



**Michael E. Scott**

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January 10, 2022

120344-17

Sutton Planning Board  
Sutton Town Hall  
4 Uxbridge Road  
Sutton, MA 01590

Re: Definitive Subdivision Plan of Land Application  
UGPG RE Sutton LLC  
Providence Road at Boston Road, Sutton, Massachusetts

Dear Members of the Sutton Planning Board:

On behalf of the applicant, below please find responses the Planning and Economic Development Director's supplemental comments dated January 5, 2022 as well as comments from Graves Engineering dated January 7, 2022. Together with our narrative responses below, we are submitting:

1. This cover letter and written response to comments.
2. Definitive Subdivision Plans (Revised January 7, 2022)
3. Definitive Subdivision Plan of Land (Revised January 7, 2022)

PDF copies of this submittal have been sent to Graves Engineering and to Wilkinsonville Water District via e-mail.

**Comments from Planning and Economic Development Director**

<b>I.</b>	<b><u>General Comments</u></b>
<ul style="list-style-type: none"><li>•</li></ul>	<b>Regardless of the volume of trucks, there is an alternate and less impactful travel path for trucks exiting this subdivision. Therefore, these plans should show a no left turn for trucks sign at the Boston Road exit.</b>
	Response: The applicant has agreed to this restriction and the Definitive Subdivision Plans (Sheet C-306) has been updated.
<ul style="list-style-type: none"><li>•</li></ul>	<b>A road name related to the historic use and/or background of the parcel/area is recommended.</b>



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	Response: The applicant would like to keep the proposed roadway name as Unified Parkway. However, if the Board wishes to propose an alternative name, the applicant is willing to consider all options.
<b><u>II.</u></b>	<b><u>Subdivision Rules &amp; Regulations</u></b>
	<b>3.C.2.a. – Name and address of owner and applicant are not apparent on <u>all</u> plan sets.</b>
	Response: The surveyor of record has added this on the Cover sheet of the Definitive Subdivision Plan of Land.
	<b>3.C.2.f. – Please indicate which of the 90 plan sheet(s) contain the permanent benchmarks.</b>
	Response: The surveyor of record had addressed this on the revised Existing Conditions Plan of Land dated December 16, 2021 and the edits were made to sheets 2, 3, 4, 5, 19, 21 & 23.
	<b>3.C.2.j. – The covenant notation similar to the one shown in Section 3.c.2.j. is not apparent on the recordable plans.</b>
	Response: The surveyor of record has added this on the Cover sheet of the Definitive Subdivision Plan of Land.
	<b>3.C.2.m. – Please indicate which of the 90 plans sheet(s) contains the error of closure note.</b>
	Response: The error of closure note was added to the Cover sheet of Definitive Subdivision Plan as part of the revised plans dated December 16, 2021.
<b><u>III.</u></b>	<b><u>Remaining Required Waivers</u></b>
	<b>4.A.2.k. – The roadway cross section is not like that in the appendix.</b>
	Response: Confirmed. Waiver requested.
	<b>4.A.3. – The width of roadway is proposed at 46' and 58'.</b>
	Response: Confirmed. Waiver requested.

	<b>4.F.3. – Temporary construction easements are not shown on land adjacent to the roadway.</b>
	Response: Confirmed. Waiver requested.
	<b>4.H. – Removal of trees over 12” shall be prohibited in the front setback of proposed lots unless otherwise allowed by the Board. The applicant is proposing the removal of 110 trees with replacement at 1 to 1 as part of the site plan approval process. IF the Board allows this waiver, there should be a performance time frame in case the site plan review process on the lots is delayed.</b>
	Response: The applicant has added a waiver request for Section 4.H to the Definitive Subdivision Plan cover sheet.
	<b>5.G.1. – Curbing shall be granite. Waiver requested for cape cod berm with concrete at intersections.</b>
	Response: Confirmed. Waiver requested.
	<b>5.I.4. – Sidewalks shall be of Portland cement concrete. Waiver requested for bituminous sidewalk.</b>
	Response: Confirmed. Waiver requested.
	<b>4.B.2.b. – Reduction in cover over storm drains and size of pipe near Providence Road.</b>
	Response: Confirmed. Waiver requested.
	<b>4.B.2.c. – Increase in distance between catch basins at select locations and elimination of curb inlets.</b>
	Response: Confirmed. Waiver requested.
	<b>4.B.2.f. – Flared end sections instead of headwalls at some locations.</b>
	Response: Confirmed. Waiver requested.
<b><u>IV.</u></b>	<b><u>Minimum Conditions of Approval</u></b>

	<b>Prior to endorsement of the definitive plans:</b>
<b>1.</b>	<b>Prior to plan endorsement in accordance with MGL, the applicant shall provide a covenant that states the lot shall not be transferred until the construction of the roadway and any related site restoration is complete.</b>
	Response: Acknowledged.
<b>2.</b>	<b>Prior to plan endorsement all waivers and conditions of approval shall be noted on the plan sheets to be recorded.</b>
	Response: Acknowledged.
	<b>Prior to commencement of construction:</b>
<b>3.</b>	<b>As soon as the subdivision plan is recorded, an electronic file of the roadway and parcel lines shall be provided to the Assessor's Office in a form determined by them.</b>
	Response: Acknowledged.
<b>4.</b>	<b>Approval of all other required local and state departments, boards, and commissions.</b>
	Response: Acknowledged.
<b>5.</b>	<b>Prior to commencement of construction the Applicant/Engineer shall submit three (3) full size sets of the endorsed plans, one (1) 11" X 17" reduced set, and one (1) electronic copy in pdf format to the Sutton Planning Office.</b>
	Response: Acknowledged.
<b>6.</b>	<b>Prior to commencement of construction the applicant shall attend a preconstruction meeting with the Planning Department, applicable department representatives, and other bodies that have responsibilities relative to the site, as well as the site contractor and other personnel the applicant feels are appropriate.</b>
	Response: Acknowledged.

7.	<b>Prior to commencement of construction the applicant shall post a road opening bond as they are impacting an existing public roadway.</b>
	Response: Acknowledged.
8.	<b>All erosion control measures must be in place, and inspected by the Town's consulting engineer, and maintained throughout the duration of the project. Twenty-four hours to rectify erosion problem, fine of \$200 per day each day after notice of violation of this condition is served in writing via hand delivery or mail to owner, owner's attorney or lead contractor.</b>
	Response: Acknowledged.
9.	<b>Prior to commencement of roadway construction, all storm water facilities necessary to control, receive, and contain runoff, (I.E. detention basins, infiltration basins, etc.) not including the closed drainage system, must be in place, stabilized, and inspected by the Town's consulting engineer.</b>
	Response: Acknowledged.
10.	<b>All appropriate off-site construction warning methods, as determined by the Highway and Police Departments, shall be installed including "Trucks Entering" signage on Providence and Boston Roads.</b>
	Response: Acknowledged.
11.	<b>Retaining wall design must be approved by the Towns consulting engineer.</b>
	Response: Acknowledged.
	<b>During construction:</b>
12.	<b>Construction shall be limited to Monday through Friday 7:00 AM to 5 PM and Saturday 8 AM to noon, no local, state or federal holidays.</b>
	Response: The applicant is anticipating a typical 8-hour work shift for the majority of the site work, however, due to forces beyond their control (e.g., weather), at times the applicant may need to extend the work hours to maintain critical path schedules. The applicant is proposing work hours as follows:

	<ul style="list-style-type: none"> <li>Monday through Friday: 6:30 AM to 5:30 PM</li> <li>Saturday: 7:30 AM to 4:00 PM</li> </ul> <p>The applicant notes that unions do not observe all local, state and federal holidays. To coincide with a traditional union schedule, the applicant is proposing that typical union-observed holidays (New Year's Day, President Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Columbus Day, Veterans Day, Thanksgiving and Christmas Day) be observed as non-working days as part of this condition, and that all other local, state and federal holidays be subject to the schedule set forth above. The applicant would request that any requests to work outside of the hours and or days stated above, including Sundays, would require written approval from either the Sutton Chief of Police or the Director of Planning &amp; Economic Development for the Town of Sutton.</p>
<b>13.</b>	<b>The applicant shall ensure run off, dirt, and other construction materials are contained to the construction area and shall clean up anything tracked onto adjacent roadways at the end of every work day.</b>
	Response: Acknowledged.
<b>14.</b>	<b>The applicant shall coordinate required subdivision inspections with the Towns consulting engineer in a timely manner.</b>
	Response: Acknowledged.
	<b>General:</b>
<b>15.</b>	<b>At the conclusion of roadway construction and prior to release of surety for the project, the Applicant shall provide to the Planning Board an As-Built Plan and written certification from the Applicant's project engineer that the road has been constructed in accordance with the approved plans.</b>
	Response: Acknowledged.
<b>16.</b>	<b>At the conclusion of roadway construction and prior to release of surety for the project, the proponent must establish a legal mechanism approved by the Town, such as a park association, to ensure the perpetual maintenance and upkeep of the roadway and storm water management facilities to include all detention and infiltration basins, all drainage swales, all outlet structures and all water quality</b>

	<b>inlets. Should any lot with legal frontage on the roadway be transferred, these obligations shall be recorded on the deed to each individual lot.</b>
	Response: The applicant proposes that the Board's condition specify that prior to the sale of any of the lots in the subdivision to an entity not owned or controlled by the applicant, the applicant shall establish a legal mechanism approved by the Town, such as a park association, for perpetual maintenance. The applicant intends to continue to own all lots in the subdivision and accordingly does not believe that the establishment of such a maintenance association will be necessary and accordingly should not be a condition of the release of surety if the applicant retains ownership.
<b>17.</b>	<b>During and after construction a sign shall be installed at the exit to Boston Road prohibiting trucks from turning left. All trucks that need to travel south east shall exit to Providence Road.</b>
	Response: Acknowledged.
<b>18.</b>	<b>Deicing materials shall be limited to calcium chloride ( ✓✓ this) within the Zone 2 and adjacent to wetlands on the site (Stations 11+00 to 49 +00)</b>
	Response: Acknowledged.
<b>19.</b>	<b>Any material modifications to the Subdivision required by another permitting authority shall be submitted to the Planning Board for its review and action as an amendment.</b>
	Response: Acknowledged.

### Graves Engineering (GEi) Comments

	<b>Graves Engineering Comments to Applicants December 17, 2021 Revised Submission – Letter dated January 7, 2022</b>
<b>12.</b>	<i>GEi recommends that on Sheet C-901, on the construction detail "Typical Pavement Section" the thickness of the binder course be revised from 1-1/2" to 2-1/2". A binder thickness of 1-1/2" is thin for the heavy-duty truck traffic that will use the road. Furthermore, for comparison the South Sutton Commerce Park project had a binder course thickness of 2-1/2". (§5.F.3)</i>

	<b>The "Typical Pavement Section" construction detail on Sheet C-901 was revised to propose a four-inch-thick binder course, a 2-1/2" top course, and a twelve-inch-thick gravel course. Whereas the asphalt thickness will be greater than originally proposed, GEi has no issue with the proposed typical pavement section. The applicant will need to request a waiver to allow a road gravel thickness less than eighteen inches.</b>
	Response: Acknowledged and the waiver request for Section 5.F.2 has been added to the Definitive Subdivision Plan set cover sheet.
<b>18.</b>	<i>On Sheet C-403, access to the northern gate of Stormwater Management Area #2 is proposed down a 3H:1V (33%) slope. The slope of access to a stormwater basin can't exceed 20%.</i> <b>The design engineer responded that the grading of the access to Stormwater Management Area #2 had been revised, however Sheet C-403 still shows a 3H:1V slope between the road at station 13+40± and the nearby top of berm.</b>
	Response: Acceptable access to Stormwater Management Area #2 is provided at the southerly end of the basin near station 19+50.
	<b>Graves Engineering Additional Comment – January 7, 2022</b>
<b>34.</b>	<b>The gas main and service lateral stubs formally proposed between stations 35+80 and 56+30.98 are no longer shown on the Sheets C-504 and C-505. The design engineer should confirm whether this section of gas main is no longer proposed.</b>
	Response: The gas main in this section of the proposed roadway has been removed from the design based on preliminary conversations with the utility provider. The intent for Building 2 and 3 is to provide a gas connection via Hatchery Road to Providence Road.

Ms. Hager's comment letter noted that the Board should consider whether to include the requests of the Wilkinsonville Water District as conditions of its decision. As set forth in the Applicant's December 17, 2021 letter, which addressed the comments submitted by Wilkinsonville Water District, the applicant remains committed to providing the Wilkinsonville Water District with a new well connection and access easement. The Applicant requests that this not be a condition of the Planning Board's approval of the definitive subdivision plan as





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discussions with the District thus far have been conceptual in nature and are not sufficiently advanced to provide an appropriate condition at this point.

All requested waivers have been noted on the cover sheet to the plan set and are additionally listed as Appendix A to this letter.

Very truly yours,

A handwritten signature in blue ink that reads "Mike Scott". The signature is written in a cursive, flowing style.

Michael E. Scott

**Appendix A: Waiver List**

<b>Regulation Section</b>	<b>Waiver</b>
4.A.2.k.	The roadway cross section is not like that in the appendix.
4.A.3	The width of roadway proposed is 46' to 58'.
4.F.3	Temporary construction easements are not shown on land adjacent to the roadway.
4.H.	Removal of 110 trees over 12" within the front setback of proposed lots.
5.F.2	Waiver to allow a road gravel thickness less than eighteen inches as shown on the typical pavement section.
5.G.1	Curbing shall be granted. Waiver to allow cape cod berm with concrete at intersections.
5.I.4	Sidewalks shall be of Portland cement concrete. Waiver to allow bituminous sidewalk.
4.B.2.b.	Reduction in cover over storm drains and size of pipe near Providence Road.
4.B.2.c.	Increase in distance between catch basins at select locations and elimination of curb inlets.
4.B.2.f.	Flared end sections instead of headwalls at some locations.