

SUTTON PLANNING BOARD
Meeting Minutes
October 5, 2020

Approved W. Baker

*Note- This meeting was held remotely via Zoom in accordance with Executive Orders from Governor Baker. The Chair read a notice regarding the remote meeting format. (attached)

Present: W. Baker, M. Gagan, R. Largess Jr., S. Paul, K. Bergeson, W. Talcott (Associate)
Staff: J. Hager, Planning & Economic Dev. Director

As S. Paul was not present W. Talcott acted as a full member in his place.

**Public Hearing – Site Plan Review & Route 146 Special Permit – 190/192 Worcester
Providence Turnpike – New Equipment/Storage Building**

R. Largess Jr. Read the hearing notice as it appeared in The Chronicle.

Robert Murphy of RGM Environmental of North Grafton was present on behalf of his client James Fitzpatrick. He reviewed the site plan for 190/192 Worcester Providence Turnpike showing the addition of a 3,200 s.f. garage to the south of the existing building. There will be no bathroom or offices in the new building, it is strictly for vehicles and equipment. He added the buildings will also now be located 10' apart per fire code. The current access will remain as it is now with no additional curb cuts. Mr. Murphy stated the interior lot line will be eliminated via filing and 81X plan showing Mr. Fitzpatrick's ownership of both non-conforming lots that are merged for zoning purposes under the Doctrine of Merger. Additionally, there is no formal drainage on the property currently they will be adding a stormwater basin to remove potential sediment and pollutants from running into Cold Spring Brook. Likewise on the newly developed parcel stormwater will go through a specialized catch basin to separate out any pollutants and sediments and then into a basin which will slowly outlet clean water to the Brook. Roof drainage will go into a Cultek onsite infiltration system adjacent to Route 146 reducing flow to Cold Spring Brook. The septic system is also being replaced.

Mr. Murphy reviewed his waiver requests:

- To not show all abutters within 300' on the plans. All abutters within 300', including those across Route 146 were notified of the hearing as required by law, but the applicant feel the proposed changes have no potential effect on these abutters so there is no need to show them on the plans.
- They want a waiver to use a steel framed building but will dress it up so it looks like a colonial carriage house in nature. They will provide an architectural plan.
- To waive a requirement for a landscape architect as Mr. Murphy has a related degree from UMass.
- To waive the requirement for views from Route 146 in lieu of sketches showing the 3D view of the building.
- To waive the Route 146 overlay open space requirement to allow the perimeter green space to be counted as open space. They meet the standard zoning bylaw 25% open space requirement.
- To waive the central gathering space or count the existing green space with picnic tables as the gathering area. Needs to shown on the plans.
- Allow parking in front setback to remain to keep them as far as possible from Cold Spring Brook and eliminate parking that is currently in the state highway ROW.

They are also before the Conservation Commission as the site is within the Riverway Protection District from Cold Spring Brook. The project is before the Zoning Board of Appeals for expansion of a non-conforming use which includes relief for the structure and parking in the setbacks.

The Board reviewed department comments from Fire, Assessors and Tax Collector. Mr. Murphy noted they cannot make changes to the State Highway. He also added the driveway on adjacent property is also Mr. Fitzpatrick's land. J. Hager noted if this lot were to be transferred out there has to be an assurance that this driveway would remain.

There was no public comment.

W. Talcott asked and J. Hager read the Route 146 open space requirement which excludes counting green space in the setbacks and only 25% of stormwater basins can be counted. An open space calculation chart must be provided. R. Largess Jr. stated the building design needs some help. In response to a question from W. Talcott, Mr. Murphy stated they have not designed this as an addition to the existing structure as a building of that size would require sprinklers which would make the project cost prohibitive.

The Board reviewed waiver requests:

IV.C.4.c. – To not show all abutters within 300' on the plans. All abutters within 300', including those across Route 146 were notified of the hearing as required by law, but the applicant feel the proposed changes have no potential effect on these abutters so there is no need to show them on the plans.

Motion: To approve the waiver request to only show abutters within 300' west of Route 146 and not those across Route 146, K. Bergeson

2nd: W. Talcott

R. Largess Jr. expressed concerns with precedent. K. Bergeson noted its situational considering the site being adjacent to Route 146.

Vote: R. Largess Jr. – No, W. Talcott – yes, M. Gagan – yes, K. Bergeson – yes, W. Baker – yes

(S. Paul interjected that he's been present for pretty much the whole meeting, but will remain as a non-acting member until the next hearing) S. Paul asked to review the property lines and verified the parking in the ROW would be removed.

V.D. 4.C.1.a.- To eliminate the need for a landscape architect to produce and stamp the plans.

Motion: To approve the waiver request and allow Mr. Murphy to do the landscape plan, K. Bergeson

2nd: M. Gagan

Vote: M. Gagan – yes, W. Talcott – yes, K. Bergeson – yes, R. Largess Jr. – aye, W. Baker – aye

S. Paul asked why the applicant needs all the parking? Mr. Murphy said it's for the employees. K. Bergeson stated if a reasonable effort is made to screen the building he would be okay with the parking in the setback especially if parking is eliminated in the highway ROW. R. Largess Jr. felt the parking should be reduced as much as possible within the setbacks to just what is absolutely needed. There were no general objections from the Board.

J. Hager noted the applicant also needs to submit additional waiver particularly those from the Route 146 Overlay District that don't apply to sites of this size.

Motion: To continue the hearing to November 16, 2020 at 7 P.M., R. Largess Jr.

2nd: K. Bergeson

Vote: M. Gagan – yes, R. Largess Jr. – Aye, W. Talcott – yes, K. Bergeson – yes, W. Baker – Yes

(S. Paul steps in as the voting member and W. Talcott returns to Associate Member status)

Public Hearing – Site Plan Review – Sutton Youth Baseball – 5 Hough Road – New Ball Field

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

Zachary Gless of Existing Grade was present along with his client Corey Litchfield representing Sutton Youth Baseball. He reviewed the plan to construct a third ball field at 5 Hough Road east of the existing fields. The field construction is more than 100' away from the closest wetland. He stated the request to add a third field has gone before the Selectmen and has been approval.

The Board reviewed department comments from the Fire Department and the Tax Collector which is mute as the land is Town owned.

Corey Litchfield stated the new field will be for farm league ages 5-8 and will be primarily a practice field. He noted this is already taking place on the site on turf matting which is less than ideal. This is the third field which will go where the batting cages and turf matting currently exists.

Michelle Saucier of 5 Hough Road expressed her concerns with parking along Hough Road. She also noted she has seen adults peeing between the fields and her home. Mr. Litchfield stated they have permanent bathrooms on the site. He stated they don't have funds to construct additional parking, but he does doesn't think any is necessary as they only have 15-20 players per field and they only have overflow during their family fun days which they will no longer be holding at this site.

J. Hager noted she reviewed the plans with Graves Engineering and they had no concerns with the plans but just requested proper erosion control be shown along the tree clearing line. Additionally, any fill brought into the site must have its source identified and verified as clean fill.

Z. Gless confirmed there will be no lighting. Other comments from J. Hager's review memo were addressed. Sixty-seven spaces are available not country parking along the soccer field on Whitins Road.

The Board reviewed waiver requests:

IV.C.4.f. – To not show existing parking areas as no changes are proposed and due to their distance from the field addition. They have been shown on the aerial.

Motion: To grant the waiver to not show parking on the site plan due to its distance from the proposed field change, K. Bergeson

2nd: M. Gagan

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye, W. Baker – aye

IV.C.4.j. – To not provide stormwater management calculations due to the negligible changes to drainage patterns pre and post development.

Motion: To grant the waiver to eliminate the need to provide stormwater calculations,
R. Largess Jr.

2nd: K. Bergeson

Vote: S. Paul – aye, K. Bergeson – aye, R. Largess Jr. – aye, M. Gagan – aye, W. Baker - aye

IV.C.4.l. – To not provide a landscape plan considering the proposed use is a green land use surrounded by trees.

Motion: To grant the waiver to eliminate the need for a landscape plan, R. Largess Jr.

2nd: K. Bergeson

Vote: R. Largess Jr. – aye, S. Paul – aye, K. Bergeson – aye, M. Gagan – aye, W. Baker - aye

IV.C.4.n. – Waive traffic study as the amount of traffic won't change.

Motion: To grant the waiver to eliminate the need for a traffic study, K. Bergeson

2nd: S. Paul

W. Baker added that the league should follow up on using the Police Department if necessary. J. Hager added conditions might also put some onus on the league to also police their own members.

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye, W. Baker - aye

Motion: To approve the Site Plan for a third ball field at 5 Hough Road with the following conditions: K. Bergeson

2nd: R. Largess Jr.

S. Paul suggested that formal approval from the Selectmen be received, the motion and second were adjusted accordingly.

Vote: K. Bergeson – aye, R. Largess Jr. – aye, S. Paul – aye, M. Gagan – aye, W. Baker - aye

Motion: To close the public hearing, R. Largess Jr.

2nd: M. Gagan

Vote: M. Gagan – aye, R. Largess Jr. – aye “play ball!”, S. Paul – aye, K. Bergeson – aye, W. Baker - aye

Additional Action Items

Form A Plans

19-25 Oakhurst Road – 996 s.f. land swap to maintain required setbacks from solar installation.

Motion: To approve the Form A plan dated 5/14/20 showing and exact land swap between parcels, no new buildable lots, S. Paul

2nd: R. Largess Jr.

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye, W. Baker – aye

Site Plan Waiver – 71 Blackstone Street – Temp Cafeteria

W. Morin from J & G Foods was present to explain to the Board that due to Covid 19 they have erected a tent to allow employees to properly distance during lunch breaks. With the cold weather coming they are requesting a waiver of site plan review to put up a temporary 3,000 s.f. cafeteria with heating. This will be configured from 5 attachable trailers including one with bathrooms. Occupancy will be limited to approximately 50 people at a time. In response to a questions from S. Paul,

Mr. Morin stated the company runs just one shift with about 200 employees, so lunch break will be divided into four seatings.

Motion: To waive Site Plan Review and approve a 3,000 s.f. cafeteria for the duration of the Covid emergency subject to all other required approvals, R. Largess Jr.

2nd: S. Paul

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

Field Change – IBA - 103 Gilmore Drive - Landscaping

The Board reviewed changes to the landscaping at IBA that feature a more natural landscape.

Screening plantings along the north side of the project were changed from spruce to a larger number of green giant arborvitae.

Motion: To approve the field change for building and screening landscaping at IBA per the plans presented, R. Largess Jr.

2nd: K. Bergeson

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

Field Change – 258 Putnam Hill Road – Common Driveway

The Board review the proposed field change showing several stormwater management changes including removal of a pipe from under the common driveway and installation of a swale along the common driveway. Graves engineering reviewed the changes and found them to be acceptable.

Motion: To approve the field changes in stormwater management measures per the plans presented, S. Paul

2nd: K. Bergeson

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

(The Chairman heard this agenda item out of order noting how long the proponent had been waiting and that no one appeared to be waiting on the Millbury agenda item.)

Bond Draw Down – Villas Phase 3

John Burns requested a bond draw down as he nears completion of the final phase of the Villas at Pleasant Valley. J. Hager confirmed the Trustees had been notified. None were present.

Graves Engineering has provided an updated estimate reducing the bond to \$11,000.

Motion: To approve a bond draw down from \$19,000 to \$11,000, R. Largess Jr.

2nd: K. Bergeson

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

Millbury – West Main Street & Burbank Road – Singletary Arms

The Board reviewed plans for this multiuse complex to be located along Burbank Road and its intersection with West Main Street in Millbury. They reviewed correspondence from the Planning & Economic Development Director relative to the traffic study and its failure to consider roadways and intersections in Sutton, particularly the intersection of Burbank and Sibley Roads. The Board agreed a letter should be sent from the Sutton Planning Board to the Millbury Planning Board stressing these same concerns and thanking them for their consideration of impacts to Sutton just as Sutton would consider impacts of a Sutton project to Millbury.

Administrative Items

Motion: To approve the minutes of 9/14/20, S. Paul

2nd: R. Largess Jr.

Vote: S. Paul – aye, M. Gagan – abstained (and noted he had viewed the tape of this meeting),
K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

Correspondence

Blackstone Logistics Center - The Board reviewed correspondence from the Northbridge Planning Board with their concerns about this potential project, particularly relative to traffic.

Motion: To adjourn, R. Largess Jr.
2nd: M. Gagan

Vote: S. Paul – aye, M. Gagan – aye, K. Bergeson – aye, R. Largess Jr. – aye. W. Baker – aye

Adjourned 9:28 PM

**STATEMENT REGARDING
REMOTELY CONDUCTED OPEN MEETING
Sutton Planning Board**

Good evening. This Open Meeting of the Sutton Planning Board is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the "COVID-19 Virus." While still ensuring public access, this Order suspends the requirement of the Open Meeting Law to have all meetings in a publicly accessible *physical* location. Further, all members of public bodies are allowed and encouraged to participate remotely. You can find the Order posted on the Town's website.

Regardless of our inability to meet in person, it is our intent to ensure continued transparency and the ability of the public to at least view the actions of our Board. Ensuring public access does not ensure public participation unless such participation is required by law. Tonight's public meeting will not feature public comment.

For this meeting, the Sutton Planning Board is convening by Zoom teleconference as specified on the legally posted agenda.

Please note that this meeting is being recorded. Accordingly, please be aware that others may be able to see you, and that you take care not to "screen share" your computer. Anything that you broadcast may be captured by the recording.