

SUTTON PLANNING BOARD

Meeting Minutes

October 11, 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: W. Talcott, S. Paul, R. Largess Jr., W. Baker, M. Gagan, Erica McCallum (Associate)

Present remotely: None

Absent: None

Staff: J. Hager, Planning & Economic Development Director

Public Hearing

3 Lackey Dam Logistics Center - Use & Height Special Permit & Site Plan Review

Attorney Todd Brodeur of Fletcher Tilton was present with Dan Feeney, P.E. of Beals & Thomas, Vinod Kalikiri, P.E., of Vanasse Hangen Brustlin (VHB), and Greg Tocci or Tocci Associates to review actions taken since the last night of public hearing on September 12th. They reviewed elements covered in the attached PowerPoint presentation including the addition of screening fencing along the entire employee parking lot and access drive, and addressing remaining civil engineering, traffic, and sound comments. M. Gagan asked for and received confirmation that trucks will not have access to the east side of the building. The majority of the Board agreed they would like final letters from their civil and traffic review engineers.

In response to a question from the Board, G. Tocci stated the sound attenuation benefit of using sound walls instead of screening fencing along the employee parking was negligible as no trucks use this parking.

W. Baker asked where snow removal will take place. This will likely take place near the northwest corner of the building. They are happy to show a location, but often like tenants to decide what location works for their operations.

The Board discussed the last two waiver requests for less than 5% interior lot landscaping in the truck parking lot and over 100' in length of un-landscaped parking in both truck and employee parking lots. Calculations showed that the employee parking lot has about 6.5% interior landscaping and the truck parking has about 3.49% for a site total of 4.6%. They noted landscaping islands contain a good number of shade trees and they have also added additional plantings at both entrance drives as suggested.

Motion: To grant the waivers from sections IV. B. 5.c.2 & 3 allowing 3.49% interior lot landscaping within the truck parking lot and over 100' in length of un-landscaped parking in both employee and truck parking lots in consideration for the type, position, and amounts of landscaping that was provided, R. Largess Jr.

2nd: W. Baker

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

The Board had received a review letter from Northbridge which centered on traffic impacts. V. Kalikiri stated their request to study intersections farther from the site is not necessary as the additional sites studied within Northbridge showed minimal impacts and impacts will get more diluted as traffic flow gets farther from the site.

S. Paul asked if the applicant had seen the proposed post construction traffic monitoring condition. T. Brodeur stated he had not, but assumed it would be similar to that imposed for Blackstone Logistics Center which was expected.

It was noted although the Towns sound reviewer from Cerami had noted a gap between sound walls 2 and 3a, there is an approximately 20-25' high retaining wall in between that effectively functions as a sound barrier.

In response to a question about using different ambient background levels for mobile as opposed to stationary sound, Mr. Tocci stated the difference result in negligible increases which have to be balanced against the visual impact of higher sound walls.

Paul Hutnak of 12 Lackey Dam Road was present on behalf of himself and his mother Marjorie. He asked if the Board would consider limiting particular truck movements that can create noise during overnight hours as was done with Blackstone Logistics Center. T. Brodeur noted there were docks available on both sides of that building which allowed necessary operations to be moved to the west side of the building at night. There are only docks on one side of this building which would halt night operations which is not acceptable. M. Gagan noted truck docks at this location are on the west side of the building away from homes. The Board stated they will place a condition requiring follow up sound study and mitigation if a noise issue arises post-occupancy.

T. Brodeur reviewed the list of upcoming meetings with Sutton Conservation, Uxbridge Conservation and Uxbridge Planning Board. J. Hager will check with Uxbridge Planning to see how their first night of hearing goes tomorrow evening.

Motion: To continue the hearing to October 24, 2022 at 7:20 P.M., S. Paul

2nd: R. Largess Jr.

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

Action Items

15 Dewitt Road – Recommendation on chapter land release – The Select Board had sent a memo to the Planning Board requesting their recommendation on whether the Town should exercise its first right of refusal and match the offer of \$2.3 Million to purchase this property. It has limited frontage on Dewitt Road but over 131 acres. It sits between Ramshorn Pond and Lake Singletary. J. Hager noted it was previously approved for a highly buffered open space subdivision of about 40 lots, but could likely hold many more homes. She noted while it isn't on a priority list of parcels to be acquired, that's likely as no one was thinking it would come up for sale anytime soon. J. Hager noted whether or not the Board recommends purchase, they should at least make it clear there will be impacts with any likely future use, as it seems unusual someone would offer 2.3 million for an oversized single family house lot. The Board discussed the fact that if the Town had the Community Preservation Act (CPA) in place there would likely be a pool of funds to purchase the property or at least reduce the burden of a full-price purchase on tax payers. The CPA imposes a surcharge for the value of a home over \$150,000 ranging from 1% - 3% which is matched annually by the State at a current rate between 25-40%. The current Open Space and Recreation Plan calls for the Town to conduct an education campaign and bring the CPA question back to voters in the future.

Motion: To table discussion to the next meeting to allow time for consideration, R. Largess Jr.

2nd: W. Baker

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

Morningstar Bookstore – 140 Worcester Providence Turnpike – Manager Chris Lajeunesse and minority property owner Marty Green were present via Zoom to request waiver of site plan review to relocate one site of this Christian bookstores locations from Auburn, MA to Sutton. The store would occupy Units 1 & 2, or 3,500 s.f. +/-, the same space previously occupied by Rhode Island Hydroponics. There are currently also a real estate and counseling office and two residential tenants in the building. Parking requirements would be the same as for the previous store. Mr. Lajeunesse stated they will likely host book groups, bible studies and other bookstore related events. Their hours would likely be Mon – Thur from 9:30 AM – 7 PM and Fri/Sat from 9:30 -8 PM. They have five locations ranging in size from 3,300 s.f – 6,500 s.f. They typically see anywhere from 20 – 100 customers daily. They would have 3-5 employees.

Motion: To waive Site Plan Review and allow Morningstar Bookstore to occupy units 1 & 2 at 140 Worcester Providence Turnpike with the following conditions: S. Paul

- Approval of all other applicable permitting authorities especially the Building and Fire Departments.
- Proposed signage shall be approved by the Planning Department in advance of fabrication.
- If parking becomes an issue, the Board reserves the right to require modifications and mitigation from the applicant and/or owner

2nd: R. Largess Jr.

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

Unified Building #3 Shift – 40 Unified Parkway – Attorney David Libardoni and Keith Curran, P.E., of Bohler Engineering were present with a request to modify the approved site plan. They explained they have been working with National Grid since February to review the site plan and establish operational permissions/standards within their power line easements. Very recently they were told the location of the westernmost 250' easement was off by 30'. The easements had been located using numerous recorded documents, but they found National Grid had not recorded the easement plans to which they were referring. As a result, a portion of the northwest corner of Building #3 was within the easement. The shift does not affect anything on the Building #2 site. It relocates Building #3 and shifts/restructures portions of the drives, parking lots, and one detention basin for this structure. Graves Engineering has reviewed the revised drainage calculations and plans and had no substantive comments.

Motion: To approve modification of the approved Site Plans having found the effects of modifications are negligible and do not require a formal hearing process. The proposed modifications were approved subject to receipt of final approval from Graves Engineering. S. Paul

2nd: R. Largess Jr.

M. Gagan asked if the Massachusetts Environmental Policy Act (MEPA) office will have to be notified of the change. Attorney Libardoni stated the changes would not qualify for a Notice of Project change as MEPA concerns its self with overall impacts, like the amount of impervious area, as opposed to minor details of a design.

W. Talcott noted he is considering whether these changes would have changed the Board's original approval, and they do not rise to this level.

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

Form A Plan: 190/194 Whitins Road – The Board reviewed reconfiguration of two lots into three.

Motion: To approve the plan dated 10/4/22 showing the reconfiguration of 190 & 194 Whitins Road into three newly configured lots including two new buildable lots, S. Paul

2nd: W. Baker

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

Capelli Brothers Signage – 1 Blackstone Street – Amy Murray from AG Sign and Graphics was present to seek the Board's approval of a new sign for the former J & G Foods which has been sold to Capelli Brothers as former owner, Joe Piperato has retired. The sign is proposed to be mounted in the same location as the J&G Foods sign but it is proposed to be 7' high instead of 3', and the length of 16' will remain the same. The sign is mounted on a protruding portion of the front façade which only measures 40' long. The entire façade is 225'. Ms. Murray is requesting the Board consider the entire length of the front façade, not just the bump out, when determining whether the size of the sign meets the intent of the bylaw. The sign will be lighted from the exterior by goose-neck lights. The Board agreed the front façade presents one visual plane and as such they feel it is appropriate to consider its entire length when determining if the sign is compliant.

Motion: To approve the proposed sign for Capelli Brothers at 1 Blackstone Street considering the entire length of the front façade as the surface on which the proposed sign will be mounted,
R. Largess Jr.
2nd: S. Paul
Vote: 5-0-0: R. Largess Jr.-aye, S. Paul-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye

Administrative Items

Motion: To approve the minutes of 9/26/22, M. Gagan
2nd: W. Baker
Vote: 4-0-2: R. Largess Jr. – abstained as he wasn't present, S. Paul– abstained as he wasn't present, W. Talcott - aye, M. Gagan - aye, W. Baker – aye, E. McCallum - aye

Filing: The Board acknowledged the legal filing of a modification of Definitive Subdivision and scenic roadway/public shade tree hearing for Unified Parkway. They are shifting several hundred feet of the roadway to the east where it connects with Boston Road to avoid impacts to the historic sycamore tree to the west of the proposed roadway.

Other Board Business: None.

Site Visit Reports: None.

Correspondence: The Chair noted a hearing notice from the Town of Oxford for a Bylaw change to the definition of multifamily from two or more units, to three or more units.

Motion: To adjourn, R. Largess Jr.
2nd: S. Paul
Vote: 5-0-0: R. Largess Jr.-aye, S. Paul-aye, W. Talcott-aye, M. Gagan-aye, W. Baker-aye

Adjourned 9:19 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 and enter Meeting ID: **868-0671-3603** Passcode: **474505**. The meeting will be broadcast and recorded on local public access station (Verizon 31 & Charter/Spectrum 191) and live streamed on the Town's YouTube channel when available.