

SUTTON PLANNING BOARD

Meeting Minutes February 28, 2022

Approved 

*Note- This meeting was held in person and remotely via Zoom in accordance with recently enacted legislation. The Chair read a notice regarding the hybrid meeting format. (see end of minutes)

Present in person: M. Gagan, R. Largess, Jr., S. Paul, W. Baker, W. Talcott

Present remotely: None

Absent: None

Staff: J. Hager, Planning & Economic Development Director

Public Hearing – 65 Gilmore Drive – Lifesong Church

W. Talcott read the hearing notice as it appeared in The Chronicle.

The following individuals were present on behalf of the applicant: Dave Russo, P.E. DiPrete Engineering (remotely), and Lifesong Trustees Eric Rosenlund, Tim Moore, and Brian Jamros.

D. Russo overviewed the site plan stating the applicants were looking to add a 9,900 s.f. addition within portion of the site that is already paved. Only a tiny corner will be new impervious area but there is an overall reduction in impervious. The addition will be added to the north side of the existing building on top of a row of existing parking and a portion of the drive that currently goes around the entire building. The 1,000 propane tank will be relocated adjacent to the addition. The addition will have six classrooms and two auditoriums. Stormwater runoff from the addition will be captured by roof leaders and be tied into the existing drainage system. The landscaping that is removed will be relocated on site.

Joanna Johnson of 45 Barnett Road asked to explain the position of the addition. J. Hager showed the site plan and explained if you are standing on Gilmore Drive looking at the front of the building, the addition will be to the right side of the building on top of some parking and the drive around this side. Brian Johnson asked if there will be any change to the tree line. D. Russo replied other than a tree or two the tree line will not be altered at all.

W. Talcott asked about the height of the addition. J. Hager share the architectural plans to the screen. The addition is lower than the center portion of the structure and about the same height as the lower portion of the existing building.

R. Largess Jr. read in department comments. The Conservation Commission will require a filing and the property is tax exempt. J. Hager noted the man lights should be full cutoff with front shields.

S. Paul asked if the Fire Department is good with the elimination of part of the emergency drive and asked if the parking is still compliant. D. Russo stated the Fire Department did not have concerns about the drive and he showed how a turnaround still exists south of the building that will accommodate emergency vehicles. He added that the bylaws require 100 spaces and 180 have been provided.

W. Talcott asked about stormwater. J. Hager noted there isn't much change in stormwater as there's still the same amount of impervious and her concern about roof runoff

- Motion: To approve the Site Plan Amendment for the 9,900 s.f. addition to Lifesong Church with the following conditions: S. Paul
1. Prior to endorsement of the Site Plan, reference to any waivers granted and all conditions of approval shall be listed on the plans.
 2. Prior to endorsement the applicant must add elements to mitigate roof runoff impacts.
 3. Within 10 days of endorsement the Applicant/Engineer shall submit three (3) complete prints of the endorsed site plans and one (1) electronic copy to the Sutton Planning Office.
 4. Prior to commencement of construction on the site, all required approvals and/or permits shall be received from applicable permitting authorities.
 5. Within a month of completion of construction, the Applicant shall submit to the Planning Board an As-Built Plan and written certification from the Project's engineer that the entire site has been constructed substantially in accordance with the Site Plan.
 6. The Board reserves the right to review lighting post installation and require adjustments to achieve the intent of the bylaws.

2nd: R. Largess, Jr.

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul - aye

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

2nd: W. Baker

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul – aye

Public Hearing – Special Permit Retail Use & Site Plan Waiver – 356 Manchaug Road

W. Baker read the hearing notice as it appeared in The Chronicle.

Jamie Burke of 8 Brentwood Drive Worcester was present to request a Special Permit for a retail interior design store and waiver of site plan review for her vendor based retail and wholesale design store, The previous owner also had an interior design store, but it has been over two years since the structure was occupied for this use so Ms. Burke had to re-apply for the Special Permit. Other than signage no changes are planned to the building.

R. Largess Jr. read department comments including comments from the Fire Department who provided minimal requirements for their approval.

W. Baker noted this is just a continuation of a use that has been here for over a hundred years with the building having been the General Store in the 1800s.

R. Largess Jr. asked if Ms. Burke would live in the building like the former owner. She stated she may decide to move in if she eventually purchases the building.

The Board made the following findings:

1. The site is appropriate for the use as it fits the mix of uses allowed in the village and is the same use as in the past.
2. Adequate water and sewer and water exists at the site
3. There will not be a negative impact from this minimal use. The hours will be limited (10AM to 6PM).
4. There will not be a nuisance or hazard to vehicles or pedestrians as there is adequate parking and circulation on site.

5. Adequate and appropriate facilities exist for proper operations of the use with approval of the building and fire departments.

Motion: To grant the Retail Use Special Permit with the following conditions, R. Largess Jr.

1. Prior to occupancy of the site, all required approvals and/or permits shall be received from applicable permitting authorities especially compliance with the review form from the Fire Department dated 2/9/22.
2. Prior to issuance of sign permits and sign fabrication, the applicant shall submit any sign details to the Planning Department. Said submittal shall be reviewed and acted on in compliance with the Sign Bylaw.

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul – aye

Motion: To waive site plan review as this is basically the same use with no exterior changes, W. Talcott

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul - aye

Motion: To close the public hearing, W. Baker

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul - aye

Action Items

Form A – 435 Boston Road

Motion: To endorse the form A plan dated 6/18/21, R. Largess Jr.

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul – aye

Form A – 114 Manchaug Road

Motion: To endorse the form A plan dated 2/24/22, R. Largess Jr.

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul – aye

Unified - Endorse Definitive Subdivision Plans

Motion: To endorse the covenant dated 2/28/22, S. Paul

2nd: R. Largess Jr.

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul – aye

Motion: To endorse the Definitive subdivision plans dated 1/10/22, S. Paul

2nd: W. Baker

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul – aye

Blackstone Logistics – Endorse Revised Site Plans – Tabled to future meeting.

Waiver of Site Plan Review – 160 Worcester Providence Turnpike – Dog Training

Edwin and Kristin Morse of Putnam Hill Road were present to ask the Board to confirm their proposed dog training use is a personal service establishment and waive site plan review to allow them to locate within Sutton Plaza at 160 Worcester Providence Turnpike (Route 146). They were working out of a rescue, but the rescue is moving.

Edwin read the statement he submitted with his application asserting that the training they provide is actually for owners to learn how to produce and handle various pet behaviors. It is no different that yoga lessons or guitar lessons. He added their hours will be after school and work so will have little impact on most other business in the plaza. Additionally, they will not have any boarding. Their potential lease also contains a clause that if their business disrupts other businesses they have to leave.

W. Talcott said he had no qualms with the use and agreed it qualifies as a person produce and service establishment. In response to his questions, the applicants stated a typical lesson is about 1 hour and training lasts for about 6 weeks. There are several levels of training. There will be a max of 8 dogs at one time. W. Talcott also asked if there will be a pee spot. There will be a pee spot behind the building that they will monitor and keep clean.

It was noted they will also have various retail items for sale related to their business.

Motion: To waive Site Plan Review and allow a dog training business at 160 Route 146 with the following conditions: R. Largess Jr.

- Approval of all other applicable permitting authorities
- Any noise issues shall be addressed immediately
- Dog potty area will be in back of the building and should be cleaned and maintained well as monitoring any front areas of the building

2nd: W. Talcott

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess Jr. – aye, S. Paul – aye

Burbank/Sibley Roads Traffic Safety Evaluation

J. Hager explained she had obtained a scope of work and cost estimate for evaluation of this intersection as requested by the Board. The Board reviewed the scope. She also explained she had discussed breaking the scope into different elements with separate hours and cost, but frankly the scope can only really be broken into two segments of cost, the info gathering (1-8) and designing alternatives (9-10). There are a few items like info gathering where the town staff can assist to reduce costs. The range is about how easy or hard or how much assistance is available for the tasks and everything will be billed out hourly.

W. Talcott stated he had been thinking about the intersection and the scope since the last meeting. He noted that understanding the history of the immediate area has been added to the scope but that he's not sure about this as the history and how that affects what is ultimately done is the Board and the Town's job, not the traffic engineers purview. He noted this is a cool intersection but he didn't think it was in the Town's best interest to spend a bunch of money just to end up in the same spot. He felt there are staff like Jen H. and the Highway Super, the Select Board can come up with a solution that can satisfy the most people and make the intersection safer.

R. Largess Jr. stated if the Town spends the money they need to pull the trigger and the result has to be a safer intersection.

S. Paul noted this is a case of being careful what you ask for.

J. Hager stated there are some things she can do, but she isn't a traffic engineer and isn't comfortable nor qualified to evaluate the effects of different changes.

W. Baker said a quantitative analysis with data and facts not anecdotal information is needed.

M. Gagan stated because this is an historic area the best safety solution might not be one everyone is happy with so there should be an opportunity for everyone to come together and discuss possible mitigation.

W. Talcott said the money would be better spent on mitigation. He felt there were enough people in the Town who could come up with possible solutions.

Although this discussion was occurring outside a public hearing and therefore the public had no given right to comment, the Chair noted Mr. Marran, the owner of the land around the intersection was present and allowed him to speak.

J. Marran of 80 Burbank Road, owner of Freegrace Marble Farm that surround the intersection, expressed that he agreed it would be a shame to spend money studying the intersection and not be at a place where a resolution could be agreed to. He noted issues like this one are just the beginning, the canary in the coal mine so to speak. With substantial pending development this won't be the only local road with constrained capacity. He stressed whatever is done here has to be done for the right reasons. He reiterated that a kickoff meeting with Historic New England is not in the scope and is critical as special consideration must be given to elements that define Sutton. He said he wanted to include the Farm in the Open Space Plan which might bring funding to the issues at hand.

S. Paul said at this point the Town could be considered negligent if they don't address the safety issues that have been raised.

J. Hager expressed frustration with Mr. Marran again stressing that the traffic engineer is a professional with substantial experience who won't need any assistance in evaluating what's happening at the intersection. However, if the consultant feel he needs to speak with the owner of the property at the intersection the meeting will happen. She reiterated this isn't about one person, one property and one issue, it's about a special property and a safety issue that involves a lot of stake holders.

R. Largess Jr. noted he called the Kelly Square engineer directly when they were evaluating changes to this intersection that would effect is property there.

J. Hager interjected there will not be carte blanche for anyone to have free access to the consultant, that what the open meeting to discuss alternatives is for. She stressed there will be an opportunity for anyone who has information germane to the consultant's tasks to provide that information. However, from a budgetary and impartiality perspective, she noted again that there needs to be a balance between ensuring the consultant gets all the info they need to conduct the evaluation, but not having the appearance or an actual skew in the process.

Mr. Marran said if the Board is not going to guarantee a meeting between himself, Historic New England and the consultant then the Board should just vote not to do anything.

Brian Stevenson of 664 Central Turnpike also a member of the Historic Society, was allowed to speak briefly. He said the Board should consider a one-way roadway as it would eliminate a lot of traffic.

J. Hager again noted this could be a solution but that the effects of any potential solution have to be evaluated.

The majority of the Board asked that a memo and scope of work be sent to the Select Board requesting funding to carry out an evaluation of the traffic safety issues at the intersection.

Administrative Items

Motion: To approve the minutes of 1/31/22 with amendments, R. Largess, Jr.

2nd: S. Paul

Vote: 5-0-0, W. Talcott – aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. – aye, S. Paul - aye

Filing – The Board acknowledged the following filings:

- 61 Duval Road – Definitive Subdivision

Board Business:

- Annual Report 2022 – J. Hager asked the Board to review the report and let her know if it needs any changes otherwise this will be the report that is included in the annual town report.

Correspondence: None.

Motion: To adjourn, R. Largess Jr.

2nd: W. Baker

Vote: 5-0-0: W. Talcott - aye, W. Baker – aye, M. Gagan – aye, R. Largess, Jr. - aye, S. Paul - aye

Adjourned 9:00 PM

Covid Meeting Statement:

Pursuant to Governor Baker's March 12, 2020 Order suspending certain provisions of the Open Meeting Law, this meeting of the Sutton Planning Board is in a hybrid format with both in-person and Zoom component. To join the meeting visit www.zoom.us/join and enter Meeting ID: 868 4017 7687 Password: 772577. The meeting will be broadcast and recorded on local public access station (Verizon 31 & Charter/Spectrum 191) and live streamed on the Towns YouTube channel when available.