of the proposed addition.

W. Baker asked if there will be an entrance from the garage to be able to get from the home into the apartment more quickly. There will be a door from the garage to a shared hallway, then a door into the apartment to access the apartment from the main home completely indoors. The Chair said he felt the proposed apartment meets the criteria of the bylaw including being clearly subordinate to the main home and maintaining the appearance of the single family home. M. Gagan asked about Board of Health approvals. L. Welcome noted the home is on public water and sewer.

There were no public comments.

Motion: To grant the Special Permit for a 944 sf. Accessory apartment at 10 Mark's Way with the following conditions: M. Gagan

1. Approval of all other required departments, boards and/or commissions, especially from the Building Department.
2. Separate street numbers must be utilized as assigned by the Board of Assessors. Said numbers shall be clearly posted on the home and accessory apartment and at the street if not visible from the street to ensure emergency vehicles and response personnel know where/how to gain access to each dwelling unit.

2<sup>nd</sup>: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

Motion: To close the public hearing, M. Gagan

2<sup>nd</sup>: R. Largess Jr.

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

#### 143 Burbank Road – Retreat Lot Special Permit

M. Gagan read the hearing notice as it appeared in The Chronicle.

Raouf Mankaryous of Alpha Omega Engineering Inc. and applicant Joseph Danko were present to ask the Board to grant a Special Permit for a 5.83 acre retreat lot with 155' +/- of road frontage at 141 Burbank Road. The front portion of the proposed lot is currently shown as a portion of 143 Burbank Road and the rear is a portion of 91 Burbank Road. The remainder of 143 is conforming on its own. The Board reviewed the aerial and plans.

There were no public comments.

- Motion: To grant the Special Permit for a 5.83acere/155' frontage retreat lot at 141 Burbank Road with the following conditions: R. Largess Jr.
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, especially the Conservation Commission.
  3. The Driveway shall have a maximum grade of 12% and minimum paved width of 12' width and 15' cleared width.
  4. The house number shall be clearly visible at the street in both directions of travel.
  5. Underground utilities shall be provided on this retreat lot, unless the Planning Board makes 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.
  6. No occupancy permit shall be granted until all conditions and requirements of this bylaw are 100% complete.

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

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

Motion: To close the public hearing, R. Largess Jr.

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

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

#### Action Items:

40 Unified Parkway – Stormwater Field Change – Matthew Piekarski, Director of Development for the Kraft Group and Keith Curran, P.E. of Bohler Engineering were present via Zoom to request a field change for stormwater management/treatment from the proposed Stormtech units to “Geo-Storage” units. The Board reviewed design drawings. M. Gagan read commentary from Graves Engineering for the Town of Sutton and Don Provencher on behalf of Wilkinsonville Water District approving the changes.

Motion: To approve the field change from Stormtech unit to “Geo-Storage” units per the plans and information submitted, R. Larges Jr.

2<sup>nd</sup>: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

#### 146 South Sutton/Douglas Town Line – Potential Warehousing

J. Hager explained the Town has received an Environmental Notification Form for 2.8 million square feet of warehousing straddling the Sutton /Douglas town line along Route 146 South where the existing Pyne Sand & Stone and Dauphinais Concrete operations are located in Douglas/Sutton. She stated she will be drafting comments about Suttons initial concerns, which will likely focus on traffic, for the Boards review and submission to the State. It was noted the importance of looking at impacts regionally from all existing and proposed projects along the corridor.

#### 65 Gilmore Drive – Lifesong Church – Dumpster/paving Adjustment

Eric Arthur, Chief Estimator/Project Manager with Bowdoin Construction was present to review proposed changes to the dumpster location from the front of the building to the rear of the building along with related paving and drainage changes. The paved drive that used to go around the building was supposed to be torn up and grassed when the addition was put on. It is now proposed that this drive remain and be

squared off at the end of the existing building and the dumpster be placed there, hidden behind the building. The old location will have some paving and curbing changes and both spots will have some adjusted drainage to make sure runoff doesn't create issues. The Board reviewed approved and proposed plans. R. Nunnemacher of 24 Singletary Avenue expressed concern with the trash trucks ability to pull in and safely back all the way out approximately 85' within the narrow drive. It was noted trash pickup typically does not happen during services/when the parking lot is busy. There was discussion about Konex storage containers on the site and the need for permitting if any are needed long term/permanently. Lifesong has provided an application for Waiver of Site Plan Review in case the Board felt the proposed dumpster/paving change does not qualify as a field change.

Motion: To approve the field change to allow paving and related stormwater changes and relocation of the dumpster from a screened area in front of the building to an unscreened spot behind the building with the approval of Graves Engineering, M. Gagan

2<sup>nd</sup>: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

#### Village Center – Request to Sponsor Extension of the Sutton Center Village Overlay District

Keith Downer of 334 Boston Road was present to ask the Board to sponsor an article to extend the Sutton Center Village Overlay District to the west to include his adjacent parcel as well as the adjacent land at 322 and 324 Boston Road at the request of these landowners. He stated two additional landowners within this immediate area may also wish to be included but he hasn't spoken with them yet. His main focus is the preservation of historic attributes of his home/property which the overlay provides. The Board viewed and aerial which showed the Overlay District and the requested extension. J. Hager explained that typically the Board sponsors an article if they feel it serves more than the interests of one party, and has a broader planning/public purpose/benefit. Mr. Downer noted he brought the request to the Historic Commission, of which he is Chair, but not acting as Chair at the meeting. The Commission supported the extension and would like to co-sponsor the article with the Planning Board if they decide they agree to sponsor the article. In response to various questions, the Planning Director explained the Sutton Center Village Overlay area started through consideration/formulation using the limits of the National Historic District. However, the working group who chose to participate narrowed this very broad area down to just four parcels feeling the change should be undertaken in "baby steps". The main focus of the overlay is to preserve existing architecture and land use patterns and emulate these for any new development within the overlay. The overlay does allow a limited group of non-residential uses similar to Polly's Antiques and small eateries, etc. through a public hearing process. M. Gagan stated so often the Board hears the public wanting to maintain the look/charm/character of the Town and he feels greater application of this overlay does just that. W. Baker agreed stating the "ambiance" this overlay can maintain/create is beneficial to Sutton.

The Board was willing to sponsor the extension but discussed whether it should go to Spring or Fall Town meeting. J. Hager suggested perhaps it could wait until Fall, when Zoning articles are typically considered. P. Nichols of 167 Burbank Road said she felt the Board should wait until Fall as that would provide more time for other interested land owners to learn about the proposal and maybe participate. J. Hager noted overlay districts can contain non-contiguous plots of land, but typically not those that are owned by just one party. So, you can easily extend out the limits of the Overlay continuously from its current boundaries, or would add groupings of non-adjacent land that contain more than one landowner. The Board agreed they will wait until Fall Town meeting, and will co-sponsor the article with the Historic Commission.

Motion: To adjourn, R. Largess Jr.

2<sup>nd</sup>: E. McCallum

Vote: 5-0-0, R. Largess Jr.-aye, W. Talcott-aye, M. Gagan-aye, E. McCallum-aye, W. Baker-aye

Adjourned 8:53 PM

Covid Meeting Statement:

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, this meeting of the Sutton Planning Board is in a hybrid format with both in-person and Zoom component. To join the meeting visit [www.zoom.us/join](https://www.zoom.us/join) and enter Meeting ID: **854 5468 2346** Passcode: **032732**. The meeting will be broadcast and recorded on local public access station (Verizon 31 & Charter/Spectrum 191) and live streamed on the Towns YouTube channel when available.