

SUTTON PLANNING BOARD

Meeting Minutes

June 27, 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. Baker, W. Talcott, E. McCallum (Associate)

Present remotely: S. Paul

Absent: None

Staff: J. Hager, Planning & Economic Development Director

Public Hearing (Cont. from 5/23/22) – Unified Warehouse Buildings #2 & #3 – 40 & 42 Unified Parkway (Boston and Prov. Roads)

Matt Piekarski, Director of Construction & Development with the Kraft Group introduced the members of the development team who were present including Attorney David Liberdoni of Nutter McClellan & Fish, LLC, John Kucich, P.E. of Bohler Engineering, and Vinod Kalikiri, P.E., Vanasse Hangen Brustlin (VHB).

He overviewed outreach efforts since the last public hearing including the project website, neighborhood meeting on 5/25/22 which was attended by about 35 people, and blast notifications with 114 participants. He summarized that response to Site Plan/Special Permit comments were submitted on June 9th including written response to comments, site plan revisions, various exhibits, and traffic study, sound study, and stormwater revisions/updates. They have just received additional minor peer review responses as of the 24th. He noted there are some outstanding comments related to the Boston Road intersection that will be discussed. They went back to the drawing board with the Boston Road intersection to consider the sycamore. Tree Tech of Northborough assessed the tree and felt it was significant and healthy, therefore a redesign has been commenced to safeguard the tree.

V. Kalikiri reviewed potential realignment of the intersection of Unified Parkway and Boston Road to the east and south to avoid impacts to the sycamore and adjacent stone wall and to accommodate truck turning movements more efficiently. M. Piekarski showed various photo representations of the widening that would need to occur to the south of Boston Road paved surface. This widening would require a retaining wall along the frontage of 107 Boston Road and permission to regrade the driveway. He noted as the scenic roadway alteration is more germane to the subdivision modification that will be required for this revised design they are happy to withdraw this application and re-file it with that modification.

(J. Hager noted Scott Paul is and has been present on the meeting via phone.)

The Chairman noted he was sad to lose the westbound right turn lane but happy save this approximately 250-year-old tree. It was noted it is unlikely trucks will be coming to this property traveling west as it would be easier to access the site from Providence Road. Employees can enter the site on Boston Road traveling west, but as this is a free right turn there should be no delay. W. Talcott asked and the applicant confirmed that trucks exiting to Route 146 will not impede on Boston Road east bound lanes including the left turn lane. Mr. Kalikiri also confirmed there is a westbound island on Boston Road to the east of Unified Parkway filling the space where the eastbound left turn lane exists opposite. This island can be raised, mountable, or painted.

R. Largess Jr. asked if there is a value of the tree. He noted if the tree doesn't remain healthy the Town should be compensated the value of the tree in new stock. M. Piekarski stated they did not place a value on the tree, but they did provide recommendations to safeguard the tree which will be followed including removing knot weed and previous pavement within the root zone.

James Marran of 80 Burbank Road asked the followings:

- Is the traffic study stamped by an engineer? V. Kalikiri stated the bylaw does not require this, but he is happy to provide an affidavit that the study was prepared by a licensed traffic engineer if requested by the Board. Mr. Marran asserted the absence of a stamp effects liability insurance and that it should be stamped. J. Hager confirmed while not required an affidavit will be provided. The majority of the Board was satisfied with an affidavit.
- Will the traffic study be updated to include traffic impacts from additional developments? V. Kalikiri stated these have been included and the peer reviewer has reviewed them. Mr. Marran noted there is no revised narrative considering this new data. Mr. Kalikiri said there should be a written component. This was not received.

W. Talcott asked if the 6/24/22 review from Muller is the final evaluation as there appear to be outstanding items. Mr. Kalikiri noted other than one minor comment, any remaining comments are related to the intersection geometry only, not buildings 2 & 3.

Mr. Kalikiri found that there is one single consolidated response that came from Nutter which includes the traffic narrative/response/evaluation. Mr. Marran stated he has reviewed this document but there are no consolidated charts for build/no-build etc. The Board requested these charts.

- What is the scope of work related to the road safety audit and when will that occur? Mr. Kalikiri stated VHB will conduct this study which will be triggered if Building #1 goes forward. They are already working on the safety study and will submit it as part of a larger traffic study.

In response to a question from Mr. Marran J. Hager noted the Town is meeting with MassDOT regarding concerns about the cumulative effect of area-wide traffic on the Boston Road/Route 146 intersection. The State agrees with the Town that the Route 146 corridor from Rhode Island north is likely a good candidate for a broader in depth study that could possibly take place next year. In the meantime, MassDOT input and permitting will only be triggered relative to this project if the project "trips a warrant" for State review which is not the case for Building 2 & 3, but may be the case if Building 1 moves forward. Regardless, the applicant is still in communication with MassDOT and is considering their input as requested by the Town.

Christine Watkins 65 McClellan Road asked if MassDOT requires stamped traffic plans? Mr. Kalikiri noted for a MassDOT design the plans would be stamped but the report is not required to be stamped. All drawings will be stamped by an engineer. She asked how much of the right of way is being utilized, what is left to handle any future increase from Building 1. Mr. Kalikiri stated if design changes are triggered by Building 1 that will be handled moving forward. It was confirmed there is no guarantee what might happen to the tree or the wall moving forward, but for now there's no need to impact these assets if not necessary. She asked why there are no graphics or plans for the intersection of Unified Parkway and Providence Road noting there are Unified vehicles already on this roadway and she's thinks there may be more. V. Kalikiri stated the analysis was updated to show anticipated impacts along Providence Road and this evaluation showed changes are not necessary on Providence Road. She also expressed concerns with the increase in traffic on local roadways like Central Turnpike including Unified trucks that are already using his roadway. She asked if there is a potential for the entire 60' right of way to be utilized which would make this roadway a major connection between two interstates and yet potential traffic impacts on Central Turnpike are not being considered/evaluated with any current developments. She also expressed concerns with various aspects of the traffic study including accounting for approved projects in the area.

M. Piekarski stated they have accounted for all approved projects and the Towns peer reviewer noted this comment has been resolved. They are happy to provide simplified tables, but the numbers won't change.

Gina Betti of 107 Dudley Road expressed asked if a traffic light is being considered at the entrance and if there will be sidewalks and a bike lane. And what the hours of operation will be. She also noted CMRPC can provide accurate Covid traffic numbers. She also thanked the applicant for safeguarding the tree which she said has been there since 1772. C. Kalikiri stated a traffic light is not necessary for Buildings 2 & 3. Addition of bike lanes would add 10' of pavement within the current layout and would wipe out the tree. A sidewalk could be added that would meander behind the tree but isn't part of the plan. Hours will be 24/7 operations with the majority of operations during 1st shift with the other shifts only being used if needed. A typical shift is 7 – 7:30 with 8 hour shifts.

W. Talcott said people will want to go to the plaza, but asked about the potential to add a sidewalk to the plaza. V. Kalikiri said there is an opportunity but it wouldn't strictly follow the road around the tree, but then it would have an impact at the signal. He said they could plan for it and perhaps integrate it with Building 1. R. Largess Jr. noted if there are sidewalks they must be maintained.

James Laplante of 26 Heritage Road thanked the applicant for the neighborhood meeting. However, he expressed concerns with traffic projections during Covid and safety of sidewalks along Boston Road. He asked if Unified has established monitoring wells. M. Piekarski said two were required through subdivisions approval that have not been expressed yet. They will also install two additional wells relative to Buildings 2 & 3. expressed concern that Unified isn't being held to the same standard as Aggregate which was required to install monitoring wells. J. Hager explained what the earth removal wells are for measuring separation to groundwater and not water quality monitoring. She noted Wilkinsonville Water has been at the table since day one of this project consideration and as requested four total water quality monitoring wells be required to be installed as they are directly adjacent to these projects. Mr. Laplante asked if Unified and the Town are going to take into account the private wells outside the Zone 2. He asked what reassurance are available to these people. M. Piekarski reasserted they are in full compliance with all State and local criteria to protecting adjacent wells public and private. He stressed its all the same aquifer and they are mindful of the entire aquifer and adhering to best management practices for the whole aquifer. He expressed concerns with refueling going on at the site currently. M. Piekarski stated there are protocols for any potential incidents which they are working to avoid. He noted they have put into place additional measures including shut off valves to protect water supply. He asked why the Lackey Dam sound study was so much more in depth than this one.

W. Talcott asked J. Hager to detail the difference between the Aggregate "no blasting" and the Unified blasting that is currently ongoing. J. Hager stated Aggregate asked to do blasting within their commercial earth removal pit around 2008 and residents expressed concerns so Aggregate pulled their blasting request and just proceeded with mechanical removal. They were not denied blasting. At the same time a member, or prior member, who lives in this neighborhood asked the Earth Removal Board to put a standard condition in place on all commercial earth removal permits prohibiting blasting in the pits. This is where this condition that is just placed in every permit comes from. It can get removed or adjusted permit by permit. The Unified blasting is being done under State law. Anyone can apply for a State blasting permit to alert earth on their own property. This is overseen by the local fire department who have to be present at blasts, but the permit is issued through the State. There are various standards for pre blast surveys and strength of blasts that are based on over a hundred years of study as well as controls on types of blast materials. She noted the Town has also requested some additional measures that go beyond State law. Mr. Laplante asked why the sound study for Unified was only 4 pages with no data as opposed to the 21-page sound study submitted for Lackey Dam Road. M. Piekarski stated they engaged and acoustical engineer showing where ambient measurements were taken and receptors are located.

The determination was that the Building 2 & 3 operations do not exceed any DEP sound standards. J. Hager the distance to receptors and proximity to receptors are vastly different which partially accounts for the differences in the study in addition to the fact that different firms did these studies which don't have a required standard format. In response to a question from the Chair J. Hager confirmed the Town's civil consulting engineer looked at the study for obvious red flags but this is not their specialty, the Board can hire a sound engineer peer reviewer if they chose. She noted the Board always includes a condition that they reserve the right to review actual sound produced by the facility once it's in operation and the applicant must mitigate any issues. She detailed an occasion many years after the fact where an improperly installed fan at Atlas Box produced a pure tone sound heard by only a few residents over a mile away from their site, and this condition allowed the Town to make Atlas Box find out what was causing the noise and fix it.

J. Hager asked the applicant to consider restriction of abrupt sounds like backup alarms and coupling/uncoupling of trucks during certain areas of the day from like 10 PM to 4 AM. She noted on an off issues along Gilmore Drive to residences on Barnett Road.

Andrea Mattei of 21 Golf Ridge Drive asked for clarification if the sycamore tree and wall are safe if Building 1 moves forward? The Chair stated the tree is safe with Building 2 & 3, but they will have to come back for Building 1 if there is an anticipated impact at which time it may not be safe. She asked who suffers the risk of the traffic studies being wrong. The Chair noted there will be traffic monitoring to consider the reality of what is built and require mitigation if necessary. J. Hager stated everyone bears the risk - residents, commuters, and this company all bear the risk which is why the Town hires a peer reviewer and works to consider the holistic view of traffic impacts. She noted there are always traffic anomalies, but in general studies are fairly reliable. She also asked who pays for Central Turnpike improvements from impacts related to these projects. J. Hager stated studies received on recent projects show little or no traffic to Central Turnpike, but of course reality says there will always be "Rogue" operators who take an unanticipated route. The Board cannot restrict the use of public ways for public traffic. She stressed if a study shows a significant amount of impact on any particular roadway the Board will require mitigation at the applicant's expense, but otherwise the Town will pick up the cost of future maintenance and improvements through tax dollars paid by residents and businesses alike or through limited/competitive State funds.

Rico Betti of 107 Dudley Road noted water is flowing out of the hill from the current operations. Is there any thought of monitoring above the excavation to make sure the excavation is not lowering the water table in the Dudley Road/Heritage Road area? Is anyone monitoring that impact? M. Piekarski stated they haven't encountered any veins in the hill what's appears to be bleeding is surface water sheeting over/off the hill. This is consistent with the geotechnical work done out there. Houses are at 500', blasting is at 385' and their wells are bedrock wells in excess of 300-400' deep. Mr. Betti asked this be re-reviewed as he is certain flow is coming through the hill. M. Piekarski reminded the Board the blasting has nothing to do with Buildings 2 & 3. J. Hager stated she will pass on this concerns to the Stormwater Authority.

V. Kalikiri said the Level of Service Summary Tables are in the document pages 33 & 34 and he clarified the traffic counts were done in October 2021 and adjusted using the official Covid adjustments required by the State. All of this was verified and approved by the Town's peer review traffic engineer.

W. Baker read the additional comments received from the Historic Commission which were all addressed.

M. Piekarski asked if the Board is good with the proposed redesign of the Boston Road intersection. He restated he is happy to withdraw the scenic roadway application as it is not actually germane to Buildings 2 & 3 and re-file it with the modification of the definitive subdivision roadway approval. The Board unanimously felt the applicant should pursue the redesigned roadway location that eliminates impact to the tree and wall north of Boston Road and improves the truck turning movements. The applicant request the withdrawal of their scenic roadway alteration application.

Motion: To allow the withdrawal of the scenic roadway application to be refiled with the modification of the definitive subdivision, W. Baker

2nd: W. Talcott

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

The Board addressed requested waivers. Attorney Libardoni ran through the waivers, and he and John Kucich explained their requests.

Motion: To allow an alternate scale for the site plans noting the plan provided clearly show all required detail, R. Largess Jr.

2nd: W. Talcott

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

Motion: To allow some loading spaces to be 13’ instead of 14’, R. Largess Jr.

2nd: W. Talcott

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

Motion: To allow reduction in the amount of parking provided while demonstrating through the land bank plan that the full amount of required parking can be provided if it is needed in the future, W. Talcott

2nd: R. Largess Jr.

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

Motion: To allow driveways of 36’ instead of 30’ for safe truck turning movements, W. Talcott

2nd: W. Baker

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

Motion: To eliminate interior landscape island within the truck parking areas with the addition of a tree for every 100’ of parking spaces to be located adjacent to truck parking with any overflow to entrances at Boston and Providence Roads, S. Paul

2nd: R. Largess Jr.

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

Motion: To allow driveways within the side setbacks off the common driveway between lots 2 & 3, R. Largess Jr.

2nd: W. Talcott

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

Motion: To continue the public hearing to July 11th at 7:30 PM, R. Largess Jr.

2nd: W. Baker

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

(S. Paul leaves the meeting)

Public Hearing (Cont. from 6/13/22) 61 Duval Road – Definitive Residential Subdivision

Wayne Belec of LDC Design reviewed issues addressed and tasks accomplished since the last meeting including comments from the Assessors. Also present was the applicant Tim Flynn (in person) and Courtney Sudak P.E. of Tetra Tech Traffic Engineers (remotely).

J. Hager noted Graves and MDM had only tiny, non-material, plan revisions as remaining comments that can reasonably be conditioned.

Diane David of 49 Duval Road asked if stormwater negatively effecting residents along Duval Road has been addressed and what happens if issues develop. W. Belec stated the proposed conditions require, and they are going to comply, by installing stormwater basins as soon as construction starts. Planting grass, placing stump grindings and straw mulch, as well as diversion channels and settling basins will be utilized to control run-off. The applicants team will monitor storms ¼" or greater and produce inspection reports about runoff and resolution of any issues. In the event of a failure what assurance do the abutters have. J. Hager suggested a proposed condition be adjusted to be more specific with a timeframe for rectifying damage related to stormwater issues.

5.k. – Waiver to allow a 2:1 slope with stabilization per the plans instead of a 3:1, which will also minimize tree clearing.

Motion: To grant the waiver to allow 2:1 slopes with stabilization instead of 3:1 per the record plans, W. Talcott

2nd: W. Baker

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

The Board discussed potential conditions (attached) and made several adjustments as captured within the motion. P. Maynard asked that all advanced warning signage be put up before construction commences due to the amount of children on the street. due to the amount of children on the street. C. Sudak of Tetra Tech stated the Highway Super will advise what signs need to be installed other than the intersection ahead sign for the project entrance. D. David asked about the construction hours and if sound impacts to her animals will be addressed? There is unfortunately no cure for potential typical noise impacts to her animals during the work day. Any unusual noises should be reported.

Motion: To grant subdivision approval for the 30 lot subdivision known as Sutton Douglas Development with the following conditions: W. Talcott

Prior to endorsement of the definitive plans:

1. Prior to plan endorsement in accordance with MGL, the applicant shall provide a covenant that states the lot(s) shall not be transferred until the construction of the roadway and any related site restoration is 100% complete to binder course for the phase and phase(s) leading thereto in which the subject lot(s) are located and an alternate method of surety has been established to secure any remaining roadway and related site work
2. Prior to plan endorsement, all waivers and conditions of approval shall be noted on the plan sheets to be recorded.
3. Prior to plan endorsement, all plan related revisions referenced in the peer review letters, the Planning Directors Memo of 3/9/22, and the Assessors Review dated 2/26/22 shall be completed.

Prior to commencement of construction:

4. Approval of all other required local and state departments, boards, and commissions.

5. 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. If determined to be AutoCAD format, the information shall be on the Mass State Plane Coordinate System (mainland zone) and NAD88 vertical datum.
6. 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.
7. The applicant shall attend a preconstruction meeting with the Planning Department, the town's consulting engineer, 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.
8. The applicant shall provide and receive approval of a Construction Management Plan including travel routes.
9. The applicant shall document the condition of Duval, Mumford, and Torrey Roads within the Town of Sutton as agreed to by the Highway Superintendent and provide a copy of documentation to the Highway and Planning Departments. The applicant shall periodically document the condition of these roads throughout the construction period providing copies of documentation to the Highway and Planning Department. Post construction or no later than May 2028, whichever is sooner, and before final bond release, the applicant shall document the condition of these roads. Should it be determined by the Highway Superintendent in consultation with the Planning Department, that related activity has resulted in the degradation of these roads, then the applicant shall repair/resurface these roadways as determined by the Highway Superintendent in consultation with the Planning Department.
10. The applicant shall post a road opening bond as they are impacting an existing public roadway.
11. The applicant shall post financial security in the amount of \$10,000 per acre of land to be disturbed within the Town of Sutton and execute a related surety agreement.
12. All erosion control measures must be in place, and inspected by the Town's consulting engineer, and maintained throughout the duration of Phase 1 of the project as depicted on the approved plans. The applicant will be provided twenty-four hours to rectify an erosion problem, shall be fined \$300 per day each day after notice of violation of this condition is served in writing via hand delivery, email (response requested) or mail to owner, owner's attorney, or lead contractor. Additionally, all related private property damage shall be resolved in a reasonable time period as determined by the Planning Board or their agent.
13. All stormwater management facilities necessary to control, receive, and contain runoff, (I.E. detention basins, infiltration basins, etc.,) not including the closed drainage system, shall be in place, stabilized, and inspected by the Town's consulting engineer.
14. All off-site advance warning signage/methods related to construction traffic safety as well as permanent advanced warning signage, as determined by the Highway and Police Departments, shall be installed, including reflectors on telephone poles along Duval Road

During construction:

15. Construction shall be limited to Monday through Friday 7:00 AM to 5 PM and Saturday 8 AM to noon, with no construction activity on local, state or federal holidays.

16. The applicant shall establish a construction entrance with material tracking surface at all access point and shall ensure sediment laden runoff, dirt, silt, aggregates, and other construction materials/debris are contained to the construction area and shall clean up anything tracked onto adjacent roadways at the end of every work day.
17. The applicant shall maintain enough equipment and resources to ensure dust is properly controlled and contained to the site at all times.
18. The applicant shall coordinate required subdivision inspections with the Town's consulting engineer in a timely manner.
19. The applicant shall modify plantings or features that may inhibit 85th percentile sight distance at the Duval Road entrance as shown on the approved plans, with follow-up evaluation and approval of sight lines by the Highway Superintendent and the Town's consulting traffic engineer after the modifications are implemented to ensure measures area adequate or complete additional measures to achieve adequate sight distance. This shall occur no later than when the intersection is constructed to approximate road subgrade.
20. Street Light installation shall be coordinated with the Sutton Highway Department to ensure the required type of LED lights are installed at the optimal locations along affected roadways.

Post construction:

21. The Board reserves the right to review screening plantings and require additional plantings or other mitigation to achieve intended screening.
22. 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 substantial compliance with the approved plans.

General conditions:

23. The applicant shall design and construct the Torrey and Manchaug intersection completing improvements by May 2025 at a cost not to exceed \$25,000. The applicant shall complete the survey work for Mumford and Main Street intersection by Dec 2022 at a cost not to exceed \$5,000. The applicant shall provide funds for the Town's use to improve safety at Duval and Mumford Road intersection by September 2023 at a cost not to exceed \$5,000. All improvement and work shall be completed to the satisfaction of the Highway Superintendent.
24. If the stormwater facilities related to the roadway located on each individual lot are to be held in different ownership than the roadway, legal easements shall be established and recorded to ensure said facilities can be legally maintained.
25. 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.
26. Center line and fog striping of Duval Road shall be completed for the length of Duval Road as determined by the Highway Superintendent prior to occupancy of any home in the subdivision
27. Speed feedback signs shall be installed at locations complying with MUTCD requirements and determined by the town's consulting traffic engineer, and Highway and Police Departments prior to occupancy of any home in the subdivision.
28. It is the Board's understanding that the Town of Douglas has agreed if the roadways are accepted as public ways, the Town of Douglas will maintain all roadways and stormwater management basins including those within Sutton. However, if not the applicant shall maintain the roadways, stormwater, and drainage structures.

29. In an effort to minimize/mitigate the removal of trees, the applicant shall mark all trees over 12" to be removed within the front setbacks of the lots within Sutton and obtain the approval of the Planning Board or its agent prior to removals.

2nd: R. Largess Jr.

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

Motion: To close the public hearing, R. Largess Jr.

2nd: W. Baker

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

Action Items

Form A Plans – None.

Administrative Items

Motion: To approve the minutes of 6/13/22, R. Largess Jr.

2nd: W. Baker

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

Filings: None.

Other Board Business: None.

Site Visit Reports:

Blackstone Logistics

Correspondence:

Motion: To adjourn, R. Largess Jr.

2nd: W. Baker

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

Adjourned 11:44 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: **851 8678 4240** Passcode: **307598**. 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.

Duval Road - Minimum Conditions of Approval

Prior to endorsement of the definitive plans:

1. Prior to plan endorsement in accordance with MGL, the applicant shall provide a covenant that states the lot(s) shall not be transferred, nor occupancy granted for any structure with frontage on the roadway, until the construction of the roadway and any related site restoration is 100% complete.
2. Prior to plan endorsement all waivers and conditions of approval shall be noted on the plan sheets to be recorded.

Prior to commencement of construction:

3. Approval of all other required local and state departments, boards, and commissions.
4. 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.
5. 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.
6. The applicant shall attend a preconstruction meeting with the Planning Department, The town's consulting engineer, 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.
7. The applicant shall provide and receive approval of a construction management plans including travel routes.
8. The applicant will document the condition of Duval, Mumford, and Torrey Roads within the Town of Sutton as agreed to by the Highway Superintendent and provide a copy of documentation to the Highway and Planning Departments. Post construction (TIMING??) and before final bond release, the applicant shall repair/resurface these roadways as determined by the Highway Superintendent.
9. The applicant shall post a road opening bond as they are impacting an existing public roadway.
10. The applicant shall post financial security in the amount of \$10,000 per acre of land to be disturbed within the Town of Sutton and execute a related surety agreement.
11. 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.
12. 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.
13. All off-site advance warning signage/methods, as determined by the Highway and Police Departments, shall be installed, including reflectors on telephone poles along Duval Road.
14. Center line striping of the entire length of Duval Road shall be completed and speed feedback signs shall be installed _____.

During construction:

15. 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.
16. 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.
17. The applicant shall maintain enough equipment and resources to ensure dust is controlled and contained to the site at all times.

18. The applicant shall coordinate required subdivision inspections with the Towns consulting engineer in a timely manner.
19. The applicant shall modify plantings or features that may inhibit 85th percentile sight distance at the Duval Road entrance, with follow-up evaluation and approval of sight lines by the Highway Superintendent and the Towns' consulting engineer after the modifications are implemented. This shall occur no later than when the intersection is constructed to approximate road subgrade.
20. Street Light installation shall be coordinated with the Sutton Highway Department to ensure the required type of LED lights are installed at the optimal locations along affected roadways.

Post Construction

21. The Board reserves the right to review screening planting and require additional plantings or other mitigation to achieve intended screening.

General:

22. The applicant shall complete the Torrey and Manchaug intersection improvements by _____. The applicant shall complete the survey work for Mumford and Main Street intersection by _____. The applicant shall provide funds for the Towns use to improve safety at Duval and Mumford Road intersection by _____.
23. 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.
24. If the stormwater facilities related to the roadway located on each individual lot are to be held in different ownership than the roadway, legal easements shall be established and recorded to ensure said facilities can be legally maintained.
25. 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.

Other Considerations – The Board needs to decide if they want to include conditions relative to the following:

- The applicant has stated the Town of Douglas has agreed if the roadways are accepted as public ways, the Town of Douglas will maintain all roadways and basin including those within Sutton. IS there written correspondence from Douglas or a condition that is appropriate to ensure this or will the Board just recommend the roadway in Sutton not be public if Douglas does not agree to these duties at that time.
- Should a performance time frame be assigned to the timing of finish course for roadways and sidewalks?
- Should a condition be placed to minimize/mitigate the removal of trees over 12" in front setbacks of Sutton lots.