

General Conditions:

1. Within a month of the appeal period concluding, the applicant shall provide a final set of plans with waivers granted and conditions of approval on the plan set for the Board's endorsement as the record set of plans upon which construction shall be based.
2. Unless a specific exception is approved by the Planning Director or Building Commissioner, construction shall be limited to Monday through Friday, 7:00 a.m. to 7:00 p.m. and Saturdays, 7:00 a.m. to 12:00 p.m., and shall exclude Sundays and the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, after 12 PM on Christmas Eve, and Christmas. From November 15th to April 1st, equipment may be started at 6:30 a.m. but no construction may commence until 7:00 a.m. unless a specific exception is granted as noted above.
3. During any construction, the Applicant shall maintain all feasible and reasonable means of dust control and shall collect all trash and debris daily.
4. The Applicant shall implement measures to ensure that noise during construction activities does not exceed acceptable levels, as set forth by Federal and State regulatory agencies. The Applicant shall cease any excessively loud noise during construction activities when directed by a duly appointed agent of the Board. No excessively loud activities are permitted prior to 7:00 AM or after 7:00 PM.
5. Prior to plan endorsement, the Applicant shall add one shade tree for every 100' in length of the perimeter of the parking areas dedicated to truck trailer parking. If the planting of such trees is not feasible or permitted around any portion of such perimeter, then the Applicant may add the remaining amount of required trees under this condition elsewhere on the site including at the industrial park entrances on Boston and/or Providence Roads.
6. The Board reserves the right to review landscaping for the purpose of requiring the addition of plants or screening materials which may be reasonably necessary to complete the intended aesthetics and screening.
7. The Board reserves the right to review lighting and require adjustments if they find it to be a danger or nuisance.
8. Materials intended for production and partially or fully assembled products shall not be stored outside except for temporary or occasional storage that is part of routine and customary loading and unloading operations of a warehouse and distribution center. Scrap being donated to the public may be located outside in a well-constructed and maintained enclosure similar to the existing one at 223 Worcester Providence Turnpike. If the applicant needs to establish a permanent outdoor storage area, they must seek approval of an amended site plan showing the location, size, and screening methods.
9. All construction equipment utilized to construct the Project shall be outfitted with manufacturer approved silencing equipment including mufflers and skirts.
10. The Applicant shall employ quiet building equipment and erection systems to minimize sound transmitted to nearby residences.
11. The Board reserves the right to review and assess noise complaints related to onsite operations. If the applicant/operator fails to cure or remedy a complaint the Board deems to be valid within a reasonable time as determined by the Board, the Board reserves the right to require the applicant and/or operator to provide adequate mitigation.
12. The Applicant shall provide post occupancy traffic monitoring studies for the Project. The monitoring shall be annual reviews of the traffic counts and conditions at the intersections identified in the Traffic Impact Evaluation from VHB dated March 30,

2022, as further modified and supplemented by the Applicant's Response to Comments dated June 8, 2022 and VHB's Response to Traffic Comments dated July 1, 2022 (collectively the "TIAS"), at 9, 18, and 30 months after initial occupancy of each building and again after full occupancy if this hasn't occurred before 30 months. The schedule of such monitoring may be adjusted with approval of the Board to coincide with any schedule for monitoring studies imposed by state permitting requirements for the Project (e.g. MEPA and MassDOT). In the event the monitoring study demonstrates an increase in peak hour traffic volumes that is directly and predominately identified as being generated from this Project (as opposed to other significant developments in the area or background traffic growth) of a material nature (defined as more than 20% for trailer truck above the estimated peak hour site related traffic volumes as set forth in TIAS), Sutton may retain a qualified traffic engineer firm having an office in the Commonwealth of Massachusetts to conduct a peer review of owner's monitoring report and, if determined to be necessary, require additional traffic impact mitigation measures to be implemented by the Applicant or, where appropriate, by one or more of the identified communities with reimbursement from the Applicant. Where necessary, the Applicant agrees to make applications to appropriate agencies and boards to obtain necessary approvals, and/or to cooperate with such applications, if such permits or permissions are necessary to construct or implement the recommendations of the peer reviewer. The Board and the Applicant acknowledge that some recommendations may exceed the Board's authority to permit or impose as a condition, such as signalization or other infrastructure improvements. Notwithstanding, the Applicant agrees to pursue such measures, if recommended, with reasonable diligence and subject to the limitations set forth herein.

13. The Applicant shall submit to the town a copy of the Road Safety Audit (RSA) for the intersection of Route 146 and Boston Road that they will prepare for MassDOT. The report will identify short-term and long term safety improvements at the intersection. The timing of the RSA report preparation is subject to the MassDOT timeline for the RSA process to be completed.
14. If the employee parking spaces provided at either site do not provide adequate parking capacity for the operation of the warehouse with distribution use at such site, the Applicant or operator of such site agrees to assess the parking capacity and make any necessary changes to the site to increase parking capacity to adequately meet employee demand. Such improvements may include restriping portions of trailer parking areas to be used for employee parking spaces as approved in advance by the Planning Board or, if necessary, constructing portions of the land banked parking shown on the approved site plans for such site.
15. Per comment #4 of the 4/25/22 memo from Donald Provencher on behalf of Wilkinsonville Water District, only liquid brine, sand, or sand treated with liquid brine shall be stored or used within the Zone II areas and next to jurisdictional wetlands. Other forms of deicing agents may be applied outside these resource areas. All deicing materials shall be stored in containment to prevent precipitation and/or runoff to come into contact with these materials. No crystalized sodium chloride, crystalized calcium chloride or other crystalized salt shall be allowed to be stored or applied within drainage areas tributary to or through stormwater basins located within the Zone II and deicing practices within these areas shall be limited to liquid salt brine, sand, or sand treated with

liquid brine. These areas are to be depicted on the Alternative Deicing Restriction Areas plan updated before site plan endorsement.

16. Per comment #5 of the 4/25/22 memo from Donald Provencher on behalf of Wilkinsonville Water District, application of fertilizer shall be prohibited within the Zone II areas and next to jurisdictional wetlands as well as within drainage areas tributary to or through stormwater basins located within the Zone II. These areas are to be depicted on the Fertilizer Use Restriction Areas plan to be updated before site plan endorsement.

Prior to Commencement of Construction:

17. The Applicant shall prepare and submit for the Board's approval a construction traffic management plan which, at a minimum, shall address construction truck routes, contractor parking, staging areas, hours of operation, determination of need for police details during each identified construction phase.
18. All required approvals and/or permits shall be received from applicable permitting authorities. Notwithstanding the foregoing, the Applicant may continue any construction related to Unified Parkway and related roadway improvements. Site preparation and grading for Buildings 2 & 3 and related stormwater basins may proceed with receipt of all local approvals subject to all other applicable conditions.
19. A pre-construction meeting shall be held with the Planning Director and other Town staff as appropriate, the Town's consulting engineer, the applicant and/or his representative, the applicant's engineer, and the applicant's construction supervisor for this site. Minutes shall be drafted by the Town's consulting engineer and provided to all parties in attendance within 48 hours for approval prior to construction start to ensure all parties are in agreement.
20. The applicant will provide a minimum of one week's notice to review staked limits of clearing with Planning Board representative.

Prior to Issuance of Building or Sign Permits:

21. Prior to issuance of permits for signage within the Town of Sutton the applicant shall submit any signage not shown on the Site Plan to the Planning Board. The Board shall review and act on the signage for compliance with the Sign Bylaw criteria.

Prior to Issuance of Occupancy Permits:

22. The Applicant shall submit an application to the Board to modify its definitive subdivision plan for Unified Parkway as well as a scenic road alteration application in order to seek approval of the redesigned Unified Parkway and Boston Road intersection proposed in conceptual form to the Board during the public hearing on this application. The application shall include a plan to construct a 5' wide concrete sidewalk from Unified Parkway west adjacent to Boston Road along the Applicant's entire frontage separated from the roadway by a minimum 4' wide grass strip, to the extent feasible. Subject to and in accordance with the Board's approval of such applications, the Applicant shall construct said improvements, including an east bound, left turn lane from Boston Road into Unified Parkway, at their expense.
23. Prior to issuance of a certificate of occupancy, security systems and all necessary amplifiers shall be installed as required by the Police and Fire Chiefs.
24. Prior to issuance of a certificate of occupancy on any building, the Applicant shall submit to the Planning Board and receive approval for an As-Built Plan and written certification from the Project's engineer that the site and all infrastructure to serve this area of the site has been constructed substantially in accordance with the Site Plan. Additionally, the

- Applicant shall provide an As Built plan to the Town of Sutton Assessors in accordance with the requirements in their email dated 4/23/22.
25. Prior to issuance of occupancy on any structure a knox box with building access keys and/or codes, a building layout plan and emergency contract shall be installed to the satisfaction of the Fire Department.
 26. All exterior doors and roof access shall be marked on the interior and exterior with reflective, sequential numbering that is reflected on the building layout plans in the knox box.
 27. The Fire Departments shall be given the opportunity to tour the building to orient themselves with the new structure.
 28. The building occupant shall detail the method and location of snow removal from trucks.
 29. The permit holder shall record such instruments, including a plan of the common driveway, as are necessary to establish easements providing for use of the common driveway and a restriction burdening all lots served by the common driveway that said common driveway shall remain private in perpetuity, no parking will be allowed on the common drive and all roadway maintenance, snowplowing and rubbish collection shall be the land owners' responsibility. The Plan and instruments shall be in a form approved by the Planning Board, and shall be recorded, with proof of such recording provided to the Planning Board.

Site Maintenance

30. The Applicant shall ensure proper maintenance of plantings on the site, including immediate replacement of dead or diseased plantings unless it is winter or summer, in which case in the following planting season.
31. The Applicant shall make minor clarifications to the O & M plan as requested by the Planning Director prior to site plan endorsement. Thereafter the applicant shall comply with the final O&M plan for the site drainage systems. Inspection and maintenance shall be performed in accordance with the recommended schedule and a written report shall be prepared by the inspector, including any required correction actions to be taken, such report to be submitted to the Planning Board within fourteen (14) business days of owner's receipt of the report. Any required correction actions shall be promptly implemented by the owner at its expense.
32. The industrial wastewater (i.e., floor drain wastewater) holding tanks and ancillary components shall be designed, certified, operated and maintained in accordance with MassDEP WP56: Industrial Wastewater Holding Tank Compliance Certification and 314 CMR 18.00: Industrial Wastewater Holding Tank and Container Construction, Operation, and Record Keeping Requirements unless it is demonstrated by the applicant that other regulations apply. The Applicant or holding tank operator shall provide the Town of Sutton with copies of records associated with the holding tanks within fourteen (14) days of the Town's request.