

## **SUTTON PLANNING BOARD**

### **Meeting Minutes**

**April 25, 2022**

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: M. Gagan, R. Largess Jr., W. Talcott, E. McCallum

Present remotely: S. Paul

Absent: None

Staff: J. Hager, Planning & Economic Development Director (present remotely)

The Chairman welcomed the new Associate Board Member Erica McCallum.

### **Public Hearing – Unified Buildings #2 & #3 – Boston and Providence Roads**

W. Talcott read the hearing notice as it appeared in The Chronicle.

Arthur Mahassel, President of Unified expressed his thanks to the Town and the Board to date with their assistance to date.

Matthew Pickarski, Director of Construction & Development for the Kraft Group introduced the project team and reviewed the information about the project per the attached presentation. Basic facts included the following:

440-acre site with 36 acres in Millbury

January 2021 Notice of Intent (NOI) filed with Conservation to fill former wash ponds and two small isolated resource areas. The area of these small wetlands will include removal of a dilapidated dam along Cold Spring Brook removed at the Commission's request.

Former gravel pit operations left steep slopes over 100' higher than the necessary finished elevation of the rest of the site. In May of 2021 site work commenced encountered structurally unsuitable clay like soils for future construction.

Permitting began in December of 2021 with definitive subdivision filing for approval of a 1-mile, three lane roadway from Providence Road to Boston Road and divided the land into four large parcels and a few smaller parcels. Approval was granted in xxx. They anticipate having the road complete by winter of this year.

Blasting is being used both to level and balance the site but also to produce construction materials for roadway and fills. This has an added benefit of keeping hauling vehicles off local roadways.

Pre-blasting involved extensive geotechnical investigations, met with Sutton Fire and provided all required documentation and information as well as met with Wilkinsonville Water back in January to hear and address all concerns and provided the blast plans. Additionally, all required stormwater plans that had to be filed with the Building Commissioner and these materials were also shared with Wilkinsonville Water along with information about blasting compounds and confirmation that no perchlorates will be used as they are a banned substance in the industry. The nearest residence is 865' away from the blast area and the Hatchery Well is over 1,400' away. Nothing is within the State requirements for a pre-blast survey, going beyond State requirements for seismic monitoring. Have established a communication website with information about the site at [www.unified2parkwayproject.com](http://www.unified2parkwayproject.com) to share information.

Attorney David Libardoni of Nuttier, McClellan & Fish LP overviewed the current application. Building #1 is only is design they will be returning at a later date to permit this building. The current applications are for two (2) proposed buildings for Unified's use as warehouse with distribution. Building #3 343,000 s.f. - Building #2 652,000 s.f. the buildings require the following permits:

Special Permit for Warehouse with distribution use

Special Permit for height to exceed 35' going to 40'

Special Permit under the Groundwater Protection District

Special Permit for a Common Driveway between Lot 2 & 3 to separate employee and truck traffic as much as possible.

Site Plan Approval for both sites with various waivers including providing less parking based on knowledge of Unified operations and reducing impervious area in the groundwater protection district  
Scenic Roadway/Public Shade Tree Alteration Approval to remove a section of stone wall and a few public shade trees under the General Bylaws

M. Piekarski resumed the presentation with an overview of the floor plans and architectural plans. He noted Unified is trying to maintain the same architecture they have at their headquarter at 223 Worcester Providence Turnpike in Sutton. He reviewed the floor plans, exterior architecture and showed a video simulating the view of building from Unified Parkway. Buildings will be insulated metal panel. Contrast in color and texture will be used at the entrance. Masonry water-table and glazing/window elements as well as skylights on the roof will be utilized. The closest building will be set back 92' from the Parkway at its closest point.

(S. Paul joined the meeting)

He presented videos showing the view shed when driving along the industrial Park roadway, Unified parkway in both directions.

John Kuchik, P.E., of Bohler Engineering reviewed the civil engineering elements of the sites. Building #2 sits on 88 acres and Building #3 on 37 acres. Site constraints include a 250' wide transmission easement and an 125' wide transmission easement with transmission towers, the Wilkinsonville Water well head and Zone 2, as well as Cold Spring Brook and associated wetlands. There are two access points with gated access. Most trucks will use the entrance closest to Boston Road and employees will use central entrance. Building #2 has 113 loading bays, 33 truck parking spaces, and 252 employee parking spaces. Building #3 has 51 loading bays, 118 truck parking spaces and 90 employee parking spaces. He reviewed stormwater control noting they have exceeded requirements. He noted they met with Wilkinsonville Water about this aspect of design specifically and are ensuring all drainage is treated and that all water removed from the ground is returned to the aquifer. There is adequate pressure to handle fire flows. Will replace old 6" line to a larger line and providing easier access from the Parkway. Sewer will flow to Providence Road and tie into public sewer.

Vinod Kalikiri of Vanessa Hangen Brustlin (VHB) review the traffic study for the two proposed buildings. The study focuses on traffic movements outside the site. Traffic generated by Building #1 will be the subject of a future filing. The study had the benefit of knowing how Unified handles their traffic. More than 70% of traffic is traveling toward Route 146 and 100% of trucks. Proposed improvements to Boston Road have been designed looking forward to future needs of Building #1 to limit the disturbance to Boston Road and people using this roadway. He noted Building #1 will likely also require State MEPA review as well. Minimum improvement to Boston Road include widening and construction of a left turn lanes to allow through traffic to continue separately from turning movements. The geometry will accommodate a signal if need in the future.

Christine Champeaux of VHB noted the two lanes existing at Galaxy Pass will continue up through the Boston Road entrance. She reviewed drainage provisions.

W. Talcott asked what triggers the need for a traffic light. V. Kalikiri explained there are Federal standards that control whether an intersection requires installation of a traffic light. Thresholds have been established based on traffic volume over a period of time. Once the thresholds are exceeded a signal must be considered. If you don't exceed the thresholds no light is considered. These two buildings don't exceed any thresholds.

M. Gagan read a statement summarizing the following:

The job of the Planning Board is to review submitted project in accordance with the regulations established by Sutton voters. The Board received comments from departments, peer reviewers and the public which the applicant must respond to.

This meeting is not about the Tax Increment Financing (TIF) proposal for this project approved by Town Meeting nor is about Building #1 which hasn't been filed, it is not about blasting on the site which is not required for these two buildings. And not within Planning Board jurisdiction. The Chairman encouraged better communication from the applicant with respect to blasting. He reviewed ground rules for public participation including being respectful.

Mario Gaimei of 86 Boston Road asked for video of the visual impact from Buttonwood and Boston Roads, etc. He noted concerns with aesthetics as well as water supply and the need for 40' of height. He expressed concerns with removing the dam along Cold Spring Brook and with truck noise and hours of operation.

James Laplante of 26 Heritage Road noted that in December of 2018 Aggregate wasn't allowed to blast and were required to install monitoring wells. He asked if Unified is being required to monitor the aquifer. He wanted to know why they are allowed to blast and Aggregate couldn't.

Keith Downer, Chairman of the Sutton Historic Commission, said he was primarily present to ask for full information for the review of impacts from the Scenic Roadway/Public shade tree application. He asked that the Board not render a decision on this application until the required information has been provided and the Commission has a chance to comment.

Jim Nault of 25 Heritage noted the residents of Heritage depend on their wells so he is nervous. He asked if it was possible to provide the seismic readings that are being taken as his ceilings are cracking. He wondered if the ponds that were filled were perched or spring fed ponds and if they were spring fed what issues might develop over time. He stressed the Board should protect scenic road components and not give applicants carte blanche. He noted the amount of traffic exiting to Providence Road should be evaluated.

Daryl Cunningham of 32 Colonial Road said his well caved in last week. He asked for full transparency. How many complaints have been received, what they were, etc. In response to a question from the Chairman J. Hager noted the Fire Department and Building Department may have logs of complaints, but Planning Board doesn't have jurisdiction over blasting as has not received any complaints. He felt the public should be aware of this data.

Brian Stevenson of 664 Central Turnpike asked if there was any direct access to Buttonwood Avenue. There is not. Are building #2 & #3 part of the TIF? Mandatory that all vehicles registered in Sutton. The Chairman noted this is a requirement in many permits.

He asked if there is a possibility of more than the three buildings currently anticipated on the site. M. Piekarski said they believe only these three buildings will be on the industrial zoned land, but tenant #1 is not quite definite. He noted the Planning Department has requested the applicant think about the creation of affordable housing and they have indicated they would be willing to take a look at this although it is outside their wheelhouse. He felt tractor trailers will be going through town center and that will ruin Sutton. He asked who will pay the bill for infrastructure changes/upgrades. The Board stated the applicants typically pay for any upgrades needed for their development. Need to look at the big picture.

J. LaPlante of 26 Heritage Road asked about planned HUD housing. J. Hager noted the Town has conducted a Housing Needs Study over the past two year which showed a significant percentage of existing Sutton residents who can't handle their housing costs and need more market rate and HUD affordable housing. She stressed affordable housing helps encourage business by having a potential workforce close by, which also drives other economic development like restaurants and retail. She confirmed she has asked Unified to consider partnering with the Town to grow both market rate and affordable housing on this site for existing Sutton residents including Sutton seniors who can no longer afford their taxes and housing costs, the children of residents who can't afford to live here, and current and future Sutton workers. She added that it took over 9 years for South Sutton Industrial park to build out and it did so in phases. She stated at 440 acres it will be typical that this site will also grow in phases. She stressed what is important to understand is that each phase will have to go through the same permitting process where impacts are measured and added to existing conditions and all resulting impacts must be mitigated by the developer. Additionally, conditions are placed that monitor impacts and require mitigation in case the number provided don't end up being accurate.

Ned Bacon of 64 Singletary Avenue asked if an economic impact study has been done. J. Hager stated a Community Fiscal Impact Assessment (CFIA) is required and most of the components have been addressed in the filing but could be pulled together in a more concise format. He suggested the Town should do their own economic impact study and it should be broader and consider quality of life. He asked if an environmental impact plan has been put forth. He noted the applicant should consider their carbon footprint and be sure to include elements like solar on the roofs.

John Belculfine Jr. 75 Leland Hill Road – Wanted to know if the new road will be used as a shortcut? It is currently planned to be private but it will not be gated. He wanted to know why Providence Road is a local roadway, he has heard the road in Grafton they are converting their section to State. He also felt Central Turnpike should be a State roadway.

M. Piekarski noted Unified will be doing a town-wide postcard mailing with the information about their website.

Dan Robertson of 126 Boston Road had concerns with traffic backing up at the Galaxy light and truck stacking and related diesel pollution.

Tracy Connors of Heritage Road noted they have concerns with the health of their wells, the blasting cause things to fall off the walls. She asked who is responsible if something bad happens. She said she felt the traffic and impacts of Building #1 should be considered now. She asked if the residentially zoned portion of the site would remain as a buffer or be developed? M. Piekarski noted when Building #1 proceeds will be looked at and address its impacts comprehensively with the existing impacts of Buildings #2 & #3 considered. She asked when there will be a meeting to discuss blasting. J. Hager stated Planning has no jurisdiction, blasting is carried out through State law and she isn't aware of a process for a Town based review/meeting process.

It may behoove the applicant to host a neighborhood meeting. Residents could reach out to the Town Manager and see if there is any avenue whereby a meeting could be scheduled, but she wasn't sure if he would have a better answer.

Jessica Lequillo of 20 Heritage Road asked for general timeline for the project. M. Piekarski said it's a function of the process/permitting, but they hoped to get building #3 in construction this year in August or September and it would typically take roughly 16 months to complete.

Daryl Cunningham 32 Colonial Study asked if Sutton did their own study. Sutton did not do a study the applicant is required to do that and then the Town reviews the study. He recommended the Town do this. He asked the Town to be proactive in managing blasting and its effects.

N. Bacon noted the Town has had issues with projects done "incrementally". He noted when the cell tower near Freegrace Marble Farm was proposed there was a balloon test to make sure you couldn't see the tower from this historic property, but then there was an extension and now you can see it.

R. Largess Jr. stated perhaps residents should inquire with the Fire Department about blasting as they are the department overseeing this activity.

W. Talcott thanked everyone for coming and noted while the Board doesn't have all the answers it's up to the applicant to provide these answers.

Motion: To continue the public hearing to May 23<sup>rd</sup> at 7:15 PM, R. Largess Jr.

2<sup>nd</sup>: W. Talcott

Vote: 4-0-0, W. Talcott – aye, M. Gagan – aye, R. Largess Jr. – aye, E. McCallum - aye

## **Action Items**

Form A Plans – None.

Waiver of Site Plan Review – Kevin Brown of 2 Saunders Grafton, MA was present to ask the Board to waive Site Plan review and allow him to locate a 6' X 8' hot dog cart at 25 Providence Road. J. Hager stated the applicant had been referred by the Building Commissioner. The site currently has a 2,000 sf. Building with one retail store tenant. The Board discussed safety concerns with backing into Providence Road. It was noted the retail business which is run by Mr. Brown wife will only be open Friday through Sunday. His cart would only be open Monday through Friday. R. Largess Jr. had some concerns about the ripple effect. S. Paul continued to be concerned about backing onto Providence Road. Mr. Brown explained how he shifted the cart to the other side of the lot to leave the south side of the lot open which can accommodate turning. J. Hager suggested some signage. M. Gagan asked if a barrier could be installed to prevent backing into Providence Road. He also asked if the cart had been used elsewhere before and if there were any issues. Mr. Brown stated he hasn't utilized his cart elsewhere, but is familiar with other sites like Bradishes in North Grafton that typically have about 5 spaces.

Motion: To waive site plan review and allow the location of a 6' X 8' hotdog trailer at 25 Providence Road with the following conditions: W. Talcott

2<sup>nd</sup>: S. Paul

Vote: W. Talcott – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul - aye

E. McCallum –

Retreat Lot Discussion – 16 Old Mill Road – Landowner, Jay Postero and his son Nick were present to ask for the Board’s input on a potential division of their non-conforming 13-acre lot at 16 Old Mill Road. The Board reviewed the plan that shows just over 41’ frontage on Old Mill Road and approximately 9’ of frontage on Manchaug Road. They intend to work with the abutter on Manchaug Road to obtain enough frontage for a retreat lot off Manchaug for the second lot. The frontage of 16 Old Mill will remain unchanged. The area will be reduced but will still be well over the required lot area, creating no new non-conformities. The majority of the Board agreed they would like to approve the request, but felt an opinion of Town Counsel was necessary. J. Hager will reach out to Town Counsel for the opinion which will provide useful in other similar cases.

### **Administrative Items**

Motion: To approve the minutes of 4/11/22, R. Largess Jr.  
2<sup>nd</sup>: W. Talcott  
Vote: 4-0-1, W. Talcott – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul - aye  
E. McCallum – abstained as she wasn’t present at the meeting

Filing – The Board acknowledged the following filing:

- 212 Putnam Hill Road – Accessory Apartment – Hearing May 23<sup>rd</sup> 7:00 PM

Board Business: None.

Correspondence:  
Douglas bylaw changes.

Motion: To adjourn, S. Paul  
2<sup>nd</sup>: R. Largess Jr.  
Vote: 3-0-0: W. Talcott - aye, M. Gagan – aye, R. Largess Jr. - aye

Adjourned 10:00 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: **895 7111 3327** Password: **868936**. 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.