

Robert S. Largess, Jr., Chair  
Scott Paul, Vice-Chair  
William Talcott  
Walter A. Baker  
Michael Gagan  
Erica McCallum, Associate

Jennifer S. Hager  
Community Development Director



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## TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

### SITE PLAN AND SPECIAL PERMIT DECISION

November 22, 2023

Town Clerk, Town of Sutton

At a meeting held on November 20, 2023, the Sutton Planning Board, in accordance with Zoning Bylaw IV.C. – Site Plan Review and V.D. – Route 146 Overlay District, voted to approve the **Site Plan and Special Permit** applications. The applications were submitted by Drake Petroleum Company, Inc. of Waltham, MA for property owned by them at 27 Worcester Providence Turnpike. The applicant requested to expand the existing development with construction of three additional high speed diesel fueling positions, two additional underground storage tanks, an associated canopy, and related site changes.

Public hearings concerning the application and associated project were held on the following evening(s): 9/11/23, 10/23/23, 11/6/23, 11/20/23

The Planning Board conducted deliberations on the following evening: 11/20/23

#### Hearing Attendance/Absence:

9/11/23	W. Talcott, R. Largess, Jr., S. Paul (absent), W. Baker, M. Gagan, E. McCallum (associate)
9/25/23	W. Talcott, R. Largess, Jr., S. Paul, W. Baker, M. Gagan, E. McCallum (associate)
10/23/23	W. Talcott, R. Largess, Jr., S. Paul, W. Baker, M. Gagan, E. McCallum (associate)
11/6/23	W. Talcott, R. Largess, Jr., S. Paul (absent), M. Gagan, W. Baker, E. McCallum (associate)
11/20/23	W. Talcott, R. Largess, Jr., S. Paul, M. Gagan, W. Baker, E. McCallum (associate)

Eligible to vote: W. Talcott, R. Largess, Jr., M. Gagan, W. Baker, E. McCallum (associate)

In addition to the Board and Town bodies, the following individuals raised questions and/or expressed concerns with the applications: None

In addition to the applicant and their representatives, the following individuals spoke in favor of the application: None

The Board granted the following waivers after findings in open meeting:

- IV.K.a. – To reduce the amount of reserve queuing from 10 to 4 spaces, having noted there have been limited or no issues with queuing exceeding the base of 20 spaces
- IV.C.4.e. – To allow submittal of photographs and a written description of the canopy over the proposed diesel pumps in lieu of architectural drawings

**Approval was based on the following plans and the attached record document list:**

Site Plan Drake Petroleum Company, LLC – 27 Worcester/Providence Turnpike - Bohler Rev. 11/15/23

Cover Sheet	C-101
General Notes Sheet	C-102
Demolition Plan	C-201
Site Layout Plan	C-301
Grading & Drainage Plan	C-401
Soil Erosion & Sediment Control Plan	C-601
Soil Erosion & Sediment Control Notes & Details	C-602
Landscape Plan	C-701
Landscape Notes & Details	C-702
Lighting Plan	C-703
Detail Sheet	C-901
Detail Sheet	C-902

Global Montello Group Corp & Control Point Associates, Inc. 5/25/23  
Boundary, Topographic & Utility Survey Pages 1-3

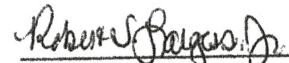
**Approval was conditioned on the following:**

1. Within a month of the appeal period concluding, the applicant shall provide a final set of plans with waivers granted and conditions of approval on the plan set for the Board's endorsement as the record set of plans upon which construction shall be based.
2. Prior to commencement of construction, receipt of all other required approvals from all other permitting authorities and receipt of MassDOT permit(s) prior to operation of the additional pumps.
3. Prior to commencement of construction, the type and color of retaining wall block shall be provided to and approved by the Planning Board.
4. Prior to commencement of construction, the Open Space Plan and Revised Buffer Easement must be recorded and submitted to the Planning Board.
5. Prior to any clearing, the applicant will provide a minimum of one week's notice and review staked limits of clearing with Planning Board representative.
6. Prior to removing any earth from the site, the applicant must provide the location of disposal and the travel route for the Board's approval.
7. Construction shall be limited to Monday through Friday from 7:00 a.m. to 5 p.m. and Saturdays, 7:00 a.m. to 12 p.m. and shall exclude Sundays and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, Christmas Eve, and Christmas. From November 15<sup>th</sup> to April 1<sup>st</sup> equipment may be started at 6:30 a.m. but no construction may commence until 7:00 a.m. In the occasional circumstances where construction activities require additional time to complete outside the above hours, the applicant must give notice to Sutton Planning and/or Police Department.
8. The applicant shall install the berm, stockade fence, and plantings as soon as possible to provide visual and sound mitigation during both construction and use as well as maximum growing time.
9. Prior to use, the applicant shall provide written certification from the project engineer that the site has been constructed in accordance with the approved site plan in addition to an AsBuilt plan for the Board's approval.
10. The site drainage and oil separation system shall be inspected semi-annually to determine, as a minimum, the depth of sedimentation in the sumps and the depth of the oil layer within the structures. If the inspections indicate corrective action is required, the Applicant shall immediately implement the required action. Notice of the inspection shall be provided to the Town's consulting engineer at least forty-eight (48) hours prior to the inspection. In addition, a written report of the inspection findings and any corrective actions



taken shall be submitted to the Planning Board within fourteen (14) business days from the date of the inspection.

11. The site operator shall use its best efforts, including (i) monitoring the site; (ii) posting of appropriately worded signs at various locations on the site; and (iii) notifying the appropriate enforcement personnel, to ensure that all vehicles using the site comply with the requirements of Massachusetts Regulations regarding no idling of vehicles over five (5) minutes
12. The applicant will ensure that all plantings and fencing is properly maintained including replacement of dead or diseased plantings in the next planting season, semiannual inspection will be allowed by the applicant by a qualified agent of the Town as determined by the Planning Board
13. The Board reserves the right to review landscaping for the purpose of adding plants or screening materials which may be reasonably necessary to complete the intended aesthetics and screening.
14. The Board reserves the right to review lighting and require adjustments if they find it to be a danger or nuisance.
15. If issues arise with sound emanating from the site, the Board reserves the right to require additional mitigation which may include sound walls.
16. No overnight parking except for in designated parking spaces.

  
Robert S. Largess, Jr., Chair

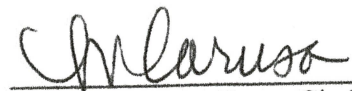
cc: Town Manager  
Board of Assessors  
Highway Department  
Board of Health

Select Board  
Fire Department  
Wilkinsonville Water  
Parties in Interest

Building Commissioner  
Police Department  
Sewer Department  
Applicant

**NOTE: This permit must be utilized within two (2) years or it will expire and no longer be valid.**

Filed in the Town Clerk's office Nov. 22, 2023

  
Laura J. Caruso, Town Clerk

**This decision is subject to appeal in accordance with M.G.L. c. 40A § 17 within 20 days after this decision if filed with the 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 \_\_\_\_\_ and that no appeal has been filed.

\_\_\_\_\_  
Laura J. Caruso, Town Clerk