

Michael Gagan, Chair
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Robert S. Largess, Jr.
Scott Paul
Walter A. Baker
Erica McCallum, Associate

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TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

SPECIAL PERMIT - GROUNDWATER PROTECTION DISTRICT

August 4, 2022

Town Clerk, Town of Sutton

At a meeting held on July 25, 2022, the Sutton Planning Board, in accordance with Zoning Bylaw V.B, voted to approve the **Groundwater Protection District (GPD) Special Permit** application. The application was submitted by UGPG RE SUTTON LLC, of Sutton, MA for property located at 40 & 42 Unified Parkway (formerly known as 39, 39R, 47, 49R, 51, and 63 Buttonwood Avenue; 7, 11, 14, 26, 34 and 39R Hatchery Drive; and 53, 71, and 105 Providence Road) - WDRD B64357 P317; B65304 P312; B63692 P50; B66277 P112. The applicant requested to allow the creation of over 2,500 sf of impervious area and the construction of drainage improvements within the GPD.

Public hearings concerning the application and associated project were held on the following evening(s): April 25, 2022, May 23, 2022, June 27, 2022, July 11, 2022 and July 25, 2022.

The Planning Board conducted deliberations on the following evening: July 25, 2022.

Hearing Attendance/Absence:

4/25/22	M. Gagan, W. Talcott, R. Largess, Jr., S. Paul (late – certificate of viewing), W. Baker (absent – certificate of viewing), E. McCallum (associate)
5/23/22	M. Gagan, W. Talcott, R. Largess, Jr., S. Paul, W. Baker, E. McCallum (associate)
6/27/22	M. Gagan, W. Talcott, R. Largess, Jr., S. Paul, W. Baker, E. McCallum (associate)
7/11/22	M. Gagan, W. Talcott, R. Largess, Jr., (absent – certificate of viewing), S. Paul, W. Baker, E. McCallum (associate)
7/25/22	M. Gagan, W. Talcott, R. Largess, Jr., S. Paul, W. Baker, E. McCallum (associate)

Eligible to vote: M. Gagan, W. Talcott, R. Largess, Jr., S. Paul, W. Baker, E. McCallum (associate)

The following individuals raised questions and/or expressed concerns with the Application: various per the public record

The following individuals spoke in favor of the application: various per the public record

The following members voted in favor of granting the approval: M. Gagan, W. Talcott, R. Largess, Jr., S. Paul, W. Baker, E. McCallum (associate)

The following members voted in opposition to the approval: none

Approval was based on the following plans:

Unified² Industrial Development – Unified Parkway

Proposed site plans (prepared by John A. Kucich, P.E., Bohler Engineering) 7/6/22

Cover sheet	C-101
General notes sheet	C-102
Zoning compliance plan	C-301
Overall layout plan	C-302
Layout plan (a - d)	C-303-306
Overall grading and drainage plan	C-401
Grading and drainage plan (a - d)	C-402-405
Drainage schedule	C-406
Overall utility plan	C-501
Utility plan (a - e)	C-502-506
Overall soil erosion and sediment control plan	C-601
Soil erosion and sediment control plan (a - e)	C-602-606
Erosion and sediment control notes and details	C-607
Overall landscape plan	C-701
Landscape plan (a - d)	C-702-705
Landscape notes and details	C-706
Proposed photometric light plan (a - c)	C-707-709
Detail sheets	C-901-905
Existing conditions plan of land (prepared by WSP USA, Inc.) 3/28/22 - 9 sheets	
Unified building 2 partial floor plans and elevation plans (prepared by Gregory J. O'Connor Associates, Inc.) 3/21/22 - 11 sheets	
Unified building 3 partial floor plans and elevation plans (prepared by Gregory J. O'Connor Associates, Inc.) 3/21/22 - 7 sheets	
Unified building 2 & 3 renderings (prepared by Gregory J. O'Connor Associates, Inc.) 3/21/22 - 1 sheet	
Unified pump house plans and elevations (prepared by Gregory J. O'Connor Associates, Inc.) 3/15/22 - 1 sheet	

Findings:

- 6.c.6 - Through peer review and hearing submissions and testimony, the Board found the system for groundwater recharge has been provided which does not degrade groundwater quality, recharge is via stormwater infiltration basins covered with natural vegetation and all such basins and wells are to be preceded by oil, grease, and sediment traps to facilitate removal of contamination. Additionally, any and all recharge areas shall be permanently maintained in full working order by the owner per the operation and maintenance plan submitted by the applicant.
- 7.c. – Through peer review and hearing submission and testimony, the Board found that the proposed use will not adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District, and the proposed use has been designed as much as possible to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

Approval was conditioned on the following:

General Conditions:

- During any construction, the Applicant shall maintain all feasible and reasonable means of dust control and shall collect all trash and debris daily.
- 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.
- 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 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.
- 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.
- 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:

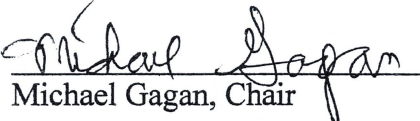
- All required approvals and/or permits shall be received from applicable permitting authorities. Notwithstanding the foregoing, the Applicant may continue any construction related to Unified Parkway and related roadway improvements. Site preparation and grading for Buildings 2 & 3 and related stormwater basins may proceed with receipt of all local approvals subject to all other applicable conditions.
- 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.
- The applicant will provide a minimum of one week's notice to review staked limits of clearing with a Planning Board representative.

Prior to Issuance of Occupancy Permits:

- 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.
- 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.

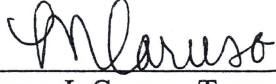
Site Maintenance:

- 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.
- 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.


Michael Gagan, Chair

cc:	Town Manager	Building Commissioner	Board of Health	Conservation
	Board of Assessors	Fire Department	Police Department	Select Board
	Highway Department	Wilkinsonville Water	Sewer Department	Applicants
	Parties in Interest			

NOTE: This permit must be utilized within two (2) years or it will expire and no longer be valid.

Filed in the Town Clerk's office August 4, 2022 
Laura J. Caruso, Town Clerk

This decision is subject to appeal in accordance with M.G.L. c. 40A § 17 within 20 days after this decision if filed with the Town Clerk.

I, Hereby certify that twenty-one days have lapsed since the filing of the above reference decision in the Town Clerk's office on _____ and that no appeal has been filed.

Laura J. Caruso, Town Clerk