

October 31, 2023

via Electronic Mail & Hand Delivery

Planning Board  
Sutton Town Hall  
4 Uxbridge Road  
Sutton, Massachusetts 01590

Attn: Jennifer Hager, Community Development Director

**Re: Response to Comments  
Modification to Site Plan Review & Special Permits  
Proposed High Speed Diesel Addition  
27 Worcester Providence Turnpike, Sutton, MA**

Dear Members of the Board:

Bohler Engineering MA, LLC is in receipt of a comment letter from Jeffrey Walsh, Graves Engineering, dated October 20, 2023. On behalf of Applicant Drake Petroleum Company, Inc., Bohler Engineering MA, LLC offers the following responses. For clarity, original comments and our original responses are in italics. The current comments and our current responses are in bold.

## **Zoning By-Law**

*Comment 1. GEI has no issues relative to compliance with the Zoning By-Law.*

*Response: Comment acknowledged.*

**No further comment necessary.**

**Response: Acknowledged.**

*Comment 2. GEI has no engineering-related issues with the waiver requests. GEI understands that the Planning Board will address waiver requests.*

*Response: Comment acknowledged.*

**No further comment necessary.**

**Response: Acknowledged.**

*Comment 3. In the Town of Sutton Planning Board & Department, Sutton Planning Board Special Permit Decision (Sutton Zoning Bylaws Section IV.P), Condition 1 references a use restriction on the open space portion of the project. GEI is not aware of the location of the open space portion of the formerly approved site plan. GEI defers to the Planning modifications.*

*Response: Comment acknowledged. We believe the Open Space portion of the property is towards the rear, encompassing the septic system, well, and wooded area. The proposed expansion is mostly on a lot adjacent to the original project (not included).*

**Acknowledged.**

Upon further review and by obtaining documents at the Worcester District Registry of Deeds (Book 3970, Page 211 - 214, Exhibit A and Plan Book 836, Plan 4), the open space is around the on-site well. Although the limits of the open space on the plans (175-foot radius) do not fully follow those shown of Book 3970, Page 211 -214, work is not proposed in the open space.

**Response:** See draft 81X plan documenting existing Open Space limits, as well as proposed 100' Residential Buffer Easement to be recorded.

*Comment 4. In the Town of Sutton Planning Board & Department (Site Plan Review Approval) for property at 27 Worcester Providence Turnpike, dated March 15, 2006, Condition 2 required the recording of a "southern buffer". The modified site plans do not show an easement. GEI defers to the Planning Board and/or its staff whether Condition 2 affects the proposed site plan modifications.*

*Response: Comment acknowledged. See response above.*

Upon further review and by obtaining documents at the Worcester District Registry of Deeds (Book 3970, Page 211 - 214, Exhibit A-1 and Plan Book 836, Plan 4), the buffer area is within the proposed area of development. GEI understands that the approval of the existing facility may have contemplated moving the buffer area if Lot "A" at the south end of the site were to be developed. The proposed diesel fueling area is proposed partially on Lot "A".

The Planning Board may wish to consider the following:

- A. Relocating the visual buffer as proposed on the plans with the following modification.
- B. To the extent possible, provide a means to keep customers of the gas station and convenience store from going around any fence. If a fence is installed, it will be much closer to the Colonial Road property lines. I walked around the northeast end of the existing fence on October 4, 2023. Trash was present and I saw evidence that people go behind the fence to relieve themselves (perhaps they don't want to go inside the building, or the restroom(s) were occupied). In any event consideration should be given to extending the southwestern end of the fence about 110 feet and extending the northeastern end of the fence about 200 feet (past the open space area around the well and past the retaining wall).
- C. The potential need for a noise buffer - trucks accelerating (although slowly) from the new diesel pumps may be an issue

**Response:** See draft 81X plan documenting existing Open Space limits, as well as proposed 100' Residential Buffer Easement to be recorded as discussed at the Planning Board hearing on 10/23/23.

The proposed fence has been extended to the southwest approximately 50 feet. Further extension would limit access/maintenance to the drainage structures.

The proposed fence was also extended approximately 90 feet to the northeast to the starting portion of the proposed retaining wall. The retaining wall itself should act as a deterrent for pedestrians going behind.

Six evergreens are proposed behind the proposed fence as discussed at the recent Planning Board hearing to improve both visual and sound buffers to the abutting residences. It was also requested that an evaluation of the proposed 6' high vinyl fence be given approximately one year after starting expanded operations to determine if further measures are necessary to mitigate potential noise impacts.

## Hydrology Calculations & Stormwater Management Review

Comment 5. GEI reviewed the hydrology computations and found them to be in order except as noted in the following comment.

Response: Comment acknowledged.

**The hydrology computations are in order.**

**Response: Acknowledged.**

Comment 6. *The hydrology computations modeled two twelve-inch outlet pipes and one six-inch outlet pipe from Pond 1 P: Forebay, but Sheet C-401 does not show these outlet pipes. Sheet C-401 shows that the two existing six-inch pipes are not to be changed. The information in the hydrology computations and on the plans needs to be consistent.*

Response: *A site visit revealed that the two six-inch pipes on sheet C-401 referenced in the comment above are two twelve-inch pipes, corresponding to the hydrology computations previously submitted. Sheet C-401 has been updated accordingly to reflect these findings and is consistent with the drainage report.*

**Acknowledged. The design engineer confirmed that the two existing pipes in question are twelve-inch diameter, and the plans were revised accordingly. Flow associated with the modeled six-inch is insignificant compared to the flow associated with the two twelve-inch pipes and as such doesn't warrant revising the hydrology computations to eliminate the third (six-inch diameter) pipe.**

**Response: Acknowledged.**

Comment 7. *Compliance with the MassDEP Stormwater Standards and Stormwater Handbook is reasonable. The proposed stormwater management modifications follow the scenario in place at the existing facility.*

Response: *Comment acknowledged.*

**No further comment necessary.**

**Response: Acknowledged.**

## General Engineering Comments

Comment 8. *GEI has no engineering related issues with the site plan modifications nor with the findings of the Traffic Memorandum.*

Response: *Comment acknowledged.*

**No further comment necessary.**

**Response: Acknowledged.**

## General Comments

Comment 9. *GEI understands that the Board of Health would address whether modifications to the septic system are needed considering three new fueling positions (a criterion for calculating wastewater design flow) are being proposed.*



*Response: Comment acknowledged.*

**No further comment necessary.**

**Response: Acknowledged.**

We trust the above as well as the attached information are sufficient for your continued review of the project. Should you have any questions or require additional information, please do not hesitate to contact me at (508) 480-9900.

Sincerely,  
**BOHLER ENGINEERING MA, LLC**

A handwritten signature in blue ink, appearing to read "Drew Garvin".

Drew Garvin  
Project Manager

Cc: Jeffrey Walsh, Graves Engineering