

**SUTTON PLANNING BOARD**  
**Meeting Minutes**  
**December 14, 2020**

Approved W. Baker

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

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

W. Talcott acted as a full member in the absence of K. Bergeson.

**Action Items**

Form A Plan – 359 Manchaug Road: J. Hager noted the Board had already endorsed this plan showing a potential land swap between TJJ Development and the Town, but during the valuation process R. Nunnemacher had suggested several plan revision including correction of a road name and bounds being set instead of to be set.

Motion: To endorse the plan dated Rev. 12/09/20 showing a land swap and no new lots, S. Paul  
2nd: R. Largess Jr.  
Vote: 5-0-0: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Talcott – yes,  
W. Baker – yes

Forest Edge Surety – J. Hager updated the Board that contrary to discussion at the last meeting, this project does have separate surety for Phase 1 and Phase 2. At the last meeting the Board voted to extend out the performance date for Phase 2 and reduce the bond by \$60,000 with the approval of Graves Engineering. Upon review Graves recommended the reduction of this bond by approximately \$42,000. Additionally the Phase 1 bond needs to be extended to allow completion of the AsBuilt plan and to correct a minor basin issue which amount to \$13,680 in surety,

Motion: To reduce the Phase 2 bond to \$93,000, S. Paul  
2nd: R. Largess Jr.  
Vote: 5-0-0: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Talcott – yes,  
W. Baker – yes

Motion: To extend the Phase 1 bond to June 1, 2021 and reduce the bond to \$13,680, S. Paul  
2nd: R. Largess Jr.  
Vote: 5-0-0: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Talcott – yes,  
W. Baker – yes

PV Crossing – Site Plan Review Determination – Patrick Doherty of Midpoint Engineering representing Galaxy Development and Tammy Bouraikis permit holder for a car wash at PC Crossing were present with Kyle Bouraikis a partner in the carwash. J. Hager updated the Board that she provided a memo to the Building Commissioner and Zoning Board of Appeals relative to the Board's decision at their last meeting to waiver the requirements of the Route 146 Overlay Bylaw to allow signage for businesses within PV Crossing to be located on any of the parcels that area a part of this project. The Building Commissioner expressed concerns with the ZBA being asked to act on variances from the number of signs otherwise allowed as he did not consider this to be a dimensional variance but in effect a use variance which is not allowed in Sutton.

**STATEMENT REGARDING  
REMOTELY CONDUCTED OPEN MEETING**

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.

J. Hager and J. Couture met with Town Counsel and Counsel stated the only way the number of signs can be varied is via a waiver request under the Route 146 Overlay Bylaw but any such request has to be done through a public hearing process. The question before the Board this evening is whether the applicant will also need to request a waiver of the site plan to revise and/or add sign locations. The Board decided that the applicant should apply for this modification especially noting it will just be handled in the same hearing so no additional cost will be incurred.

#### Endorse Plans – Oakhurst Road – Eversource

Motion: To endorse the site plans for Eversource at 19 Oakhurst Road dated 11/30/20,  
R. Largess Jr.  
2<sup>nd</sup>: S. Paul  
Vote: 5-0-0: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Talcott – yes,  
W. Baker – yes

BV Logistics – Review Process – The Board reviewed a letter from Fletcher, Tilton & Whipple, attorneys for Scannell Development who is developing a warehouse distribution center off Exit 4 of Route 146 and Lackey Dam Road a portion of which sits in the Town of Sutton as well as Douglas and Uxbridge. The letter asks if the Board is averse to join hearings as well as having one set of review consultants representing all three towns to eliminate duplication of effort and provide consistency. The Board expressed they have no issue with joint meetings and one set of consultants but noted minutes will be very important in the process.

#### Administrative Items

Motion: To approve the minutes of 11/30/20, S. Paul  
2<sup>nd</sup>: R. Largess Jr.  
Vote: 4-0-1: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Baker – yes,  
W. Talcott – abstained as he wasn't present

#### Correspondence:

ENF Certificate – BV Logistics: J. Hager noted this is the decision from the Secretary of Environmental Affairs stating what must be included in materials to be reviewed by the various state agencies for review of this process.

Singletary Arms – Burbank Road, Millbury: The Board discussed the revised impact report and J. Hager's concerns with various assumptions by Millbury's consultant. The Board expressed continued concerns with Millbury's lack of attention to impacts within Sutton and again noted Millbury would likely not be happy if Sutton ignored impacts there from development like Aggregate in Sutton. The Planning Director will provide written analysis on the updated traffic study.

Motion: To adjourn, R. Largess Jr.  
2<sup>nd</sup>: S. Paul  
Vote: 5-0-0: S. Paul – yes, M. Gagan – yes, R. Largess Jr. – yes, W. Talcott, W. Baker – yes

Adjourned 8:04 PM