

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

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TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

HEIGHT SPECIAL PERMIT

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 III.B.3 Table 3 & VII.A.2, voted to approve the **Height Special Permit** application to allow building height increase to 45' within the OLI Zoning District. The application was submitted by UGPG RE SUTTON LLC, of Sutton, MA for two structures to be located at 40 & 42 Unified Parkway, Sutton, MA (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.

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	

The Board made the following findings with respect to the requested 10' height increase:

- The appropriateness of the specific site as a location for the use (at the increased height)
The height from finished floor level is actually 40', the rest of the 45' in height being requested is actually a depression below floor level along the sides of the buildings to accommodate the depth of loading bays.
Per the renderings, this minimal increase will have no detriment to the public.
Town Meeting approved a possible height exceedance up to 70' to meet industry standards and accommodate the potential for more types of businesses.
The closest home to these structures is hundreds of feet away with ample vegetation in between.
- The adequacy of public sewerage and water systems (as it pertains to increased height)
The Sutton Sewer Department and Wilkinsonville Water District both approved these plans. The Sutton Fire Department would not have approved the plans if there were any concerns on their behalf.
- The effect of the developed use upon the neighborhood (at the increased height)
The renderings demonstrated the structures will not be seen by abutters and will therefore have no negative effect.

4. Whether there will be undue nuisance or serious hazard to vehicles or pedestrians (as it pertains to increased height)

The increase in height will not have any effect on vehicular or pedestrian traffic or safety.

5. Whether adequate and appropriate facilities will be provided to ensure the proper operation of the proposed use, structure, or condition (at the increased height)

The increased height will not have any effect on the proper operation of the proposed use, structure, or condition at these sites.

Approval of the requested permit is subject to the following conditions:

General conditions:

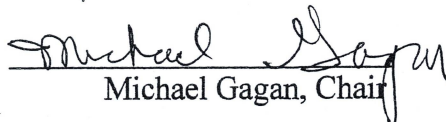
- The Board reserves the right to review landscaping for the purpose of requiring the addition of plants or screening materials which may be reasonably necessary to complete the intended aesthetics and screening.
- The Board reserves the right to review lighting and require adjustments if they find it to be a danger or nuisance.
- 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.

Prior to issuance of occupancy:

- 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.

Site maintenance:

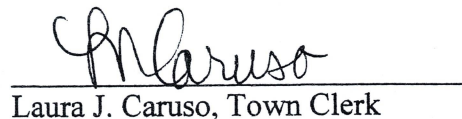
- The Applicant shall ensure proper maintenance of plantings on the site, including immediate replacement of dead or diseased plantings unless it is winter or summer, in which case in the following planting season.
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Michael Gagan, Chair

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