

October 17, 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 Jennifer Hager, Community Development Director, dated September 8, 2023. On behalf of the Applicant, Drake Petroleum Company, Inc., Bohler Engineering MA, LLC offers the following responses. For clarity, the original comments are in *italics*, while our responses are directly below in **bold** type.

## **General**

*Comment 1. On Sheet C-201 Demolition Plan there are numerous notes that indicate site elements are "to be retained" including the wooded area just outside the 100' wetland buffer that clearly will NOT be maintained. Please review these notations and correct so they are accurate. Also, please clearly differentiate between site elements that will be retained in their current location and those that will be retained but relocated.*

**Response: TBR stands for "to be removed" (not retained). We have reviewed the plans and updated any similar notations as appropriate.**

*Comment 2. This site also has a Special Permit for the restaurant drive through window. The required reserve queuing of 20 spaces must be maintained in this revised site design, please indicate where it is located.*

**Response: The HSD expansion will not alter the queuing length previously approved. Our analysis shows that 21 cars can queue from the drive-thru window to the end of the island extension.**

*Comment 3. While you are maintaining the required 100' separation between a residentially zoned district line and the principal use, you are clearing within 80'. At a minimum the 20' of area cleared must be revegetated or provide screening similar to that provided by this additional 20' of vegetation.*

**Response: We have revised the plans to show a 6' high vinyl fence in addition to some plantings to complete the additional 20' of vegetation/screening in the south east corner of the proposed expansion area that encroaches. The proposed fence has been extended along the east side of the expansion area to further protect the 100 foot wetlands buffer zone area as requested by the Conservation Commission.**

*Comment 4. A wall and/or sound wall may be necessary to mitigate the effect of headlights and tractor trailer maneuvering sounds.*

**Response:** See response above. The proposed fence has been provided and will mitigate any headlight/noise issues as requested.

*Comment 5. Are the overhead canopy and truck pumps on the north side of the site to remain? If so, why? And if not, please make this clear on the plans.*

**Response:** Yes, the existing High Speed Diesel (HSD) bays on the south west side are to remain. The intent of this project is to expand the HSD bays available. All site features and structures outside the limit of work are to remain.

#### IV.C. - Site Plan Review

*Comment 4.a. Please provide signature lines for the Planning Board on every sheet, preferably in the same location on each sheet.*

**Response:** Signature blocks have been added to the sheets as requested.

*Comment 4.b. The owners and applicants name and address should be clearly stated on the cover sheet. Global Partners LP is neither the applicant nor the owner, therefore it is unclear why they are listed on any sheet. The applicant information provided on sheet C-301 is not consistent with the applicant stated on the actual application form.*

**Response:** The plan sheets have been updated to accurately reflect the Applicant as Drake Petroleum Company, Inc.

*Comment 4.d. Note abutting land uses.*

**Response:** Residential property abuts the project to the south, with land owned by N.E. Power Co. owning the property to the north. Zoning District information has been added to the Site Layout Plan (Sheet C-301) under owner's and abutters' property information per Comment 4.m.

*Comment 4.e. Provide canopy architectural elevations including height. A waiver has been requested.*

**Response:** Canopies are intended to match the existing. Photos of the existing canopies have been provided for reference as part of this submittal package.

*Comment 4.g. Provide more detail including intensity, color and cut sheet/brochure for proposed lighting. Also provide photometric plan for at least new portion of this site. A waiver has been requested; however, a photometric plan is essential to understand any potential effects on abutters.*

**Response:** A photometric plan is now provided in the plan set with a detail for the lighting proposed provided on the Lighting Plan (Sheet C-703).

*Comment 4.k. Nearly all earth removal/disturbance must obtain a permit, in this case you qualify for an abbreviated permit (application attached) which does not require a public hearing but will require you provide the information required by the bylaw (attached).*

**Response:** A completed Earth Removal Permit application (abbreviated) will be provided under separate cover.

*Comment 4.l. Please provide a detailed landscape plan particularly for the 20' intrusion into the 100' residential zoning district buffer. A waiver has been requested; however, a detailed landscaping/screening plan is necessary considering the potential effect of the expanded use on abutting residential homes.*

**Response:** See response to Comment 3 above. Landscaping Plan included.

*Comment 4.m. Zoning district boundaries are not apparent within the plan set.*

**Response:** Zoning District boundaries have been added to the plans for clarity as appropriate on the Site Layout Plan (Sheet C-301).

*Comment 4.n. Traffic flow patterns particularly where this increased truck traffic will meet up with other vehicle traffic needs to be clearly shown. Please quantify/ provide a traffic memorandum/study for how this fueling technology and increased pump capacity is expected to affect traffic generation at this site.*

**Response:** A Traffic Memorandum was provided with the original application. Not more than 30 trips are anticipated during peak hours based on ITE information.

*Comment 4.p. Provide canopy architectural elevations including height and if any signage is proposed on the canopy. Provide specific architectural block type and color for proposed retaining wall.*

**Response:** Canopies are intended to match the existing. Photos of the existing canopies have been provided for reference as part of this submittal package.

## V.D. - Route 146 Overlay District Bylaw

*Comment 4.a.3. Work is proposed on slopes over 15%. Waiver required.*

**Response:** The Applicant respectfully requests a waiver for proposed work on slopes greater than 15%. There is limited area available for this HSD expansion due to the adjacent wetlands and associated 100' buffer zone and 175' well protection radius which need to be protected. This limits the proposed expansion area to the immediate south west of the existing facility, which includes an approximately 12' wide sloped area triggering the 15% slope earthwork waiver request.

*Comment 4.b.1. Open Space to be maintained must be clearly indicated on with the plan set.*

**Response:** All land north (rear) of the existing facility and proposed expansion will remain as "Open Space" and be maintained as appropriate, including existing septic system and well. The only "Open Space" adjacent to the expansion is the proposed fencing/landscaping area adjacent (south east) of the pavement.

*Comment 4.b.2. Buffers to residential districts must be at least 50% evergreen plantings.*

**Response:** See response to Comment 3 above. Landscaping Plan included for approval.

*Comment 4.c.1. Please provide a detailed landscape plan particularly for the 20' intrusion into the 100' residential zoning district buffer. A waiver has been requested; however, a detailed landscaping/screening plan is necessary considering the potential effect of the expanded use on abutting residential homes.*

**Response:** See response to Comment 3 above. Landscaping Plan included for approval.

*Comment 4. c.2.e Traffic flow patterns particularly where this increased truck traffic will meet up with other vehicle traffic and any crossing pedestrians needs to be clearly shown.*

**Response:** Additional signage is provided on the Site Layout Plan (Sheet C-301) regarding the drive-thru use and new HSD expansion operations for clarity. The proposed HSD expansion is intended to be separate from the existing operations. The

**crosswalk has been extended to meet the relocated employee parking spaces. Existing/previous vehicle and pedestrian patterns for the facility will remain unchanged.**

*Comment 4.c.3. Are two spaces enough for tractor trailer parking? Is there a standard?*

**Response: Two tractor trailer stalls are more than is usually offered at these types of facilities. There is no standard or requirement.**

*Comment 4.c.5. Provide more detail including intensity, color and cut sheet/brochure for proposed lighting. Also provide photometric plan for at least new portion of this site. A waiver has been requested; however, a photometric plan is essential to understand any potential effects on abutters.*

**Response: A photometric plan is now provided in the plan set with a detail for the lighting proposed provided on the Lighting Plan (Sheet C-703).**

*Comment 4.c.6. Is any additional or modified advertising signage proposed.*

**Response: Not at this time. Also see response to 4.g. above regarding canopies to match existing.**

*Comment 4.c.9. Please provide backup for the protected well radius of only 175'.*

**Response: Well radius information from initial permitting/approvals are provided for reference as part of this submittal package.**

*Comment 4.c.10. Provide canopy architectural elevations including colors/finishes. A waiver has been requested. Provide specific architectural block type and color for proposed retaining wall.*

**Response: We request to submit this information when the materials are chosen and that it be listed as a condition of approval for Planning Board to receive and review prior to construction.**

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**



Drew Garvin  
Project Manager

Cc: Wanda Bien, Sutton Conservation Commission  
Jeffrey Walsh, Graves Engineering













32 Crabtree Lane, P.O. Box 849  
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(860) 928-7848 FAX (860) 928-7846

June 14, 2007

Ms. Jennifer Hager  
Town Planner  
Sutton Town Hall  
4 Uxbridge Road  
Sutton, MA 0159

Dear Jen,

There has been a question raised about the location of the underground petroleum tanks in relationship to the well on the new XtraMart site located on Rte 146 in Sutton. Underground petroleum tanks are prohibited by section IV,G.6.b.2 unless a separation distance per section IV,4 of the Zoning regulations is satisfied. We have surveyed the location of the well and the petroleum tanks and have documented that the separation distance is in excess of 550 feet. The separation distance of 550 feet exceeds that which is required by section IV,4 which the Town has stated should be 440 feet.

I believe that the well and the underground petroleum tanks were all constructed in conformance with the approved plans and the DEP approval of the well.

Please let me know if further information is required to resolve this issue.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott G. Young".

Scott G. Young, P.E.  
Director of Civil Engineering

cc: Tom Danieluk, Drake Petroleum

Sutton, Extra Mart 2290028 TNC  
BRP WS 15 Pump Test Report & Construct Source  
MassDEP Tr. # W066612, Page 5 of 6

## 9. Specific Permit Conditions

- 9.1 Procedures and Guidelines for Bedrock Wells - The Applicant shall follow the procedures, policies and guidelines that are relevant to the Bedrock Wells, in accordance with the requirements of MassDEP's Guidelines and Policies.
- 9.2 Well Pumping Rate and Zone-1 Radius - The Well is approved for a pumping rate of 2950 gallons per day or approximately 2.2 gallons per minute. The Zone-1 radius for Well is 175 feet. **MassDEP Guidelines and Policies for Public Water Systems indicate that this Zone 1 specifies a maximum flow rate from the well of 2,950 gallons per minute.** The Applicant owns and controls all of the property within the Zone-1 radius of the well.
- 9.3 Construction Certification - The Applicant shall submit to MassDEP, prior to the final inspection of the project, a copy of the Engineer's certification letter/report on the construction of the well and its compliance with MassDEP's regulations, guidance and policies. The Engineer's report shall also include a final set of as-built plans, and include discussion of the data with conclusions, and any treatment options to provide safe drinking water.
- 9.4 Operation and Maintenance Manual - The Applicant shall submit to MassDEP for review and approval, a an Operation and Maintenance (O&M) Manual, at least 30 days prior to the final inspection of the Public Water System.
- 9.5 Sampling Schedule - A revised sampling schedule will be generated for your Public Water System after the final inspection has been conducted. Please be advised that a Massachusetts certified laboratory must conduct all required analyses. Please have all water quality analytical data reported on Department Forms, to enable efficient review of the water quality data.
- 9.6 Final Inspection - MassDEP must be notified upon completion of the construction of this project, so that MassDEP personnel may conduct the final inspection of the facility. Please allow at least ten (10) working days for MassDEP personnel to conduct the final inspection. MassDEP's written approval must be obtained prior to placing the Public Water System in service.
- 9.7 MEPA Section 61 Findings - In order to minimize and prevent damage to the environment, MEPA Section 61 Findings are attached to and made part of this permit. These findings and mitigation measures are therefore implemented by and are enforceable under this permit