

## **SUTTON PLANNING BOARD**

### **Meeting Minutes**

**August 21, 2023**

Approved \_\_\_\_\_

\*Note- This meeting was held in person and remotely via Zoom in accordance with recently renewed legislation. The Chair read a notice regarding the hybrid meeting format. (see end of minutes)

Present in person: W. Talcott, R. Largess Jr., S. Paul, W. Baker, M. Gagan, E. McCallum (Associate)

Present remotely: None

Absent: None

Staff: J. Hager, Community Development Director (CDD)

### **Action Items**

#### Form A Plans (division of land on existing roadways)

- 38 Southwick Road – New Retreat Lot with a common driveway and related covenant
- Motion: To endorse the retreat lot covenant dated 8/22/23 and the plan dated Rev.6/15/23 showing a new retreat lot, R. Largess Jr.
- 2<sup>nd</sup>: M. Gagan
- Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### Dean Farm Road – Covenant Release and AsBuilt Plan Approval

J. Hager explained this two lot private subdivision had been approved a long time ago as an extension off a public roadway. The approval had been appealed and was tied up in court for a while. Once the matter was settled, construction began with inspection by the Highway Department as it was a minor/uncomplicated roadway. The project is complete and it has been inspected by the Highway Superintendent. The Board is also in receipt of a stamped certification from the project engineer that the roadway has been constructed substantially in accordance with the approved plans. While the beginning of the roadway remains private, the rest is intended to remain private and the Town holds a snow maintenance easement over the private road so we can push snow from the public section of the road over the private right of way.

- Motion: To release the Covenant and approve the AsBuilt plan for Dean Farm Road dated 8/15/23, S. Paul
- 2<sup>nd</sup>: M. Gagan
- Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### 81 Purgatory Road – Compass Rock Subdivision Plan Endorsement

The approval for this 30 lot Open Space Residential Subdivision(OSRD) has finished its appeal period with no appeal filings. Graves Engineering has reviewed the plans, and the conditions of approval and waivers granted have been added to the plans.

- Motion: To endorse the plans for Compass Rock OSRD Subdivision dated 8/16/23, R. Largess Jr.
- 2<sup>nd</sup>: W. Baker
- Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### 15 Pleasant Valley Road – Convenient MD Site Plan Endorsement

The Special Permits issued for approval of this urgent care facility have finished their appeal period with no appeal filings. Graves Engineering has reviewed the plans, and the conditions of approval and waivers granted have been added to the plans.

Motion: To endorse the site plans for Convenient MD – 15 Pleasant Valley Road dated 8/9/23,  
M. Gagan  
2<sup>nd</sup>: W. Baker  
Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### Leland Hill Road – Stockwell Farm Open Space Residential(OSRD) Subdivision AsBuilt Plan Approval

This 4 lot subdivision is complete and the Board is in receipt of the AsBuilt review from Graves Engineering. As this roadway was designed to be approved as a public way and will likely proceed to approval in the Spring, the Highway Superintendent also attended the final site visit. J. Hager noted the developer will maintain ownership and responsibility for maintenance until such time as the roadway is accepted as public or until ownership and maintenance responsibilities are transferred to another party.

Motion: To approve the AsBuilt Plan for Stockwell Hollow dated 1/30/23, R. Largess Jr.  
2<sup>nd</sup>: W. Baker  
Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### Boston Road Layout Modification Report/Recommendations

J. Hager explained that in accordance with the subdivision plans approved by the Board, layout changes are commencing for Boston Road. In the process it was discovered that an adjacent section of the old road layout from as far back as 1725 (known as Wilkinsonville Road in some records) was likely never discontinued and portions of the old layout have been used by abutters for some time. She has worked with the various parties including the abutters to come to an agreement on discontinuing this old layout and transferring the portions of the layout to abutters as the Town does not need this area. The Select Board voted their intention to layout these modifications at their last meeting, and now the Planning Board is required to provide a report/recommendation to the Select Board. After this is received the Select Board will vote to formally layout these modifications and they will be placed on file with the Town Clerk to await Town Meeting action.

Motion: To recommend that the Select Board undertake whatever actions are necessary to affect the additions and discontinuances needed to widen Boston Road throughout this section of Sutton and dispose of any portions of old layout(s) that are no longer needed by the Town, M. Gagan  
2<sup>nd</sup>: S. Paul  
Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

#### 29 Gilmore Drive – Waiver of Site Plan Review – TriCab

Andrew Teixeira was present to request waiver of the site plan hearing process, and to answer questions about TriCab. They intend to lease the 30,000 s.f. addition that has recently been constructed at the rear of the Koopman Lumber warehouse at 29 Gilmore Drive. They produce copper conductor cable for power and instrument industry use. They will have limited equipment at this site as they will primarily be re-spooling cable into smaller reels, wrapping and distributing them. There will be no hazardous materials/substances at their site. Their current lease will be a minimum of three years. They will employ 4 people at this location, with occasional outside staff visits. They have 4 loading docs. The Chairman read part of the business narrative and noted the proposed use seems benign.

Motion: To waiver Site Plan Review and approve the use of a 30,000 s.f. portion of 29 Gilmore Drive for processing, warehouse, and distribution for Tri Cab with the approval of all other applicable permitting authorities, especially the Fire Department and Building Departments.  
S. Paul  
2<sup>nd</sup>: R. Largess Jr.  
Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

### Proposed Bylaw Discussion

J. Hager explained per discussion at the last meeting she had distributed proposed bylaws to all appropriate departments, had some initial conversation with Town Counsel, and refined the articles proposed for Fall Town Meeting.

Earth Removal Bylaw Housekeeping – Three articles - Fixes format issues and section references, and corrects the name of the use in the Table of Use Regulations. Town Counsel also recommended definitions be deleted and replaced to be consistent between the Zoning and General Bylaws.

Low Impact Development (LID) Bylaws – Two Articles – Comments were received from R. Nunnemacher of 24 Singletary Avenue, also on the Board of Assessors, and largely incorporated into the current version.

Sutton Center Village Overlay District (SCVOD) Modifications – One Article - J. Hager explained per commentary at the last meeting, she sent out a map of proposed modifications and a copy of the existing SCVOD bylaw to everyone within 1,000' of Sutton Center letting them know about the proposal and asking if they had any commentary or wanted their parcel included. Two individuals asked to be included. As one of these parcels is on the other side of Town Hall, J. Hager received approval from the Town Manager to include the Town Hall parcel in the overlay district. Several other Town parcels are already in the District, and there is no apparent harm to having it included, and adding it allows a continuous expansion of the District.

Special Event Facilities – Two Articles - J. Hager stated she had updated this proposed bylaw based on Board commentary and commentary received from R. Nunnemacher. On Sunday and Monday, she received some additional written input from Andrea Mattei of 12 Golf Ridge Drive and James and Jen Stevenson of 212 Putnam Hill Road. The Chairman noted although this isn't the public hearing, he felt there was value to walking through this commentary to provide a potentially better version of proposed changes to the public hearing process. The Board discussed this proposed bylaw at length with input as requested from A. Mattei, the Stevenson's and R. Nunnemacher.

J. Hager will update the proposed bylaws based on tonight's discussion and will place the latest version of the bylaws on file in the Town Clerk's Office before the first notice of public hearing is published on Thursday. The public hearing on the bylaw changes will be Monday, September 11<sup>th</sup> at 7:30 PM.

### **Administrative Items**

Motion: To approve the minutes of 07/24/23, R. Largess Jr.

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

Vote: 5-0-0, R. Largess Jr. – aye, S. Paul –aye, W. Talcott – aye, M. Gagan – aye, W. Baker - aye

Filings: 90 Armsby Road – Flood Plain Special Permit for garage in flood plain  
Drake Petroleum (XtraMart) – Addition of High Speed Diesel Pumps – 27 Route 146N

### **Board Business:**

Central Massachusetts Regional Planning Commission (CMRPC) Delegate appointment. Bill Talcott agreed to volunteer for another year as long as his time was noted and resulted in additional Local Planning Assistance (LPA) hours for the Town.

Motion: To appoint Bill Talcott as the Planning Board delegate to CMRPC for FY24, W. Baker

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

Vote: 4-0-1, R. Largess Jr. – aye, S. Paul –aye, W. Talcott – abstained, M. Gagan – aye,  
W. Baker - aye

Site Visit Reports: The Board acknowledged receipt of site visit reports from Unified Parkway and the Unified Building 2/3 sites.

Abutting Town Notices of Interest: None

**Correspondence:**

Modifications to C. 40A Section 3A, multifamily housing regulations (MBTA) that allow some housing that is part of mixed use structures to count toward required higher density housing. J. Hager responded to the Chairman that this modification will likely not help Sutton.

Motion: To adjourn, M. Gagan

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

Vote: 5-0-0, R. Largess Jr. – aye, S. Paul – aye, W. Talcott – aye, M. Gagan – aye, W. Baker- aye

Adjourned 9:36 PM

**Covid Meeting Statement:**

Pursuant to Governor Healy's March 29, 2023 Order extending the temporary provisions pertaining to the Open Meeting Law, this meeting of the Sutton Planning Board is in a hybrid format and is being recorded. The recording will be available on the Town's website and YouTube channel.