

SUTTON PLANNING BOARD

Meeting Minutes December 18, 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: R. Largess Jr., W. Talcott, W. Baker, M. Gagan

Present remotely: E. McCallum (Associate)

Absent: S. Paul

Staff: J. Hager, Community Development Director

E. McCallum acted as a full member in the absence of S. Paul.

Public Hearing – 120 Burbank Road – Retreat Lots (3) & Common Driveway Special Permits

M. Gagan read the hearing notice as it appeared in The Chronicle.

Raouf Mankaryous P.E. of Alpha Omega Engineering was present with his client James Lenihan. He explained his client is splitting a large parcel into three retreat lots and two standard lots. Lots 1 & 3 will share a common driveway to limit wetland crossings to one.

James Marran of 80 Burbank Road expressed concerns with construction traffic utilizing lower Burbank or Sibley Roads. He asked the Board to place a condition that this traffic can only use Burbank Street in Millbury or Wheelock Road in Sutton. He also asked there be an area for truck turning on the lots.

J. Hager agreed Sibley Road should be avoided, but stated trucks can navigate lower Burbank with no issues, except for the rare inexperienced driver. She also stated she would not recommend a condition for turning on the lots to accommodate a tractor trailer if it required greater clearing or disturbance than would otherwise happen with typical home construction/access.

Mr. Lenihan stated he has no desire to upset the neighbors, so he will do his best to ensure larger construction vehicles approach from the north. He added there is already enough room for large trucks to turn on the property in the field, unless it's very wet. Therefore, he can accommodate this request with no additional clearing for this purpose. He added they've only had one issue in the past and none since he spoke with his suppliers/contractors.

The Board reviewed comments received from Departments. There were no issues.

Motion: To grant the Special Permit for 3 retreat lots and one common driveway at 120 Burbank Road with the following conditions: W. Talcott

Conditions of Approval for the Retreat Lots

1. A recorded copy of the decision, covenant and plan must be received by the Planning Department within 6 months.
2. Approval of all other applicable Boards, Departments and Commissions.
3. The driveway shall have a maximum grade of 12% and minimum paved width of 12' width and 15' cleared width.
4. Underground utilities shall be provided on the retreat lots, unless the Planning Board makes findings in open meeting that underground utilities are not practical due to extreme

topographical or environmental constraints and/or safety issues. Above ground utilities shall not be allowed solely for the convenience and/or preference of a petitioner.

5. The house number shall be clearly visible at the street in both directions of travel.
6. No occupancy permit shall be granted until all conditions and requirements of this bylaw and the Special Permit granted by the Board are 100% complete.
7. Access to Lots 1 & 3 will result in only one wetland crossing.

Conditions of Approval for Common Driveway

1. A recorded copy of the decision and plan must be received by the Planning Department within 6 months.
2. Approval of all other applicable Boards, Departments and Commissions.
3. The common driveway shall have a maximum grade of ten percent (10%), three percent (3%) within 50 feet of the street line.
4. Underground utilities shall be provided on the common driveway after crossing the wetland and poles shall be hidden in the tree line.
5. Prior to commencement of construction on the common driveway or any house to be served by the common driveway, the permit holder shall record a plan for the common driveway and such instruments 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, snow-plowing and rubbish collection shall be the land owners' responsibility. The plan and instruments shall be in form approved by the Planning Board, and shall be recorded, with proof of such recording provided to the Planning Board, prior to use of the common driveway to serve more than one lot.
6. Prior to commencement of construction of any house to be served by the common driveway, the private driveways branching off the common drive shall be reviewed and approved in each case by highway, fire and police to ensure emergency vehicle access.
7. An occupancy permit for any structure accessed via the common driveway shall not be granted until the street numbers of the lots serviced by the common driveway are clearly posted on a single permanent post at the street, in a form approved by the Planning Board, so as to be visible from both directions of travel, and are also posted on a permanent post at the point at which each private driveway splits from the common driveway. Said signage shall be purchased from the Sutton Highway Department and installed by the applicant in a location agreed upon with the Sutton Highway Department.
8. An occupancy permit for any structure accessed via the common driveway shall not be granted until the common driveway site work is 100% complete. In order to be considered complete, the design engineer must submit a stamped letter certifying the common driveway site work has been constructed as shown on the approved plans.
9. An occupancy permit for any structure on the retreat lot shall not be granted until all conditions of the approval and all bylaw requirements have been 100% satisfied.
10. During construction, the applicant shall have at least one location on the lots to be constructed that provides an adequate turning area for trucks.
11. During construction, that applicant will require large vehicle deliveries to come from Wheelock Road in Sutton or Burbank Street in Millbury.

2nd:

W. Baker

Vote:

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

In response to a question from the Board, the applicant stated they need to have above ground utility poles along the common driveway until the wetland crossing is made at which point they can go underground. The poles will be hidden in the tree line. The Board agreed with this request.

Motion: To close the public hearing, W. Baker

2nd: W. Talcott

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

Action Items

- Form A Plans – None

- 211 Worcester Providence Turnpike - Concierge Physical Therapy – Site Plan Waiver

Owner Sean Lorden was present to explain to the Board he is relocating his business to 211 Route 146N. He stated there will be 6 providers at the site with about 1.5 patients per hour. They typically see about 75 clients total per day. Their normal hours are 8 AM to 8 PM.

The Board reviewed department comments. There were no issues.

W. Baker disclosed he is a client of concierge, adding his observations are that they use precise scheduling and are very organized.

W. Talcott stated he sees no need for a full public hearing process as the building exists and the proposed use is not substantially different impacts than the previous fitness facility use. The Board has also not received and safety complaints at the location.

Motion: To waive Site Plan Review and allow the relocation of Concierge PT to 211 WP Tpke conditioned on the receipt of all other required permits, M. Gagan

2nd: W. Baker

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

- 39 Gilmore Drive – New Tenant

Brett Demers of Accurate Transport was present to introduce himself and his business to the Board. They are locating at 39 Gilmore Drive, the previous home of Ross Express transport. He stated they are basically the same type of business although substantially smaller. They primarily handle less than full load (LTL) deliveries. He noted because of their size, he does not anticipate issues like noise and parking on the roadway, which the Town experienced with Ross Express. He stated they will have 8 employees and trucks to start at this location, and likely grow to a maximum of 15 in the future. They operate 24 hours, but most activity is between 5-7 AM and 5–7 PM. They may have more storage at the site than Ross. R. Largess Jr. noted they should be registering their vehicles in Sutton. The Board agreed there was no need for approval from them as the use is basically the same as the previous use. However, they recommended the applicant see the Building and Fire Departments to be sure they are all set with the type of storage they intend. The Board welcomed Accurate to Sutton.

- 27 Worcester Providence Turnpike (XtraMart Diesel Expansion) – Endorse Site Plans

Motion: To endorse the Site Plans for expansion of the high speed diesel pumps and related site work dated 11/15/23, W. Talcott

2nd: E. McCallum

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

- Additional Action Items - None

Administrative Items

Motion: To approve the minutes of 11/20/23, W. Baker

2nd: M. Gagan

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

Filings: The Board acknowledged the filing of the following applications. The hearings will be held January 8th.

- 81 Uxbridge Road – Retreat Lot Special Permit
- 16 Carr Street – Accessory Apartment Special Permit
- 47 Hough Road - Pyne Sand & Stone – Ongoing Earth Removal

Site Visit Reports: The Board acknowledged Site Visit Reports for Unified Parkway.

Abutting Town Notices of Interest: None

Board Business:

- 2024 Meeting Schedule – The Board confirmed they are in agreement of the proposed meeting schedule.

Correspondence:

- The Community Development Director noted she has provided the Board with copies of correspondence related to stormwater issues at Forest Edge so they are kept in the loop. There is no action for the Board to take at this time as she is working with various parties to try to resolve the issues.

Motion: To adjourn, M. Gagan

2nd: W. Talcott

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

Adjourned 8:03 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.