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March 30, 2022  
120344-17

**Via Hand Delivery**

Town of Sutton Planning Board  
Town Hall  
4 Uxbridge Road  
Sutton, MA 01590  
Attn: Jennifer Hager, Planning & Economic Development Director

Re: UGPG RE Sutton LLC – Site Plan Approval, Special Permits and Scenic Road  
Alteration for South Site

Dear Director Hager and Members of the Planning Board:

On behalf of UGPG RE Sutton LLC, the real estate development affiliate of UNIFIED<sup>2</sup> Global Packaging Group (“Unified”), I am pleased to submit the enclosed site plan approval, special permit and scenic road permit applications in connection with Unified’s proposed development of a two (2) building warehouse and distribution center totaling approximately 995,000 square feet (the “Project”). The Project will expand Unified’s long-time business operations within the Town of Sutton (formerly as Atlas Box), where it has been operating for more than 30 years.

Specifically, Unified is seeking the following approvals and permits from the Town of Sutton Planning Board (the “Board”):

- Special Permit under Section III.A of the Town of Sutton Zoning Bylaw (the “Bylaw”) to allow a Warehouse with Distribution use within the Office and Light Industrial (“OLI”) Zoning District (the “Use Special Permit”);
- Special Permit under Section III.B of the Bylaw to allow building height in excess of 35 feet within the OLI Zoning District (the “Height Special Permit”);
- Special Permit under Section V.B of the Bylaw to allow (i) the creation of over 2,500 s.f. of impervious area and (ii) the construction of drainage improvements within the Bylaw’s Groundwater Protection District (the “GPD Special Permit”);
- Special Permit under Section VI.I of the Bylaw to allow a Common Driveway (the “Common Driveway Special 99970 35Permit”);



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- Site Plan Approval for the Project (the "Site Plan Approval"), including a waiver request from Section IV.C.4 of the Bylaw to allow a plan scale of 1"=50';
- Waivers and/or modifications from certain provisions of Section IV.B of the Bylaw (Off-Street Parking, Loading and Landscaping Regulations), as more particularly described herein (the "Section IV.B Waivers"); and
- Consent of the Board to alter a Scenic Road pursuant to Bylaw 15 of the Town of Sutton General Bylaws (the "Scenic Road Approval").

In support of the above permits and approvals, enclosed please find **eight (8) copies** of the following materials, unless otherwise noted:

- Town of Sutton Application for Special Permit (III.A or VI);
- Town of Sutton Application for Site Plan Approval (IV.C);
- Abutter's List Request Form – 300' (Special Permit and Site Plan Applications);
- Town of Sutton Application for Scenic Road Alteration & Application for Public Shade Tree, which includes the following:
  - Photographs depicting existing condition of applicable portion of Boston Road;
  - Abutter's List Request Form – 100' (Scenic Road Application)
- Thirteen (13) copies (4 full size copies and 9 copies at 11"x17") of the following plans (collectively, the "Site Plans"):
  - Proposed Industrial Development, Unified Parkway, Town of Sutton, Worcester County, Massachusetts, dated March 28, 2022 (41 sheets) prepared by Bohler Engineering;
  - Existing Conditions Plan of Land dated March 28, 2022 (9 sheets) prepared by WSP USA, Inc.;
  - Floor Plans and Elevation Plans for Building 2, dated March 21, 2022 (11 sheets) prepared by Gregory J. O'Connor Associates, Inc.;
  - Floor Plans and Elevation Plans for Building 3, dated March 21, 2022 (7 sheets) prepared by Gregory J. O'Connor Associates, Inc.;
  - Unified Pump House Plans and Elevations, dated March 15, 2022 (1 sheet) prepared by Gregory J. O'Connor Associates, Inc.;
  - Building Renderings dated March 21, 2022 (1 sheet) prepared by RP Masiello, Inc.; and
  - Transportation Improvement Boston Road dated March 28, 2022 (19 sheets) prepared by VHB;
- Truck Turn Exhibit dated March 28, 2022 prepared by Bohler Engineering;
- Two (2) copies of Drainage Report for Unified – Proposed Buildings 2 and 3 dated March 23, 2022, prepared by Bohler Engineering (the "Drainage Report");





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- Traffic Impact Evaluation for Building 2 and Building 3 dated March 30, 2022 prepared by VHB; and
- Permit Fee Schedule.

Enclosed please also find a check for \$15,997.38 made payable to the Town of Sutton, which accounts for all application filing fees and abutter mailing fees as confirmed with the Town of Sutton Planning Department.

Concurrently with this submission, Unified is delivering a full size set of the Site Plans and copy of the Drainage Report to the following parties for review: (i) Graves Engineering, Inc. for the Board's peer review, and (ii) the Wilkinsonville Water District. Additionally, Unified is providing PDFs of the Site Plans and the Traffic Impact Evaluation to Müller & Associates for its peer review of the Project's traffic impacts.

#### **I. The Property and the Project**

Over the past year, Unified has acquired approximately 440 acres of land in Sutton and Millbury, Massachusetts formerly owned by Aggregate Industries – Northeast Region, Inc., Worcester Sand & Gravel Co., Inc., the Town of Sutton and others, and located off of Buttonwood Avenue, Boston Road, Dudley Road and Providence Road (collectively, the "Property"). The Board approved a Definitive Subdivision Plan of the Property pursuant to a Certificate of Approval of Definitive Subdivision Plan of the Property dated January 12, 2022, which created a private subdivision roadway, Unified Parkway, connecting Boston Road with Providence Road.

As shown on the Site Plans, the Project proposes to develop two of the subdivided lots of the Property totaling 124.1 acres with two warehouse buildings (the "Project Lots"). On Lot 2, an 86.8 acre site, Unified is proposing an approximately 652,530 warehouse building with 252 employee parking spaces, 113 loading bays and 33 trailer parking stalls and a small pumphouse ("Building 2"). On Lot 3, a 37.3 acre site, Unified is proposing an approximately 343,206 s.f. warehouse building with 90 employee parking spaces, 51 loading bays and 118 trailer parking stalls ("Building 3"). Both Buildings are proposed to be 40 feet high. Additionally, the Project will involve making some roadway improvements to the portion of Boston Road abutting the Property to accommodate its new intersection with Unified Parkway.



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## II. Use Special Permit

Both of the Project Lots are located nearly entirely within the OLI Zoning District under the Bylaw.<sup>1</sup> Unified is proposing to expand its existing packaged goods warehouse and distribution business in Sutton at these two new warehouse facilities. Warehouse with Distribution is permitted in the OLI Zoning District by a Special Permit from the Board.

Allowing this use at the Project Lots is consistent with the spirit of the Bylaw and in conformity with the Master Plan for the Town of Sutton. The Town has identified this area of Sutton, including the Project Lots, as a prime location for the development of business and industry in order to increase the Town's tax base and drive job creation. The Project Lots will be adequately served by Unified Parkway in terms of frontage and utilities, and has been designed in a manner to provide safe site circulation for employees and loading and delivery vehicles servicing the buildings. Appropriate facilities will be provided to ensure proper operation of the warehouse buildings and related improvements, including utilities, drainage basins, grading, landscaped areas, lighting and other features. The Project will maintain undisturbed, natural vegetated areas separating the Project Lots from abutting properties, essentially creating a natural buffer area in excess of applicable setback and buffer zone requirements. Taken together, the Project will not cause undue nuisance or serious hazard to vehicles or pedestrians and will be in harmony with the purpose and intent of the OLI District.

## III. Height Special Permit

As shown in the Site Plans, Building 2 and Building 3 are each proposed to be 40 feet tall. Buildings above 35 feet in height are allowed by Special Permit in the OLI District.

In addition to the reasons set forth above with respect to the Use Special Permit, we note that the Board sponsored and unanimously supported several amendments to the Bylaw passed at Spring Town Meeting in 2021 to unlock the development potential of this area of Sutton, including allowing height in excess of 35 feet. Consistent with the Board's reasoning for amending the Bylaw's height provisions, the additional 5 feet in height is necessary to accommodate the functional and efficient operation of Unified's warehouse use within the proposed buildings using the latest technology and industry standards. Unified has sufficiently mitigated the concerns of the additional proposed height by setting back the buildings several hundred feet from residential structures in the vicinity of the Property.

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<sup>1</sup> A small portion of Lot 2 between the eastern side of Cold Spring Brook and Buttonwood Avenue is located in the Residential Rural (R-1) Zoning District. However, no Project improvements are proposed on such portion of Lot 2.





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#### IV. GPD Special Permit

As shown on the Site Plans, a portion of the Project Lots is located within the DEP Zone II Buffer Area established by the well located on the circular lot owned by the Wilkinsonville Water District. The Project will include the creation of greater than 2,500 square feet of impervious areas and drainage improvements within Zone II.

To meet the Bylaw's requirements under Section V.B.6.c.6, the Project, including the proposed parking areas, has been designed to drain to deep-sump, hooded catch basins. The catch basins will capture and convey stormwater runoff, via an underground pipe system, to one of three (3) proposed underground infiltration basins or one of five (5) surface infiltration basins. Pretreatment of stormwater runoff will be provided by a combination of the deep-sump, hooded catch basins, forebays and isolator rows prior to discharge into the proposed infiltration basins. Rooftop runoff has been designed to flow to the basins as well. Moreover, in no way, during construction or thereafter, will the Project's drainage improvements adversely affect the existing or potential quality or quantity of water that is available in the Groundwater Protection District, and the Project is designed to avoid substantial disturbance of the soils, topography, drainage, vegetation, and other water-related natural characteristics of the site to be developed.

In support of the Groundwater Protection District Special Permit, Bohler Engineering has prepared the enclosed Drainage Report. The report was developed to comply with the Massachusetts Department of Environmental Protection's Stormwater Management Standards, and includes an Operation and Maintenance (O&M) Plan for the Project. The O&M Plan outlines procedures and timetables for the long-term operation and maintenance of the proposed stormwater management facilities. By meeting these standards and maintaining these facilities in accordance with the O&M Plan, the Project will protect water resources and meets the objectives of the Bylaw's Groundwater Protection District by properly managing any adverse effects of increased stormwater runoff, safeguarding the public health, safety, environment and general welfare of the residents, institutions and businesses in the Town of Sutton and promoting groundwater recharge to protect surface and groundwater drinking supplies.

Pursuant to Section V.B.7.e of the Bylaw, Unified also confirms that it will not be using or storing any chemicals, pesticides, herbicides, fertilizers, fuels, and other potentially hazardous materials on the premises in quantities greater than those associated with normal household use.

#### V. Common Driveway Special Permit

As shown on the Site Plans, a portion of the driveway located on Lot 2 provides access to both Building 3's employee parking area as well as one of the loading and delivery parking areas serving Building 2. Because this portion of the driveway provides access to more than one lot, a Common Driveway Special Permit is required under Section VI.I of the Bylaw. The Project is





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designed to keep loading and delivery vehicles separate from employee vehicles to the fullest extent practicable due to safety concerns. As a result, use of a common driveway is necessary to provide safe employee vehicular access to Building 3's employee parking lot. If the Project could not use this portion of such driveway as a common driveway, then the Project would need to provide an alternative means of access to Building 3's employee parking area that would require navigating through the loading and delivery areas on the Building 3 site.

In accordance with Section VI.I.12 of the Bylaw, prior to the use of the common driveway, Unified will plan to record an easement agreement in a form approved by the Board providing for use of the common driveway and a restriction burdening the Project Lots that the 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. Additionally, for compliance with Section VI.I.16 of the Bylaw, please refer to the Drainage Report submitted herewith.

#### **VI. Site Plan Approval and Section IV.C.4 Waivers**

In support of the Project's Site Plan Approval application, this submission includes a traffic impact assessment prepared by VHB. The traffic assessment confirms that the traffic generated from the Project will have a minimal effect on traffic flow and operations in the area, and the Project can be supported by the area roadway system without the need for capacity improvements or other mitigation measures. Even still, in anticipation of future development at the remainder of the Property, Unified is proposing to implement certain improvements at the intersection of Boston Road and Unified Parkway now in order to mitigate potential traffic impacts in the future, which include widening Boston Road, constructing medians and providing a dedicated left-turn lane from Boston Road onto Unified Parkway.

In terms of the community and fiscal impact of the Project, Unified has entered into a Tax Increment Financing arrangement with the Town in connection with the development of the Project Lots (the "TIF Agreement"). Under the TIF Agreement, Unified is obligated to create at least 100 jobs and retain another 100 jobs at Building 2 and Building 3, and is committed to creating internship programs with Sutton High School's School to Career Program and the Blackstone Valley Vocational Technical High School. Over the 15-year term of the TIF Agreement, the Project is expected to generate approximately \$3,350,000 in new tax revenue for the Town. Unified also anticipates that the value of the Project will increase the value of other nearby industrial and commercial properties in the OLI District.

Other fiscal and community impacts are minimal. Due to the use of the Project Lots as a warehouse and distribution center, the Project will have less demand for public services and infrastructure than a typical business office or multi-family residential use. The character of the



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Project is consistent with the Town's long-term planning goals of driving business and industrial growth to replace the Town's historic earth removal activities at the Property. There are also no impacts to significant historic properties, districts or areas in the vicinity of the Project. Finally, the design and character of the Project is similar to the recently approved Unified building at 223 Worcester Providence Turnpike as well as other warehouse projects currently being developed and permitted in the Town.

In accordance with Section IV.C.4.s of the Bylaw, Unified is also seeking a waiver from the Section IV.C.4 of the Site Plan Requirements, which requires the Site Plans to be shown at a 1"=20' scale. The Site Plans are at a scale of 1"=50' due to the size of the Project. Literal compliance with this provision is impractical, as it would create an unnecessarily burdensome plan set to review when all substantive site plan details for the Project can be adequately assessed at a scale of 1"=50'.

#### VII. Section IV.B Waivers

Section IV.B.6 of the Bylaw allows the Board to grant waivers or modifications from the Bylaw's off-street parking, loading and landscaping regulations upon finding that such requirements would unreasonably restrict the use of the property or would be detrimental to the orderly development of the area. Unified is requesting the following waivers and/or modifications from Section IV.B of the Bylaw:

1. *Section IV.B.1 – Parking, maneuvering and driveways shall not be located within the applicable front, side and rear yard setbacks in the B2, Industrial, and OLI Districts.*

As shown on the Site Plans, there are three locations where driveways connecting to Lot 3 cross over the side yard setbacks of both Lot 2 and Lot 3 to connect to the driveway located on Lot 2 running parallel with the lot line separating Lot 2 and Lot 3. These connections provide the Project with more orderly and safer site circulation between Building 2 and Building 3. Specifically, as discussed above with respect to the common driveway, the first connection allows separate access to Building 3's employee parking lot without navigating through the other truck and loading areas serving Building 3. The other two connections crossing the sideyard setbacks provide additional means of ingress and egress to each of the buildings and encourage better traffic flow around the rear of the buildings and away from Unified Parkway.

Additionally, as shown on the Site Plans, there is a very small 10 square-foot section of the driveway on the east side of Lot 2 that extends into the sideyard setback near the driveway's curb cut at Unified Parkway. The driveway is wider here to accommodate trucks requiring a wider right-hand turning radius into the Lot 2 driveway from Unified Parkway.



*2. Section IV.B.2 – 14-foot Minimum Width of Loading Space*

The Project provides a total of 113 loading spaces for Building 2 and 51 loading spaces for Building 3. Of these loading spaces, 64 at Building 2 and 28 at Building 3 do not meet the minimum required width of 14 feet. However, because the Project still provides 49 compliant loading spaces at Building 2 and 23 compliant loading spaces at Building 3, allowing the width of some of the Project's loading spaces to be reduced by one foot in width would not detract from the Project's overall loading facilities.

*3. Section IV.B.3, Table 4 – Minimum Required Parking Spaces for Warehouse and/or Distribution Use (1 space/2000 sq. ft.)*

The Project is proposing a total of 252 parking spaces for Building 2 and 90 parking spaces for Building 3, whereas, for a warehouse and/or distribution use, the Project would require 323 parking spaces for Building 2 and 172 parking spaces for Building 3 if it strictly complied with the Bylaw's off-street parking requirements.<sup>2</sup> The proposed parking is sufficient to meet employee and operational demands at the Property. Furthermore, by providing less than the minimum number of required parking spaces, the Project avoids creating unnecessary impervious areas, which will improve stormwater management and drainage performance at the Project Lots.

*4. Section IV.B.4.e – 30-foot Maximum Width of Driveway for Two-Way Use*

As shown on the Site Plans, several of the interior driveways provide a width of 36 feet. The width is intended to safely accommodate two-lane traffic consisting of loading and delivery vehicles on portions of the driveway that include more curving and intersections with other connecting driveways.

*5. Section IV.B.5.c.3 – Interior landscaped areas shall be dispersed so as to define aisles and limit unbroken rows of parking to a maximum of one hundred (100) feet. Landscaping between rows of parking shall be at least eight (8) feet in width.*

The Project does propose some interior landscaped areas in the designated employee parking areas, however, due to operational constraints, landscape islands have not been provided in designated tractor trailer parking areas. Providing landscape islands in these areas would prohibit the safe and efficient movement of the tractor trailers as well as make snow removal

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<sup>2</sup> These figures do not account for the trailer parking spaces provided at Building 2 and Building 3 (33 and 118, respectively).





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operations substantially more difficult at the Project Lots. The Project's significant natural vegetated buffers will minimize the effect of not having interior landscaped islands.

#### VIII. Scenic Road Approval

As shown on the Site Plans (specifically, the Transportation Improvement Boston Road plan set prepared by VHB) and described above, the Project is proposing to improve Boston Road along the portions abutting the Property. Although the improvements will result in the removal of several public shade trees and a small section of stone wall, the aesthetics of Boston Road as a scenic road will still be preserved while also enhancing the public safety of this portion of the roadway at the new intersection with Unified Parkway. The portions of the Property abutting the Boston Road improvement areas will remain undisturbed in their vegetated state, providing a natural forested area running alongside Boston Road consistent with other nearby stretches of the scenic road.

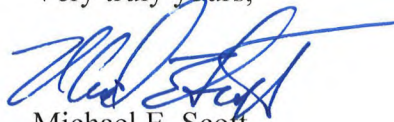
The application includes photographs of the existing condition of Boston Road where the proposed improvements will occur. Unified will provide further context to the Board at the public hearing as to how the existing conditions will change based on the improvements depicted on the Site Plans.

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Finally, Unified has been engaging in discussions with the Wilkinsonville Water District ("WWD") in the design and development of the Project, including how the Project may be able to provide WWD's well lot abutting Lot 2 with new utility connections and means of access. Unified anticipates these efforts will culminate in a letter agreement with the WWD establishing a scope of work, potential new and/or relocated easements, ownership of tasks and other agreements in connection with the Project.

We look forward to presenting UGPG's Definitive Subdivision Plan at the Board's April 25, 2022 hearing date.

Very truly yours,



Michael E. Scott

MES/DAL  
Enclosures

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