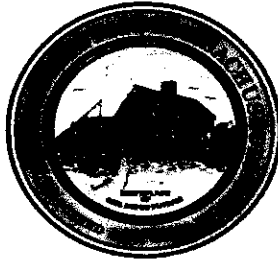


Tomm Connors, Chair
Robert S Largess, Jr.
Scott Paul
Scott Hughes
Tomm Salemi
Dan Moroney, Associate



Sutton Town Hall
4 Uxbridge Road
Sutton, Massachusetts 01590
Telephone: (508)865-8729
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Jennifer S. Hager
Planning Coordinator



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TOWN OF SUTTON

PLANNING BOARD & DEPARTMENT

Sutton Planning Board Special Permit Decision

March 15, 2006

Town Clerk
 Town of Sutton

OWNER: T.E.D. Realty Trust
 Book 33173 PAGE 256

The Town of Sutton Planning Board ("Planning Board"), at a meeting held on March 13, 2006, voted to approve the Special Permit application ("Application", submitted on October 3, 2005 by Drake Petroleum, P.O. Box 866, North Grosvenordale, CT 06255 ("Applicant"), for property located at 27 Worcester Providence Turnpike. The Special Permit was requested under Section IV.P. of the Sutton Zoning Bylaws, for compliance with the Route 146 Overlay District Regulations for construction of an XtraMart Convenience Store with a Dunkin Donuts and Subway restaurant that will include a drive through window and gasoline pumps.

Public hearings concerning the application and associated project were held on the following evenings:

October 24, 2005	November 21, 22005(no discussion – automatic continuance)
January 9, 2006	January 23, 2006 February 6, 2006
March 13, 2006	

Following the close of the public hearings, the Planning Board conducted deliberations on the following evenings:

March 13, 2006

The following members of the Planning Board were present at the public hearings and on the evening of the decision:

S. Hughes, T. Connors, S. Paul, R. Largess

The following members of the Planning Board were absent the evening of the public hearing and/or the evening of the decision:

T. Salemi (1/9/06, 1/23/06) S. Hughes(11/21/05) D. Moroney (present at all meeting but not member on 10/24/05 & 11/21/05)

JMH

Drake Petroleum, Inc.
 PO Box 866
 North Grosvenordale, CT
 06255

The following members voted in favor of granting the approval:

T. Salemi, S. Paul, S. Hughes, R. Largess, T. Salemi, D. Moroney

The following members voted in opposition to the approval:

None

The following individual(s) spoke in favor of the application:

The Applicant

The Applicant's engineering team

The following individuals raised questions and/or expressed concerns with the Application:

Various individuals, per the public record


The Planning Board made findings in open meeting that the proposed use of the facility was consistent with the Special Permit requirements of the Route 146 Overlay District. Four (4) waivers were granted from this criteria. In light of these findings, The Planning Board determined it is appropriate to grant this Special Permit with conditions to ensure continued compliance.

Approval was based on the following plans and documents as submitted:

<u>Sheet Title</u>	<u>Sheet #</u>	<u>Date</u>
Cover Sheet	C-1	3/13/06
Existing Conditions Plan	C-2	1/23/06
Site Development Plan	C-3	3/13/06
Drainage Plan	C-4	3/13/06
Construction Details	C-5	1/31/06
Erosion & Sediment Control Plan	C-6	3/9/06
Lighting Plan	C-7	1/31/06
Roadway Imp. Title and Index Plan	HWY-1	9/27/05
Symbols, Etc..	HWY-2	9/27/05
Typical Section & Profile	HWY-3	1/9/06
Details	HWY-4	9/27/05
Floor Plan	A-1	N/D
Entry elevation	A-2	N/D
Drive Through Elevation	A-3	N/D
Canopy & Sign Elevation	A-4	N/D
Landscape plan	L-1	1/23/06
Planting Details	L-2	1/23/06

Approval was also based on the following conditions:

1. Prior to commencement of construction, the Applicant shall produce a permanent use restriction on the open space portion of parcel, which prohibits any changes to this area, in a form acceptable to the Planning Board;
2. There shall be no outside open storage;
3. The applicant will ensure that all plantings and fencing is properly maintained including replacement of dead or diseased plantings in the next planting season, semi annual inspection will be allowed by the applicant by a qualified agent of the Town as determined by the Planning Board
4. Prior to commencement of construction, the applicant shall install the stockade fence, and at the first spring or fall planting season shall install required plantings,
5. The project landscape architect shall, when the perimeter plantings are nearly completed, review the planting with a representative of the Town for the purpose of adding trees and plants which may be reasonably necessary to complete the intended screening
6. Within 6 months after occupancy, the Board will review the site lighting and sound to ensure is not obtrusive or dangerous and will require adjustments if necessary
7. No overnight parking


Tomm Connors, Chairman

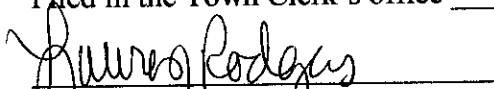
NOTE: Any appeals to this decision shall be made pursuant to M.G.L. Chapter 40A §17 within twenty days of the filing of this decision with the Town Clerk.

cc: Town Administrator
Board of Assessors
Conservation
Tax Collector

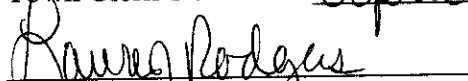
Building Inspector
Fire Department
Board of Appeals
Applicant

Board of Health
Police Department
Highway Department
Parties in Interest

Filed in the Town Clerk's office March 15, 2006


Laura J. Rodgers, Town Clerk

I, Hereby certify that twenty-one days have lapsed since the filing of the above reference decision in the Town Clerk's office on April 27, 2006 and that no appeal has been filed.


Laura J. Rodgers, Town Clerk

ATTEST: WORC. Anthony J. Vigliotti, Register