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Worcester South District Registry of Deeds
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William Talcott
Robert S. Largess, Jr.
Scott Paul
Walter A. Baker
Erica McCallum, Associate

Jennifer S. Hager
Economic Development & Planning Director



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TOWN OF SUTTON PLANNING BOARD & DEPARTMENT

SPECIAL PERMIT COMMON DRIVEWAY

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 VI.I voted to approve the **Common Driveway Special Permit** 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 proposes to construct a common driveway.

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

UGPG RE SUTTON, LLC (40 & 42 Unified Parkway)**Special Permit – Common Driveway**

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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	
Common Driveway Exhibit (prepared by John A. Kucich, P.E., Bohler Engineering) 6/3/22	

The Board made the following findings with respect to the Common Driveway Special Permit:

- Through peer review, staff review and hearing submissions and testimony, the Board found that the common driveway will satisfy the requirements set forth in Section VI.I.1 through V.I.17 of the Zoning Bylaw.

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

General conditions:

- 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

UGPG RE SUTTON, LLC (40 & 42 Unified Parkway)**Special Permit – Common Driveway**

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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.

- During any construction, the Applicant shall maintain all feasible and reasonable means of dust control and shall collect all trash and debris daily.
- 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.
- All construction equipment utilized to construct the Project shall be outfitted with manufacturer approved silencing equipment including mufflers and skirts.
- 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.
- 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.
- Underground utilities shall be provided on this common driveway.

Prior to commencement of construction:

- 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.
- 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.

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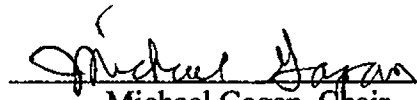
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Prior to Issuance of Occupancy Permits:

- 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.
- Occupancy permits for buildings 2 and 3 shall not be granted until the street numbers of the buildings accessed by the common driveway are clearly posted at its intersection with Unified Parkway in both directions of travel.
- Occupancy permits for buildings 2 and 3 shall not be granted until the common driveway and related 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.

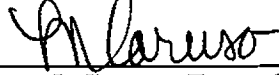
Site Maintenance

- 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 is 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 August 25, 2022 and that no appeal has been filed.


Laura J. Caruso, Town Clerk

ATTEST: WORC Kathryn A. Toomey, Register